

JULY 7, 2020

RULES COMMITTEE PRINT 116–57
TEXT OF H.R. 6395, WILLIAM M. (MAC) THORN-
BERRY NATIONAL DEFENSE AUTHORIZATION
ACT FOR FISCAL YEAR 2021

[Showing the text of H.R. 6395, as ordered reported by the
Committee on Armed Services]

1 **SECTION 1. SHORT TITLE.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “William M. (Mac) Thornberry National Defense Author-
4 ization Act for Fiscal Year 2021”.

5 (b) **REFERENCES.**—Any reference in this or any
6 other Act to the “National Defense Authorization Act for
7 Fiscal Year 2021” shall be deemed to refer to the “Wil-
8 liam M. (Mac) Thornberry National Defense Authoriza-
9 tion Act for Fiscal Year 2021”.

10 **SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF**
11 **CONTENTS.**

12 (a) **DIVISIONS.**—This Act is organized into four divi-
13 sions as follows:

14 (1) **Division A**—Department of Defense Au-
15 thorizations.

16 (2) **Division B**—Military Construction Author-
17 izations.

1 (3) Division C—Department of Energy Na-
2 tional Security Authorizations and Other Authoriza-
3 tions.

4 (4) Division D—Funding Tables.

5 (5) Division E—National Artificial Intelligence
6 Initiative Act of 2020.

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

Sec. 1. Short title.

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

Sec. 3. Congressional defense committees.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization Of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Navy Programs

Sec. 111. Independent cost estimate of FFG(X) frigate program.

Subtitle C—Air Force Programs

Sec. 121. Modification of force structure objectives for B-1 bomber aircraft.

Sec. 122. Extension of limitation on availability of funds for retirement of RC-135 aircraft.

Sec. 123. Modification of limitation on availability of funds for retirement of E-8 JSTARS aircraft.

Sec. 124. Limitation on availability of funds for the Advanced Battle Management System pending certification relating to RQ-4 aircraft.

Sec. 125. Inventory requirements for certain air refueling tanker aircraft.

Sec. 126. Limitation on production of KC-46A aircraft.

Sec. 127. Assessment and certification relating to OC-135 aircraft.

Sec. 128. Modernization plan for airborne intelligence, surveillance, and reconnaissance.

Sec. 129. Minimum bomber aircraft force level.

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

Sec. 131. Documentation relating to the F-35 aircraft program.

Sec. 132. Notification on software regression testing for F-35 aircraft.

Sec. 133. Notification on efforts to replace inoperable ejection seat aircraft locator beacons.

Sec. 134. Limitation on use of funds for the Armed Overwatch Program.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Modification of Science, Mathematics, and Research for Transformation (SMART) Defense Education Program.

Sec. 212. Enhanced participation of Department of Defense contractors in science, technology, engineering, and mathematics activities.

Sec. 213. Modification of requirements relating to certain cooperative research and development agreements.

Sec. 214. Pilot program on talent optimization.

Sec. 215. Codification of the National Security Innovation Network.

Sec. 216. Modification of pilot program on enhanced civics education.

Sec. 217. Modification of joint artificial intelligence research, development, and transition activities.

Sec. 218. Modification of national security innovation activities and manufacturing pilot program.

Sec. 219. Extension of pilot program for the enhancement of the research, development, test, and evaluation centers of the Department of Defense.

Sec. 220. Digital data management and analytics capability.

Sec. 221. Social science, management science, and information science research activities.

Sec. 222. Measuring and incentivizing programming proficiency.

Sec. 223. Information technology modernization and security efforts.

Sec. 224. Board of Directors for the Joint Artificial Intelligence Center.

Sec. 225. Directed Energy Working Group.

Sec. 226. Program Executive Officer for Autonomy.

Sec. 227. Accountability measures relating to the Advanced Battle Management System.

Sec. 228. Measures to address foreign talent programs.

Sec. 229. Disclosure of foreign funding sources in applications for Federal research awards.

Sec. 230. Limitations relating to large unmanned surface vessels and associated offensive weapon systems.

Sec. 231. Limitation on availability of funds pending review and report on next generation air dominance capabilities.

Subtitle C—Emerging Technology and Artificial Intelligence Matters

Sec. 241. Steering committee on emerging technology.

Sec. 242. Training for human resources personnel in artificial intelligence and related topics.

Sec. 243. Unclassified workspaces for personnel with pending security clearances.

Sec. 244. Pilot program on the use of electronic portfolios to evaluate applicants for certain technical positions.

Sec. 245. Self-directed training in artificial intelligence.

Sec. 246. Part-time and term employment of university professors and students in the Defense science and technology enterprise.

Sec. 247. Microelectronics and national security.

- Sec. 248. Acquisition of ethically and responsibly developed artificial intelligence technology.
- Sec. 249. Enhancement of public-private talent exchange programs in the Department of Defense.

Subtitle D—Sustainable Chemistry Research and Development

- Sec. 251. Short title.
- Sec. 252. Findings.
- Sec. 253. National coordinating entity for sustainable chemistry.
- Sec. 254. Strategic plan for sustainable chemistry.
- Sec. 255. Agency activities in support of sustainable chemistry.
- Sec. 256. Partnerships in sustainable chemistry.
- Sec. 257. Prioritization.
- Sec. 258. Rule of construction.
- Sec. 259. Major multi-user research facility project.

Subtitle E—Plans, Reports, and Other Matters

- Sec. 261. Modification to annual report of the Director of Operational Test and Evaluation.
- Sec. 262. Repeal of quarterly updates on the Optionally Manned Fighting Vehicle program.
- Sec. 263. Independent evaluation of personal protective and diagnostic testing equipment.
- Sec. 264. Reports on F-35 physiological episodes and mitigation efforts.
- Sec. 265. Study on mechanisms for attracting and retaining high quality talent in the national security innovation base.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

- Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

- Sec. 311. Military Aviation and Installation Assurance Clearinghouse for review of mission obstructions.
- Sec. 312. Military Aviation and Installation Assurance Clearinghouse for review of mission obstructions.
- Sec. 313. Agreements to limit encroachments and other constraints on military training, testing, and operations.
- Sec. 314. Modification of Department of Defense environmental restoration authorities to include Federal Government facilities used by National Guard.
- Sec. 315. Increased transparency through reporting on usage and spills of aqueous film-forming foam at military installations.
- Sec. 316. Replacement of non-tactical motor vehicles at the end of service life with electric or hybrid motor vehicles.
- Sec. 317. Budgeting of Department of Defense relating to operational energy improvement.
- Sec. 318. Assessment of Department of Defense operational energy usage.
- Sec. 319. Improvement of the operational energy capability improvement fund of the Department of Defense.
- Sec. 320. Five-year reviews of containment technologies relating to Red Hill Bulk Fuel Storage Facility.

- Sec. 321. Limitation on use of funds for acquisition of furnished energy for Rhine Ordnance Barracks Army Medical Center.
- Sec. 322. Requirement to update Department of Defense climate change road-map.
- Sec. 323. Comptroller General report on Department of Defense installation energy.
- Sec. 324. Department of Defense report on emissions levels.
- Sec. 325. Objectives, performance standards, and criteria for use of wildlife conservation banking programs.
- Sec. 326. Offshore wind energy development, Morro Bay, California.
- Sec. 327. Long-duration demonstration initiative and joint program.
- Sec. 328. Prizes for development of non-PFAS-containing fire-fighting agent.
- Sec. 329. Survey of technologies for Department of Defense application in phasing out the use of fluorinated aqueous film-forming foam.
- Sec. 330. Interagency body on research related to per- and polyfluoroalkyl substances.
- Sec. 331. Restriction on procurement by defense logistics agency of certain items containing perfluoroalkyl substances and polyfluoroalkyl substances.
- Sec. 332. Standards for removal or remedial actions with respect to PFOS or PFOA contamination.
- Sec. 333. Research and development of alternative to aqueous film-forming foam.
- Sec. 334. Notification to agricultural operations located in areas exposed to Department of Defense PFAS use.
- Sec. 335. Public disclosure of results of Department of Defense testing for perfluoroalkyl or polyfluoroalkyl substances.

Subtitle C—Logistics and Sustainment

- Sec. 351. National Defense Sustainment and Logistics Review.
- Sec. 352. Extension of sunset relating to charter air transportation services.
- Sec. 353. Additional elements for inclusion in Navy ship depot maintenance budget report.
- Sec. 354. Modification to limitation on length of overseas forward deployment of naval vessels.
- Sec. 355. Independent advisory panel on weapon system sustainment.
- Sec. 356. Biannual briefings on status of Shipyard Infrastructure Optimization Plan.
- Sec. 357. Materiel readiness metrics and objectives for major weapon systems.

Subtitle D—Munitions Safety and Oversight

- Sec. 361. Chair of Department of Defense explosive safety board.
- Sec. 362. Explosive Ordnance Disposal Defense Program.
- Sec. 363. Assessment of resilience of Department of Defense munitions enterprise.
- Sec. 364. Report on safety waivers and mishaps in Department of Defense munitions enterprise.

Subtitle E—Other Matters

- Sec. 371. Pilot program for temporary issuance of maternity-related uniform items.
- Sec. 372. Servicewomen's Commemorative Partnerships.
- Sec. 373. Biodefense analysis and budget submission.

TITLE IV—MILITARY 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. Modification of the authorized number and accounting method for senior enlisted personnel.

Subtitle B—Reserve Forces

- Sec. 411. End strengths for Selected Reserve.
- Sec. 412. End strengths for Reserves on active duty in support of the Reserves.
- Sec. 413. End strengths for military technicians (dual status).
- Sec. 414. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

- Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

- Sec. 501. Authorized strength: exclusion of certain general and flag officers of the reserve components on active duty.
- Sec. 502. Diversity in selection boards.
- Sec. 503. Redaction of personally identifiable information from records furnished to a promotion board.

Subtitle B—Reserve Component Management

- Sec. 511. Grants to support STEM education in the Junior Reserve Officers' Training Corps.
- Sec. 512. Modification of education loan repayment program for members of Selected Reserve.
- Sec. 513. Requirement of consent of the chief executive officer for certain full-time National Guard duty performed in a State, Territory, or the District of Columbia.
- Sec. 514. Constructive credit for certain members of the reserve components who cannot complete minimum annual training requirements as a result of the COVID-19 pandemic.
- Sec. 515. Guidance for use of unmanned aircraft systems by the National Guard.
- Sec. 516. Direct employment pilot program for certain members of the reserve components.
- Sec. 517. Temporary limitation on authority to transfer, relocate, or dissolve elements of the reserve components of the Air Force.
- Sec. 518. Pilot programs in connection with SROTC units and CSPI programs at Historically Black Colleges and Universities and minority institutions.

Subtitle C—General Service Authorities and Correction of Military Records

- Sec. 521. Temporary authority to order retired members to active duty in high-demand, low-density assignments during war or national emergency.

- Sec. 522. Reenlistment waivers for persons separated from the Armed Forces who commit one misdemeanor cannabis offense.
- Sec. 523. Review of Seaman to Admiral-21 program; credit towards retirement.

Subtitle D—Military Justice and Other Legal Matters

- Sec. 531. Punitive article on violent extremism.
- Sec. 532. Preservation of Court-martial records.
- Sec. 533. Electronic notarization for members of the Armed Forces.
- Sec. 534. Clarifications regarding scope of employment and reemployment rights of members of the uniformed services.
- Sec. 535. Absentee ballot tracking program.
- Sec. 536. Tracking mechanism and reporting requirements for supremacist, extremist, and criminal gang activity in the Armed Forces.
- Sec. 537. Military-civilian task force on domestic violence and related information collection activities.
- Sec. 538. Actions to address military-connected child abuse.
- Sec. 539. Multidisciplinary board to evaluate suicide events.

Subtitle E—Sexual Assault

- Sec. 541. Protection of attorney-client privilege between victims and Special Victims' Counsel.
- Sec. 542. Authority of military judges and military magistrates to issue military court protective orders.
- Sec. 543. Additional bases for provision of advice by the Defense Advisory Committee for the Prevention of Sexual Misconduct.
- Sec. 544. Modification of reporting and data collection on victims of sexual offenses.
- Sec. 545. Modification of annual report regarding sexual assaults involving members of the Armed Forces.
- Sec. 546. Coordination of support for survivors of sexual trauma.
- Sec. 547. Policy on separation of victim and accused at military service academies.
- Sec. 548. Safe-to-report policy applicable across the Armed Forces.
- Sec. 549. Question in workplace and gender relations surveys regarding prosecutions of sexual assault.
- Sec. 549A. Pilot program on prosecution of special victim offenses committed by attendees of military service academies.
- Sec. 549B. Report on status of investigations of alleged sex-related offenses.

Subtitle F—Member Education, Training, and Transition

- Sec. 551. Counseling in the Transition Assistance Program regarding sexual assault, sexual or gender harassment, and intimate partner violence.
- Sec. 552. Establishment of mentoring and career counseling program.
- Sec. 553. Defense Language Institute Foreign Language Center.
- Sec. 554. Defense Language Institute Foreign Language Center.
- Sec. 555. Increase in number of permanent professors at the United States Air Force Academy.
- Sec. 556. Information on nominations and applications for military service academies.
- Sec. 557. Transformation of the professional military education enterprise.
- Sec. 558. College of International Security Affairs of the National Defense University.

Sec. 559. Public-private consortium to improve professional military education.

Subtitle G—Military Family Readiness and Dependents' Education

- Sec. 561. Family readiness: definitions; communication strategy; report.
- Sec. 562. Support services for members of special operations forces and immediate family members.
- Sec. 563. Authority to provide financial assistance to certain in-home child care providers for members of the Armed Forces and survivors of members who die in combat in the line of duty.
- Sec. 564. Expansion of financial assistance under My Career Advancement Account program.
- Sec. 565. Child care.
- Sec. 566. Continuation of paid parental leave upon death of child.
- Sec. 567. Study and report on the performance of the Department of Defense Education Activity.
- Sec. 568. Comptroller General of the United States report on the structural condition of Department of Defense Education Activity schools.
- Sec. 569. Pilot program to expand eligibility for enrollment at domestic dependent elementary and secondary schools.
- Sec. 569A. Continued assistance to schools with significant numbers of military dependent students.
- Sec. 569B. Standardization of the Exceptional Family Member Program.

Subtitle H—Diversity and Inclusion

- Sec. 571. Diversity and inclusion reporting requirements.
- Sec. 572. Establishment of Diversity and Inclusion Advisory Council of the Department of Defense.
- Sec. 573. Establishment of Special Inspector General for Racial and Ethnic Disparities in the Armed Forces; amendments to Inspector General Act.
- Sec. 574. Questions regarding racism, anti-Semitism, and supremacism in workplace surveys administered by the Secretary of Defense.
- Sec. 575. Report on demographics of officers appointed to certain grades.
- Sec. 576. Plans to increase female and minority representation in the Armed Forces.
- Sec. 577. Evaluation of barriers to minority participation in certain units of the Armed Forces.

Subtitle I—Decorations and Awards

- Sec. 581. Establishment of the Atomic Veterans Service Medal.
- Sec. 582. Authorization for award of the distinguished-service cross for Ramiro F. Olivo for acts of valor during the Vietnam War.

Subtitle J—Miscellaneous Reports and Other Matters

- Sec. 591. Expansion of Department of Defense STARBASE Program.
- Sec. 592. Inclusion of certain outlying areas in the Department of Defense STARBASE Program.
- Sec. 593. Prohibition on charging for or counting certain acronyms on headstones of individuals interred at Arlington National Cemetery.
- Sec. 594. Report on placement of members of the Armed Forces in academic status who are victims of sexual assault onto Non-Rated Periods.

Sec. 595. Sense of Congress regarding advertising recruiting efforts.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Increase in basic pay.

Sec. 602. Basic needs allowance for low-income regular members.

Sec. 603. Reorganization of certain allowances other than travel and transportation allowances.

Subtitle B—Bonuses and Special Incentive Pays

Sec. 611. One-year extension of certain expiring bonus and special pay authorities.

Sec. 612. Increase in certain hazardous duty incentive pay for members of the uniformed services.

Sec. 613. Standardization of payment of hazardous duty incentive pay for members of the uniformed services.

Sec. 614. Clarification of 30 days of continuous duty on board a ship required for family separation allowance for members of the uniformed services.

Sec. 615. Expansion of reimbursable State licensure and certification costs for a military spouse arising from relocation.

Subtitle C—Family and Survivor Benefits

Sec. 621. Expansion of authority to provide financial assistance to civilian providers of child care services or youth program services for survivors of members of the Armed Forces who die in the line of duty.

Sec. 622. Expansion of death gratuity for ROTC graduates.

Sec. 623. Recalculation of financial assistance for providers of child care services and youth program services for dependents.

Sec. 624. Priority for certain military family housing to a member of the Armed Forces whose spouse agrees to provide family home day care services.

Sec. 625. Study on feasibility of TSP contributions by military spouses.

Subtitle D—Defense Resale Matters

Sec. 631. Base responders essential needs and dining access.

Sec. 632. First responder access to mobile exchanges.

Sec. 633. Updated business case analysis for consolidation of the defense resale system.

Subtitle E—Other Personnel Benefits

Sec. 641. Maintenance of funding for Stars and Stripes.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

Sec. 701. Expansion of mental health assessments for members of the Armed Forces.

Sec. 702. Mandatory referral for mental health evaluation.

- Sec. 703. Assessments and testing relating to exposure to perfluoroalkyl and polyfluoroalkyl substances.
- Sec. 704. Improvement to breast cancer screening.

Subtitle B—Health Care Administration

- Sec. 711. Protection of the Armed Forces from infectious diseases.
- Sec. 712. Inclusion of drugs, biological products, and critical medical supplies in national security strategy for national technology and industrial base.
- Sec. 713. Contract authority of the Uniformed Services University of the Health Sciences.
- Sec. 714. Extension of organization requirements for Defense Health Agency.
- Sec. 715. Modification to limitation on the realignment or reduction of military medical Manning end strength.
- Sec. 716. Modifications to implementation plan for restructure or realignment of military medical treatment facilities.
- Sec. 717. Policy to address opioid prescription abuse prevention.
- Sec. 718. Addition of burn pit registration to electronic health records of members of the Armed Forces and veterans.

Subtitle C—Matters Relating to COVID-19

- Sec. 721. COVID-19 military health system review panel.
- Sec. 722. COVID-19 global war on pandemics.
- Sec. 723. Registry of TRICARE beneficiaries diagnosed with COVID-19.

Subtitle D—Reports and Other Matters

- Sec. 731. Modifications to pilot program on civilian and military partnerships to enhance interoperability and medical surge capability and capacity of national disaster medical system.
- Sec. 732. Reports on suicide among members of the Armed Forces and suicide prevention programs and activities of the Department of Defense.
- Sec. 733. Clarification of research under Joint Trauma Education and Training Directorate and inclusion of military working dogs.
- Sec. 734. Extension of the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Project.
- Sec. 735. Information sharing by Secretary of Defense regarding prevention of infant and maternal mortality.
- Sec. 736. Grant program for increased cooperation on post-traumatic stress disorder research between United States and Israel.
- Sec. 737. Pilot program on cryopreservation and storage.
- Sec. 738. Pilot program on parents serving as certified nursing assistants for children under TRICARE program.
- Sec. 739. Study on incidence of cancer diagnosis and mortality among pilots in the Armed Forces.
- Sec. 740. Report on diet and nutrition of members of the Armed Forces.
- Sec. 741. Report on costs and benefits of allowing retired members of the Armed Forces to contribute to health savings accounts.
- Sec. 742. Study on toxic exposure at Karshi-Khanabad Air Base, Uzbekistan.
- Sec. 743. Audit of medical conditions of tenants in privatized military housing.
- Sec. 744. Report on Integrated Disability Evaluation System.

Sec. 745. Review and report on prevention of suicide among members of the Armed Forces stationed at remote installations outside the contiguous United States.

Subtitle E—Mental Health Services From Department of Veterans Affairs for Members of Reserve Components

Sec. 751. Short title.

Sec. 752. Expansion of eligibility for readjustment counseling and related outpatient services from Department of Veterans Affairs to include members of reserve components of the Armed Forces.

Sec. 753. Provision of mental health services from Department of Veterans Affairs to members of reserve components of the Armed Forces.

Sec. 754. Inclusion of members of reserve components in mental health programs of Department of Veterans Affairs.

Sec. 755. Report on mental health and related services provided by Department of Veterans Affairs to members of the Armed Forces.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT,
AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

Sec. 801. Congressional notification of termination of a middle tier acquisition program.

Sec. 802. Modification to the definition of nontraditional defense contractor.

Sec. 803. Major weapon systems: life-cycle sustainment plan.

Sec. 804. Contractor business systems.

Sec. 805. Acquisition authority of the Director of the Joint Artificial Intelligence Center.

Sec. 806. Reforming the Department of Defense.

Sec. 807. Alternative Space Acquisition System for the United States Space Force.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 811. Sustainment reform for the Department of Defense.

Sec. 812. Modifications to Comptroller General assessment of acquisition programs and related initiatives.

Sec. 813. Contractor whistleblower protections relating to nondisclosure agreements.

Sec. 814. Competition requirements for purchases from Federal Prison Industries.

Sec. 815. Disclosure of beneficial owners in database for Federal agency contract and grant officers.

Sec. 816. Inclusion of optical transmission components in the analytical framework for supply chain risks.

Sec. 817. Amendment to definition of qualified apprentice.

Sec. 818. Contract closeout authority for services contracts.

Sec. 819. Plan to improve Department-wide management of investments in weapon systems.

Subtitle C—Industrial Base Matters

Sec. 821. Quarterly national technology and industrial base briefings.

Sec. 822. Expansion on the prohibition on acquiring certain metal products.

- Sec. 823. Requirement that certain ship components be manufactured in the national technology and industrial base.
- Sec. 824. Preference for sourcing rare earth materials from the national technology and industrial base.
- Sec. 825. Enhanced domestic content requirement for major defense acquisition programs.
- Sec. 826. Additional requirements pertaining to printed circuit boards.
- Sec. 827. Report on use of domestic nonavailability determinations.
- Sec. 828. Sense of Congress on the prohibition on certain telecommunications and video surveillance services or equipment.

Subtitle D—Small Business Matters

- Sec. 831. Transfer of verification of small business concerns owned and controlled by veterans or service-disabled veterans to the Small Business Administration.
- Sec. 832. Equitable adjustments to certain construction contracts.
- Sec. 833. Exemption of certain contracts awarded to small business concerns from category management requirements.
- Sec. 834. Report on accelerated payments to certain small business concerns.

Subtitle E—Other Matters

- Sec. 841. Modifications to supervision and award of certain contracts.
- Sec. 842. Amendments to submissions to Congress relating to certain foreign military sales.
- Sec. 843. Revisions to requirement to use firm fixed-price contracts for foreign military sales.
- Sec. 844. Small Business Industrial Base Resiliency Program.
- Sec. 845. Requirements relating to reports and limitations on the availability of funds.
- Sec. 846. Assessment of the requirements processes of the military departments.
- Sec. 847. Report on transfer and consolidation of certain defense acquisition statutes.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Office of the Secretary of Defense and Related Matters

- Sec. 901. Repeal of position of Chief Management Officer.
- Sec. 902. Assistant Secretary of Defense for Industrial Base Policy.

Subtitle B—Other Department of Defense Organization and Management Matters

- Sec. 911. Limitation on reduction of civilian workforce.
- Sec. 912. Chief Diversity Officers.
- Sec. 913. Establishment of Deputy Assistant Secretaries for Sustainment.
- Sec. 914. Office of Defense Community Cooperation and Economic Adjustment.
- Sec. 915. Input from Chief of National Guard Bureau to the Joint Requirements Oversight Council.
- Sec. 916. Redesignation of the Joint Forces Staff College.

Subtitle C—Space Matters

- Sec. 921. Assistant Secretary of Defense for Space and Strategic Deterrence Policy.
- Sec. 922. Office of the Chief of Space Operations.
- Sec. 923. Space Force Medal.
- Sec. 924. Clarification of procurement of commercial satellite communications services.
- Sec. 925. Temporary exemption from authorized daily average of members in pay grades E-8 and E-9.
- Sec. 926. One-time uniform allowance for members transferred to the Space Force.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

- Sec. 1001. General transfer authority.
- Sec. 1002. Determination of budgetary effects.
- Sec. 1003. Pandemic Preparedness and Resilience National Security Fund.
- Sec. 1004. Budget materials for special operations forces.

Subtitle B—Counterdrug Activities

- Sec. 1011. Support for counterdrug activities and activities to counter transnational organized crime affecting flow of drugs into the United States.
- Sec. 1012. Congressional notification with respect to Department of Defense support provided to other United States agencies for counterdrug activities and activities to counter transnational organized crime.

Subtitle C—Naval Vessels

- Sec. 1021. Limitation on availability of certain funds without naval vessels plan and certification.
- Sec. 1022. Limitations on use of funds in the National Defense Sealift Fund for purchase of foreign constructed vessels.
- Sec. 1023. Use of National Sea-Based Deterrence Fund for incrementally funded contracts to provide full funding for Columbia class submarines.
- Sec. 1024. Preference for United States vessels in transporting supplies by sea.
- Sec. 1025. Restrictions on overhaul, repair, etc. of naval vessels in foreign shipyards.
- Sec. 1026. Biannual report on shipbuilder training and the defense industrial base.
- Sec. 1027. Prohibition on use of funds for retirement of certain littoral combat ships.
- Sec. 1028. Report on implementation of Commandant's Planning Guidance.
- Sec. 1029. Limitation on naval force structure changes.

Subtitle D—Counterterrorism

- Sec. 1031. Prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to certain countries.

Subtitle E—Miscellaneous Authorities and Limitations

- Sec. 1041. Support of special operations to combat terrorism.

- Sec. 1042. Prohibition on retirement of nuclear powered aircraft carriers before first refueling.
- Sec. 1043. Required minimum inventory of tactical airlift aircraft.
- Sec. 1044. Modification and technical correction to Department of Defense authority to provide assistance along the southern land border of the United States.
- Sec. 1045. Battlefield airborne communications node certification requirement.
- Sec. 1046. Requirements relating to newest generations of personal protective equipment.
- Sec. 1047. Prohibition on use of funds for retirement of A-10 aircraft.
- Sec. 1048. Mandatory criteria for strategic basing decisions.
- Sec. 1049. Limitation on use of funds pending public availability of top-line numbers of deployed members of the Armed Forces.
- Sec. 1050. Limitation on physical move, integration, reassignment, or shift in responsibility of Marine Forces Northern Command.
- Sec. 1051. Conditions for permanently basing United States equipment or additional forces in host countries with at-risk vendors in 5G or 6G networks.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Subtitle A—General Provisions

- Sec. 1101. Family and medical leave amendments.
- Sec. 1102. Limitation on authority to exclude employees from chapter 71 of title 5.
- Sec. 1103. Authority to provide travel and transportation allowances in connection with transfer ceremonies of department of defense and coast guard civilian employees who die overseas.
- Sec. 1104. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for federal civilian employees working overseas.
- Sec. 1105. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.
- Sec. 1106. Limiting the number of local wage areas defined within a pay locality.
- Sec. 1107. Civilian Faculty At the Defense Security Cooperation University and Institute of Security Governance.
- Sec. 1108. Expansion of authority for appointment of recently-retired members of the armed forces to positions at certain industrial base facilities.
- Sec. 1109. Fire Fighters Alternative Work Schedule demonstration project.
- Sec. 1110. Special rules for certain monthly workers' compensation payments and other payments for Federal Government personnel under chief of mission authority.

Subtitle B—Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020

- Sec. 1121. Short title.
- Sec. 1122. Sense of Congress.
- Sec. 1123. Notification of violation.
- Sec. 1124. Reporting requirements.
- Sec. 1125. Data to be posted by employing Federal agencies.

- Sec. 1126. Data to be posted by the Equal Employment Opportunity Commission.
- Sec. 1127. Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 amendments.
- Sec. 1128. Nondisclosure agreement limitation.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

- Sec. 1201. Modification and extension of support of special operations for irregular warfare.
- Sec. 1202. Department of Defense participation in European Program on Multilateral Exchange of Surface Transportation Services.
- Sec. 1203. Extension of authority to transfer excess high mobility multipurpose wheeled vehicles to foreign countries.
- Sec. 1204. Modification and extension of update of Department of Defense Freedom of Navigation Report.
- Sec. 1205. Extension of report on workforce development.

Subtitle B—Matters Relating to Afghanistan and Pakistan

- Sec. 1211. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.
- Sec. 1212. Extension of the Afghan Special Immigrant Visa Program.
- Sec. 1213. Limitation on use of funds to reduce deployment to Afghanistan.
- Sec. 1214. Report on Operation Freedom Sentinel.

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

- Sec. 1221. Extension and modification of authority to provide assistance to counter the Islamic State of Iraq and Syria.
- Sec. 1222. Extension of authority to provide assistance to the vetted Syrian opposition.
- Sec. 1223. Extension of authority to support operations and activities of the Office of Security Cooperation in Iraq.
- Sec. 1224. Prohibition on provision of weapons and other forms of support to certain organizations.
- Sec. 1225. Consolidated budget display and report on Operation Spartan Shield.
- Sec. 1226. Sense of Congress on Peshmerga forces as a partner in Operation Inherent Resolve.

Subtitle D—Matters Relating to Russia

- Sec. 1231. Prohibition on availability of funds relating to sovereignty of the Russian Federation over Crimea.
- Sec. 1232. Extension of limitation on military cooperation between the United States and the Russian Federation.
- Sec. 1233. Modification and extension of Ukraine Security Assistance Initiative.
- Sec. 1234. United States participation in the Open Skies Treaty.

Subtitle E—Matters Relating to Europe and NATO

- Sec. 1241. Limitations on use of funds to reduce the total number of members of the Armed Forces serving on active duty who are stationed in Germany, to reduce the total number of members of the Armed Forces stationed in Europe, and to divest military infrastructure in Europe.
- Sec. 1242. Sense of Congress on support for coordinated action to ensure the security of Baltic allies.
- Sec. 1243. Sense of Congress on support for Estonia, Latvia, and Lithuania.
- Sec. 1244. Sense of Congress on support for Georgia.
- Sec. 1245. Sense of Congress on burden sharing by partners and allies.
- Sec. 1246. Sense of Congress on NATO's response to the COVID-19 pandemic.

Subtitle F—Matters Relating to the Indo-Pacific Region

- Sec. 1251. Indo-Pacific Reassurance Initiative.
- Sec. 1252. Limitation on use of funds to reduce the total number of members of the Armed Forces serving on active duty who are deployed to South Korea.
- Sec. 1253. Implementation of GAO recommendations on preparedness of United States forces to counter North Korean chemical and biological weapons.
- Sec. 1254. Public reporting of Chinese military companies operating in the United States.
- Sec. 1255. Independent study on the defense industrial base of the People's Republic of China.
- Sec. 1256. Report on China's One Belt, One Road Initiative in Africa.
- Sec. 1257. Sense of Congress on enhancement of the United States-Taiwan defense relationship.
- Sec. 1258. Report on supply chain security cooperation with Taiwan.
- Sec. 1259. Report on United States-Taiwan medical security partnership.

Subtitle G—Other Matters

- Sec. 1261. Provision of goods and services to Kwajalein Atoll.
- Sec. 1262. Annual briefings on certain foreign military bases of adversaries.
- Sec. 1263. Report on progress of the Department of Defense with respect to denying a fait accompli by a strategic competitor against a covered defense partner.
- Sec. 1264. Modification to requirements of the initiative to support protection of national security academic researchers from undue influence and other security threats.
- Sec. 1265. Report on directed use of fishing fleets.
- Sec. 1266. Expanding the state partnership program in Africa.
- Sec. 1267. Report relating to reduction in the total number of United States Armed Forces deployed to United States Africa Command area of responsibility.
- Sec. 1268. Report on enhancing partnerships between the United States and African countries.
- Sec. 1269. Sense of Congress with respect to Qatar.
- Sec. 1270. Sense of Congress on United States military support for and participation in the Multinational Force and Observers.
- Sec. 1271. Prohibition on support for military participation against the Houthis.
- Sec. 1272. Rule of construction relating to use of military force.

TITLE XIII—COOPERATIVE THREAT REDUCTION

Sec. 1301. Funding allocations; specification of cooperative threat reduction funds.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

- Sec. 1401. Working capital funds.
- Sec. 1402. Chemical agents and munitions destruction, defense.
- Sec. 1403. Drug interdiction and counter-drug activities, defense-wide.
- Sec. 1404. Defense Inspector General.
- Sec. 1405. Defense health program.
- Sec. 1406. National defense sealift fund.

Subtitle B—Other Matters

- Sec. 1411. 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. 1412. Authorization of appropriations for Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

- Sec. 1501. Purpose.
- Sec. 1502. Procurement.
- Sec. 1503. Research, development, test, and evaluation.
- Sec. 1504. Operation and maintenance.
- Sec. 1505. Military personnel.
- Sec. 1506. Working capital funds.
- Sec. 1507. Drug interdiction and counter-drug activities, defense-wide.
- Sec. 1508. Defense Inspector General.
- Sec. 1509. Defense Health Program.

Subtitle B—Financial Matters

- Sec. 1511. Treatment as additional authorizations.
- Sec. 1512. Special transfer authority.

Subtitle C—Other Matters

- Sec. 1521. Afghanistan security forces fund.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

- Sec. 1601. National Security Space Launch program.
- Sec. 1602. Requirement to buy certain satellite component from national technology and industrial base.
- Sec. 1603. Commercial space domain awareness capabilities.
- Sec. 1604. Responsive satellite infrastructure.
- Sec. 1605. Policy to ensure launch of small-class payloads.
- Sec. 1606. Tactically responsive space launch operations.

- Sec. 1607. Limitation on availability of funds for prototype program for multi-global navigation satellite system receiver development.
- Sec. 1608. Limitation on awarding contracts to entities operating commercial terrestrial communication networks that cause interference with the Global Positioning System.
- Sec. 1609. Prohibition on availability of funds for certain purposes relating to the Global Positioning System.
- Sec. 1610. Report on resilient protected communications satellites.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

- Sec. 1611. Validation of capability requirements of National Geospatial-Intelligence Agency.
- Sec. 1612. Safety of navigation mission of the National Geospatial-Intelligence Agency.
- Sec. 1613. National Academies Climate Security Roundtable.
- Sec. 1614. Report on risk to national security posed by quantum computing technologies.

Subtitle C—Cyberspace-Related Matters

- Sec. 1621. Cyber mission forces and cyberspace operations forces.
- Sec. 1622. Cyberspace solarium commission.
- Sec. 1623. Tailored cyberspace operations organizations.
- Sec. 1624. Responsibility for the Sector Risk Management Agency function of the Department of Defense.
- Sec. 1625. Department of Defense Cyber Workforce Efforts.
- Sec. 1626. Reporting requirements for cross domain compromises and exemptions to policies for information technology.
- Sec. 1627. Assessing private-public collaboration in cybersecurity.
- Sec. 1628. Cyber capabilities and interoperability of the National Guard.
- Sec. 1629. Evaluation of non-traditional cyber support to the Department of Defense.
- Sec. 1630. Establishment of integrated cyber center.
- Sec. 1631. Cyber threat information collaboration environment.
- Sec. 1632. Defense industrial base participation in a threat intelligence sharing program.
- Sec. 1633. Assistance for small manufacturers in the defense industrial supply chain on matters relating to cybersecurity.
- Sec. 1634. Defense industrial base cybersecurity threat hunting and sensing, discovery, and mitigation.
- Sec. 1635. Defense Digital Service.
- Sec. 1636. Limitation of funding for National Defense University.

Subtitle D—Nuclear Forces

- Sec. 1641. Coordination in transfer of funds by Department of Defense to National Nuclear Security Administration.
- Sec. 1642. Exercises of nuclear command, control, and communications system.
- Sec. 1643. Independent studies on nuclear weapons programs of certain foreign states.

Subtitle E—Missile Defense Programs

- Sec. 1651. Extension and modification of requirement for Comptroller General of the United States review and assessment of missile defense acquisition programs.

- Sec. 1652. Extension of transition of ballistic missile defense programs to military departments.
- Sec. 1653. Development of hypersonic and ballistic missile tracking space sensor payload.
- Sec. 1654. Annual certification on hypersonic and ballistic missile tracking space sensor payload.
- Sec. 1655. Alignment of the Missile Defense Agency within the Department of Defense.
- Sec. 1656. Analysis of alternatives for homeland missile defense missions.
- Sec. 1657. Next generation interceptors.
- Sec. 1658. Oversight of next generation interceptor program.
- Sec. 1659. Missile defense cooperation between the United States and Israel.
- Sec. 1660. Report on defense of Guam from integrated air and missile threats.
- Sec. 1661. Report on cruise missile defense.

Subtitle F—Other Matters

- Sec. 1671. Conventional prompt global strike.
- Sec. 1672. Submission of reports under Missile Defense Review and Nuclear Posture Review.
- Sec. 1673. Report on consideration of risks of inadvertent escalation to nuclear war.

TITLE XVII—REPORTS AND OTHER MATTERS

Subtitle A—Studies and Reports

- Sec. 1701. Review of support of special operations to combat terrorism.
- Sec. 1702. FFRDC study of explosive ordnance disposal agencies.
- Sec. 1703. Report on the Human Rights Office at United States Southern Command.
- Sec. 1704. Report on joint training range exercises for the Pacific region.
- Sec. 1705. Study on Chinese policies and influence in the development of international standards for emerging technologies.

Subtitle B—Electronic Message Preservation

- Sec. 1711. Short title.
- Sec. 1712. Preservation of electronic messages and other records.
- Sec. 1713. Presidential records.

Subtitle C—Space Technology Advancement Report (STAR) Act of 2020

- Sec. 1721. Short title.
- Sec. 1722. Findings.
- Sec. 1723. Report; strategy.

Subtitle D—AMBER Alert Nationwide

- Sec. 1731. Cooperation with Department of Homeland Security.
- Sec. 1732. AMBER Alerts along major transportation routes.
- Sec. 1733. AMBER Alert communication plans in the territories.
- Sec. 1734. Government Accountability Office report.

Subtitle E—Other Matters

- Sec. 1741. Technical, conforming, and clerical amendments.

- Sec. 1742. Addition of Chief of the National Guard Bureau to the list of officers providing reports of unfunded priorities.
- Sec. 1743. Acceptance of property by military academies and museums.
- Sec. 1744. Reauthorization of National Oceanographic Partnership Program.
- Sec. 1745. Requirements relating to program and project management.
- Sec. 1746. Quarterly briefings on Joint All Domain Command and Control concept.
- Sec. 1747. Resources to implement a Department of Defense policy on civilian casualties in connection with United States military operations.
- Sec. 1748. Sense of Congress regarding reporting of civilian casualties resulting from United States military operations.
- Sec. 1749. Prohibition of public display of Confederate battle flag on Department of Defense property.
- Sec. 1750. Deployment of real-time status of special use airspace.
- Sec. 1751. Duties of Secretary under Uniformed and Overseas Citizens Absentee Voting Act.
- Sec. 1752. Publicly available database of casualties of members of the Armed Forces.
- Sec. 1753. Notice and comment for proposed actions of the Secretary of Defense relating to food and beverage ingredients.
- Sec. 1754. Space strategies and assessment.
- Sec. 1755. Nonimmigrant status for certain nationals of Portugal.
- Sec. 1756. Sense of Congress on extension of limitations on importation of uranium from Russian Federation.
- Sec. 1757. Authority to establish a movement coordination center pacific in the Indopacific region.
- Sec. 1758. Establishment of vetting procedures and monitoring requirements for certain military training.
- Sec. 1759. Women, Peace, and Security Act implementation.
- Sec. 1760. Developing crisis capabilities to meet needs for homeland security-critical supplies.
- Sec. 1761. Establishment of western emergency refined petroleum products reserve.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

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

TITLE XXI—ARMY MILITARY CONSTRUCTION

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Authorization of appropriations, Army.
- Sec. 2104. Limitation on military construction project at Kwajalein Atoll.
- Sec. 2105. Modification of authority to carry out certain fiscal year 2017 project.

TITLE XXII—NAVY MILITARY CONSTRUCTION

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing and improvements to military family housing units.
- Sec. 2203. Authorization of appropriations, Navy.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing and improvements to military family housing units.
- Sec. 2303. Authorization of appropriations, Air Force.
- Sec. 2304. Modification of authority to carry out certain fiscal year 2018 project.
- Sec. 2305. Modification of authority to carry out certain fiscal year 2019 projects.
- Sec. 2306. Modification of authority to carry out certain fiscal year 2020 projects.
- Sec. 2307. Technical corrections related to authority to carry out certain fiscal year 2020 family housing projects.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Authorized Energy Resilience and Conservation Investment Program projects.
- Sec. 2403. Authorization of appropriations, Defense Agencies.
- Sec. 2404. Military construction infrastructure and weapon system synchronization for Ground Based Strategic Deterrent.

TITLE XXV—INTERNATIONAL 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. State of Qatar funded construction projects.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

- Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
- Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
- Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
- Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
- Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
- Sec. 2606. Authorization of appropriations, National Guard and Reserve.
- Sec. 2607. Modification of authority to carry out certain fiscal year 2020 project.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

- Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense base closure account.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program Changes

- Sec. 2801. Modification and clarification of construction authority in the event of a declaration of war or national emergency.
- Sec. 2802. Extension of sunset for annual locality adjustment of dollar thresholds applicable to unspecified minor military construction authorities.
- Sec. 2803. Modification of reporting requirement regarding cost increases associated with certain military construction projects and military family housing projects.
- Sec. 2804. Expansion of Department of Defense land exchange authority.
- Sec. 2805. Congressional project authorization required for military construction projects for energy resilience, energy security, and energy conservation.
- Sec. 2806. One-year extension of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States.
- Sec. 2807. Pilot Program to support combatant command military construction priorities.
- Sec. 2808. Biannual report regarding military installations supported by disaster relief appropriations.

Subtitle B—Military Family Housing Reforms

- Sec. 2811. Expenditure priorities in using Department of Defense Family Housing Improvement Fund.
- Sec. 2812. Promulgation of guidance to facilitate return of military families displaced from privatized military housing.
- Sec. 2813. Promulgation of guidance on mold mitigation in privatized military housing.
- Sec. 2814. Expansion of uniform code of basic standards for privatized military housing and hazard and habitability inspection and assessment requirements to Government-owned and Government-controlled military family housing.
- Sec. 2815. Establishment of Exceptional Family Member Program housing liaison.
- Sec. 2816. Department of Defense report on criteria and metrics used to evaluate performance of landlords of privatized military housing that receive incentive fees.
- Sec. 2817. Report on Department of Defense efforts regarding oversight and role in management of privatized military housing.

Subtitle C—Real Property and Facilities Administration

- Sec. 2821. Codification of reporting requirements regarding United States overseas military enduring locations and contingency locations.
- Sec. 2822. Limitations on renewal of utility privatization contracts.
- Sec. 2823. Vesting exercise of discretion with Service Secretaries regarding entering into longer-term contracts for utility services.
- Sec. 2824. Use of on-site energy production to promote military installation energy resilience and energy security.
- Sec. 2825. Availability of Energy Resilience and Conservation Investment Program funds for certain activities related to privatized utility systems.
- Sec. 2826. Improving water management and security on military installations.
- Sec. 2827. Pilot program to test use of emergency diesel generators in a microgrid configuration at certain military installations.

- Sec. 2828. Improved electrical metering of Department of Defense infrastructure supporting critical missions.
- Sec. 2829. Renaming certain military installations and other defense property.

Subtitle D—Land Conveyances

- Sec. 2831. Land conveyance, Camp Navajo, Arizona.
- Sec. 2832. Modification of land exchange involving Naval Industrial Reserve Ordnance Plant, Sunnyvale, California.
- Sec. 2833. Land conveyance, Sharpe Army Depot, Lathrop, California.
- Sec. 2834. Land exchange, San Bernardino County, California.
- Sec. 2835. Land conveyance, Over-the-Horizon Backscatter Radar System receiving station, Modoc County, California.
- Sec. 2836. Transfer of administrative jurisdiction, Naval Support Activity Panama City, Florida, parcel.

Subtitle E—Military Land Withdrawals

- Sec. 2841. Renewal of land withdrawal and reservation to benefit Naval Air Facility, El Centro, California.
- Sec. 2842. Renewal of Fallon Range Training Complex land withdrawal and reservation.
- Sec. 2843. Renewal of Nevada Test and Training Range land withdrawal and reservation.
- Sec. 2844. Co-management, new memorandum of understanding, and additional requirements regarding Nevada Test and Training Range.
- Sec. 2845. Specified duration of White Sands Missile Range land withdrawal and reservation and establishment of special reservation area for northern and western extension areas.

Subtitle F—Asia-Pacific and Indo-Pacific Issues

- Sec. 2851. Change to biennial reporting requirement for Interagency Coordination Group of Inspectors General for Guam Realignment.
- Sec. 2852. Additional exception to restriction on development of public infrastructure in connection with realignment of Marine Corps forces in Asia-Pacific region.
- Sec. 2853. Development of master plan for infrastructure to support rotational Armed Forces in Australia.
- Sec. 2854. Study and strategy regarding bulk fuels management in United States Indo-Pacific Command Area of Responsibility.

Subtitle G—Other Matters

- Sec. 2861. Defense Community Infrastructure Program.
- Sec. 2862. Pilot program on reduction of effects of military aviation noise on certain covered property.
- Sec. 2863. Department of Defense policy for regulation of dangerous dogs in military communities.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

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

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

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY
PROGRAMS

Subtitle A—National Security Programs and Authorizations

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

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

- Sec. 3111. Nuclear warhead acquisition processes.
- Sec. 3112. Uncosted and unobligated amounts of National Nuclear Security Administration.
- Sec. 3113. Extension of limitation relating to reclassification of high-level waste.
- Sec. 3114. Extension of pilot program on unavailability for overhead costs of amounts specified for laboratory-directed research and development.
- Sec. 3115. Plutonium pit production.
- Sec. 3116. Program for research and development of advanced naval nuclear fuel system based on low-enriched uranium.
- Sec. 3117. Independent study on effects of use of nuclear weapons.
- Sec. 3118. Reports on diversity of certain contractor employees of National Nuclear Security Administration.
- Sec. 3119. Findings, purpose, and apology relating to fallout emitted during the Government's atmospheric nuclear tests.
- Sec. 3120. Sense of Congress regarding uranium mining and nuclear testing.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

- Sec. 3201. Authorization.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

- Sec. 3401. Authorization of appropriations.

TITLE XXXV—MARITIME MATTERS

Subtitle A—Maritime Administration

- Sec. 3501. Authorization of the Maritime Administration.
- Sec. 3502. Sense of Congress regarding role of domestic maritime industry in national security.
- Sec. 3503. Nonapplicability of requirement relating to minimum number of operating days for vessels operating under MSP Operating Agreements.
- Sec. 3504. Improvements to process for waiving navigation and vessel-inspection laws.

Subtitle B—Tanker Security Fleet

- Sec. 3511. Tanker Security Fleet.

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

TITLE XLI—PROCUREMENT

Sec. 4101. Procurement.

Sec. 4102. Procurement for overseas contingency operations.

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND
EVALUATION

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

Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.

TITLE XLIII—OPERATION AND MAINTENANCE

Sec. 4301. Operation and maintenance.

Sec. 4302. Operation and maintenance for overseas contingency operations.

TITLE XLIV—MILITARY PERSONNEL

Sec. 4401. Military personnel.

Sec. 4402. Military personnel for overseas contingency operations.

TITLE XLV—OTHER AUTHORIZATIONS

Sec. 4501. Other authorizations.

Sec. 4502. Other authorizations for overseas contingency operations.

TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. Military construction.

Sec. 4602. Military construction for overseas contingency operations.

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY
PROGRAMS

Sec. 4701. Department of energy national security programs.

DIVISION E—NATIONAL ARTIFICIAL INTELLIGENCE INITIATIVE
ACT OF 2020

Sec. 5001. Short title.

Sec. 5002. Findings.

Sec. 5003. Definitions.

TITLE I—NATIONAL ARTIFICIAL INTELLIGENCE INITIATIVE

Sec. 5101. National Artificial Intelligence Initiative.

Sec. 5102. National Artificial Intelligence Initiative Office.

Sec. 5103. Coordination by Interagency Committee.

Sec. 5104. National Artificial Intelligence Advisory Committee.

Sec. 5105. National Academies artificial intelligence impact study on workforce.

Sec. 5106. GAO report on computational needs.

Sec. 5107. National AI Research Resource Task Force.

Sec. 5108. Sense of Congress.

TITLE II—NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH
INSTITUTES

Sec. 5201. National Artificial Intelligence Research Institutes.

TITLE III—NATIONAL INSTITUTE OF STANDARDS AND
TECHNOLOGY ARTIFICIAL INTELLIGENCE ACTIVITIES

Sec. 5301. National Institute of Standards and Technology activities.

TITLE IV—NATIONAL SCIENCE FOUNDATION ARTIFICIAL
INTELLIGENCE ACTIVITIES

Sec. 5401. Artificial intelligence research and education.

TITLE V—DEPARTMENT OF ENERGY ARTIFICIAL INTELLIGENCE
RESEARCH PROGRAM

Sec. 5501. Department of Energy Artificial Intelligence Research Program.

1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

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

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

10 SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

11 Funds are hereby authorized to be appropriated for
12 fiscal year 2021 for procurement for the Army, the Navy
13 and the Marine Corps, the Air Force, and Defense-wide
14 activities, as specified in the funding table in section 4101.

1 **Subtitle B—Navy Programs**

2 **SEC. 111. INDEPENDENT COST ESTIMATE OF FFG(X) FRIG-**
3 **ATE PROGRAM.**

4 In accordance with section 2334(b) of title 10, United
5 States Code, the Secretary of Defense shall ensure that
6 an independent cost estimate of the full life-cycle cost of
7 the FFG(X) frigate program of the Navy has been com-
8 pleted before the conclusion of milestone B of such pro-
9 gram.

10 **Subtitle C—Air Force Programs**

11 **SEC. 121. MODIFICATION OF FORCE STRUCTURE OBJEC-**
12 **TIVES FOR B-1 BOMBER AIRCRAFT.**

13 (a) MODIFICATION OF MINIMUM INVENTORY RE-
14 QUIREMENT.—Section 9062(h)(2) of title 10, United
15 States Code, is amended by striking “36” and inserting
16 “24”.

17 (b) TEMPORARY AUTHORITY TO RETIRE AIR-
18 CRAFT.—

19 (1) IN GENERAL.—Notwithstanding section
20 9062(h)(1) of title 10, United States Code, the Sec-
21 retary of the Air Force may retire up to seventeen
22 B-1 aircraft.

23 (2) TERMINATION OF AUTHORITY.—The au-
24 thority of the Secretary of the Air Force to retire

1 aircraft under paragraph (1) shall terminate on Jan-
2 uary 1, 2023.

3 (c) PRESERVATION OF CERTAIN AIRCRAFT AND
4 MAINTENANCE PERSONNEL.—Until the date on which the
5 Secretary of the Air Force determines that the B–21 air-
6 craft has attained initial operating capability, the Sec-
7 retary—

8 (1) shall preserve each B–1 aircraft that is re-
9 tired under subsection (b), in a manner that ensures
10 the components and parts of such aircraft are main-
11 tained in reclaimable condition that is consistent
12 with type 2000 recallable storage, or better; and

13 (2) may not reduce the number of billets as-
14 signed to maintenance of B–1 aircraft in effect on
15 January 1, 2020.

16 **SEC. 122. EXTENSION OF LIMITATION ON AVAILABILITY OF**
17 **FUNDS FOR RETIREMENT OF RC-135 AIR-**
18 **CRAFT.**

19 Section 148(a) of the National Defense Authorization
20 Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.
21 1243) is amended by striking “for fiscal year 2020” and
22 inserting “for any of fiscal years 2020 through 2025”.

1 **SEC. 123. MODIFICATION OF LIMITATION ON AVAILABILITY**
2 **OF FUNDS FOR RETIREMENT OF E-8 JSTARS**
3 **AIRCRAFT.**

4 Section 147(a) of the John S. McCain National De-
5 fense Authorization Act for Fiscal Year 2019 (Public Law
6 115–232; 132 Stat. 1669) is amended by striking “cer-
7 tifies to the congressional defense committees that Incre-
8 ment 2 of the Advanced Battle-Management System of the
9 Air Force has declared initial operational capability as de-
10 fined in the Capability Development Document for the
11 System” and inserting “certifies to the congressional de-
12 fense committees that—

13 “(1) the Secretary has identified a replacement
14 capability and capacity for the current fleet of 16
15 E–8 Joint Surveillance Target Attack Radar System
16 aircraft to meet global combatant command require-
17 ments; and

18 “(2) such replacement delivers capabilities that
19 are comparable or superior to the capabilities deliv-
20 ered by such aircraft.”.

21 **SEC. 124. LIMITATION ON AVAILABILITY OF FUNDS FOR**
22 **THE ADVANCED BATTLE MANAGEMENT SYS-**
23 **TEM PENDING CERTIFICATION RELATING TO**
24 **RQ-4 AIRCRAFT.**

25 (a) LIMITATION.—Of the funds authorized to be ap-
26 propriated by this Act or otherwise made available for fis-

1 cal year 2021 for the Department of the Air Force for
2 the Advanced Battle Management System, not more than
3 50 percent may be obligated or expended until—

4 (1) the Secretary of the Air Force certifies, in
5 writing, to the Committees on Armed Services of the
6 Senate and the House of Representatives that the
7 Secretary will not retire, or prepare to retire, any
8 RQ-4 aircraft during fiscal year 2021;

9 (2)(A) the Under Secretary of Defense for Ac-
10 quisition and Sustainment certifies, in writing, to
11 such Committees that, with respect to the RQ-4 air-
12 craft, the validated operating and sustainment costs
13 of any capability developed to replace the RQ-4 air-
14 craft are less than the validated operating and
15 sustainment costs for the RQ-4 aircraft on a com-
16 parable flight-hour cost basis; and

17 (B) the Chairman of the Joint Requirements
18 Oversight Council certifies, in writing, to such Com-
19 mittees that any such capability to be fielded at the
20 same time or before the retirement of the RQ-4 air-
21 craft would result in equal or greater capability
22 available to the commanders of the combatant com-
23 mands and would not result in less capacity avail-
24 able to the commanders of the combatant com-
25 mands; or

1 (3) the Secretary of Defense—

2 (A) certifies, in writing, to such Commit-
3 tees that the Secretary has determined, after
4 analyzing sufficient and relevant data, that a
5 capability superior to the RQ-4 aircraft is
6 worth increased operating and sustainment
7 costs; and

8 (B) provides to such Committees analysis
9 supporting such determination.

10 (b) CONSULTATION REQUIREMENT.—Before issuing
11 a certification under subsection (a), the official responsible
12 for issuing such certification shall consult with the com-
13 batant commanders on the matters covered by the certifi-
14 cation.

15 (c) ADVANCED BATTLE MANAGEMENT SYSTEM DE-
16 FINED.—In this section, the term “Advanced Battle Man-
17 agement System” has the meaning given that term in sec-
18 tion 236(c) of the National Defense Authorization Act for
19 Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1281).

20 **SEC. 125. INVENTORY REQUIREMENTS FOR CERTAIN AIR**
21 **REFUELING TANKER AIRCRAFT.**

22 (a) MINIMUM INVENTORY REQUIREMENTS FOR KC-
23 10A AIRCRAFT.—

24 (1) FISCAL YEAR 2021.—During the period be-
25 ginning on the date of the enactment of this Act and

1 ending on October 1, 2021, the Secretary of the Air
2 Force shall maintain a minimum of 50 KC-10A air-
3 craft designated as primary mission aircraft inven-
4 tory.

5 (2) FISCAL YEAR 2022.—During the period be-
6 ginning on October 1, 2021, and ending on October
7 1, 2022, the Secretary of the Air Force shall main-
8 tain a minimum of 38 KC-10A aircraft designated
9 as primary mission aircraft inventory.

10 (3) FISCAL YEAR 2023.—During the period be-
11 ginning on October 1, 2022, and ending on October
12 1, 2023, the Secretary of the Air Force shall main-
13 tain a minimum of 26 KC-10A aircraft designated
14 as primary mission aircraft inventory.

15 (b) PROHIBITION ON RETIREMENT OF KC-135 AIR-
16 CRAFT.—

17 (1) PROHIBITION.—Except as provided in para-
18 graph (2), during the period beginning on the date
19 of the enactment of this Act and ending on October
20 1, 2023, the Secretary of the Air Force may not re-
21 tire, or prepare to retire, any KC-135 aircraft.

22 (2) EXCEPTION.—The prohibition in paragraph
23 (1) shall not apply to individual KC-135 aircraft
24 that the Secretary of the Air Force determines, on
25 a case-by-case basis, to be no longer mission capable

1 because of mishaps, other damage, or being uneco-
2 nomical to repair.

3 (c) **KC-135 AIRCRAFT FLEET MANAGEMENT.**—

4 None of the funds authorized to be appropriated by this
5 Act or otherwise made available for fiscal year 2021 for
6 the Air Force may be obligated or expended to reduce the
7 number of KC-135 aircraft designated as primary mission
8 aircraft inventory.

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

13 **SEC. 126. LIMITATION ON PRODUCTION OF KC-46A AIR-**
14 **CRAFT.**

15 (a) **LIMITATION.**—None of the funds authorized to
16 be appropriated by this Act or otherwise made available
17 for fiscal year 2021 for the Air Force may be used to ap-
18 prove the full-rate production of KC-46A aircraft or enter
19 into a contract for the production of more than twelve
20 KC-46A aircraft until the date on which the Secretary
21 of the Air Force certifies to the congressional defense com-
22 mittees that all category-one deficiencies in the systems
23 of the aircraft have been corrected, including the defi-
24 ciencies affecting the aircraft’s remote visioning system,

1 telescoping actuator in the boom system, and primary fuel
2 containment system.

3 (b) REPORT.—Not later than February 1, 2021, the
4 Secretary of the Air Force shall submit to the congres-
5 sional defense committees a report on the KC-46A air-
6 craft. The report shall include—

7 (1) a schedule for the correction of each cat-
8 egory-one deficiency described in subsection (a);

9 (2) a plan to engage an independent test orga-
10 nization to verify the effectiveness of any proposed
11 solutions to such category-one deficiencies; and

12 (3) an acquisition strategy for the aircraft
13 that—

14 (A) identifies principal acquisition mile-
15 stones; and

16 (B) will ensure that there is sufficient com-
17 petition for the procurement of a nondevelop-
18 mental tanker aircraft at the conclusion of the
19 KC-46A production contract in effect as of the
20 date of the enactment of this Act.

21 (c) CATEGORY-ONE DEFICIENCY DEFINED.—The
22 term “category-one deficiency” means a deficiency that
23 may cause—

24 (1) death or severe injury to personnel; or

1 (2) major loss or damage to critical aircraft ca-
2 pabilities.

3 **SEC. 127. ASSESSMENT AND CERTIFICATION RELATING TO**
4 **OC-135 AIRCRAFT.**

5 (a) LIMITATION.—Except as provided in subsection
6 (b), none of the funds authorized to be appropriated by
7 this Act or otherwise made available for fiscal year 2021
8 for the Air Force may be obligated or expended to retire,
9 divest, realign, or place in storage or on backup aircraft
10 inventory status, or prepare to retire, divest, realign, or
11 place in storage or backup inventory status, any OC-135
12 aircraft until a period of 90 days has elapsed following
13 the date on which the Secretary of the Air Force submits
14 to the congressional defense committees—

15 (1) the report required under subsection (c);
16 and
17 (2) the certification required under subsection
18 (d).

19 (b) EXCEPTION.—The limitation in subsection (a)
20 shall not apply to—

21 (1) individual OC-135 aircraft that the Sec-
22 retary of the Air Force determines, on a case-by-
23 case basis, to be no longer mission capable because
24 of mishaps or other damage; or

25 (2) funds obligated or expended—

1 (A) for the preparation of the report re-
2 quired under subsection (c); or

3 (B) for the Air Force to assess options to
4 repurpose the OC-135 aircraft to support other
5 mission requirements.

6 (c) REPORT REQUIRED.—Not later than 180 days
7 after the date of the enactment of this Act, the Secretary
8 of the Air Force shall submit to the congressional defense
9 committees a report that includes the following:

10 (1) Identification of any unclassified aerial im-
11 agery requirements that the Air Force or Air Na-
12 tional Guard can meet using the OC-135 aircraft, a
13 version of the aircraft that is expected to replace the
14 OC-135, or similar aerial imagery collection and
15 processing capabilities.

16 (2) An assessment of the extent to which it is
17 more appropriate for the Air Force or the Air Na-
18 tional Guard to fulfill such requirements.

19 (3) A comparison of the costs and effectiveness
20 of alternative means of meeting unclassified aerial
21 imagery requirements.

22 (4) An assessment of the utility and cost dif-
23 ferential of performing international treaty moni-
24 toring missions such as Olive Harvest with the OC-
25 135 aircraft, a version of the aircraft that is ex-

1 pected to replace the OC-135, or similar aerial im-
2 agery collection and processing capabilities.

3 (d) CERTIFICATION REQUIRED.—Together with the
4 report required under subsection (c), the Secretary of the
5 Air Force shall certify to the congressional defense com-
6 mittees—

7 (1) whether there are unclassified aerial im-
8 agery requirements that the Air Force can meet with
9 the OC-135 aircraft or a version of the aircraft that
10 is expected to replace the OC-135; and

11 (2) whether the Secretary has identified meth-
12 ods of meeting such requirements that are more ef-
13 fective and more efficient than meeting such require-
14 ments through the use of the OC-135 aircraft or a
15 version of the aircraft that is expected to replace the
16 OC-135.

17 (e) UNCLASSIFIED AERIAL IMAGERY REQUIREMENTS
18 DEFINED.—In this section, the term “unclassified aerial
19 imagery requirements” means requirements for the Air
20 Force to provide responsive unclassified aerial imagery
21 support to military forces, domestic civil authorities, other
22 departments and agencies of the Federal Government, and
23 foreign partners of the United States, including any re-
24 quirements to provide unclassified aerial imagery in sup-
25 port of overseas contingency operations, humanitarian as-

1 sistance and disaster relief missions, defense support to
2 domestic civil authorities, and international treaty moni-
3 toring missions.

4 **SEC. 128. MODERNIZATION PLAN FOR AIRBORNE INTEL-**
5 **LIGENCE, SURVEILLANCE, AND RECONNAIS-**
6 **SANCE.**

7 (a) MODERNIZATION PLAN.—

8 (1) IN GENERAL.—The Secretary of the Air
9 Force shall develop a comprehensive plan for the
10 modernization of airborne intelligence, surveillance,
11 and reconnaissance, which shall—

12 (A) ensure the alignment between require-
13 ments, both current and future, and Air Force
14 budget submissions to meet such requirements;
15 and

16 (B) inform the preparation of future de-
17 fense program and budget requests by the Sec-
18 retary, and the consideration of such requests
19 by Congress.

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

22 (A) An assessment of all airborne intel-
23 ligence, surveillance, and reconnaissance mis-
24 sions, both current missions and those missions

1 necessary to support the national defense strat-
2 egy.

3 (B) An analysis of platforms, capabilities,
4 and capacities necessary to fulfill such current
5 and future missions.

6 (C) The anticipated life-cycle budget asso-
7 ciated with each platform, capability, and ca-
8 pacity requirement for both current and future
9 requirements.

10 (D) An analysis showing operational, budg-
11 et, and schedule trade-offs between sustainment
12 of currently fielded capabilities, modernization
13 of currently fielded capabilities, and develop-
14 ment and production of new capabilities.

15 (b) REPORT TO CONGRESS.—

16 (1) IN GENERAL.—Not later than March 30,
17 2021, the Secretary of the Air Force shall submit to
18 the congressional defense committees a report that
19 includes—

20 (A) the comprehensive modernization plan
21 required by subsection (a); and

22 (B) a strategy for carrying out such plan
23 through fiscal year 2030.

1 (2) FORM.—The report required under para-
2 graph (1) shall be submitted in unclassified form but
3 may include a classified annex.

4 **SEC. 129. MINIMUM BOMBER AIRCRAFT FORCE LEVEL.**

5 (a) IN GENERAL.—Not later than February 1, 2021,
6 the Secretary of the Air Force shall submit to the congres-
7 sional defense committees a report with recommendations
8 for the bomber aircraft force structure that enables the
9 Air Force to meet the requirements of its long-range strike
10 mission under the National Defense Strategy.

11 (b) ELEMENTS.—The report required under sub-
12 section (a) shall include each of the following elements:

13 (1) The bomber force structure necessary to
14 meet the requirements of the Air Force’s long-range
15 strike mission under the National Defense Strategy,
16 including—

17 (A) the total minimum number of bomber
18 aircraft; and

19 (B) the minimum number of primary mis-
20 sion aircraft.

21 (2) The penetrating bomber force structure nec-
22 essary to meet the requirements of the Air Force’s
23 long-range strike mission in contested or denied en-
24 vironments under the National Defense Strategy, to
25 include—

1 (A) the total minimum number of pene-
2 trating bomber aircraft; and

3 (B) the minimum number of primary mis-
4 sion penetrating bomber aircraft.

5 (3) A roadmap outlining how the Air Force
6 plans to reach the force structure identified under
7 paragraphs (1) and (2), including an established
8 goal date for achieving the minimum number of
9 bomber aircraft.

10 (c) FORM.—The report submitted under subsection
11 (a) shall be submitted in unclassified form, but may in-
12 clude a classified annex.

13 (d) PUBLICATION.—The Secretary shall make avail-
14 able to the public the unclassified form of the report sub-
15 mitted under subsection (a).

16 (e) BOMBER AIRCRAFT.—In this section, the term
17 “bomber aircraft” includes penetrating bombers in addi-
18 tion to B-52H aircraft.

19 **Subtitle D—Defense-wide, Joint,**
20 **and Multiservice Matters**

21 **SEC. 131. DOCUMENTATION RELATING TO THE F-35 AIR-**
22 **CRAFT PROGRAM.**

23 (a) LIMITATION.—The Secretary of Defense may not
24 grant Milestone C approval for the F-35 aircraft program
25 pursuant to section 2366c of title 10, United States Code,

1 or enter into a contract for the full-rate production of F–
2 35 aircraft, until a period of 30 days has elapsed following
3 the date on which the Secretary has submitted to the con-
4 gressional defense committees all of the documentation re-
5 quired under subsection (b).

6 (b) DOCUMENTATION REQUIRED.—The Secretary of
7 Defense shall submit to the congressional defense commit-
8 tees the following documentation with respect to the F–
9 35 aircraft program:

10 (1) A certification from the Under Secretary of
11 Defense for Acquisition and Sustainment that all al-
12 ternative supply contractors for parts, required for
13 the airframe and propulsion prime contractors of the
14 F–35 program as a result of the removal of the Re-
15 public of Turkey from the program—

16 (A) have been identified and all related
17 undefinitized contract actions have been defini-
18 tized (as described in section 7401 of part 217
19 of the Defense Federal Acquisition Regulation
20 Supplement);

21 (B) the parts produced by each such con-
22 tractor have been qualified and certified as
23 meeting applicable technical design and use
24 specifications; and

1 (C) each such contractor has reached the
2 required rate of production to meet supply re-
3 quirements for parts under the F-35 aircraft
4 program.

5 (2) A cost analysis, prepared by the joint pro-
6 gram office for the F-35 aircraft program, that as-
7 sesses and defines —

8 (A) how the full integration of Block 4 and
9 Technical Refresh 3 capabilities for each lot of
10 Block 4 production aircraft beginning after lot
11 14 will affect the average procurement unit cost
12 of United States variants of the F-35A, F-
13 35B, and F-35C aircraft; and

14 (B) how the establishment of alternate
15 sources of production and sustainment supply
16 and repair parts due to the removal of the Re-
17 public of Turkey from the F-35 program will
18 affect such unit cost.

19 (3) All reports required under section 167 of
20 the National Defense Authorization Act for Fiscal
21 Year 2020 (Public Law 116-92; 133 Stat. 1250).

22 (4) An independent cost estimate, prepared by
23 Director of Cost Assessment and Program Evalua-
24 tion, that defines, for each phase of the F-35 air-
25 craft program, the cost to develop, procure, inte-

1 grate, and retrofit F-35 aircraft with all Block 4 ca-
2 pability requirements that are specified in the most
3 recent Block 4 capabilities development document.

4 (5) A plan to correct or mitigate any deficiency
5 in the aircraft, identified as of the date of enactment
6 of this Act—

7 (A) that may cause death, severe injury or
8 occupational illness, or major loss or damage to
9 equipment or a system, and for which there is
10 no identified workaround (commonly known as
11 a “category 1A deficiency”); or

12 (B) that critically restricts combat readi-
13 ness capabilities or results in the inability to at-
14 tain adequate performance to accomplish mis-
15 sion requirements (commonly known as a “cat-
16 egory 1B deficiency”).

17 (6) A software and hardware capability, up-
18 grade, and aircraft modification plan that defines
19 the cost and schedule for retrofitting F-35 aircraft
20 that currently have Technical Refresh 2 capabilities
21 installed to ensure compatibility with Block 4 and
22 Technical Refresh 3 aircraft capabilities.

23 (7) The following reports for the F-35 aircraft
24 program, as prepared by the Director of Operational
25 Test and Evaluation:

1 (A) A report on the results of the realistic
2 survivability testing of the aircraft, as described
3 in section 2366(d) of title 10, United States
4 Code.

5 (B) A report on the results of the initial
6 operational test and evaluation conducted for
7 program, as described in section 2399(b)(2) of
8 such title.

9 (8) A mitigation strategy and implementation
10 plan to address each critical deficiency in the F-35
11 autonomic logistics information system that has been
12 identified as of the date of enactment of this Act.

13 (9) A certification that the F-35A meets the
14 required mission reliability performance using an av-
15 erage sortie duration of 2 and one-half hours.

16 (10) A certification that the Secretary has de-
17 veloped and validated a fully integrated and realistic
18 schedule for the development, production and inte-
19 gration of Block 4 Technical Refresh 3 capabilities,
20 that includes a strategy for resolving all software
21 technical debt that has accumulated within the F-
22 35 operational flight program source code during de-
23 velopment, production, and integration of Technical
24 Refresh 1 and Technical Refresh 2 capabilities.

1 (11)(A) A complete list of hardware modifica-
2 tions that will be required to integrate Block 4 capa-
3 bilities into lot 16 and lot 17 production aircraft.

4 (B) An estimate of the costs of any engineering
5 changes required as a result of such modifications.

6 (C) A comparison of those engineering changes
7 and costs with the engineering changes and costs for
8 lot 15 production aircraft.

9 **SEC. 132. NOTIFICATION ON SOFTWARE REGRESSION TEST-**
10 **ING FOR F-35 AIRCRAFT.**

11 (a) NOTIFICATION REQUIRED.—The Under Sec-
12 retary of Defense for Acquisition and Sustainment, in con-
13 sultation with the Director of Operational Test and Eval-
14 uation, shall notify the congressional defense committees,
15 in writing, not later than 30 days after the date on which
16 mission systems production software for the F-35 aircraft
17 is released to units operating such aircraft under the F-
18 35 continuous capability development and delivery pro-
19 gram.

20 (b) ELEMENTS.—The notification required under
21 subsection (a) shall include, with respect to the mission
22 systems production software for the F-35 aircraft, the fol-
23 lowing:

24 (1) An explanation of the types and methods of
25 regression testing that were completed for the pro-

1 duction release of the software to ensure compat-
2 ibility and proper functionality with—

3 (A) the fire control radar system of each
4 variant of the F-35 aircraft; and

5 (B) all weapons certified for carriage and
6 employment on each variant of the F-35 air-
7 craft.

8 (2) Identification of any entities that conducted
9 regression testing of the software, including any de-
10 velopment facilities of the Federal Government or
11 contractors that conducted such testing.

12 (3) A list of deficiencies identified during re-
13 gression testing of the software or by operational
14 units after fielding of the software, and an expla-
15 nation of—

16 (A) any software modifications, including
17 quick-reaction capability, that were completed
18 to resolve or mitigate the deficiencies;

19 (B) with respect to any deficiencies that
20 were not resolved or mitigated, whether the de-
21 ficiencies will be corrected in later releases of
22 the software; and

23 (C) any effects resulting from such defi-
24 ciencies, including—

1 (i) any effects on the cost and sched-
2 ule for delivery of the software; and

3 (ii) in cases in which the deficiencies
4 resulted in additional, unplanned, software
5 releases, any effects on the ongoing testing
6 of software capability releases.

7 **SEC. 133. NOTIFICATION ON EFFORTS TO REPLACE INOP-**
8 **ERABLE EJECTION SEAT AIRCRAFT LOCATOR**
9 **BEACONS.**

10 (a) NOTIFICATION.—Not later than 180 days after
11 the date of the enactment of this Act and on a semi-annual
12 basis thereafter until the date specified in subsection (b),
13 the Under Secretary of Defense for Acquisition and
14 Sustainment shall submit to the congressional defense
15 committees a written notification that describes, with re-
16 spect to the period covered by the notification—

17 (1) the efforts of the service acquisition execu-
18 tives of the Department of the Air Force and the
19 Department of the Navy to replace ejection seat air-
20 craft locator beacons that are—

21 (A) installed on covered aircraft; and

22 (B) inoperable in water or in wet condi-
23 tions; and

24 (2) the funding allocated for such efforts.

1 (b) DATE SPECIFIED.—The date specified in this
2 subsection is the earlier of—

3 (1) the date on which the Under Secretary of
4 Defense for Acquisition and Sustainment determines
5 that all ejection seat aircraft locator beacons in-
6 stalled on covered aircraft are operable in water and
7 wet conditions; or

8 (2) the date that is five years after the date of
9 the enactment of this Act.

10 (c) DEFINITIONS.—In this section:

11 (1) The term “covered aircraft” means aircraft
12 of the Air Force, the Navy, and the Marine Corps
13 that are equipped with ejection seats.

14 (2) The term “service acquisition executive of
15 the Department of the Air Force” does not include
16 the Service Acquisition Executive of the Department
17 of the Air Force for Space Systems and Programs
18 described in section 957 of the National Defense Au-
19 thorization Act for Fiscal Year 2020 (Public Law
20 116–92; 10 U.S.C. 9016 note).

21 **SEC. 134. LIMITATION ON USE OF FUNDS FOR THE ARMED**
22 **OVERWATCH PROGRAM.**

23 None of the funds authorized to be appropriated by
24 this Act or otherwise made available for fiscal year 2021
25 for procurement for the Armed Overwatch Program of the

1 United States Special Operations Command may be obli-
2 gated or expended until the date on which—

3 (1) the Secretary of Defense certifies to the
4 congressional defense committees that—

5 (A) the Secretary has completed a require-
6 ments review of the Armed Overwatch Pro-
7 gram; and

8 (B) the Secretary has conducted a review
9 of the roles and responsibilities of the United
10 States Air Force and the United States Special
11 Operations Command with respect to close air
12 support and armed intelligence, surveillance,
13 and reconnaissance and, as a result of such re-
14 view, the Secretary has identified the Armed
15 Overwatch Program as a special operations
16 forces-peculiar requirement; and

17 (2) the Commander of United States Special
18 Operations Command submits to the congressional
19 defense committees—

20 (A) certification that the Commander or
21 Deputy Commander has approved the docu-
22 mentation of the Special Operations Command
23 Requirements Evaluation Board; and

24 (B) a requirements plan for the Armed
25 Overwatch program that includes—

- 1 (i) an analysis of alternatives;
- 2 (ii) a procurement plan over the pe-
- 3 riod covered by the most recent future-
- 4 years defense program submitted under
- 5 section 221 of title 10, United States
- 6 Code;
- 7 (iii) a sustainment plan with projected
- 8 costs;
- 9 (iv) a phase out plan of existing
- 10 armed intelligence, surveillance, and recon-
- 11 naissance platforms;
- 12 (v) a manpower and training analysis,
- 13 and;
- 14 (vi) doctrinal considerations for em-
- 15 ployment; and
- 16 (C) a roadmap analyzing whether the near-
- 17 term to mid-term multi-mission responsibilities
- 18 of the Armed Overwatch Program are con-
- 19 sistent with the intelligence, surveillance, and
- 20 reconnaissance requirements of the various spe-
- 21 cial operations forces units and missions, and
- 22 the geographic combatant commands.

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

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

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

7 Funds are hereby authorized to be appropriated for
8 fiscal year 2021 for the use of the Department of Defense
9 for research, development, test, and evaluation, as speci-
10 fied in the funding table in section 4201.

11 **Subtitle B—Program Require-**
12 **ments, Restrictions, and Limita-**
13 **tions**

14 **SEC. 211. MODIFICATION OF SCIENCE, MATHEMATICS, AND**
15 **RESEARCH FOR TRANSFORMATION (SMART)**
16 **DEFENSE EDUCATION PROGRAM.**

17 (a) PILOT SUBPROGRAM.—Section 2192a of title 10,
18 United States Code, is amended—

19 (1) by redesignating subsections (b) through (h)
20 as subsections (c) through (i);

21 (2) by inserting after subsection (a) the fol-
22 lowing new subsection:

23 “(b) REQUIREMENT FOR PILOT SUBPROGRAM.—

24 “(1) IN GENERAL.—As a subprogram of the
25 program under subsection (a), the Secretary of De-

1 fense shall carry out a pilot program to be known
2 as the ‘National Security Pipeline Pilot Program’
3 (referred to in this section as the ‘Pilot Program’)
4 under which the Secretary shall seek to enter into
5 partnerships with minority institutions to diversify
6 the participants in the program under subsection
7 (a).

8 “(2) ELEMENTS.—Under the Pilot Program,
9 the Secretary of Defense shall—

10 “(A) provide an appropriate amount of fi-
11 nancial assistance under subsection (c) to an in-
12 dividual who is pursuing an associate’s degree,
13 undergraduate degree, or advanced degree at a
14 minority institution;

15 “(B) provide such financial assistance to
16 recipients in conjunction with summer intern-
17 ship opportunities or other meaningful tem-
18 porary appointments within the Department;
19 and

20 “(C) periodically evaluate the success of
21 recruiting individuals for scholarships under
22 this subsection and on hiring and retaining
23 those individuals in the public sector workforce.

24 “(3) REPORTS.—

1 “(A) INITIAL REPORT.—Not later than
2 December 31, 2022, the Secretary of Defense
3 shall submit to the congressional defense com-
4 mittees a report on the establishment of the
5 Pilot Program. At a minimum, the report shall
6 identify the number of students participating in
7 the pilot program as of the date of the report,
8 the fields of study pursued by such students,
9 and the minority institutions at which such stu-
10 dents are enrolled.

11 “(B) FINAL REPORT.—Not later than Sep-
12 tember 30, 2024, the Secretary of Defense shall
13 submit to the congressional defense committees
14 a report that evaluates the success of the pilot
15 program in recruiting individuals for scholar-
16 ships under this section and hiring and retain-
17 ing those individuals in the public sector work-
18 force.

19 “(4) TERMINATION.—The Pilot Program shall
20 terminate on December 31, 2026.”;

21 (3) in subsection (c)(1), as so redesignated—

22 (A) in subparagraph (A), by striking “sub-
23 section (g)” and inserting “subsection (h)”;

24 (B) in subparagraph (C), by striking “sub-
25 section (c)” and inserting “subsection (d)”;

1 (4) in subsection (d), as so redesignated—

2 (A) by redesignating paragraph (3) as
3 paragraph (4); and

4 (B) by inserting after paragraph (2) the
5 following new paragraph:

6 “(3) Pursuant to regulations prescribed by the
7 Secretary of Defense for such purpose, a scholarship
8 recipient who is not serving in the Armed Forces at
9 the time the scholarship is received may fulfill the
10 condition described in paragraph (1) by serving on
11 active duty in the Armed Forces.”; and

12 (5) by amending subsection (i), as so redesignated,
13 to read as follows:

14 “(i) DEFINITIONS.—In this section:

15 “(1) The term ‘institution of higher education’
16 has the meaning given such term in section 101 of
17 the Higher Education Act of 1965 (20 U.S.C.
18 1001).

19 “(2) The term ‘minority institution’ means an
20 institution of higher education at which not less
21 than 50 percent of the total student enrollment consists
22 of students from ethnic groups that are underrepresented
23 in the fields of science and engineering.”.
24

1 (b) ADDITIONAL MODIFICATIONS.—Section 2192a of
2 title 10, United States Code, as amended by subsection
3 (a), is further amended—

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

6 “(5) In employing participants during the pe-
7 riod of obligated service, the Secretary shall ensure
8 that participants are compensated at a rate that is
9 comparable to the rate of compensation for employ-
10 ment in a similar position in the private sector.”.

11 (2) by redesignating subsections (e) through (i)
12 as subsections (f) through (j), respectively;

13 (3) by inserting after subsection (d) the fol-
14 lowing new subsection:

15 “(e) INTERNSHIP REQUIREMENT.—In addition to the
16 period of obligated service required under subsection (d),
17 before completing a degree program for which a scholar-
18 ship was awarded under this section, each participant
19 shall participate in a paid internship for a period of not
20 less than eight weeks with a defense industry sponsor. The
21 Secretary shall work with each defense industry sponsor
22 to ensure there are sufficient paid internships available for
23 all participants, and that each such defense industry spon-
24 sor—

1 “(1)(A) may be a potential employer for pur-
2 pose of the participant’s period of obligated service
3 as described subsection (d)(1)(B)(ii); or

4 “(B) may offer full time employment for a par-
5 ticipant’s last year of obligated service after the par-
6 ticipant completes remaining years owed; and

7 “(2) has agreed to be a defense industry spon-
8 sor making a minimum contribution for each partici-
9 pant who receives an internship, which shall be a
10 minimum amount determined by the Secretary, but
11 not less than an amount equal to 50 percent of the
12 cost of an average scholarship under this section.”;

13 (4) in subsection (h), as so redesignated—

14 (A) by striking “The Secretary of Defense
15 shall” and inserting

16 “(1) The Secretary of Defense shall”; and

17 (B) by adding at the end the following new
18 paragraph:

19 “(2)(A) The Secretary of Defense shall estab-
20 lish or designate an organization within the Depart-
21 ment of Defense which shall have primary responsi-
22 bility for building cohesion and collaboration across
23 the various scholarship and employment programs of
24 the Department.

1 “(B) The organization described in subpara-
2 graph (A) shall have the following duties:

3 “(i) Establish an interconnected network
4 and database across the scholarship and em-
5 ployment programs of the Department, includ-
6 ing, at a minimum the SMART Defense Edu-
7 cation Program, the Defense Civilian Training
8 Corps, the National Defense Science and Engi-
9 neering Graduate Fellowship, the Army AEOP
10 apprenticeship program, and the Consortium
11 Research Fellows Program;

12 “(ii) aid in matching scholarships to indi-
13 viduals pursuing courses of study in in-demand
14 skill areas; and

15 “(iii) build a network of program partici-
16 pants, past, present, and future whom DOD de-
17 partments can draw on to fill skills gaps.

18 “(C) On an annual basis, the organization de-
19 scribed in subparagraph (A) shall publish, on a pub-
20 licly accessible website of the Department of De-
21 fense, an annual report on the workforce require-
22 ments and expected future needs of the civilian
23 workforce of the Department of Defense.”;

24 (5) by redesignating subsection (j), as so redesi-
25 gnated, as subsection (k);

1 (6) by inserting after subsection (i) the fol-
2 lowing new subsection:

3 “(j) SPECIAL RULE.—In each year of the program
4 under this section, not less than 20 percent of the appli-
5 cants who are awarded scholarships shall be individuals
6 pursuing degrees in computer science or a related field of
7 study.”; and

8 (7) in subsection (k), as so redesignated, by
9 adding at the end the following new paragraph:

10 “(3) The term ‘defense industry sponsor’
11 means—

12 “(A) a defense contractor with an active
13 government contract that makes the required
14 minimum contribution described in subsection
15 (e)(2); or

16 “(B) a company deemed critical to the na-
17 tional security infrastructure that makes such a
18 contribution.”.

19 **SEC. 212. ENHANCED PARTICIPATION OF DEPARTMENT OF**
20 **DEFENSE CONTRACTORS IN SCIENCE, TECH-**
21 **NOLOGY, ENGINEERING, AND MATHEMATICS**
22 **ACTIVITIES.**

23 (a) IN GENERAL.—

1 (1) PROGRAM REQUIRED.—Chapter 111 of title
2 10, United States Code, is amended by inserting
3 after section 2192b the following new section:

4 **“§ 2192c. Program to enhance contractor participa-**
5 **tion in science, technology, engineering,**
6 **and mathematics activities**

7 “(a) IN GENERAL.—The Secretary of Defense shall
8 carry out a program under which the Secretary shall seek
9 to enter into partnerships with Department of Defense
10 contractors to promote interest in careers in STEM dis-
11 ciplines.

12 “(b) OBJECTIVES.—The objectives of the program
13 under subsection (a) are—

14 “(1) to maximize strategic partnerships between
15 institutions of higher education and private sector
16 organizations to build and strengthen communities
17 involved in STEM disciplines;

18 “(2) to increase diversity, equity, and inclusion
19 by providing access to career paths in STEM in his-
20 torically underserved and underrepresented commu-
21 nities; and

22 “(3) to encourage employers in STEM dis-
23 ciplines to establish work-based learning experiences
24 such as internships and apprenticeships.

1 “(c) ACTIVITIES.—As part of the program under sub-
2 section (a), the Secretary of Defense shall seek to encour-
3 age and provide support to Department of Defense con-
4 tractors to enable such contractors to carry out activities
5 to promote interest in careers in STEM disciplines. Such
6 activities may include—

7 “(1) aiding in the development of educational
8 programs and curriculum in STEM disciplines for
9 students of elementary schools and secondary
10 schools;

11 “(2) establishing volunteer programs in elemen-
12 tary schools and secondary schools receiving assist-
13 ance under part A of title I of the Elementary and
14 Secondary Education Act of 1965 (20 U.S.C. 6311
15 et seq.) to enhance education in STEM disciplines.

16 “(3) enhancing education in STEM disciplines
17 at institutions of higher education by—

18 “(A) making personnel available to advise
19 and assist faculty at such institutions in the
20 performance of research and instruction in
21 STEM disciplines that are determined to be
22 critical to the functions of the Department of
23 Defense;

1 “(B) awarding scholarships and fellowships
2 to students pursuing courses of study in STEM
3 disciplines; or

4 “(C) establishing cooperative work-edu-
5 cation programs in STEM disciplines for stu-
6 dents; or

7 “(4) enhancing education in STEM disciplines
8 at minority institutions by—

9 “(A) establishing partnerships between
10 offerors and such institutions for the purpose of
11 training students in STEM disciplines;

12 “(B) conducting recruitment activities at
13 such institutions; or

14 “(C) making internships or apprenticeships
15 available to students of such institutions.

16 “(d) ALLOWABILITY OF COSTS.—Activities described
17 in subsection (c) shall be considered as allowable commu-
18 nity service activities for the purposes of determining al-
19 lowability of cost on a government contract.

20 “(h) DEFINITIONS.—In this section:

21 “(1) The terms ‘elementary school’ and ‘sec-
22 ondary school’ have the meanings given those terms
23 in section 8101 of the Higher Education Act of
24 1965 (20 U.S.C. 7801).

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

5 “(3) The term ‘minority institution’ means—

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

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

16 “(4) The term ‘STEM disciplines’ means dis-
17 ciplines relating to science, technology, engineering
18 and mathematics, including disciplines that are crit-
19 ical to the national security functions of the Depart-
20 ment of Defense and that are needed in the Depart-
21 ment of Defense workforce (as determined by the
22 Secretary of Defense under section 2192a(a)).”.

23 (2) CLERICAL AMENDMENT.—The table of sec-
24 tions at the beginning of such chapter is amended

1 by inserting after the item relating to section 2192b
2 the following new item:

“2192c. Program to enhance contractor participation in science, technology, engineering, and math activities.”.

3 (b) CONFORMING REPEAL.—Section 862 of the Na-
4 tional Defense Authorization Act for Fiscal Year 2012
5 (Public Law 112–81; 10 U.S.C. note prec. 2191) is re-
6 pealed.

7 **SEC. 213. MODIFICATION OF REQUIREMENTS RELATING TO**
8 **CERTAIN COOPERATIVE RESEARCH AND DE-**
9 **VELOPMENT AGREEMENTS.**

10 Section 2350a of title 10, United States Code, is
11 amended—

12 (1) in subsection (b)(2), by striking “and the
13 Under Secretary” and inserting “or the Under Sec-
14 retary”;

15 (2) in subsection (c)—

16 (A) by striking “Each cooperative” and in-
17 serting “(1) Except as provided in paragraph
18 (2), each cooperative”; and

19 (B) by adding at the end the following new
20 paragraphs:

21 “(2) A cooperative research and development project
22 may be entered into under this section under which costs
23 are shared between the participants on an unequal basis
24 if the Secretary of Defense, or an official specified in sub-

1 section (b)(2) to whom the Secretary delegates authority
2 under this paragraph, makes a written determination that
3 unequal cost sharing provides strategic value to the United
4 States or another participant in the project.

5 “(3) For purposes of this subsection, the term ‘cost’
6 means the total value of cash and non-cash contribu-
7 tions.”;

8 (3) in subsection (d)—

9 (A) in paragraph (1), by striking “In order
10 to” and inserting “Except as provided in para-
11 graph (2), in order to”;

12 (B) by redesignating paragraph (2) as
13 paragraph (3); and

14 (C) by inserting after paragraph (1) the
15 following new paragraph:

16 “(2)(A) The Secretary of Defense, or an official spec-
17 ified in subsection (b)(2) to whom the Secretary delegates
18 authority under this paragraph, may waive the prohibition
19 under paragraph (1) to allow the procurement of qualified
20 services from a foreign government, foreign research orga-
21 nization, or other foreign entity on a case-by-case basis.

22 “(B) Not later than 30 days before issuing a waiver
23 under subparagraph (A), the Secretary of Defense or the
24 official specified in subsection (b)(2) to whom the Sec-
25 retary delegates authority under this paragraph (as the

1 case may be) shall submit to the congressional defense
2 committees, the Committee on Foreign Affairs of the
3 House of Representatives, and the Committee on Foreign
4 Relations of the Senate written notice of the intent to
5 issue such a waiver.

6 “(C) For purposes of this paragraph, the term ‘quali-
7 fied services’ means engineering support services and local
8 management services, including launch support services,
9 test configuration support services, test range support
10 services, and development support services, that are not
11 covered by a memorandum of understanding (or other for-
12 mal agreement) to conduct a cooperative research and de-
13 velopment project under this section.”.

14 **SEC. 214. PILOT PROGRAM ON TALENT OPTIMIZATION.**

15 Section 2358b of title 10, United States Code, is
16 amended by adding at the end the following new sub-
17 section:

18 “(e) PILOT PROGRAM ON TALENT OPTIMIZATION.—

19 “(1) IN GENERAL.—The Under Secretary of
20 Defense for Research and Engineering, acting
21 through the Director of the Defense Innovation
22 Unit, shall carry out a pilot program to develop a
23 software-based system that enables active duty mili-
24 tary units to identify, access, and request support
25 from members of the reserve components who have

1 the skills and expertise necessary to carry out one or
2 more functions required of such units.

3 “(2) ELEMENTS.—In carrying out the pilot pro-
4 gram, the Director of the Defense Innovation Unit
5 shall—

6 “(A) ensure that the system developed
7 under paragraph (1)—

8 “(i) enables active duty units, in near
9 real-time, to identify members of the re-
10 serve components who have the qualifica-
11 tions necessary to meet certain require-
12 ments applicable to the units;

13 “(ii) improves the ability of the mili-
14 tary departments to access, on-demand,
15 members of the reserve components who
16 possess relevant experience; and

17 “(iii) prioritizes access to members of
18 the reserve components who have private-
19 sector experience in the fields identified in
20 section (b);

21 “(iv) leverages commercial best prac-
22 tices for similar software systems;

23 “(B) recommend policies and legislation to
24 streamline the use of members of the reserve
25 components by active duty units; and

1 “(C) carry out such other activities as the
2 Director determines appropriate.

3 “(3) TERMINATION.—The authority to carry
4 out the pilot program under this subsection shall
5 terminate on September 30, 2025.”.

6 **SEC. 215. CODIFICATION OF THE NATIONAL SECURITY IN-**
7 **NOVATION NETWORK.**

8 (a) CODIFICATION.—

9 (1) IN GENERAL.—Chapter 139 of title 10,
10 United States Code, is amended by inserting after
11 section 2358b the following new section:

12 **“§ 2358c. National Security Innovation Network**

13 “(a) ESTABLISHMENT.—The Secretary of Defense
14 shall establish a program office to be known as the ‘Na-
15 tional Security Innovation Network’ (referred to in this
16 section as the ‘Network’). The Secretary shall establish
17 the Network within the Office of the Under Secretary of
18 Defense for Research and Engineering or within the office
19 of another principal staff assistant to the Secretary.

20 “(b) RESPONSIBILITIES.—The responsibilities of the
21 Network shall be—

22 “(1) to create a network throughout the United
23 States that connects the Department of Defense to
24 academic institutions, commercial accelerators and
25 incubators, commercial innovation hubs, and non-

1 profit entities with missions relating to national se-
2 curity innovation;

3 “(2) to expand the national security innovation
4 base through integrated, project-based problem solv-
5 ing that leads to novel concept and solution develop-
6 ment for the Department and facilitates dual-use
7 venture creation;

8 “(3) to accelerate the adoption of novel con-
9 cepts and solutions by facilitating dual-use tech-
10 nology advancement to improve acquisition and pro-
11 curement outcomes;

12 “(4) to work in coordination with the Under
13 Secretary of Defense for Personnel and Readiness,
14 other principal staff assistants within the Office of
15 the Secretary, and the Armed Forces to create new
16 pathways and models of national security service
17 that facilitate term, temporary, and permanent em-
18 ployment within the Department for—

19 “(A) students and graduates in the fields
20 of science, technology, arts, engineering, and
21 mathematics;

22 “(B) early-career and mid-career tech-
23 nologists; and

24 “(C) entrepreneurs for purposes of project-
25 based work;

1 “(5) to generate novel concepts and solutions to
2 problems and requirements articulated by entities
3 within the Department through programs, such as
4 the Hacking for Defense program, that combine end
5 users from the Department, students and faculty
6 from academic institutions, and the early-stage dual-
7 use venture community;

8 “(6) to establish physical locations throughout
9 the United States through which the Network will
10 connect with academic and private sector partners
11 for the purposes of carrying the responsibilities de-
12 scribed in paragraphs (1) through (5); and

13 “(7) to carry out such other activities as the
14 Secretary of Defense, in consultation with the head
15 of the Network, determines to be relevant to such
16 responsibilities.

17 “(c) *AUTHORITIES*.—In addition to the authorities
18 provided under this section, in carrying out this section,
19 the Secretary of Defense may use the following authori-
20 ties:

21 “(1) Section 1599g of this title relating to pub-
22 lic-private talent exchanges.

23 “(2) Section 2368 of this title, relating to Cen-
24 ters for Science, Technology, and Engineering Part-
25 nerships.

1 “(3) Section 2374a of this title, relating to
2 prizes for advanced technology achievements.

3 “(3) Section 2474 of this title, relating to Cen-
4 ters of Industrial and Technical Excellence.

5 “(4) Section 2521 of this title, relating to the
6 Manufacturing Technology Program.

7 “(5) Subchapter VI of chapter 33 of title 5, re-
8 lating to assignments to and from States.

9 “(6) Chapter 47 of such title, relating to per-
10 sonnel research programs and demonstration
11 projects.

12 “(7) Section 12 of the Stevenson-Wydler Tech-
13 nology Innovation Act of 1980 (15 U.S.C. 3710a)
14 and section 6305 of title 31 relating to cooperative
15 research and development agreements.

16 “(8) Such other authorities as the Secretary
17 considers appropriate.

18 “(d) DEFINITIONS.—In this section:

19 “(1) The term ‘dual-use venture’ means a busi-
20 ness that provides products or services that are ca-
21 pable of meeting requirements for military and non-
22 military applications.

23 “(2) The term ‘early-stage dual-use venture’
24 means a business that provides products or services
25 that are capable of meeting requirements for mili-

1 tary and nonmilitary applications that has raised not
2 more than \$20,000,000 in private venture capital,
3 and whose principal product or service does not sup-
4 port, either directly or indirectly, a current Depart-
5 ment of Defense program of record.”.

6 (2) CLERICAL AMENDMENT.—The table of sec-
7 tions at the beginning of such chapter is amended
8 by inserting after the item relating to section 2358b
9 the following new item:

“2358c. National Security Innovation Network.”.

10 (b) IMPLEMENTATION.—

11 (1) TRANSFERS FROM OTHER DOD ELE-
12 MENTS.—The Secretary of Defense may transfer to
13 the National Security Innovation Network estab-
14 lished under section 2358c of title 10, United States
15 Code (as added by subsection (a)) such personnel,
16 resources, and functions of other organizations and
17 elements of the Department of Defense as the Sec-
18 retary considers appropriate to carry out such sec-
19 tion.

20 (2) INTEGRATION WITH EXISTING NSIN.—Ef-
21 fective on the date of the enactment of this Act, the
22 National Security Innovation Network of the De-
23 partment of Defense (as in existence on the day be-
24 fore such date of enactment) shall be transferred to
25 and merged with the National Security Innovation

1 Network established under section 2358c of title 10,
2 United States Code (as added by subsection (a)).

3 (3) IMPLEMENTATION PLAN.—

4 (A) IN GENERAL.—Not later than 180
5 days after the date of the enactment of this
6 Act, the Secretary of Defense shall submit to
7 the congressional defense committees a plan for
8 implementing the National Security Innovation
9 Network under section 2358c of title 10, United
10 States Code (as added by subsection (a)).

11 (B) ELEMENTS.—The plan required under
12 paragraph (1) shall include the following:

13 (i) Plans for any transfers the Sec-
14 retary intends to carry out under para-
15 graph (1).

16 (ii) Plans for the funding, integration,
17 and evaluation of the Network, including
18 plans for—

19 (I) future funding and adminis-
20 trative support of the Network;

21 (II) integration of the Network
22 into the programming, planning,
23 budgeting, and execution process of
24 the Department of Defense;

1 (III) integration of the Network
2 with the other programs and initia-
3 tives within the Department that have
4 missions relating to innovation and
5 outreach to the academic and the pri-
6 vate sector early-stage dual-use ven-
7 ture community (as defined in section
8 2358c of title 10, United States Code
9 (as added by subsection (a))); and

10 (IV) performance indicators by
11 which the Network will be assessed
12 and evaluated.

13 (iii) A description of any additional
14 authorities the Secretary may require to
15 ensure that the Network is able to effec-
16 tively carry out the responsibilities speci-
17 fied in section 2358c(e) of title 10, United
18 States Code (as added by subsection (a)).

19 (c) COMPTROLLER GENERAL REVIEWS AND RE-
20 PORTS.—

21 (1) REVIEW AND REPORT ON IMPLEMENTATION
22 PLAN.—Not later than 180 days after the date on
23 which the implementation plan is submitted under
24 subsection (b)(3), the Comptroller General of the
25 United States shall—

1 (A) complete a review of the implementa-
2 tion plan;

3 (B) submit to the congressional defense
4 committees a report on the results of the re-
5 view.

6 (2) PROGRAM EVALUATION AND REPORT.—

7 (A) IN GENERAL.—Not later than three
8 years after the date of the enactment of this
9 Act, the Comptroller General of the United
10 States shall—

11 (i) complete an evaluation of the Na-
12 tional Security Innovation Network under
13 section 2358c of title 10, United States
14 Code (as added by subsection (a)); and

15 (ii) submit to the appropriate congress-
16 sional committees a report on the results
17 of the evaluation.

18 (B) APPROPRIATE CONGRESSIONAL COM-
19 MITTEES DEFINED.—In this paragraph, the
20 term “appropriate congressional committees”
21 means—

22 (i) the congressional defense commit-
23 tees;

1 (ii) the Committee on Homeland Se-
2 curity and Governmental Affairs of the
3 Senate; and

4 (iii) the Committee on Oversight and
5 Government Reform of the House of Rep-
6 resentatives.

7 **SEC. 216. MODIFICATION OF PILOT PROGRAM ON EN-**
8 **HANCED CIVICS EDUCATION.**

9 (a) IN GENERAL.—Section 234 of the National De-
10 fense Authorization Act for Fiscal Year 2020 (Public Law
11 116–92; 10 U.S.C. 2164 note) is amended—

12 (1) in subsection (e)(1)—

13 (A) in subparagraph (H), by striking
14 “and” at the end; and

15 (B) by adding at the end the following new
16 subparagraph:

17 “(J) the improvement of critical thinking
18 and media literacy among students, including
19 the improvement of students’ abilities with re-
20 spect to—

21 “(i) research and information fluency;

22 “(ii) critical thinking and problem
23 solving skills;

24 “(iii) technology operations and con-
25 cepts;

1 “(iv) information and technological lit-
2 eracy;

3 “(v) understanding of the importance
4 of obtaining information from multiple
5 media sources and evaluating sources for
6 quality; and

7 “(vi) understanding how information
8 on digital platforms can be altered through
9 algorithms, editing, and augmented reality;
10 and”;

11 (2) in subsection (g), by adding at the end the
12 following new paragraph:

13 “(3) The term ‘media literacy’ means the ability
14 to—

15 “(A) access relevant and accurate informa-
16 tion through media in a variety of forms;

17 “(B) critically analyze media content and
18 the influences of different forms of media;

19 “(C) evaluate the comprehensiveness, rel-
20 evance, credibility, authority, and accuracy of
21 information;

22 “(D) make educated decisions based on in-
23 formation obtained from media and digital
24 sources;”.

1 (b) DEADLINE FOR IMPLEMENTATION.—Not later
2 than 90 days after the date of the enactment of this Act,
3 the Secretary of Defense shall implement the pilot pro-
4 gram under section 234 of the National Defense Author-
5 ization Act for Fiscal Year 2020 (Public Law 116–92; 10
6 U.S.C. 2164 note), as amended by subsection (a).

7 (c) PROGRESS REPORT.—Not later than 30 days
8 after the date of the enactment of this Act, the Secretary
9 of Defense shall submit to the congressional defense com-
10 mittees a report on the efforts of Secretary to implement
11 the pilot program under section 234 of the National De-
12 fense Authorization Act for Fiscal Year 2020 (Public Law
13 116–92; 10 U.S.C. 2164 note), as amended by subsection
14 (a).

15 **SEC. 217. MODIFICATION OF JOINT ARTIFICIAL INTEL-**
16 **LIGENCE RESEARCH, DEVELOPMENT, AND**
17 **TRANSITION ACTIVITIES.**

18 Section 238 of the John S. McCain National Defense
19 Authorization Act for Fiscal Year 2019 (Public Law 115–
20 232; 10 U.S.C. 2358 note) is amended—

21 (1) in the section heading, by inserting “**AND**
22 **IMPROVEMENT OF THE JOINT ARTIFICIAL IN-**
23 **TELLIGENCE CENTER**” before the period at the
24 end;

25 (2) in subsection (a)—

1 (A) in paragraph (1), by inserting “ac-
2 quire,” before “develop”; and

3 (B) by amending paragraph (2) to read as
4 follows:

5 “(2) EMPHASIS.—The set of activities estab-
6 lished under paragraph (1) shall include—

7 “(A) acquisition and development of ma-
8 ture artificial intelligence technology;

9 “(B) applying artificial intelligence and
10 machine learning solutions to operational prob-
11 lems by directly delivering artificial intelligence
12 capabilities to the Armed Forces and other or-
13 ganizations and elements of the Department;

14 “(C) accelerating the development, testing,
15 and fielding of new artificial intelligence and ar-
16 tificial intelligence-enabling capabilities; and

17 “(D) coordinating and deconflicting activi-
18 ties involving artificial intelligence and artificial
19 intelligence-enabled capabilities within the De-
20 partment.”

21 (3) by amending subsection (b) to read as fol-
22 lows:

23 “(b) RESPONSIBLE OFFICIAL.—The Deputy Sec-
24 retary of Defense shall be the official within the Depart-
25 ment of Defense with principal responsibility for the co-

1 ordination of activities relating to the acquisition, develop-
2 ment, and demonstration of artificial intelligence and ma-
3 chine learning for the Department.”.

4 (4) by redesignating subsections (c) through (g)
5 as subsections (d) through (h), respectively;

6 (5) by inserting after subsection (b) the fol-
7 lowing new subsection:

8 “(c) ORGANIZATION.—

9 “(1) ROLE OF JOINT ARTIFICIAL INTEL-
10 LIGENCE CENTER.—The set of activities established
11 under subsection (a)(1) shall be established within
12 the Joint Artificial Intelligence Center.

13 “(2) AUTHORITY OF DEPUTY SECRETARY OF
14 DEFENSE.—The Deputy Secretary of Defense shall
15 exercise authority and direction over the Joint Arti-
16 ficial Intelligence Center.

17 “(3) AUTHORITY OF DIRECTOR.—The Director
18 of the Joint Artificial Intelligence Center shall re-
19 port directly to the Deputy Secretary of Defense.

20 “(4) DELEGATION.—In exercising authority
21 and direction over the Joint Artificial Intelligence
22 Center under subsection (a), the Deputy Secretary
23 of Defense may delegate administrative and ancillary
24 management duties to the Chief Information Officer
25 of the Department of Defense, as needed, to effec-

1 tively and efficiently execute the mission of the Cen-
2 ter.”;

3 (6) in subsection (d), as so redesignated—

4 (A) in the matter preceding paragraph (1),
5 by striking “official designated under sub-
6 section (b)” and inserting “Deputy Secretary of
7 Defense”;

8 (B) in paragraph (1), in the matter pre-
9 ceding subparagraph (A), by inserting “ac-
10 quire,” before “develop”;

11 (C) in the heading of paragraph (2), by
12 striking “DEVELOPMENT” and inserting “AC-
13 QUISITION, DEVELOPMENT,”; and

14 (D) in paragraph (2)—

15 (i) in the matter preceding subpara-
16 graph (A), by striking “To the degree
17 practicable, the designated official” and in-
18 serting “The Deputy Secretary of De-
19 fense”;

20 (ii) in subparagraph (A), by striking
21 “development” and inserting “acquisition,
22 development,”;

23 (iii) by redesignating subparagraphs
24 (H) and (I) as subparagraphs (J) and (K),
25 respectively; and

1 (iv) by inserting after subparagraph
2 (G), the following new subparagraphs:

3 “(H) develop standard data formats for
4 the Department that—

5 “(i) aid in defining the relative matu-
6 rity of datasets; and

7 “(ii) inform best practices for cost
8 and schedule computation, data collection
9 strategies aligned to mission outcomes, and
10 dataset maintenance practices;

11 “(I) establish data and model usage agree-
12 ments and collaborative partnership agreements
13 for artificial intelligence product development
14 with each organization and element of the De-
15 partment, including each of the Armed
16 Forces;”;

17 (7) in subsection (e), as so redesignated—

18 (A) by striking “the official designated
19 under subsection (b)” and inserting “the Direc-
20 tor of the Joint Artificial Intelligence Center”;

21 (B) by striking “subsection (c)” and in-
22 sserting “subsection (d)”;

23 (C) by adding at the end the following: “At
24 a minimum, such access shall ensure that the
25 Director has the ability to discover, access,

1 share, and reuse data and models of the Armed
2 Forces and other organizations and elements of
3 the Department of Defense and to build and
4 maintain data for the Department.”;

5 (8) in subsection (f), as so redesignated—

6 (A) in paragraph (1)—

7 (i) in the matter preceding subpara-
8 graph (A), by striking “official designated
9 under subsection (b)” and inserting “Dep-
10 ucy Secretary of Defense”; and

11 (ii) in subparagraph (B), by striking
12 “designated official” and inserting “Dep-
13 ucy Secretary of defense”; and

14 (B) in paragraph (2), by striking “des-
15 igned official” and inserting “Deputy Sec-
16 retary of Defense”; and

17 (9) by adding at the end the following new sub-
18 section:

19 “(i) JOINT ARTIFICIAL INTELLIGENCE CENTER DE-
20 FINED.—The term ‘Joint Artificial Intelligence Center’
21 means the Joint Artificial Intelligence Center of the De-
22 partment of Defense established pursuant to the memo-
23 randum of the Secretary of Defense dated June 27, 2018,
24 and titled ‘Establishment of the Joint Artificial Intel-
25 ligence Center’, or any successor to such Center.”.

1 **SEC. 218. MODIFICATION OF NATIONAL SECURITY INNOVA-**
2 **TION ACTIVITIES AND MANUFACTURING**
3 **PILOT PROGRAM.**

4 (a) NATIONAL SECURITY INNOVATION ACTIVITIES.—
5 Section 230 of the John S. McCain National Defense Au-
6 thorization Act for Fiscal Year 2019 (10 U.S.C. 2358
7 note) is amended—

8 (1) in subsection (a), by striking “The Under
9 Secretary of Defense for Research and Engineering
10 shall establish” and inserting “The Under Secretary
11 of Defense for Research and Engineering, acting
12 through the Director of the Defense Innovation
13 Unit, shall establish”;

14 (2) by redesignating subsections (e) through (h)
15 as subsections (f) through (i), respectively;

16 (3) by inserting after subsection (d) the fol-
17 lowing new subsection:

18 “(e) ESTABLISHMENT OF ADVISORY BOARD.—

19 “(1) IN GENERAL.—Not earlier than the date
20 specified in paragraph (5), but no later than 180
21 days after such date, the Under Secretary shall es-
22 tablish an advisory board within the Defense Innova-
23 tion Unit to advise the Under Secretary and the Di-
24 rector of the Unit with respect to the establishment
25 and prioritization of activities under such subsection
26 (a).

1 “(2) DUTIES.—The advisory board established
2 under paragraph (1) shall—

3 “(A) identify activities that should be
4 prioritized for establishment under subsection
5 (a);

6 “(B) not less frequently than semiannually,
7 reevaluate and update such priorities; and

8 “(C) ensure continuing alignment of the
9 activities established under subsection (a), in-
10 cluding all elements of such activities described
11 in subsection (b), with the overall technology
12 strategy of the Department of Defense.

13 “(3) MEMBERSHIP.—The advisory board estab-
14 lished under paragraph (1) shall be composed of one
15 or more representatives from each of the following:

16 “(A) Each science and technology reinven-
17 tion laboratory of the Department of Defense.

18 “(B) The primary procurement organiza-
19 tion of each Armed Force.

20 “(C) The Defense Innovation Board.

21 “(D) Such other organizations and ele-
22 ments of the Department of Defense as the
23 Under Secretary, in consultation with the Di-
24 rector of the Defense Innovation Unit, deter-
25 mines appropriate.

1 “(4) PLAN.—Not later than 90 days before the
2 date on which the advisory board is established
3 under paragraph (1), the Under Secretary shall sub-
4 mit to the congressional defense committees a plan
5 for establishing the advisory board, including a de-
6 scription of the expected roles, responsibilities, and
7 membership of the advisory board.

8 “(5) DATE SPECIFIED.—The date specified in
9 this paragraph is the date on which funds are first
10 appropriated or otherwise made available to carry
11 out subsection (a).”; and

12 (4) in subsection (h), as so redesignated, by
13 striking “subsection (h)” and inserting “subsection
14 (i)”.

15 (b) PILOT PROGRAM ON DEFENSE MANUFAC-
16 TURING.—Section 1711 of the National Defense Author-
17 ization Act for Fiscal Year 2018 (Public Law 115–91; 10
18 U.S.C. 2505 note) is amended—

19 (1) in subsection (d), by striking “the date that
20 is four years after the date of the enactment of this
21 Act” and inserting “December 31, 2026”; and

22 (2) in subsection (e), by striking “January 31,
23 2022” and inserting “January 31, 2027”.

1 **SEC. 219. EXTENSION OF PILOT PROGRAM FOR THE EN-**
2 **HANCEMENT OF THE RESEARCH, DEVELOP-**
3 **MENT, TEST, AND EVALUATION CENTERS OF**
4 **THE DEPARTMENT OF DEFENSE.**

5 (a) IN GENERAL.—Section 233 of the National De-
6 fense Authorization Act for Fiscal Year 2017 (Public Law
7 114–328; 10 U.S.C. 2358 note) is amended—

8 (1) in subsection (e), by striking “2022” and
9 inserting “2027”; and

10 (2) in subsection (f)—

11 (A) by amending paragraph (1) to read as
12 follows:

13 “(1) IN GENERAL.—Not later than one year
14 after the date of the enactment of the National De-
15 fense Authorization Act for Fiscal Year 2021, the
16 Secretary of Defense shall submit to the congres-
17 sional defense committees a report on the status of
18 the pilot program.”; and

19 (B) in paragraph (2), by adding at the end
20 the following new subparagraph:

21 “(F) With respect to any military depart-
22 ment not participating in the pilot program, an
23 explanation for such nonparticipation, including
24 identification of—

25 “(i) any issues that may be preventing
26 such participation; and

1 “(ii) any offices or other elements of
2 the department that may be responsible for
3 the delay in participation.”.

4 (b) **TECHNICAL AMENDMENT.**—Effective as of De-
5 cember 23, 2016, and as if included therein as enacted,
6 section 233(c)(2)(C)(ii) of the National Defense Author-
7 ization Act for Fiscal Year 2017 (Public Law 114–328;
8 10 U.S.C. 2358 note) is amended by striking “Assistant
9 Secretary of the Army for Acquisition, Technology, and
10 Logistics” and inserting “Assistant Secretary of the Army
11 for Acquisition, Logistics, and Technology”.

12 **SEC. 220. DIGITAL DATA MANAGEMENT AND ANALYTICS CA-**
13 **PABILITY.**

14 (a) **DIGITAL DATA MANAGEMENT AND ANALYTICS**
15 **CAPABILITY.**—

16 (1) **IN GENERAL.**—The Secretary of Defense
17 shall develop and implement an advanced digital
18 data management and analytics capability to be
19 used—

20 (A) to digitally integrate all elements of
21 the acquisition process of the Department of
22 Defense;

23 (B) to digitally record and track all rel-
24 evant data generated during the research, devel-
25 opment, testing, and evaluation of systems; and

1 (C) to maximize the use of such data to in-
2 form—

3 (i) the further development and im-
4 provement of such systems; and

5 (ii) the acquisition process for such
6 systems.

7 (2) REQUIREMENTS.—The capability developed
8 under paragraph (1) shall meet the following re-
9 quirements:

10 (A) The capability will be accessible to,
11 and useable by, individuals throughout the De-
12 partment of Defense who have responsibilities
13 relating to capability requirements, research,
14 design, development, testing, evaluation, acqui-
15 sition, management, operations, and
16 sustainment of systems.

17 (B) The capability will provide for the de-
18 velopment, use, curation, and maintenance of
19 authoritative and technically accurate digital
20 systems—

21 (i) to reduce the burden of reporting
22 by officials responsible for executing pro-
23 grams;

24 (ii) to ensure shared access to data
25 within the Department;

1 (iii) to supply data to digital engineer-
2 ing models for use in the defense acquisi-
3 tion process;

4 (iv) to supply data to testing infra-
5 structure and software to support auto-
6 mated approaches for testing, evaluation,
7 and deployment throughout the defense ac-
8 quisition process; and

9 (v) to provide timely analyses to De-
10 partment leadership.

11 (C) The capability will be designed—

12 (i) to improve data management proc-
13 esses in the research, development, acquisi-
14 tion, and sustainment activities of the De-
15 partment;

16 (ii) to provide decision makers in the
17 Department with timely, high-quality,
18 transparent, and actionable analyses for
19 optimal development, acquisition, and
20 sustainment decision making and execu-
21 tion;

22 (iii) to facilitate productivity, dis-
23 covery, access, knowledge sharing, and
24 analysis of acquisition-related data across
25 organizational boundaries at all levels of

1 the Department, including through the de-
2 velopment of acquisition documentation;
3 and

4 (iv) to build and improve analytical
5 models and simulations to enhance the de-
6 velopment, test, and use of weapon sys-
7 tems.

8 (3) SOFTWARE REQUIREMENT.—

9 (A) IN GENERAL.—The capability devel-
10 oped under paragraph (1) shall include software
11 to collect, organize, manage, make available,
12 and analyze relevant data throughout the life
13 cycle of defense acquisition programs, including
14 any data needed to satisfy milestone require-
15 ments and reviews.

16 (B) PROCUREMENT AUTHORITY.—The
17 software described in subparagraph (A) may be
18 developed or procured using the authorities pro-
19 vided under section 800 of the National De-
20 fense Authorization Act for Fiscal Year 2020
21 (Public Law 116–92; 133 Stat. 1478).

22 (4) REVIEW.—In developing the capability re-
23 quired under paragraph (1) the Secretary of Defense
24 shall—

1 (A) review data content and requirements
2 to support planning and reporting of functions
3 and remove redundant data requests across
4 functions.

5 (B) based on such review, develop rec-
6 ommended approaches for—

7 (i) moving supporting processes from
8 analog to digital format, including plan-
9 ning and reporting processes;

10 (ii) making new data active through
11 digitalization;

12 (iii) making legacy data, including
13 data currently residing in program docu-
14 mentation, active through digitalization;
15 and

16 (iv) modernizing the storage, retrieval,
17 and reporting capabilities for stakeholders
18 within the Department, including research
19 entities, Program Management Offices,
20 analytic organizations, enterprise oversight,
21 and decision makers.

22 (b) DEMONSTRATION ACTIVITIES.—

23 (1) IN GENERAL.—The Secretary of Defense
24 shall carry out demonstration activities to test var-

1 ious approaches to building the capability required
2 under subsection (a).

3 (2) PROGRAM SELECTION.—Not later than 180
4 days after the date of the enactment of this Act, the
5 Secretary of Defense shall assess and select not
6 fewer than two and not more than five programs of
7 the Department of Defense to participate in the
8 demonstration activities under paragraph (1), in-
9 cluding—

10 (A) one or more acquisition data manage-
11 ment test cases; and

12 (B) one or more development and test
13 modeling and simulation test cases to dem-
14 onstrate the ability to collect data from tests
15 and operations in the field, and feed the data
16 back into models and simulations for better
17 software development and testing.

18 (3) ADDITIONAL REQUIREMENTS.—As part of
19 the demonstration activities under paragraph (1),
20 the Secretary shall—

21 (A) conduct a comparative analysis that
22 assesses the risks and benefits of the digital
23 management and analytics capability used in
24 each of the programs participating in the dem-
25 onstration activities relative to the Depart-

1 ment’s traditional data collection, reporting, ex-
2 posing, and analysis approaches;

3 (B) ensure that the intellectual property
4 strategy for each of the programs participating
5 in the demonstration activities is best aligned to
6 meet the goals of the program; and

7 (C) develop a workforce and infrastructure
8 plan to support any new policies and guidance
9 implemented in connection with the demonstra-
10 tion activities, including any policies and guid-
11 ance implemented after the completion of such
12 activities.

13 (c) **POLICIES AND GUIDANCE REQUIRED.**—Not later
14 than 18 months after the date of the enactment of this
15 Act, based on the results of the demonstration activities
16 carried out under subsection (b), the Secretary of Defense
17 shall issue or modify policies and guidance to—

18 (1) promote the use of digital management and
19 analytics capabilities; and

20 (2) address roles, responsibilities, and proce-
21 dures relating to such capabilities.

22 (d) **STEERING COMMITTEE.**—

23 (1) **IN GENERAL.**—The Secretary of Defense
24 shall establish a steering committee to assist the

1 Secretary in carrying out subsections (a) through
2 (c).

3 (2) MEMBERSHIP.—The steering committee
4 shall be composed of the following members or their
5 designees:

6 (A) The Chief Management Officer.

7 (B) The Chief Information Officer.

8 (C) The Director of Cost Assessment and
9 Program Evaluation.

10 (D) The Under Secretary of Defense for
11 Research and Engineering.

12 (E) The Under Secretary of Defense for
13 Acquisition and Sustainment.

14 (F) The Director of Operational Test and
15 Evaluation.

16 (G) The Service Acquisition Executives.

17 (H) The Director for Force Structure, Re-
18 sources, and Assessment of the Joint Staff.

19 (I) The Director of the Defense Digital
20 Service.

21 (e) INDEPENDENT ASSESSMENTS.—

22 (1) INITIAL ASSESSMENT.—

23 (A) IN GENERAL.—The Defense Innova-
24 tion Board, in consultation with the Defense
25 Digital Service, shall conduct an independent

1 assessment to identify recommended approaches
2 for the implementation of subsections (a)
3 through (c).

4 (B) ELEMENTS.—The assessment under
5 subparagraph (A) shall include the following:

6 (i) A plan for the development and
7 implementation of the capability required
8 under subsection (a), including a plan for
9 any procurement that may be required as
10 part of such development and implementa-
11 tion.

12 (ii) An independent cost assessment of
13 the total estimated cost of developing and
14 implementing the capability.

15 (iii) An independent estimate of the
16 schedule for the development and imple-
17 mentation of the capability, including a
18 reasonable estimate of the dates on which
19 the capability can be expected to achieve
20 initial operational capability and full oper-
21 ational capability, respectively.

22 (iv) A recommendation identifying the
23 office or other organization of the Depart-
24 ment of Defense that would be most ap-

1 appropriate to manage and execute the capa-
2 bility.

3 (C) REPORT.—Not later than 180 days
4 after the date of the enactment of this Act, the
5 Defense Innovation Board, in consultation with
6 the Defense Digital Service, shall submit to the
7 Secretary of Defense and the congressional de-
8 fense committees a report on the findings of the
9 assessment under subparagraph (A), including
10 the findings of the assessment with respect to
11 each element specified in subparagraph (B).

12 (2) FINAL ASSESSMENT.—

13 (A) IN GENERAL.—Not later than March
14 15, 2022, the Defense Innovation Board and
15 the Defense Science Board shall jointly com-
16 plete an independent assessment of the progress
17 of the Secretary in implementing subsections
18 (a) through (c). The Secretary of Defense shall
19 ensure that the Defense Innovation Board and
20 the Defense Science Board have access to the
21 resources, data, and information necessary to
22 complete the assessment.

23 (B) INFORMATION TO CONGRESS.—Not
24 later than 30 days after the date on which the
25 assessment under subparagraph (A) is com-

1 pleted, the Defense Innovation Board and the
2 Defense Science Board shall jointly provide to
3 the congressional defense committees—

4 (i) a report summarizing the assess-
5 ment; and

6 (ii) a briefing on the findings of the
7 assessment.

8 (f) REPORT AND BRIEFING.—

9 (1) REPORT ON IMPLEMENTATION.—Not later
10 than 90 days after the date on which the report de-
11 scribed in subsection (e)(1)(C) is submitted to the
12 congressional defense committees, the Secretary of
13 Defense shall submit to the congressional defense
14 committees a report on the progress of the Secretary
15 in implementing subsections (a) through (c). The re-
16 port shall include an explanation of how the results
17 of the demonstration activities carried out under
18 subsection (b) will be incorporated into the policy
19 and guidance required under subsection (c), particu-
20 larly the policy and guidance of the members of the
21 steering committee established under subsection (d).

22 (2) BRIEFING ON LEGISLATIVE RECOMMENDA-
23 TIONS.—Not later than October 15, 2021, the Sec-
24 retary of Defense shall provide to the Committee on
25 Armed Services of the House of Representatives a

1 briefing that identifies any changes to existing law
2 that may be necessary to facilitate the implementa-
3 tion of subsections (a) through (c).

4 **SEC. 221. SOCIAL SCIENCE, MANAGEMENT SCIENCE, AND**
5 **INFORMATION SCIENCE RESEARCH ACTIVI-**
6 **TIES.**

7 (a) ESTABLISHMENT.—The Secretary of Defense,
8 acting through the Under Secretary of Defense for Re-
9 search and Engineering, shall carry out a program of re-
10 search and development in social science, management
11 science, and information science.

12 (b) PURPOSES.—The purposes of the program re-
13 quired under subsection (a) are as follows:

14 (1) To ensure that the Department of Defense
15 has access to innovation and expertise in social
16 science, management science, and information
17 science to enable the Department to improve the ef-
18 fectiveness and efficiency of the Department's oper-
19 ational and management activities.

20 (2) To coordinate all research and development
21 within the Department in the fields of social science,
22 management science, and information science.

23 (3) To enhance cooperation and collaboration
24 on research and development in the fields of social
25 science, management science, and information

1 science among the Department of Defense and ap-
2 propriate private sector and international entities
3 that are involved in such research and development.

4 (4) To develop and manage a portfolio of re-
5 search initiatives in fundamental and applied social
6 science, management science, and information
7 science that is stable, consistent, and balanced
8 across relevant disciplines.

9 (5) To accelerate efforts to transition and de-
10 ploy technologies and concepts derived from research
11 and development in the fields of social science, man-
12 agement science, and information science into the
13 Department of Defense, and to establish policies,
14 procedures, and standards for measuring the success
15 of such efforts.

16 (6) To collect, synthesize, and disseminate crit-
17 ical information on research and development in the
18 fields of social science, management science, and in-
19 formation science.

20 (7) To support the missions and systems of the
21 Department by developing the fields of social
22 science, management science, and information
23 science, including by supporting—

24 (A) appropriate research and innovation in
25 such fields; and

1 (B) the development of an industrial base
2 in such fields, including development of the fa-
3 cilities, workforce, and infrastructure that com-
4 prise such industrial base.

5 (c) ADMINISTRATION.—The Under Secretary of De-
6 fense for Research and Engineering shall supervise the
7 planning, management, and coordination of the program
8 under subsection (a).

9 (d) ACTIVITIES.—The Under Secretary of Defense
10 for Research and Engineering, in consultation with the
11 Secretaries of the military departments and the heads of
12 relevant Defense Agencies, shall—

13 (1) prescribe a set of long-term challenges and
14 a set of specific technical goals for the program, in-
15 cluding—

16 (A) optimization of analysis of national se-
17 curity data sets;

18 (B) development of defense-related man-
19 agement innovation activities;

20 (C) improving the operational use of social
21 science, management science, and information
22 science innovations by military commanders and
23 civilian leaders;

24 (D) improving understanding of the funda-
25 mental social, cultural, and behavioral forces

1 that shape the strategic interests of the United
2 States; and

3 (E) developing a Department of Defense
4 workforce capable of developing and leveraging
5 innovations and best practices in the fields of
6 social science, management science, and infor-
7 mation science to support defense missions;

8 (2) develop a coordinated and integrated re-
9 search and investment plan for meeting near-term,
10 mid-term, and long-term national security, defense-
11 related, and Department management challenges
12 that—

13 (A) includes definitive milestones;

14 (B) provides for achieving specific tech-
15 nical goals; and

16 (C) builds upon the investments of the De-
17 partment, other departments and agencies of
18 the Federal Government, and the commercial
19 sector in the fields of social science, manage-
20 ment science, and information science;

21 (3) develop plans for—

22 (A) the development of the Department's
23 workforce in social science, management
24 science, and information science; and

1 (B) enhancing awareness of social science,
2 management science, and information science
3 within the Department; and

4 (4) develop memoranda of agreement, joint
5 funding agreements, and such other cooperative ar-
6 rangements as the Under Secretary determines nec-
7 essary for carrying out the program under sub-
8 section (a).

9 (e) GUIDANCE REQUIRED.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, the
12 Under Secretary of Defense for Research and Engi-
13 neering shall develop and issue guidance for defense-
14 related social science, management science, and in-
15 formation science activities, including—

16 (A) classification and data management
17 plans for such activities; and

18 (B) policies for control of personnel par-
19 ticipating in such activities to minimize the ef-
20 fects of the loss of intellectual property in social
21 science, management science, and information
22 science considered sensitive to the Federal Gov-
23 ernment.

1 (2) UPDATES.—Under Secretary of Defense for
2 Research and Engineering shall regularly update the
3 guidance issued under paragraph (4).

4 (f) RESEARCH CENTERS.—

5 (1) IN GENERAL.—The Secretary of each mili-
6 tary department may establish or designate an enti-
7 ty or activity under the jurisdiction of such Sec-
8 retary, which may include a Department of Defense
9 Laboratory, to serve as a research center in the
10 fields of social science, management science, and in-
11 formation science. Each such research center shall
12 engage with appropriate public sector and private
13 sector organizations, including academic institutions,
14 to enhance and accelerate the research, development,
15 and deployment of social science, management
16 science, and information science within the Depart-
17 ment.

18 (2) MINIMUM NUMBER.—The Secretary of De-
19 fense shall ensure that not less than one research
20 center is established or designated under paragraph
21 (1) by not later than 180 days after the date of the
22 enactment of this Act.

23 (g) REPORT.—

1 (1) IN GENERAL.—Not later than December 31,
2 2022, the Secretary shall submit to the congres-
3 sional defense committees a report on the program.

4 (2) FORM OF REPORT.—The report required
5 under paragraph (1) may be submitted in unclassi-
6 fied or classified form.

7 **SEC. 222. MEASURING AND INCENTIVIZING PROGRAMMING**
8 **PROFICIENCY.**

9 (a) IN GENERAL.—Not later than two years after the
10 date of the enactment of this Act, the Secretary of Defense
11 shall carry out the following activities:

12 (1) Leverage existing civilian software develop-
13 ment and software architecture certification pro-
14 grams to implement coding language proficiency and
15 artificial intelligence competency tests within the De-
16 partment of Defense that—

17 (A) measure an individual's competency in
18 using machine learning tools, in a manner simi-
19 lar to the way the Defense Language Pro-
20 ficiency Test measures competency in foreign
21 language skills;

22 (B) enable the identification of members of
23 the Armed Forces and civilian employees of the
24 Department of Defense who have varying levels
25 of quantified coding comprehension and skills

1 and a propensity to learn new programming
2 paradigms, algorithms, and data analytics; and

3 (C) include hands-on coding demonstra-
4 tions and challenges.

5 (2) Update existing record keeping systems to
6 track artificial intelligence and programming certifi-
7 cation testing results in a manner that is com-
8 parable to the system used for tracking and docu-
9 menting foreign language competency, and use that
10 record keeping system to ensure that workforce cod-
11 ing and artificial intelligence comprehension and
12 skills are taken into consideration when making as-
13 signments.

14 (3) Implement a system of rewards, including
15 appropriate incentive pay and retention incentives,
16 for members of the Armed Forces and civilian em-
17 ployees of the Department of Defense who perform
18 successfully on specific language coding proficiency
19 and artificial intelligence competency tests and make
20 their skills available to the Department.

21 (b) INFORMATION SHARING WITH OTHER FEDERAL
22 AGENCIES.—The Secretary of Defense shall share infor-
23 mation on the activities carried out under subsection (a)
24 with the Secretary of Homeland Security, the Attorney
25 General, the Director of National Intelligence, and the

1 heads of such other organizations of the intelligence com-
2 munity as the Secretary determines appropriate, for pur-
3 poses of—

4 (1) making information about the coding lan-
5 guage proficiency and artificial intelligence com-
6 petency tests developed under such subsection avail-
7 able to other Federal national security agencies; and

8 (2) encouraging the heads of such agencies to
9 implement tracking and reward systems that are
10 comparable to those implemented by the Department
11 of Defense pursuant to such subsection.

12 **SEC. 223. INFORMATION TECHNOLOGY MODERNIZATION**
13 **AND SECURITY EFFORTS.**

14 (a) MODERNIZATION EFFORT.—

15 (1) DEFINITIONS.—In this subsection—

16 (A) the term “Assistant Secretary” means
17 the Assistant Secretary of Commerce for Com-
18 munications and Information;

19 (B) the term “covered agency”—

20 (i) means any Federal entity that the
21 Assistant Secretary determines is appro-
22 priate; and

23 (ii) includes the Department of De-
24 fense;

1 (C) the term “Federal entity” has the
2 meaning given the term in section 113(l) of the
3 National Telecommunications and Information
4 Administration Organization Act (47 U.S.C.
5 923(l));

6 (D) the term “Federal spectrum” means
7 frequencies assigned on a primary basis to a
8 covered agency;

9 (E) the term “infrastructure” means infor-
10 mation technology systems and information
11 technologies, tools, and databases; and

12 (F) the term “NTIA” means the National
13 Telecommunications and Information Adminis-
14 tration.

15 (2) INITIAL INTERAGENCY SPECTRUM INFORMA-
16 TION TECHNOLOGY COORDINATION.—Not later than
17 90 days after the date of enactment of this Act, the
18 Assistant Secretary, in consultation with the Policy
19 and Plans Steering Group, shall identify a process to
20 establish goals, including parameters to measure the
21 achievement of those goals, for the modernization of
22 the infrastructure of covered agencies relating to
23 managing the use of Federal spectrum by those
24 agencies, which shall include—

1 (A) the standardization of data inputs,
2 modeling algorithms, modeling and simulation
3 processes, analysis tools with respect to Federal
4 spectrum, assumptions, and any other tool to
5 ensure interoperability and functionality with
6 respect to that infrastructure;

7 (B) other potential innovative technological
8 capabilities with respect to that infrastructure,
9 including cloud-based databases, artificial intel-
10 ligence technologies, automation, and improved
11 modeling and simulation capabilities;

12 (C) ways to improve the management of
13 covered agencies' use of Federal spectrum
14 through that infrastructure, including by—

15 (i) increasing the efficiency of that in-
16 frastructure;

17 (ii) addressing validation of usage
18 with respect to that infrastructure;

19 (iii) increasing the accuracy of that
20 infrastructure;

21 (iv) validating models used by that in-
22 frastructure; and

23 (v) monitoring and enforcing require-
24 ments that are imposed on covered agen-

1 cies with respect to the use of Federal
2 spectrum by covered agencies;

3 (D) ways to improve the ability of covered
4 agencies to meet mission requirements in con-
5 gested environments with respect to Federal
6 spectrum, including as part of automated ad-
7 justments to operations based on changing con-
8 ditions in those environments;

9 (E) the creation of a time-based automated
10 mechanism—

11 (i) to share Federal spectrum between
12 covered agencies to collaboratively and dy-
13 namically increase access to Federal spec-
14 trum by those agencies; and

15 (ii) that could be scaled across Fed-
16 eral spectrum; and

17 (F) the collaboration between covered
18 agencies necessary to ensure the interoperability
19 of Federal spectrum.

20 (3) SPECTRUM INFORMATION TECHNOLOGY
21 MODERNIZATION.—

22 (A) IN GENERAL.—Not later than 240
23 days after the date of enactment of this Act,
24 the Assistant Secretary shall submit to Con-
25 gress a report that contains the plan of the

1 NTIA to modernize and automate the infra-
2 structure of the NTIA relating to managing the
3 use of Federal spectrum by covered agencies so
4 as to more efficiently manage that use.

5 (B) CONTENTS.—The report required
6 under subparagraph (A) shall include—

7 (i) an assessment of the current, as of
8 the date on which the report is submitted,
9 infrastructure of the NTIA described in
10 that paragraph;

11 (ii) an acquisition strategy for the
12 modernized infrastructure of the NTIA de-
13 scribed in that paragraph, including how
14 that modernized infrastructure will enable
15 covered agencies to be more efficient and
16 effective in the use of Federal spectrum;

17 (iii) a timeline for the implementation
18 of the modernization efforts described in
19 that paragraph;

20 (iv) plans detailing how the modern-
21 ized infrastructure of the NTIA described
22 in that paragraph will—

23 (I) enhance the security and reli-
24 ability of that infrastructure so that
25 such infrastructure satisfies the re-

1 requirements of the Federal Information
2 Security Management Act of 2002
3 (Public Law 107–296; 116 Stat.
4 2135);

5 (II) improve data models and
6 analysis tools to increase the effi-
7 ciency of the spectrum use described
8 in that paragraph;

9 (III) enhance automation and
10 workflows, and reduce the scope and
11 level of manual effort, in order to—

12 (aa) administer the manage-
13 ment of the spectrum use de-
14 scribed in that paragraph; and

15 (bb) improve data quality
16 and processing time; and

17 (IV) improve the timeliness of
18 spectrum analyses and requests for in-
19 formation, including requests sub-
20 mitted pursuant to section 552 of title
21 5, United States Code;

22 (v) an operations and maintenance
23 plan with respect to the modernized infra-
24 structure of the NTIA described in that
25 paragraph;

- 1 (vi) a strategy for coordination be-
2 tween the covered agencies within the Pol-
3 icy and Plans Steering Group, which shall
4 include—
- 5 (I) a description of—
- 6 (aa) those coordination ef-
7 forts, as in effect on the date on
8 which the report is submitted;
9 and
- 10 (bb) a plan for coordination
11 of those efforts after the date on
12 which the report is submitted, in-
13 cluding with respect to the ef-
14 forts described in paragraph (4);
- 15 (II) a plan for standardizing—
- 16 (aa) electromagnetic spec-
17 trum analysis tools;
- 18 (bb) modeling and simula-
19 tion processes and technologies;
20 and
- 21 (cc) databases to provide
22 technical interference assess-
23 ments that are usable across the
24 Federal Government as part of a
25 common spectrum management

1 infrastructure for covered agen-
2 cies;

3 (III) a plan for each covered
4 agency to implement a modernization
5 plan described in paragraph (4)(A)
6 that is tailored to the particular
7 timeline of the agency;

8 (vii) identification of manually inten-
9 sive processes involved in managing Fed-
10 eral spectrum and proposed enhancements
11 to those processes;

12 (viii) metrics to evaluate the success
13 of the modernization efforts described in
14 that paragraph and any similar future ef-
15 forts; and

16 (ix) an estimate of the cost of the
17 modernization efforts described in that
18 paragraph and any future maintenance
19 with respect to the modernized infrastruc-
20 ture of the NTIA described in that para-
21 graph, including the cost of any personnel
22 and equipment relating to that mainte-
23 nance.

24 (4) INTERAGENCY INPUTS.—

1 (A) IN GENERAL.—Not later than 1 year
2 after the date of enactment of this Act, the
3 head of each covered agency shall submit to the
4 Assistant Secretary and the Policy and Plans
5 Steering Group a report that describes the plan
6 of the agency to modernize the infrastructure of
7 the agency with respect to the use of Federal
8 spectrum by the agency so that such modern-
9 ized infrastructure of the agency is interoper-
10 able with the modernized infrastructure of the
11 NTLA, as described in paragraph (3).

12 (B) CONTENTS.—Each report submitted
13 by the head of a covered agency under subpara-
14 graph (A) shall—

15 (i) include—

16 (I) an assessment of the current,
17 as of the date on which the report is
18 submitted, management capabilities of
19 the agency with respect to the use of
20 frequencies that are assigned to the
21 agency, which shall include a descrip-
22 tion of any challenges faced by the
23 agency with respect to that manage-
24 ment;

1 (II) a timeline for completion of
2 the modernization efforts described in
3 that paragraph; and

4 (III) a description of potential in-
5 novative technological capabilities for
6 the management of frequencies that
7 are assigned to the agency, as deter-
8 mined under paragraph (2);

9 (IV) identification of agency-spe-
10 cific requirements or constraints relat-
11 ing to the infrastructure of the agen-
12 cy;

13 (V) identification of any existing,
14 as of the date on which the report is
15 submitted, systems of the agency that
16 are duplicative of the modernized in-
17 frastructure of the NTIA, as proposed
18 under paragraph (3); and

19 (VI) with respect to the report
20 submitted by the Secretary of De-
21 fense—

22 (aa) a strategy for the inte-
23 gration of systems or the flow of
24 data among the Armed Forces,
25 the military departments, the De-

1 fense Agencies and Department
2 of Defense Field Activities, and
3 other components of the Depart-
4 ment of Defense;

5 (bb) a plan for the imple-
6 mentation of solutions to the use
7 of Federal spectrum by the De-
8 partment of Defense involving in-
9 formation at multiple levels of
10 classification; and

11 (cc) a strategy for address-
12 ing, within the modernized infra-
13 structure of the Department of
14 Defense described in that para-
15 graph, the exchange of informa-
16 tion between the Department of
17 Defense and the NTIA in order
18 to accomplish required processing
19 of all Department of Defense do-
20 mestic spectrum coordination and
21 management activities; and

22 (ii) be submitted in an unclassified
23 format, with a classified annex, as appro-
24 priate.

1 (C) NOTIFICATION OF CONGRESS.—Upon
2 submission of the report required under sub-
3 paragraph (A), the head of each covered agency
4 shall notify Congress that the head of the cov-
5 ered agency has submitted the report.

6 (5) GAO OVERSIGHT.—The Comptroller Gen-
7 eral of the United States shall—

8 (A) not later than 90 days after the date
9 of enactment of this Act, conduct a review of
10 the infrastructure of covered agencies, as that
11 infrastructure exists on the date of enactment
12 of this Act;

13 (B) after all of the reports required under
14 paragraph (4) have been submitted, conduct
15 oversight of the implementation of the mod-
16 ernization plans submitted by the NTIA and
17 covered agencies under paragraphs (3) and (4),
18 respectively;

19 (C) not later than 1 year after the date on
20 which the Comptroller General begins con-
21 ducting oversight under subparagraph (B), and
22 annually thereafter, submit a report regarding
23 that oversight to—

24 (i) with respect to the implementation
25 of the modernization plan of the Depart-

1 ment of Defense, the Committee on Armed
2 Services of the Senate and the Committee
3 on Armed Services of the House of Rep-
4 resentatives; and

5 (ii) with respect to the implementation
6 of the modernization plans of all covered
7 agencies, including the Department of De-
8 fense, the Committee on Commerce,
9 Science, and Transportation of the Senate
10 and the Committee on Energy and Com-
11 merce of the House of Representatives;
12 and

13 (D) provide regular briefings to—

14 (i) with respect to the application of
15 this section to the Department of Defense,
16 the Committee on Armed Services of the
17 Senate and the Committee on Armed Serv-
18 ices of the House of Representatives; and

19 (ii) with respect to the application of
20 this section to all covered agencies, includ-
21 ing the Department of Defense, the Com-
22 mittee on Commerce, Science, and Trans-
23 portation of the Senate and the Committee
24 on Energy and Commerce of the House of
25 Representatives.

1 (b) TELECOMMUNICATIONS SECURITY PROGRAM.—

2 (1) PROGRAM REQUIRED.—The Secretary of
3 Defense shall carry out a program to identify and
4 mitigate vulnerabilities in the telecommunications in-
5 frastructure of the Department of Defense.

6 (2) ELEMENTS.—In carrying out the program
7 under paragraph (1), the Secretary shall—

8 (A) develop a capability to communicate
9 clearly and authoritatively about threats by for-
10 eign adversaries;

11 (B) conduct independent red-team security
12 analysis of Department of Defense systems,
13 subsystems, devices, and components including
14 no-knowledge testing and testing with limited or
15 full knowledge of expected functionalities;

16 (C) verify the integrity of personnel who
17 are tasked with design fabrication, integration,
18 configuration, storage, test, and documentation
19 of noncommercial 5G technology to be used by
20 the Department of Defense;

21 (D) verify the efficacy of the physical secu-
22 rity measures used at Department of Defense
23 locations where system design, fabrication, inte-
24 gration, configuration, storage, test, and docu-
25 mentation of 5G technology occurs;

1 (E) direct the Chief Information Officer of
2 the Department of Defense to use the Federal
3 Risk and Authorization Management Program
4 (commonly known as “FedRAMP”) moderate
5 or high cloud standard baselines, supplemented
6 with the Department’s FedRAMP cloud stand-
7 ard controls and control enhancements, to as-
8 sess 5G core service providers whose services
9 will be used by the Department of Defense
10 through the Department’s provisional author-
11 ization process; and

12 (F) direct the Defense Information Sys-
13 tems Agency and the United States Cyber Com-
14 mand to Develop a capability for continuous,
15 independent monitoring of packet streams for
16 5G data on frequencies assigned to the Depart-
17 ment of Defense to validate availability, con-
18 fidentiality, and integrity of Department of De-
19 fense communications systems.

20 (3) IMPLEMENTATION PLAN.—Not later than
21 90 days after the date of the enactment of this Act,
22 the Secretary of Defense shall submit to Congress a
23 plan for the implementation of the program under
24 paragraph (1).

1 (4) REPORT REQUIRED.—Not later than 270
2 days after submitting the plan under paragraph (3),
3 the Secretary of Defense shall submit to Congress a
4 report that includes—

5 (A) a comprehensive assessment of the
6 findings and conclusions of the program under
7 paragraph (1);

8 (B) recommendations on how to mitigate
9 vulnerabilities in the Department of Defense
10 telecommunications infrastructure; and

11 (C) an explanation of how the Department
12 of Defense plans to implement such rec-
13 ommendations.

14 **SEC. 224. BOARD OF DIRECTORS FOR THE JOINT ARTIFI-**
15 **CIAL INTELLIGENCE CENTER.**

16 (a) ESTABLISHMENT.—The Secretary of Defense
17 shall establish a Board of Directors for the Joint Artificial
18 Intelligence Center.

19 (b) DUTIES.—The duties of the Board of Directors
20 shall be the following:

21 (1) Provide strategic guidance to the Director
22 of the Joint Artificial Intelligence Center.

23 (2) Advise the Secretary on matters relating to
24 the development and use of artificial intelligence by
25 the Department of Defense.

1 (3) Evaluate and advise the Secretary on eth-
2 ical matters relating to the development and use of
3 artificial intelligence by the Department.

4 (4) Conduct long-term and long-range studies
5 on matters relating to artificial intelligence.

6 (5) Evaluate and provide recommendations to
7 the Secretary regarding the Department's develop-
8 ment of a robust workforce proficient in artificial in-
9 telligence.

10 (6) Assist the Secretary in developing strategic
11 level guidance on artificial intelligence-related hard-
12 ware procurement and supply-chain matters.

13 (7) Monitor and provide recommendations to
14 the Secretary on computing power, usage, storage,
15 and other technical matters relating to artificial in-
16 telligence.

17 (c) MEMBERSHIP.—The Board of Directors shall be
18 composed of the following members:

19 (1) The official within the Department of De-
20 fense to whom the Director of the Joint Artificial in-
21 telligence center directly reports.

22 (2) The Under Secretary of Defense for Policy.

23 (3) The Under Secretary of Defense for Re-
24 search and Engineering.

1 (4) The Under Secretary of Defense for Acqui-
2 sition and Sustainment.

3 (5) The Under Secretary of Defense for Intel-
4 ligence and Security.

5 (6) The Under Secretary of Defense for Per-
6 sonnel and Readiness.

7 (7) Not more than five members from academic
8 or private sector organizations outside the Depart-
9 ment of Defense, who shall be appointed by the Sec-
10 retary.

11 (d) CHAIRPERSON.—The chairperson of the Board of
12 Directors shall be the official described in subsection
13 (c)(1).

14 (e) MEETINGS.—The Board of Directors shall meet
15 not less than once each fiscal quarter and may meet at
16 other times at the call of the chairperson or a majority
17 of the Board’s members.

18 (f) REPORTS.—Not later than September 30 of each
19 year through September 30, 2024, the Board of Directors
20 shall submit to the congressional defense committees a re-
21 port that summarizes the activities of the Board over the
22 preceding year.

23 (g) DEFINITIONS.—In this section:

24 (1) The term “artificial intelligence” has the
25 meaning given that term in section 238(g) of the

1 John S. McCain National Defense Authorization Act
2 for Fiscal Year 2019 (Public Law 115–232; 10
3 U.S.C. 2358 note).

4 (2) The term “Board of Directors” means the
5 Board of Directors established under subsection (a).

6 (3) The term “Joint Artificial Intelligence Cen-
7 ter” means the Joint Artificial Intelligence Center of
8 the Department of Defense established pursuant to
9 the memorandum of the Secretary of Defense dated
10 June 27, 2018, and titled “Establishment of the
11 Joint Artificial Intelligence Center”, or any suc-
12 cessor to such Center.

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

15 **SEC. 225. DIRECTED ENERGY WORKING GROUP.**

16 (a) IN GENERAL.—The Secretary of Defense shall es-
17 tablish a working group, to be known as the “Directed
18 Energy Working Group”.

19 (b) RESPONSIBILITIES.—The working group shall—

20 (1) discuss the current and planned directed en-
21 ergy programs of each of the military departments;

22 (2) make recommendations to the Secretary of
23 Defense about establishing memoranda of under-
24 standing among the organizations and elements of
25 the Department of Defense to coordinate directed

1 energy activities using amounts authorized to be ap-
2 propriated for research, development, test, and eval-
3 uation;

4 (3) identify methods of quickly fielding directed
5 energy capabilities and programs; and

6 (4) develop a compendium on the effectiveness
7 of directed energy weapon systems and integrate the
8 compendium into an overall Joint Effectiveness
9 Manual under the guidance from the Joint Technical
10 Coordination Group for Munitions Effectiveness.

11 (c) HEAD OF WORKING GROUP.—The head of the
12 working group shall be the Assistant Director of Directed
13 Energy of the Office of the Under Secretary of Defense
14 for Research and Engineering.

15 (d) MEMBERSHIP.—The members of the working
16 group shall be appointed by not later than 60 days after
17 the date of the enactment of this Act, as follows:

18 (1) One member from each military depart-
19 ment, appointed by the Secretary of the military de-
20 partment concerned.

21 (2) One member appointed by the Under Sec-
22 retary of Defense for Research and Engineering.

23 (3) One member appointed by the Under Sec-
24 retary of Defense for Acquisition and Sustainment.

1 (4) One member appointed by the Director of
2 the Strategic Capabilities Office of the Department
3 of Defense.

4 (5) One member appointed by the Director of
5 the Defense Advanced Research Projects Agency.

6 (e) REPORTS TO CONGRESS.—Not later than 180
7 days after the date of the enactment of this Act, and not
8 less frequently than once every 180 days thereafter, the
9 working group shall submit to the congressional defense
10 committees a report on the progress of each directed en-
11 ergy program being developed or fielded by the Depart-
12 ment of Defense.

13 (f) TERMINATION.—The working group under this
14 section shall terminate four years after the date of the
15 enactment of this Act.

16 **SEC. 226. PROGRAM EXECUTIVE OFFICER FOR AUTONOMY.**

17 (a) IN GENERAL.—Not later than February 1, 2022,
18 the Secretary of the Navy shall designate a program exec-
19 utive officer for autonomy who shall be the official within
20 the Department of the Navy with primary responsibility
21 for the development and integration of autonomous tech-
22 nology into weapon systems.

23 (b) PROGRAM EXECUTIVE OFFICER DEFINED.—In
24 this section, the term “program executive officer” has the

1 meaning given that term in section 1737(a)(4) of title 10,
2 United States Code.

3 **SEC. 227. ACCOUNTABILITY MEASURES RELATING TO THE**
4 **ADVANCED BATTLE MANAGEMENT SYSTEM.**

5 (a) INDEPENDENT COST ESTIMATE.—

6 (1) IN GENERAL.—The Director of Cost Assess-
7 ment and Program Evaluation shall—

8 (A) review any cost estimate of the Ad-
9 vanced Battle Management System prepared by
10 the Department of the Air Force; and

11 (B) conduct an independent cost estimate
12 of the full life-cycle cost of the Advanced Battle
13 Management System.

14 (2) SUBMITTAL TO CONGRESS.—At the same
15 time as the budget of the President for fiscal year
16 2022 is submitted to Congress pursuant to section
17 1105(a) of title 31, United States Code, the Director
18 of Cost Assessment and Program Evaluation shall
19 submit to the congressional defense committees a re-
20 port on the results of the review and independent
21 cost estimate conducted under paragraph (1).

22 (b) AIR FORCE BRIEFING REQUIREMENT.—Section
23 147(g) of the John S. McCain National Defense Author-
24 ization Act for Fiscal Year 2019 (Public Law 115–232;
25 132 STAT. 1670) is amended by adding at the end the

1 following: “Each briefing shall include a detailed expla-
2 nation of any on-ramp exercise of the Advanced Battle
3 Management System conducted during the quarter cov-
4 ered by the report, including an explanation of—

5 “(1) the objectives achieved by the exercise;

6 “(2) the realism of the exercise, including iden-
7 tification of the portions of the exercise that were
8 scripted and unscripted and any technical
9 workarounds or substitutes used for purposes of the
10 exercise;

11 “(3) the interim capabilities provided to com-
12 batant commanders after the conclusion of the exer-
13 cise (commonly known as ‘leave behind’ capabilities)
14 and a plan for the sustainment or upgrade of such
15 capabilities; and

16 “(4) the total cost of the exercise and a break-
17 down of the costs with respect to technology, range
18 and demonstration resources, personnel, and logis-
19 tics.”.

20 (c) REPORTS.—Not later than December 20, 2020,
21 the Secretary of the Air Force shall submit to the congres-
22 sional defense committees the following reports on the Ad-
23 vanced Battle Management System:

1 (1) REPORT ON PLANNED CAPABILITIES.—A
2 report on the planned product line capabilities of the
3 Advanced Battle Management System, including—

4 (A) a description of the technologies need-
5 ed to implement and achieve such product line
6 capabilities;

7 (B) a timeline for the technical maturation
8 of such product line capabilities; and

9 (C) a notional schedule for fielding such
10 product line capabilities over the period covered
11 by the current future-years defense program
12 under section 221 of title 10, United States
13 Code.

14 (2) REPORT ON ACQUISITION AUTHORITIES.—A
15 report on the allocation of responsibilities among the
16 individuals and entities responsible for acquisition
17 for the Advanced Battle Management System, in-
18 cluding an explanation of how decision-making and
19 governance of the acquisition process is allocated
20 among the Chief Architect Integration Office and
21 other entities that are expected provide capabilities
22 for the System.

23 (3) REPORT ON ALIGNMENT WITH COMMON
24 MISSION CONTROL CENTER.—A report, which may
25 be submitted in classified or unclassified form, that

1 explains how, and to what extent, the Advanced Bat-
2 tle Management System will be aligned and coordi-
3 nated with the Common Mission Control Center of
4 the Air Force.

5 (d) REPORT ON SECURITY MEASURES.—At the same
6 time as the budget of the President for fiscal year 2022
7 is submitted to Congress pursuant to section 1105(a) of
8 title 31, United States Code, the Secretary of the Air
9 Force shall submit to the congressional defense commit-
10 tees a report that describes how the Secretary plans to
11 ensure the security of the Advanced Battle Management
12 System, including a description of any information assur-
13 ance and anti-tamper requirements for the System.

14 (e) ADVANCED BATTLE MANAGEMENT SYSTEM DE-
15 FINED.—In this section, the term “Advanced Battle Man-
16 agement System” has the meaning given that term in sec-
17 tion 236(c) of the National Defense Authorization Act for
18 Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1281).

19 **SEC. 228. MEASURES TO ADDRESS FOREIGN TALENT PRO-**
20 **GRAMS.**

21 (a) LIST OF PROGRAMS.—The Secretary of Defense
22 shall develop and maintain a list of foreign talent pro-
23 grams that pose a threat to the national security interests
24 of the United States, as determined by the Secretary.

1 (b) CRITERIA.—In developing the list under sub-
2 section (a), the Secretary of Defense shall consider—

3 (1) the extent to which a foreign talent pro-
4 gram—

5 (A) poses a threat to research funded by
6 the Department of Defense; and

7 (B) engages in, or facilitates, cyber at-
8 tacks, theft, espionage, or otherwise interferes
9 in the affairs of the United States; and

10 (2) any other factors the Secretary determines
11 appropriate.

12 (c) INFORMATION TO CONGRESS.—Not later than 90
13 days after the date of the enactment of this Act, the Sec-
14 retary of Defense shall submit to the Committees on
15 Armed Services of the Senate and the House of Represent-
16 atives a copy of the list developed under subsection (a).

17 (d) PUBLICATION IN FEDERAL REGISTER.—Not
18 later than 30 days after making the submission required
19 under subsection (c), the Secretary of Defense shall pub-
20 lish the list developed under subsection (a) in the Federal
21 Register.

22 (e) NOTICE AND COMMENT PERIOD.—The list devel-
23 oped under subsection (a), and any guidance, rules, up-
24 dates, or other requirements relating to such list, shall not
25 take effect until such list, or any such guidance, rules, up-

1 dates, or other requirements (as the case may be) have
2 been—

3 (1) published in the Federal Register; and

4 (2) open for public comment for a period of not
5 less than 60 days.

6 (f) FOREIGN TALENT PROGRAM DEFINED.—In this
7 section, the term “foreign talent program” has the mean-
8 ing given that term for purposes of section 1286 of the
9 John S. McCain National Defense Authorization Act for
10 Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2358
11 note).

12 **SEC. 229. DISCLOSURE OF FOREIGN FUNDING SOURCES IN**
13 **APPLICATIONS FOR FEDERAL RESEARCH**
14 **AWARDS.**

15 (a) DISCLOSURE REQUIREMENT.—Each Federal re-
16 search agency shall require—

17 (1) any individual applying for funds from that
18 agency as a principal investigator or co-principal in-
19 vestigator under a grant or cooperative agreement to
20 disclose all current and pending support and the
21 sources of such support at the time of the applica-
22 tion for funds; and

23 (2) any institution of higher education applying
24 for funds from that agency to certify that every
25 principal investigator or co-principal investigator

1 who is employed by the institution of higher edu-
2 cation and is applying for such funds has been made
3 aware of the requirement under paragraph (1).

4 (b) CONSISTENCY.—The Director of the Office of
5 Science and Technology Policy, acting through the Na-
6 tional Science and Technology Council and in accordance
7 with the authority provided under section 1746 of the Na-
8 tional Defense Authorization Act for Fiscal Year 2020
9 (Public Law 116–92; 42 U.S.C. 6601 note) shall ensure
10 that the requirements issued by Federal research agencies
11 under subsection (a) are consistent.

12 (c) ENFORCEMENT.—

13 (1) IN GENERAL.—In the event that an indi-
14 vidual or entity violates the disclosure requirements
15 under subsection (a), a Federal research agency may
16 take one or more of the following actions against
17 such individual or entity:

18 (A) Reject an application for a grant or co-
19 operative agreement because the disclosed cur-
20 rent and pending support violates agency terms
21 and conditions.

22 (B) Reject an application for a grant or
23 cooperative agreement because current and
24 pending support have not been disclosed as re-
25 quired under subsection (a).

1 (C) Temporarily or permanently dis-
2 continue any or all funding from that agency
3 for any principal investigator or co-principal in-
4 vestigator who has failed to properly disclose
5 current and pending support pursuant to sub-
6 section (a).

7 (D) Temporarily or permanently suspend
8 or debar a researcher, in accordance with part
9 180 of title 2, Code of Federal Regulations,
10 from receiving funding from that agency when
11 failure to disclose current and pending support
12 pursuant to subsection (a) as done knowingly
13 and willfully.

14 (E) Refer a failure to disclose under sub-
15 section (a) to Federal law enforcement authori-
16 ties to determine whether any criminal statutes
17 have been violated.

18 (2) NOTICE.—A Federal research agency in-
19 tending to take action under any of subparagraphs
20 (A), (B), (C), or (D) of paragraph (1) shall notify
21 the institution of higher education, principal investi-
22 gator and any co-principal investigators subject to
23 such action about the specific reason for the action,
24 and shall provide the institution, principal investi-
25 gator, and co-principal investigator, as applicable,

1 with the opportunity and a process by which to con-
2 test the proposed action.

3 (3) EVIDENTIARY STANDARDS.—A Federal re-
4 search agency seeking suspension or debarment
5 under paragraph (1)(D) shall abide by the proce-
6 dures and evidentiary standards set forth in part
7 180 of title 2, Code of Federal Regulations.

8 (d) DEFINITIONS.—In this section:

9 (1) CURRENT AND PENDING SUPPORT.—The
10 term “current and pending support” means all re-
11 sources made available to an individual in direct
12 support of the individual’s research efforts, regard-
13 less of whether such resources have monetary value,
14 and includes in-kind contributions requiring a com-
15 mitment of time and directly supporting the individ-
16 ual’s research efforts, such as the provision of office
17 or laboratory space, equipment, supplies, employees,
18 and students.

19 (2) INSTITUTION OF HIGHER EDUCATION.—The
20 term “institution of higher education” has the
21 meaning given that term in section 101 of the High-
22 er Education Act of 1965 (20 U.S.C. 1001).

23 (3) FEDERAL RESEARCH AGENCY.—The term
24 “Federal research agency” includes the following
25 and any organizations and elements thereof:

- 1 (A) The Department of Agriculture.
- 2 (B) The Department of Commerce.
- 3 (C) The Department of Defense.
- 4 (D) The Department of Education.
- 5 (E) The Department of Energy.
- 6 (F) The Department of Health and
7 Human Services.
- 8 (G) The Department of Homeland Secu-
9 rity.
- 10 (H) The Department of Transportation.
- 11 (I) The Environmental Protection Agency.
- 12 (J) The National Aeronautics and Space
13 Administration.
- 14 (K) The National Science Foundation.

15 **SEC. 230. LIMITATIONS RELATING TO LARGE UNMANNED**
16 **SURFACE VESSELS AND ASSOCIATED OFFEN-**
17 **SIVE WEAPON SYSTEMS.**

18 (a) LIMITATION ON AVAILABILITY OF FUNDS FOR
19 LUSV.—

20 (1) LIMITATION.—None of the funds authorized
21 to be appropriated by this Act or otherwise made
22 available for fiscal year 2021 for the Department of
23 the Navy for the procurement of a large unmanned
24 surface vessel may be obligated or expended until a
25 period of 60 days has elapsed following the date on

1 which the Secretary of the Navy submits to the con-
2 gressional defense committees the certification de-
3 scribed in paragraph (2).

4 (2) CERTIFICATION DESCRIBED.—The certifi-
5 cation described in this paragraph is a written state-
6 ment of the Secretary of the Navy certifying, with
7 respect to any large unmanned surface vessel to be
8 procured by the Secretary, the following:

9 (A) A hull system, a mechanical system,
10 and an electrical system have been developed
11 for the vessel and each system—

12 (i) has attained a technology readiness
13 level of seven or greater; and

14 (ii) can be operated autonomously for
15 a minimum of 30 days.

16 (B) A command control system has been
17 developed for the vessel and the system—

18 (i) can be operated autonomously;

19 (ii) includes autonomous detection;

20 and

21 (iii) has attained a technology readi-
22 ness level of seven or greater.

23 (C) A detailed plan has been developed for
24 measuring and demonstrating the reliability of
25 the vessel.

1 (D) All payloads expected to be carried on
2 the vessel have attained a technology readiness
3 level of seven or greater.

4 (b) LIMITATION ON LUSV WEAPON INTEGRATION.—
5 The Secretary of the Navy may not integrate any offensive
6 weapon system into a large unmanned surface vessel until
7 the date on which the Secretary of the Defense certifies
8 to the congressional defense committees that any large un-
9 manned surface vessel that employs offensive weapons will
10 comply with the law of armed conflict. Such certification
11 shall include a detailed explanation of how such compli-
12 ance will be achieved.

13 **SEC. 231. LIMITATION ON AVAILABILITY OF FUNDS PEND-**
14 **ING REVIEW AND REPORT ON NEXT GENERA-**
15 **TION AIR DOMINANCE CAPABILITIES.**

16 (a) LIMITATION ON AIR FORCE FUNDS.—Of the
17 funds authorized to be appropriated by this Act or other-
18 wise made available for fiscal year 2021 for the next gen-
19 eration air dominance initiative of the Air Force, not more
20 than 85 percent may be obligated or expended until the
21 date on which the Director of Cost Assessment and Pro-
22 gram Evaluation submits the report required under sub-
23 section (d)(1).

24 (b) LIMITATION ON NAVY FUNDS.—Of the funds au-
25 thorized to be appropriated by this Act or otherwise made

1 available for fiscal year 2021 for the next generation air
2 dominance initiative of the Navy, not more than 85 per-
3 cent may be obligated or expended until the date on which
4 the Director of Cost Assessment and Program Evaluation
5 submits the report required under subsection (d)(2).

6 (c) REVIEWS.—

7 (1) IN GENERAL.—The Director of Cost Assess-
8 ment and Program Evaluation shall conduct—

9 (A) a non-advocate review of the next gen-
10 eration air dominance initiative of the Air
11 Force; and

12 (B) a non-advocate review of the next gen-
13 eration air dominance initiative of the Navy.

14 (2) ELEMENTS.—Each review under paragraph
15 (1) shall include an assessment of—

16 (A) all risks associated with cost, schedule,
17 development, integration, production, fielding,
18 and sustainment of next generation air domi-
19 nance capabilities;

20 (B) the technological maturity of signifi-
21 cant hardware and software efforts planned or
22 carried out as part of the development of such
23 capabilities; and

24 (C) affordability goals that the Air Force
25 and the Navy (as the case may be) will be re-

1 required to achieve during development, produc-
2 tion, and sustainment activities for such capa-
3 bilities that will not jeopardize or otherwise be
4 detrimental to other high-priority future capa-
5 bilities being developed and procured to support
6 and execute other primary core competencies
7 and missions.

8 (d) REPORTS.—The Director of Cost Assessment and
9 Program Evaluation shall submit to the congressional de-
10 fense committees—

11 (1) a report on the results of the review con-
12 ducted under subsection (c)(1)(A) with respect to
13 the Air Force; and

14 (2) a report on the results of the review con-
15 ducted under subsection (c)(1)(B) with respect to
16 the Navy.

17 **Subtitle C—Emerging Technology**
18 **and Artificial Intelligence Matters**

19 **SEC. 241. STEERING COMMITTEE ON EMERGING TECH-**
20 **NOLOGY.**

21 (a) ESTABLISHMENT.—There is established in the ex-
22 ecutive branch a steering committee on emerging tech-
23 nology and national security threats (referred to in this
24 section as the “Steering Committee”).

1 (b) MEMBERSHIP.—The Steering Committee shall be
2 composed of the following:

3 (1) The Deputy Secretary of Defense.

4 (2) The Vice Chairman of the Joint Chiefs of
5 Staff.

6 (3) The Under Secretary of Defense for Intel-
7 ligence and Security.

8 (4) Such other officials of the Department of
9 Defense as are jointly appointed to Steering Com-
10 mittee by the officials specified in paragraphs (1)
11 through (3).

12 (c) CO-CHAIRS.—The officials specified in paragraphs
13 (1) through (3) of subsection (b) shall serve as co-chairs
14 of the Steering Committee.

15 (d) STAFF AND SUPPORT SERVICES.—Upon request
16 of the co-chairs, the Department of Defense shall provide
17 to the Steering Committee, on a reimbursable basis, such
18 staff and administrative support services as are necessary
19 for the Committee to carry out its responsibilities under
20 this section.

21 (e) RESPONSIBILITIES.—The Steering Committee
22 shall be responsible for—

23 (1) developing a strategic vision for the organi-
24 zational change, concept and capability development,
25 and technology investments in emerging technologies

1 that are needed to maintain the technological edge
2 of the military and intelligence community of the
3 United States;

4 (2) providing credible assessments of emerging
5 threats and identifying investments and advances in
6 emerging technology undertaken by adversaries of
7 the United States;

8 (3) making recommendations to the Secretary
9 of Defense on—

10 (A) the implementation of the strategy de-
11 veloped under to paragraph (1); and

12 (B) steps that may be taken to address the
13 threats identified under to paragraph (2);

14 (4) coordinating with the Joint Committee on
15 Research Environments of the National Science and
16 Technology Council; and

17 (5) carrying out such other activities as are as-
18 signed to the Steering Committee by the Secretary
19 of Defense.

20 (f) COORDINATION WITH JAIC.—The co-chairs shall
21 coordinate the activities of the Steering Committee with
22 the activities of the Board of Directors of the Joint Artifi-
23 cial Intelligence Center established under section 224, as
24 appropriate.

1 (g) EMERGING TECHNOLOGY DEFINED.—In this sec-
2 tion, the term “emerging technology” means technology
3 determined to be in an emerging phase of development by
4 the Secretary of Defense, including quantum computing,
5 technology for the analysis of large and diverse sets of
6 data (commonly known as “big data analytics”), artificial
7 intelligence, autonomous technology, robotics, directed en-
8 ergy, hypersonics, biotechnology, and such other tech-
9 nology as may be identified by the Secretary.

10 **SEC. 242. TRAINING FOR HUMAN RESOURCES PERSONNEL**
11 **IN ARTIFICIAL INTELLIGENCE AND RELATED**
12 **TOPICS.**

13 (a) DEPARTMENT OF DEFENSE.—

14 (1) TRAINING PROGRAM.—Not later than one
15 year after the date of the enactment of this Act, the
16 Secretary of Defense shall develop and implement a
17 program to provide covered human resources per-
18 sonnel with training in the fields of software devel-
19 opment, data science, and artificial intelligence, as
20 such fields related to the duties of such personnel.

21 (2) ELEMENTS.—The training provided under
22 paragraph (1) shall include—

23 (A) a generalist’s introduction to—

24 (i) software development and business
25 processes;

1 (ii) data management practices re-
2 lated to machine learning;

3 (iii) machine learning, deep learning,
4 and artificial intelligence;

5 (iv) artificial intelligence workforce
6 roles; and

7 (v) cybersecurity and secure software
8 development; and

9 (B) training in the authorities and proce-
10 dures that may be used to recruit software de-
11 velopers, data scientists, and artificial intel-
12 ligence professionals, including direct hiring au-
13 thorities, excepted service authorities, the Inter-
14 governmental Personnel Act of 1970 (42 U.S.C.
15 4701 et seq.), and authorities for hiring special
16 government employees and highly qualified ex-
17 perts.

18 (3) CERTIFICATE OF COMPLETION.—The Sec-
19 retary of Defense shall issue a certificate of comple-
20 tion to each individual who successfully completes
21 the training provided under paragraph (1), as deter-
22 mined by the Secretary.

23 (4) IMPLEMENTATION.—The Secretary of De-
24 fense shall implement the training program under
25 paragraph (1) as follows:

1 (A) In the first year in which the training
2 program is carried out, the Secretary shall en-
3 sure that not less than 20 percent of covered
4 human resource personnel complete the pro-
5 gram.

6 (B) In each year of the training program
7 after the first year, the Secretary shall ensure
8 that not less than an additional 10 percent of
9 covered human resources personnel complete
10 the program until 80 percent of such personnel
11 have completed the program.

12 (C) After achieving the 80 percent comple-
13 tion rate specified in subparagraph (B), the
14 Secretary shall ensure, in each year, that not
15 less than 80 percent of covered human re-
16 sources personnel have completed the training
17 program.

18 (b) COVERED HUMAN RESOURCES PERSONNEL DE-
19 FINED.—In this section, the term “covered human re-
20 sources personnel” means members of the Armed Forces
21 and civilian employees of the Department of Defense, in-
22 cluding human resources professionals, hiring managers,
23 and recruiters, who are responsible for hiring software de-
24 velopers, data scientists, or artificial intelligence profes-
25 sionals for the Department.

1 **SEC. 243. UNCLASSIFIED WORKSPACES FOR PERSONNEL**
2 **WITH PENDING SECURITY CLEARANCES.**

3 (a) **GUIDANCE REQUIRED.**—Not later than 180 days
4 after the date of the enactment of this Act, the Secretary
5 of Defense shall issue guidance to ensure, to the extent
6 practicable, that all facilities the Department of Defense
7 at which covered personnel perform work functions have
8 unclassified workspaces.

9 (b) **USE OF WORKSPACES BY OTHER PERSONNEL.**—
10 The guidance issued under subsection (a) shall include
11 guidelines under which appropriately screened individuals
12 other than covered personnel, such as interns and visiting
13 experts, may use unclassified workspaces on a space-avail-
14 able basis.

15 (c) **REPORT REQUIRED.**—Not later than 90 days
16 after the issuance of the guidance under subsection (a),
17 the Secretary of Defense shall submit to the congressional
18 defense committees a report that includes—

- 19 (1) a plan for implementing the guidance;
20 (2) a description of how existing facilities may
21 be modified to accommodate unclassified workspaces;
22 and
23 (3) identification of any impediments to making
24 unclassified workspace available as described in sub-
25 section (a).

26 (d) **DEFINITIONS.**—

1 (1) In this section, the term “unclassified work-
2 space” means a workspace at which unclassified
3 work may be performed.

4 (2) The term “covered personnel” means a
5 member of the Armed Forces or a civilian employee
6 of the Department of Defense who has applied for,
7 but who has not yet received, a security clearance.

8 **SEC. 244. PILOT PROGRAM ON THE USE OF ELECTRONIC**
9 **PORTFOLIOS TO EVALUATE APPLICANTS FOR**
10 **CERTAIN TECHNICAL POSITIONS.**

11 (a) PILOT PROGRAM.—Beginning not later than one
12 year after the date of the enactment of this Act, the Sec-
13 retary of Defense shall carry out a pilot program under
14 which applicants for technical positions within the Depart-
15 ment of Defense will be evaluated, in part, based on elec-
16 tronic portfolios of the applicant’s work, as described in
17 subsection (b).

18 (b) ACTIVITIES.—Under the pilot program, the
19 human resources manager of an organization of the De-
20 partment of Defense participating in the program, in con-
21 sultation with relevant subject matter experts, shall assess
22 each applicant for a technical position in the organization
23 by reviewing an electronic portfolio of the applicant’s best
24 work, as selected by the applicant.

1 (c) SCOPE OF PROGRAM.—The Secretary of Defense
2 shall carry out the pilot program under subsection (a) in
3 at least one major command of each military department.

4 (d) REPORT.—Not later than two years after the
5 commencement of the pilot program under subsection (a),
6 the Secretary of Defense shall submit to the congressional
7 defense committees a report on the results of the program.

8 At a minimum, the report shall describe—

9 (1) how the use of electronic portfolios in the
10 hiring process affected the timeliness of the hiring
11 process for technical positions in organizations of
12 the Department of Defense participating in the pro-
13 gram;

14 (2) the level of satisfaction of organization lead-
15 ers, hiring authorities, and subject matter experts
16 with the quality of applicants that were hired based
17 on evaluations of electronic portfolios.

18 (e) TECHNICAL POSITION DEFINED.—In this section,
19 the term “technical position” means a position in the De-
20 partment of Defense requiring expertise in artificial intel-
21 ligence, data science, or software development.

22 (f) TERMINATION.—The authority to carry out the
23 pilot program under subsection (a) shall terminate five
24 years after the date of the enactment of this Act.

1 **SEC. 245. SELF-DIRECTED TRAINING IN ARTIFICIAL INTEL-**
2 **LIGENCE.**

3 (a) ONLINE ARTIFICIAL INTELLIGENCE COURSES.—
4 The Secretary of Defense shall make available a list of
5 approved online courses relating to artificial intelligence
6 that may be taken by civilian employees of the Department
7 of Defense and members of the Armed Forces on a vol-
8 untary basis while not engaged in the performance of their
9 duties.

10 (b) DOCUMENTATION OF COMPLETION.—The Sec-
11 retary of Defense shall develop and implement a system—

12 (1) to confirm whether a civilian employee of
13 the Department of Defense or member of the Armed
14 Forces has completed an online course approved by
15 the Secretary under paragraph (1); and

16 (2) to document the completion of such course
17 in the personnel file of such employee or member.

18 (c) REWARD SYSTEM.—The Secretary of Defense
19 shall develop and implement a system to reward civilian
20 employees of the Department of Defense and members of
21 the Armed Forces who complete an online course approved
22 by the Secretary under paragraph (1), which may in-
23 clude—

24 (1) for a member of the Armed Forces, a 24-
25 hour pass which may be used on a stand-alone basis

1 or in conjunction with other leave, holiday, or week-
2 end periods; and

3 (2) for a civilian employees of the Department,
4 up to 8 hours of additional leave.

5 (d) DEADLINE.—The Secretary of Defense shall
6 carry out the activities described in subparagraphs (a)
7 through (c) not later than 180 days after the date of the
8 enactment of this Act.

9 **SEC. 246. PART-TIME AND TERM EMPLOYMENT OF UNIVER-**
10 **SITY PROFESSORS AND STUDENTS IN THE**
11 **DEFENSE SCIENCE AND TECHNOLOGY EN-**
12 **TERPRISE.**

13 (a) IN GENERAL.—Not later than 180 days after the
14 date of the enactment of this Act, the Secretary of De-
15 fense, jointly with the Secretaries of the military depart-
16 ments, and in consultation with the Under Secretary of
17 Defense for Research and Engineering and the Under Sec-
18 retary of Defense for Personnel and Readiness, shall es-
19 tablish a program under which qualified professors and
20 students may be employed on a part-time or term basis
21 in an organization of the Defense science and technology
22 enterprise for the purpose of conducting a research
23 project.

24 (b) SELECTION.—

1 (1) SELECTION AND HIRING.—The head of an
2 organization in the Defense science and technology
3 enterprise at which positions are made available
4 under subsection (a) shall be responsible for select-
5 ing qualified professors and students to fill such po-
6 sitions.

7 (2) SELECTION CRITERIA.—A qualified pro-
8 fessor or student shall be selected for participation
9 in the program under subsection (a) based on the
10 following criteria:

11 (A) In the case of a qualified professor—

12 (i) the academic credentials and re-
13 search experience of the professor; and

14 (ii) the extent to which the research
15 proposed to be carried out by the professor
16 will contribute to the objectives of the De-
17 partment of Defense.

18 (B) In the case of qualified student assist-
19 ing a professor with a research project under
20 the program—

21 (i) the academic credentials and other
22 qualifications of the student; and

23 (ii) the ability of the student to carry
24 out the responsibilities assigned to the stu-
25 dent as part of the project.

1 (c) IMPLEMENTATION.—

2 (1) MINIMUM NUMBER OF POSITIONS.—In the
3 first year of the program under subsection (a), the
4 Secretary of Defense shall establish not fewer than
5 10 positions for qualified professors. Not fewer than
6 five of such positions shall be reserved for qualified
7 professors to conduct research in the fields of artifi-
8 cial intelligence and machine learning.

9 (2) AUTHORITIES.—In carrying out the pro-
10 gram under subsection (a), the Secretary of Defense
11 and the heads of organizations in the Defense
12 science and technology enterprise may—

13 (A) use any hiring authority available to
14 the Secretary or the head of such an organiza-
15 tion;

16 (B) enter into cooperative research and de-
17 velopment agreements under section 12 of the
18 Stevenson-Wydler Technology Innovation Act of
19 1980 (15 U.S.C. 3710a); and

20 (C) pay referral bonuses to professors or
21 students participating in the program who iden-
22 tify—

23 (i) students to assist in a research
24 project under the program; or

1 (ii) students or recent graduates to
2 participate in other programs in the De-
3 fense science and technology enterprise, in-
4 cluding internships at Department of De-
5 fense Laboratories and in the Pathways
6 Program of the Department.

7 (d) REPORTS TO CONGRESS.—

8 (1) INITIAL REPORT.—Not later than 30 days
9 after the conclusion of the first year of the program
10 under subsection (a), the Secretary of Defense shall
11 submit to the congressional defense committees a re-
12 port on the status of the program. The report shall
13 include—

14 (A) identification of the number of quali-
15 fied professors and students employed under
16 the program;

17 (B) identification of the organizations in
18 the Defense science and technology enterprise
19 that employed such individuals; and

20 (C) a description of the types of research
21 conducted by such individuals.

22 (2) SUBSEQUENT REPORTS.—Not later than 30
23 days after the conclusion of the second and third
24 years of the program under subsection (a), the Sec-
25 retary of Defense shall submit to the congressional

1 defense committees a report on the progress of the
2 program. Each report shall include—

3 (A) the information described in subpara-
4 graphs (A) through (C) of paragraph (1);

5 (B) the results of any research projects
6 conducted under the program; and

7 (C) the number of students and recent
8 graduates who, pursuant to a reference from a
9 professor or student participating in the pro-
10 gram as described in subsection (c)(2)(C), were
11 hired by the Department of Defense or selected
12 for participation in another program in the De-
13 fense science and technology enterprise.

14 (e) DEFINITIONS.—In this section:

15 (1) The term “Defense science and technology
16 enterprise” means—

17 (A) the research organizations of the mili-
18 tary departments;

19 (B) the science and technology reinvention
20 laboratories (as designated under section 1105
21 of the National Defense Authorization Act for
22 Fiscal Year 2010 (Public Law 111–84; 10
23 U.S.C. 2358 note));

1 (C) the facilities of the Major Range and
2 Test Facility Base (as defined in section
3 2358a(f)(3) of title 10, United States Code);

4 (D) the Defense Advanced Research
5 Projects Agency; and

6 (E) such other organizations as the Sec-
7 retary of Defense determines appropriate for in-
8 clusion in the enterprise.

9 (2) The term “institution of higher education”
10 has the meaning given that term in section 101 of
11 the Higher Education Act of 1965 (20 U.S.C.
12 1001).

13 (3) The term “qualified professor” means a
14 professor of an institution of higher education who
15 has expertise in science, technology, engineering, and
16 mathematics.

17 (4) The term “qualified student” means a stu-
18 dent of an institution of higher education selected by
19 a qualified professor to assist the professor in con-
20 ducting research.

21 **SEC. 247. MICROELECTRONICS AND NATIONAL SECURITY.**

22 (a) **MODIFICATION OF STRATEGY FOR ASSURED AC-**
23 **CESS TO TRUSTED MICROELECTRONICS.**—Section 231 of
24 the National Defense Authorization Act for Fiscal Year

1 2017 (Public Law 114–328; 10 U.S.C. 2302 note) is
2 amended—

3 (1) in subsection (a), by striking “September
4 30, 2019” and inserting “December 30, 2020”;

5 (2) in subsection (b), by adding at the end the
6 following new paragraphs:

7 “(10) An approach to ensuring the continuing
8 production of cutting-edge microelectronics for na-
9 tional security needs, including state-of-the-art node
10 sizes, heterogeneous integration, boutique chip de-
11 signs, and variable volume production capabilities.

12 “(11) An assessment of current microelec-
13 tronics supply chain management practices, existing
14 risks, and actions that may be carried out to miti-
15 gate such risks by organizations in the defense in-
16 dustrial base.

17 “(12) A plan for increasing commercialization
18 of intellectual property developed by the Department
19 of Defense for commercial microelectronics research
20 and development.

21 “(13) An assessment of the feasibility, useful-
22 ness, efficacy, and cost of—

23 “(A) developing a national laboratory ex-
24 clusively focused on the research and develop-
25 ment of microelectronics to serve as a center for

1 Federal Government expertise in high-per-
2 forming, trusted microelectronics and as a hub
3 for Federal Government research into break-
4 through microelectronics-related technologies;
5 and

6 “(B) incorporating into such national lab-
7 oratory a commercial incubator to provide
8 early-stage microelectronics startups, which face
9 difficulties scaling due to the high costs of
10 microelectronics design and fabrication, with ac-
11 cess to funding resources, fabrication facilities,
12 design tools, and shared intellectual property.

13 “(14) Such other matters as the Secretary of
14 Defense determines to be relevant.”;

15 (3) in subsection (d), by striking “September
16 30, 2019” and inserting “December 30, 2020”; and

17 (4) in subsection (e), by striking “September
18 30, 2019” and inserting “December 30, 2020”.

19 (b) ADVISORY PANEL ON MICROELECTRONICS LEAD-
20 ERSHIP AND COMPETITIVENESS.—

21 (1) ESTABLISHMENT.—Not later than 30 days
22 after the date of the enactment of this Act, the
23 President, in consultation with the National Security
24 Council, the National Economic Council, and the Of-
25 fice of Science and Technology Policy, shall establish

1 an advisory panel on microelectronics leadership and
2 competitiveness (referred to in this subsection as the
3 “Advisory Panel”).

4 (2) MEMBERSHIP.—The Advisory Panel shall
5 be composed of the following members:

6 (A) The Secretary of Defense.

7 (B) The Secretary of Energy.

8 (C) The Director of the National Science
9 Foundation.

10 (D) The Director of the National Institute
11 of Standards and Technology.

12 (E) The heads of such other departments
13 and agencies of the Federal Government as the
14 President, in consultation with the National Se-
15 curity Council, determines appropriate.

16 (3) NATIONAL STRATEGY.—

17 (A) IN GENERAL .—Not later than 180
18 days after the date on which the Advisory Panel
19 is established, the Panel shall develop a na-
20 tional strategy to—

21 (i) accelerate the development and de-
22 ployment of state-of-the-art microelec-
23 tronics; and

1 (ii) ensure that the United States is a
2 global leader in the field of microelec-
3 tronics.

4 (B) ELEMENTS.—The strategy developed
5 under subparagraph (A) shall address the fol-
6 lowing:

7 (i) Activities that may be carried out
8 to strengthen engagement and outreach be-
9 tween the Department of Defense and in-
10 dustry, academia, international partners of
11 the United States, and other departments
12 and agencies of the Federal Government
13 on issues relating to microelectronics.

14 (ii) Science, technology, research, and
15 development efforts to facilitate the ad-
16 vancement and adoption of microelec-
17 tronics and new uses of microelectronics
18 and components, including efforts to—

19 (I) accelerate leap-ahead re-
20 search, development, and innovation
21 in microelectronics; and

22 (II) deploy heterogeneously inte-
23 grated microelectronics for machine
24 learning and other applications.

1 (iii) The role of diplomacy and trade
2 in maintaining the position of the United
3 States as a global leader in the field of
4 microelectronics, including the feasibility
5 and advisability of—

6 (I) implementing multilateral ex-
7 port controls tailored through direct
8 coordination with key allies of the
9 United States, including through the
10 Wassenaar Arrangement and other
11 multilateral fora, for specific semicon-
12 ductor manufacturing equipment such
13 as extreme ultraviolet photolithog-
14 raphy equipment and argon fluoride
15 immersion photolithography equip-
16 ment;

17 (II) additional trade enforcement
18 actions that may be initiated by the
19 United States to address any unfair
20 or excessive foreign semiconductor
21 subsidy programs or other unfair
22 microelectronics trade practices; and

23 (III) the elimination of any trade
24 barriers or unilateral export controls
25 that harm United States companies

1 without producing a substantial ben-
2 efit to the competitiveness or national
3 security of the United States.

4 (iv) The potential role of a national
5 laboratory and incubator exclusively fo-
6 cused on the research and development of
7 microelectronics, as described in section
8 231(b)(13) of the National Defense Au-
9 thorization Act for Fiscal Year 2017 (Pub-
10 lic Law 114–328; 10 U.S.C. 2302 note)
11 (as added by subsection (a)) in carrying
12 out the strategy and plan required sub-
13 paragraph (A).

14 (v) Such other activities as the Panel
15 determines may be appropriate to over-
16 come looming challenges to the innovation,
17 competitiveness, and supply chain integrity
18 of the United States in the area of
19 microelectronics.

20 (c) BRIEFINGS.—Not later than 90 days after the
21 date of the enactment of this Act—

22 (1) the Secretary of Defense shall provide to
23 the congressional defense committees a briefing on
24 the progress of the Secretary in developing the strat-
25 egy and implementation plan required under section

1 231(a) of the National Defense Authorization Act
2 for Fiscal Year 2017 (Public Law 114–328; 10
3 U.S.C. 2302 note); and

4 (2) the Assistant to the President for National
5 Security Affairs shall provide to the congressional
6 defense committees a briefing on the progress of the
7 Advisory Panel in developing the strategy required
8 under subsection (b)(3).

9 **SEC. 248. ACQUISITION OF ETHICALLY AND RESPONSIBLY**
10 **DEVELOPED ARTIFICIAL INTELLIGENCE**
11 **TECHNOLOGY.**

12 (a) ASSESSMENT REQUIRED.—Not later than 180
13 days after the date of the enactment of this Act, the Sec-
14 retary of Defense, acting through the Board of Directors
15 of the Joint Artificial Intelligence Center established
16 under section 224, shall conduct an assessment to deter-
17 mine whether the Department of Defense has the ability
18 to ensure that any artificial intelligence technology ac-
19 quired by the Department is ethically and responsibly de-
20 veloped.

21 (b) ELEMENTS.—The assessment conducted under
22 paragraph (1) shall address the following:

23 (1) Whether the Department of Defense has
24 personnel with sufficient expertise, across multiple
25 disciplines, to ensure the acquisition of ethically and

1 responsibly developed artificial intelligence tech-
2 nology, including personnel with sufficient ethical,
3 legal, and technical expertise to advise on the acqui-
4 sition of such technology.

5 (2) The feasibility and advisability of retaining
6 outside experts as consultants to assist the Depart-
7 ment in filling any gaps in expertise identified under
8 paragraph (1).

9 (3) The extent to which existing acquisition
10 processes encourage or require consultation with rel-
11 evant experts across multiple disciplines within the
12 Department to ensure that artificial intelligence
13 technology acquired by the Department is ethically
14 and responsibly developed.

15 (4) Quantitative and qualitative standards for
16 assessing the extent to which experts across multiple
17 disciplines are engaged in the acquisition of artificial
18 intelligence technology by the Department.

19 (c) REPORT.—

20 (1) IN GENERAL.—Not later than 30 days after
21 the date on which the Secretary completes the as-
22 sessment under subsection (a), the Secretary shall
23 submit to the congressional defense committees a re-
24 port on the results of the assessment.

1 (2) ELEMENTS.—The report under paragraph
2 (1) shall include, based on the results of the assess-
3 ment—

4 (A) an explanation of whether the Depart-
5 ment of Defense has personnel with sufficient
6 expertise, across multiple disciplines, to ensure
7 the acquisition of ethically and responsibly de-
8 veloped artificial intelligence technology;

9 (B) an explanation of whether the Depart-
10 ment has adequate procedures to encourage or
11 require the consultation of such experts as part
12 of the acquisition process for artificial intel-
13 ligence technology; and

14 (C) with respect to any deficiencies identi-
15 fied under subparagraph (A) or subparagraph
16 (B), a description of any measures that have
17 been taken, and any additional resources that
18 may be needed, to mitigate such deficiencies.

19 **SEC. 249. ENHANCEMENT OF PUBLIC-PRIVATE TALENT EX-**
20 **CHANGE PROGRAMS IN THE DEPARTMENT**
21 **OF DEFENSE.**

22 (a) PUBLIC-PRIVATE TALENT EXCHANGE.-- .—Sec-
23 tion 1599g of title 10, United States Code is amended—

24 (1) in subsection (b)(1), by amending subpara-
25 graph (C) to read as follows:

1 “(C) shall contain language ensuring that
2 such employee of the Department does not im-
3 properly use information that such employee
4 knows relates to a Department acquisition, or
5 procurement for the benefit or advantage of the
6 private-sector organization.”.

7 (2) in subsection (f)—

8 (A) in paragraph (2)—

9 (i) by striking “is deemed to be an
10 employee of the Department of Defense for
11 the purposes of” and inserting “is subject
12 to”;

13 (ii) by striking subparagraph (D);

14 (iii) by redesignating subparagraphs
15 (E) and (F) as subparagraphs (D) and
16 (E), respectively;

17 (B) by striking paragraph (4);

18 (C) by redesignating paragraph (5) as
19 paragraph (4); and

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

22 “(5) shall be required to file a Public Financial
23 Disclosure Report (OGE Form 278) and the Public
24 Financial Disclosure Report for a such a person and
25 a description of any waivers provided to such person

1 shall be made available on a publicly accessible
2 website of the Department of Defense.”.

3 (b) APPLICATION OF EXCHANGE AUTHORITY TO AR-
4 TIFICIAL INTELLIGENCE.—Not later than 90 days after
5 the date of the enactment of this Act, the Secretary of
6 Defense shall take steps to ensure that the authority for
7 the Department of Defense to operate a public-private tal-
8 ent exchange program pursuant to section 1599g of title
9 10, United States Code, is used to exchange personnel
10 with private sector entities working on artificial intel-
11 ligence applications. Such application of the authority of
12 section 1599g shall be in addition to, not in lieu of, any
13 other application of such authority by the Department of
14 Defense.

15 (c) GOALS FOR PROGRAM PARTICIPATION.—In car-
16 rying out the requirement of subsection (b), the Secretary
17 shall seek to achieve the following objectives:

18 (1) In the Secretary of Defense Executive Fel-
19 lows program, the nomination of an additional five
20 uniformed service members and three government ci-
21 vilians by each service and by the Office of the Sec-
22 retary of Defense, for sponsorship by private sector
23 entities working on artificial intelligence applica-
24 tions.

1 (2) For the public-private talent exchange pro-
2 gram of the Under Secretary of Defense for Acquisi-
3 tion and Sustainment—

4 (A) an additional ten government employ-
5 ees to work with private sector entities working
6 on artificial intelligence applications; and

7 (B) an additional ten employees of private
8 sector entities working on artificial intelligence
9 applications to work in the Department.

10 (3) The establishment of the following new pub-
11 lic-private talent exchange programs in the Office of
12 the Secretary of Defense, comparable to the pro-
13 gram referred to in paragraph (2)—

14 (A) in the office of the Undersecretary of
15 Defense for Research and Engineering, a pro-
16 gram with twenty participants, focused on ex-
17 changes with private sector entities working on
18 artificial intelligence applications.

19 (B) in the office of the Chief Information
20 Officer of the Department of Defense, a pro-
21 gram with twenty participants, focused on ex-
22 changes with private sector entities working on
23 artificial intelligence applications.

24 (4) In the Army, Navy, and Marine Corps, the
25 establishment of new public-private exchange pro-

1 grams, comparable to the Air Force Education with
2 Industry Program, each with twenty program par-
3 ticipants, focused on private sector entities working
4 on artificial intelligence applications.

5 (d) TREATMENT OF PROGRAM PARTICIPANTS.—

6 (1) The Army, Navy, and Marine Corps shall
7 take steps to ensure that participation by a service
8 member in a program described in subsection (c)(4)
9 is treated, for purposes of promotion boards and
10 subsequent assignments, as equivalent to attending
11 resident professional military education.

12 (2) The Secretary of Defense shall establish a
13 public-private exchange program billet office to tem-
14 porarily hold billets for civilian employees who par-
15 ticipate in programs described in subsection (b), to
16 ensure that participating Department of Defense of-
17 fices are able to retain their staffing levels during
18 the period of participation.

19 (e) BRIEFING ON EXPANSION OF EXISTING EX-
20 CHANGE PROGRAMS.—Not later than 180 days after the
21 date of the enactment of this Act, and annually thereafter,
22 the Secretary of Defense shall provide to the Committees
23 on Armed Services of the Senate and the House of Rep-
24 resentatives a briefing on the efforts undertaken to expand
25 existing public-private exchange programs of the Depart-

1 ment of Defense and to ensure that such programs seek
2 opportunities for exchanges with private sector entities
3 working on artificial intelligence applications, in accord-
4 ance with the requirements of this section.

5 **Subtitle D—Sustainable Chemistry** 6 **Research and Development**

7 **SEC. 251. SHORT TITLE.**

8 This subtitle may be cited as the “Sustainable Chem-
9 istry Research and Development Act of 2020”.

10 **SEC. 252. FINDINGS.**

11 Congress finds that—

12 (1) Congress recognized the importance and
13 value of sustainable chemistry in section 114 of the
14 American Innovation and Competitiveness Act (Pub-
15 lic Law 114–329);

16 (2) sustainable chemistry and materials trans-
17 formation is a key value contributor to business
18 competitiveness across many industrial and con-
19 sumer sectors;

20 (3) companies across hundreds of supply chains
21 critical to the American economy are seeking to re-
22 duce costs and open new markets through innova-
23 tions in manufacturing and materials, and are in
24 need of new innovations in chemistry, including sus-
25 tainable chemistry;

1 (4) sustainable chemistry can improve the effi-
2 ciency with which natural resources are used to meet
3 human needs for chemical products while avoiding
4 environmental harm, reduce or eliminate the emis-
5 sions of and exposures to hazardous substances,
6 minimize the use of resources, and benefit the econ-
7 omy, people, and the environment; and

8 (5) a recent report by the Government Account-
9 ability Office (GAO-18-307) found that the Federal
10 Government could play an important role in helping
11 realize the full innovation and market potential of
12 sustainable chemistry technologies, including
13 through a coordinated national effort on sustainable
14 chemistry and standardized tools and definitions to
15 support sustainable chemistry research, development,
16 demonstration, and commercialization.

17 **SEC. 253. NATIONAL COORDINATING ENTITY FOR SUSTAIN-**
18 **ABLE CHEMISTRY.**

19 (a) ESTABLISHMENT.—Not later than 180 days after
20 the date of enactment of this Act, the Director of the Of-
21 fice of Science and Technology Policy shall convene an
22 interagency entity (referred to in this subtitle as the “En-
23 tity”) under the National Science and Technology Council
24 with the responsibility to coordinate Federal programs and

1 activities in support of sustainable chemistry, including
2 those described in sections 255 and 256.

3 (b) COORDINATION WITH EXISTING GROUPS.—In
4 convening the Entity, the Director of the Office of Science
5 and Technology Policy shall consider overlap and possible
6 coordination with existing committees, subcommittees, or
7 other groups of the National Science and Technology
8 Council, such as—

- 9 (1) the Committee on Environment;
- 10 (2) the Committee on Technology;
- 11 (3) the Committee on Science; or
- 12 (4) related groups or subcommittees.

13 (c) CO-CHAIRS.—The Entity shall be co-chaired by
14 the Director of the Office of Science and Technology Pol-
15 icy and a representative from the Environmental Protec-
16 tion Agency, the National Institute of Standards and
17 Technology, the National Science Foundation, or the De-
18 partment of Energy, as selected by the Director of the
19 Office of Science and Technology Policy.

20 (d) AGENCY PARTICIPATION.—The Entity shall in-
21 clude representatives, including subject matter experts,
22 from the Environmental Protection Agency, the National
23 Institute of Standards and Technology, the National
24 Science Foundation, the Department of Energy, the De-
25 partment of Agriculture, the Department of Defense, the

1 National Institutes of Health, the Centers for Disease
2 Control and Prevention, the Food and Drug Administra-
3 tion, and other related Federal agencies, as appropriate.

4 (e) TERMINATION.—The Entity shall terminate on
5 the date that is 10 years after the date of enactment of
6 this Act.

7 **SEC. 254. STRATEGIC PLAN FOR SUSTAINABLE CHEMISTRY.**

8 (a) STRATEGIC PLAN.—Not later than 2 years after
9 the date of enactment of this Act, the Entity shall—

10 (1) consult with relevant stakeholders, including
11 representatives from industry, academia, national
12 labs, the Federal Government, and international en-
13 tities, to develop and update, as needed, a consensus
14 definition of “sustainable chemistry” to guide the
15 activities under this subtitle;

16 (2) develop a working framework of attributes
17 characterizing and metrics for assessing sustainable
18 chemistry, as described in subsection (b);

19 (3) assess the state of sustainable chemistry in
20 the United States as a key benchmark from which
21 progress under the activities described in this sub-
22 title can be measured, including assessing key sec-
23 tors of the United States economy, key technology
24 platforms, commercial priorities, and barriers to in-
25 novation;

1 (4) coordinate and support Federal research,
2 development, demonstration, technology transfer,
3 commercialization, education, and training efforts in
4 sustainable chemistry, including budget coordination
5 and support for public-private partnerships, as ap-
6 propriate;

7 (5) identify any Federal regulatory barriers to,
8 and opportunities for, Federal agencies facilitating
9 the development of incentives for development, con-
10 sideration, and use of sustainable chemistry proc-
11 esses and products;

12 (6) identify major scientific challenges, road-
13 blocks, or hurdles to transformational progress in
14 improving the sustainability of the chemical sciences;

15 (7) identify other opportunities for expanding
16 Federal efforts in support of sustainable chemistry;
17 and

18 (8) review, identify, and make efforts to elimi-
19 nate duplicative Federal funding and duplicative
20 Federal research in sustainable chemistry.

21 (b) CHARACTERIZING AND ASSESSING SUSTAINABLE
22 CHEMISTRY.—The Entity shall develop a working frame-
23 work of attributes characterizing and metrics for assessing
24 sustainable chemistry for the purposes of carrying out the
25 Act. In developing this framework, the Entity shall—

1 (1) seek advice and input from stakeholders as
2 described in subsection (c);

3 (2) consider existing definitions of, or frame-
4 works characterizing and metrics for assessing, sus-
5 tainable chemistry already in use at Federal agen-
6 cies;

7 (3) consider existing definitions of, or frame-
8 works characterizing and metrics for assessing, sus-
9 tainable chemistry already in use by international
10 organizations of which the United States is a mem-
11 ber, such as the Organisation for Economic Co-oper-
12 ation and Development; and

13 (4) consider any other appropriate existing defi-
14 nitions of, or frameworks characterizing and metrics
15 for assessing, sustainable chemistry.

16 (c) CONSULTATION.—In carrying out the duties de-
17 scribed in subsections (a) and (b), the Entity shall consult
18 with stakeholders qualified to provide advice and informa-
19 tion to guide Federal activities related to sustainable
20 chemistry through workshops, requests for information, or
21 other mechanisms as necessary. The stakeholders shall in-
22 clude representatives from—

23 (1) business and industry (including trade asso-
24 ciations and small- and medium-sized enterprises
25 from across the value chain);

1 (2) the scientific community (including the Na-
2 tional Academies of Sciences, Engineering, and Med-
3 icine, scientific professional societies, national labs,
4 and academia);

5 (3) the defense community;

6 (4) State, Tribal, and local governments, in-
7 cluding nonregulatory State or regional sustainable
8 chemistry programs, as appropriate;

9 (5) nongovernmental organizations; and

10 (6) other appropriate organizations.

11 (d) REPORT TO CONGRESS.—

12 (1) IN GENERAL.—Not later than 2 years after
13 the date of enactment of this subtitle, the Entity
14 shall submit a report to the Committee on Environ-
15 ment and Public Works, the Committee on Com-
16 merce, Science, and Transportation, and the Com-
17 mittee on Appropriations of the Senate, and the
18 Committee on Science, Space, and Technology, the
19 Committee on Energy and Commerce, and the Com-
20 mittee on Appropriations of the House of Represent-
21 atives. In addition to the elements described in sub-
22 sections (a) and (b), the report shall include—

23 (A) a summary of federally funded, sus-
24 tainable chemistry research, development, dem-

1 onstration, technology transfer, commercializa-
2 tion, education, and training activities;

3 (B) a summary of the financial resources
4 allocated to sustainable chemistry initiatives by
5 each participating agency;

6 (C) an assessment of the current state of
7 sustainable chemistry in the United States, in-
8 cluding the role that Federal agencies are play-
9 ing in supporting it;

10 (D) an analysis of the progress made to-
11 ward achieving the goals and priorities of this
12 subtitle, and recommendations for future pro-
13 gram activities;

14 (E) an evaluation of steps taken and fu-
15 ture strategies to avoid duplication of efforts,
16 streamline interagency coordination, facilitate
17 information sharing, and spread best practices
18 among participating agencies; and

19 (F) an evaluation of duplicative Federal
20 funding and duplicative Federal research in
21 sustainable chemistry, efforts undertaken by the
22 Entity to eliminate duplicative funding and re-
23 search, and recommendations on how to achieve
24 these goals.

1 (2) SUBMISSION TO GAO.—The Entity shall
2 also submit the report described in paragraph (1) to
3 the Comptroller General of the United States for
4 consideration in future Congressional inquiries.

5 (3) ADDITIONAL REPORTS.—The Entity shall
6 submit a report to Congress and the Comptroller
7 General of the United States that incorporates the
8 information described in subparagraphs (a), (b), (d),
9 (e), and (f) every three years, commencing after the
10 initial report is submitted until the Entity termi-
11 nates.

12 **SEC. 255. AGENCY ACTIVITIES IN SUPPORT OF SUSTAIN-**
13 **ABLE CHEMISTRY.**

14 (a) IN GENERAL.—The agencies participating in the
15 Entity shall carry out activities in support of sustainable
16 chemistry, as appropriate to the specific mission and pro-
17 grams of each agency.

18 (b) ACTIVITIES.—The activities described in sub-
19 section (a) shall—

20 (1) incorporate sustainable chemistry into exist-
21 ing research, development, demonstration, tech-
22 nology transfer, commercialization, education, and
23 training programs, that the agency determines to be
24 relevant, including consideration of—

1 (A) merit-based competitive grants to indi-
2 vidual investigators and teams of investigators,
3 including, to the extent practicable, early career
4 investigators for research and development;

5 (B) grants to fund collaborative research
6 and development partnerships among univer-
7 sities, industry, and nonprofit organizations;

8 (C) coordination of sustainable chemistry
9 research, development, demonstration, and tech-
10 nology transfer conducted at Federal labora-
11 tories and agencies;

12 (D) incentive prize competitions and chal-
13 lenges in coordination with such existing Fed-
14 eral agency programs; and

15 (E) grants, loans, and loan guarantees to
16 aid in the technology transfer and commer-
17 cialization of sustainable chemicals, materials,
18 processes, and products;

19 (2) collect and disseminate information on sus-
20 tainable chemistry research, development, technology
21 transfer, and commercialization, including informa-
22 tion on accomplishments and best practices;

23 (3) expand the education and training of stu-
24 dents at appropriate levels of education, professional
25 scientists and engineers, and other professionals in-

1 involved in all aspects of sustainable chemistry and en-
2 gineering appropriate to that level of education and
3 training, including through—

4 (A) partnerships with industry as de-
5 scribed in section 256;

6 (B) support for the integration of sustain-
7 able chemistry principles into chemistry and
8 chemical engineering curriculum and research
9 training, as appropriate to that level of edu-
10 cation and training; and

11 (C) support for integration of sustainable
12 chemistry principles into existing or new profes-
13 sional development opportunities for profes-
14 sionals including teachers, faculty, and individ-
15 uals involved in laboratory research (product
16 development, materials specification and test-
17 ing, life cycle analysis, and management);

18 (4) as relevant to an agency's programs, exam-
19 ine methods by which the Federal agencies, in col-
20 laboration and consultation with the National Insti-
21 tute of Standards and Technology, may facilitate the
22 development or recognition of validated, standard-
23 ized tools for performing sustainability assessments
24 of chemistry processes or products;

1 (5) through programs identified by an agency,
2 support (including through technical assistance, par-
3 ticipation, financial support, communications tools,
4 awards, or other forms of support) outreach and dis-
5 semination of sustainable chemistry advances such
6 as non-Federal symposia, forums, conferences, and
7 publications in collaboration with, as appropriate, in-
8 dustry, academia, scientific and professional soci-
9 eties, and other relevant groups;

10 (6) provide for public input and outreach to be
11 integrated into the activities described in this section
12 by the convening of public discussions, through
13 mechanisms such as public meetings, consensus con-
14 ferences, and educational events, as appropriate;

15 (7) within each agency, develop or adapt
16 metrics to track the outputs and outcomes of the
17 programs supported by that agency; and

18 (8) incentivize or recognize actions that advance
19 sustainable chemistry products, processes, or initia-
20 tives, including through the establishment of a na-
21 tionally recognized awards program through the En-
22 vironmental Protection Agency to identify, publicize,
23 and celebrate innovations in sustainable chemistry
24 and chemical technologies.

1 (d) LIMITATIONS.—Financial support provided under
2 this section shall—

3 (1) be available only for pre-competitive activi-
4 ties; and

5 (2) not be used to promote the sale of a specific
6 product, process, or technology, or to disparage a
7 specific product, process, or technology.

8 **SEC. 256. PARTNERSHIPS IN SUSTAINABLE CHEMISTRY.**

9 (a) IN GENERAL.—The agencies participating in the
10 Entity may facilitate and support, through financial, tech-
11 nical, or other assistance, the creation of partnerships be-
12 tween institutions of higher education, nongovernmental
13 organizations, consortia, or companies across the value
14 chain in the chemical industry, including small- and me-
15 dium-sized enterprises, to—

16 (1) create collaborative sustainable chemistry
17 research, development, demonstration, technology
18 transfer, and commercialization programs; and

19 (2) train students and retrain professional sci-
20 entists, engineers, and others involved in materials
21 specification on the use of sustainable chemistry con-
22 cepts and strategies by methods, including—

23 (A) developing or recognizing curricular
24 materials and courses for undergraduate and
25 graduate levels and for the professional develop-

1 ment of scientists, engineers, and others in-
2 volved in materials specification; and

3 (B) publicizing the availability of profes-
4 sional development courses in sustainable chem-
5 istry and recruiting professionals to pursue
6 such courses.

7 (b) PRIVATE SECTOR PARTICIPATION.—To be eligi-
8 ble for support under this section, a partnership in sus-
9 tainable chemistry shall include at least one private sector
10 organization.

11 (c) SELECTION OF PARTNERSHIPS.—In selecting
12 partnerships for support under this section, the agencies
13 participating in the Entity shall also consider the extent
14 to which the applicants are willing and able to dem-
15 onstrate evidence of support for, and commitment to, the
16 goals outlined in the strategic plan and report described
17 in section 254.

18 (d) PROHIBITED USE OF FUNDS.—Financial support
19 provided under this section may not be used—

20 (1) to support or expand a regulatory chemical
21 management program at an implementing agency
22 under a State law;

23 (2) to construct or renovate a building or struc-
24 ture; or

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

3 **SEC. 261. 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—

8 (1) by striking “Engineering,,” and inserting
9 “Engineering,”; and

10 (2) by striking “, through January 31, 2025”.

11 **SEC. 262. REPEAL OF QUARTERLY UPDATES ON THE OP-**
12 **TIONALLY MANNED FIGHTING VEHICLE PRO-**
13 **GRAM.**

14 Section 261 of the National Defense Authorization
15 Act for Fiscal Year 2020 (Public law 116–92; 133 Stat.
16 1294) is repealed.

17 **SEC. 263. INDEPENDENT EVALUATION OF PERSONAL PRO-**
18 **TECTIVE AND DIAGNOSTIC TESTING EQUIP-**
19 **MENT.**

20 (a) INDEPENDENT EVALUATION REQUIRED.—The
21 Director of Operational Test and Evaluation shall conduct
22 an independent evaluation of—

23 (1) any processes used to test the effectiveness
24 of covered personal protective and diagnostic testing
25 equipment; and

1 (2) the results of such tests.

2 (b) AVAILABILITY OF INFORMATION.—The Secretary
3 of Defense shall provide the Director of Operational Test
4 and Evaluation with such information as may be necessary
5 for the Director to conduct the evaluations required under
6 subsection (a), including any relevant documentation re-
7 lating to testing processes and test results for covered per-
8 sonal protective and diagnostic testing equipment.

9 (c) REPORT TO CONGRESS.—Not later than 30 days
10 after the completion of each evaluation under subsection
11 (a), the Director of Operational Test and Evaluation shall
12 submit to the congressional defense committees a report
13 on the results of the evaluation.

14 (d) COVERED PERSONAL PROTECTIVE AND DIAG-
15 NOSTIC TESTING EQUIPMENT DEFINED.—In this section,
16 the term “covered personal protective and diagnostic test-
17 ing equipment” means any personal protective equipment
18 or diagnostic testing equipment developed, acquired, or
19 used by the Department of Defense—

20 (1) in response to COVID–19; or

21 (2) as part of any follow-on, long-term acquisi-
22 tion and distribution program for such equipment.

23 **SEC. 264. REPORTS ON F-35 PHYSIOLOGICAL EPISODES**
24 **AND MITIGATION EFFORTS.**

25 (a) STUDY AND REPORT.—

1 (1) IN GENERAL.—The Under Secretary of De-
2 fense for Acquisition and Sustainment shall conduct
3 a study to determine the underlying causes of phys-
4 iological episodes affecting crewmembers of F-35
5 aircraft.

6 (2) ELEMENTS.—The study under subsection
7 (a) shall include—

8 (A) an examination of each physiological
9 episode reported by a crewmember of an F-35
10 aircraft as of the date of the enactment of this
11 Act; and

12 (B) a determination as to the underlying
13 cause of the episode.

14 (3) REPORT.—Not later than 180 days after
15 the date of the enactment of this Act, the Under
16 Secretary of Defense for Acquisition and
17 Sustainment shall submit to the congressional de-
18 fense committees a report that includes—

19 (A) the results the study conducted under
20 subsection (a), including a description of each
21 physiological episode examined under the study
22 and an explanation of the underlying cause of
23 the episode;

24 (B) a description of any actions that may
25 be taken to address the underlying causes of

1 such episodes, including any resources that may
2 be required to carry out such actions; and

3 (C) any other findings and recommenda-
4 tions of the study.

5 (b) ANNUAL REPORTS ON MITIGATION EFFORTS.—

6 The Secretary of Defense, in consultation with the Under
7 Secretary of Defense for Acquisition and Sustainment,
8 shall include with the annual report required by section
9 224(d) of the National Defense Authorization Act for Fis-
10 cal Year 2017 (Public Law 114–328; 130 Stat. 2059), a
11 detailed description of—

12 (1) the efforts of the Department of Defense to
13 address physiological episodes affecting crew-
14 members of F–35 aircraft; and

15 (2) the funding allocated for such efforts.

16 **SEC. 265. STUDY ON MECHANISMS FOR ATTRACTING AND**
17 **RETAINING HIGH QUALITY TALENT IN THE**
18 **NATIONAL SECURITY INNOVATION BASE.**

19 (a) STUDY REQUIRED.—The Secretary of Defense
20 shall conduct a study to determine the feasibility of estab-
21 lishing a program to attract and retain covered individuals
22 for employment in the national security innovation base.

23 (b) ELEMENTS.—The study required under sub-
24 section (a) shall include an analysis of—

1 (1) mechanisms the Department of Defense
2 may use to engage institutions of higher education
3 to assist in the identification and recruitment of cov-
4 ered individuals for employment in the national se-
5 curity innovation base;

6 (2) monetary and nonmonetary incentives that
7 may be provided to retain covered individuals in po-
8 sitions in the national security innovation base;

9 (3) methods that may be implemented to ensure
10 the proper vetting of covered individuals;

11 (4) the number of covered individuals needed to
12 advance the competitiveness of the research, develop-
13 ment, test, and evaluation efforts of the Department
14 of Defense in the critical technologies identified in
15 the National Defense Strategy; and

16 (5) the type and amount of resources required
17 to implement the program described in subsection
18 (a).

19 (c) REPORT.—Not later than February 1, 2021, the
20 Secretary of Defense shall submit to the congressional de-
21 fense committees a report on the results of the study con-
22 ducted under subsection (a).

23 (d) DEFINITIONS.—In this section:

24 (1) The term “national security innovation
25 base” the means the network of persons and organi-

1 zations, including Federal agencies, institutions of
2 higher education, federally funded research and de-
3 velopment centers, defense industrial base entities,
4 nonprofit organizations, commercial entities, and
5 venture capital firms that are engaged in the mili-
6 tary and nonmilitary research, development, funding,
7 and production of innovative technologies that sup-
8 port the national security of the United States.

9 (2) The term “institution of higher education”
10 has the meaning given that term in section 101 of
11 the Higher Education Act of 1965 (20 U.S.C.
12 1001).

13 (3) The term “covered individual” means an in-
14 dividual who—

15 (A) is employed by a United States em-
16 ployer and engaged in work to promote and
17 protect the national security innovation base;

18 (B) is engaged in basic or applied re-
19 search, funded by the Department of Defense,
20 through an institution of higher education in
21 the United States; and

22 (C) possesses scientific or technical exper-
23 tise that will advance the development of crit-
24 ical technologies identified in the National De-
25 fense Strategy or the National Defense Science

1 and Technology Strategy, required by section
2 218 of the John S. McCain National Defense
3 Authorization Act for Fiscal Year 2019 (Public
4 Law 115–232; 132 Stat. 1679).

5 **TITLE III—OPERATION AND**
6 **MAINTENANCE**

7 **Subtitle A—Authorization of**
8 **Appropriations**

9 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

10 Funds are hereby authorized to be appropriated for
11 fiscal year 2021 for the use of the Armed Forces and other
12 activities and agencies of the Department of Defense for
13 expenses, not otherwise provided for, for operation and
14 maintenance, as specified in the funding table in section
15 4301.

16 **Subtitle B—Energy and**
17 **Environment**

18 **SEC. 311. MILITARY AVIATION AND INSTALLATION ASSUR-**
19 **ANCE CLEARINGHOUSE FOR REVIEW OF MIS-**
20 **SION OBSTRUCTIONS.**

21 Section 183a(c) of title 10, United States Code, is
22 amended—

23 (1) by redesignating paragraphs (4) through
24 (6) as paragraphs (5) through (7), respectively;

1 (2) by inserting after paragraph (3) the fol-
2 lowing new paragraph (4):

3 “(4) If, after issuing the notices of presumed risk re-
4 quired by paragraphs (2) and (3), the Secretary of De-
5 fense later concludes for any reason that the energy
6 project will not have an adverse impact on military readi-
7 ness, the Clearinghouse shall notify the applicant and the
8 governor in writing of that conclusion.”; and

9 (3) in paragraph (7), as so redesignated, by
10 striking “Any setback for a project pursuant to the
11 previous sentence shall not be more than what is de-
12 termined to be necessary by a technical analysis con-
13 ducted by the Lincoln Laboratory at the Massachu-
14 setts Institute of Technology or any successor enti-
15 ty.”.

16 **SEC. 312. MILITARY AVIATION AND INSTALLATION ASSUR-**
17 **ANCE CLEARINGHOUSE FOR REVIEW OF MIS-**
18 **SION OBSTRUCTIONS.**

19 Section 183a(e) of title 10, United States Code, is
20 amended—

21 (1) by redesignating paragraphs (4) through
22 (6) as paragraphs (5) through (7), respectively; and

23 (2) by inserting after paragraph (3) the fol-
24 lowing new paragraph (4):

1 “(4) If, after issuing the notices of presumed risk re-
2 quired by paragraphs (2) and (3), the Secretary of De-
3 fense later concludes for any reason that the energy
4 project will not have an adverse impact on military readi-
5 ness, the Clearinghouse shall notify the applicant and the
6 governor in writing of that conclusion.”.

7 **SEC. 313. AGREEMENTS TO LIMIT ENCROACHMENTS AND**
8 **OTHER CONSTRAINTS ON MILITARY TRAIN-**
9 **ING, TESTING, AND OPERATIONS.**

10 Section 2684a of title 10, United States Code, is
11 amended—

12 (1) in subsection (b), by striking “An agree-
13 ment under this section may be entered into with”
14 and inserting “For purposes of this section, the term
15 ‘eligible entity’ means”; and

16 (2) in subsection (d)(1)(A), by striking “the en-
17 tity” and inserting “the eligible entity”.

18 **SEC. 314. MODIFICATION OF DEPARTMENT OF DEFENSE**
19 **ENVIRONMENTAL RESTORATION AUTHORI-**
20 **TIES TO INCLUDE FEDERAL GOVERNMENT**
21 **FACILITIES USED BY NATIONAL GUARD.**

22 Section 2707(e) of title 10, United States Code, as
23 added by section 316 of the National Defense Authoriza-
24 tion Act for Fiscal Year 2020 (Public Law 116–92, is
25 amended—

1 “(1) The name of the installation where the
2 usage or spill occurred.

3 “(2) The date on which the usage or spill oc-
4 curred.

5 “(3) The amount, type, and specified concentra-
6 tion of aqueous film-forming foam that was used or
7 spilled.

8 “(4) The cause of the usage or spill.

9 “(5) A summary narrative of the usage or
10 spill.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of such chapter is amended by adding
13 at the end the following new item:

“2712. Reporting on usage and spills of aqueous film-forming foam.”.

14 **SEC. 316. REPLACEMENT OF NON-TACTICAL MOTOR VEHI-**
15 **CLES AT THE END OF SERVICE LIFE WITH**
16 **ELECTRIC OR HYBRID MOTOR VEHICLES.**

17 Section 2922g of title 10, United States Code, is
18 amended—

19 (1) by redesignating subsections (b) and (c) as
20 subsections (c) and (d), respectively;

21 (2) by inserting after subsection (a) the fol-
22 lowing new subsection (b):

23 “(b) END OF LIFE REPLACEMENT.—Upon the end
24 of the lease or service life of a motor vehicle, the Secretary
25 of the military department or the head of the Defense

1 Agency shall, to the maximum extent possible, replace
2 such motor vehicle with a motor vehicle that uses an elec-
3 tric or hybrid propulsion system, including a plug-in hy-
4 brid system.”;

5 (3) in subsection (c), as so redesignated, by
6 striking “Subsection (a) does not” and inserting
7 “Subsections (a) and (b) do not”; and

8 (4) in subsection (d), as so redesignated, by
9 striking “The preference required by subsection (a)
10 does not” and inserting “The preference under sub-
11 section (a) and the requirement under subsection (b)
12 do not”.

13 **SEC. 317. BUDGETING OF DEPARTMENT OF DEFENSE RE-**
14 **LATING TO OPERATIONAL ENERGY IMPROVE-**
15 **MENT.**

16 The Secretary of Defense shall include in the annual
17 budget submission of the President under section 1105(a)
18 of title 31, United States Code, a dedicated budget line
19 item for fielding operational energy improvements, includ-
20 ing such improvements for which funds from the Oper-
21 ational Energy Capability Improvement Fund have been
22 expended to create the operational and business case for
23 broader employment.

1 **SEC. 318. ASSESSMENT OF DEPARTMENT OF DEFENSE**
2 **OPERATIONAL ENERGY USAGE.**

3 (a) IN GENERAL.—Not later than 60 days after the
4 date of the enactment of this Act, the Secretary of Defense
5 shall enter into an agreement with a federally funded re-
6 search and development center with relevant expertise
7 under which such center shall conduct an assessment of
8 Department of Defense operational energy usage, includ-
9 ing an agency-wide view and breakdowns of progress by
10 service branch.

11 (b) ELEMENTS.—The assessment required under
12 subsection (a) shall include—

13 (1) an analysis of the extent to which the De-
14 partment of Defense developed an integrated oper-
15 ational energy strategy and the extent to which each
16 of the military departments has implemented such
17 strategy;

18 (2) an analysis of the viability of implementing
19 net zero initiatives or meeting net zero goals within
20 the operational energy enterprise without negatively
21 impacting mission capability;

22 (3) an analysis of fossil fuel reduction regimes
23 that may maximize reduction of reliance on fossil
24 fuels, including impacts of lowering the reliance on
25 fossil fuels, decreasing the need for refueling con-
26 voys, overcoming the tyranny of distance within

1 United States Indo-Pacific Command through hybrid
2 or other fuel efficient propulsion systems, and en-
3 ergy production, storage, and distribution systems
4 that enhance logistics supply chain resiliency;

5 (4) a description of the options for achieving
6 fossil fuel reduction benchmarks with respect to
7 operational energy of 25 percent, 50 percent, 75 per-
8 cent, and 100 percent, using fiscal year 2020 as the
9 benchmark, including anticipated funding require-
10 ments, statutory requirements, infrastructure needs,
11 and timeframes; and

12 (5) an analysis of the integration between en-
13 ergy offices with program offices, budget, and oper-
14 ational planners within the Department of Defense
15 and military departments, and recommendations for
16 improving coordination.

17 (c) FORM OF REPORT.—The report required under
18 this section shall be submitted in unclassified form, but
19 may contain a classified annex.

20 **SEC. 319. IMPROVEMENT OF THE OPERATIONAL ENERGY**
21 **CAPABILITY IMPROVEMENT FUND OF THE**
22 **DEPARTMENT OF DEFENSE.**

23 (a) MANAGEMENT OF THE OPERATIONAL ENERGY
24 CAPABILITY IMPROVEMENT FUND.—The Under Secretary
25 of Defense for Acquisition and Sustainment shall exercise

1 authority, direction, and control over the Operational En-
2 ergy Capability Improvement Fund of the Department of
3 Defense (in this section referred to as the “OECIF”).

4 (b) ALIGNMENT AND COORDINATION WITH RELATED
5 PROGRAMS.—

6 (1) REALIGNMENT OF OECIF.—Not later than
7 60 days after the date of the enactment of this Act,
8 the Secretary of Defense shall realign the OECIF
9 under the Assistant Secretary of Defense for
10 Sustainment, with such realignment to include per-
11 sonnel positions adequate for the mission of the
12 OECIF.

13 (2) BETTER COORDINATION WITH RELATED
14 PROGRAMS.—The Assistant Secretary shall ensure
15 that this placement facilitates better alignment be-
16 tween OECIF, the Strategic Environmental Re-
17 search Program, the Environmental Security Tech-
18 nology Certification Program, and the Operational
19 Energy Prototyping Program is utilized to advance
20 common goals of the Department, promote organiza-
21 tional synergies, and avoid unnecessary duplication
22 of effort.

23 (c) PROGRAM FOR OPERATIONAL ENERGY PROTO-
24 TYPING.—

1 (1) IN GENERAL.—Commencing not later than
2 90 days after the date of the enactment of this Act,
3 the Secretary of Defense, through the Under Sec-
4 retary of Defense for Acquisition and Sustainment,
5 shall carry out a program for the demonstration of
6 technologies related to operational energy proto-
7 typing, including demonstration of operational en-
8 ergy technology and validation prototyping.

9 (2) OPERATION OF PROGRAM.—The Secretary
10 shall ensure that the program under paragraph (1)
11 operates in conjunction with the OECIF to promote
12 the transfer of innovative technologies that have suc-
13 cessfully established proof of concept for use in pro-
14 duction or in the field.

15 (3) PROGRAM ELEMENTS.—In carrying out the
16 program under paragraph (1) the Secretary shall—

17 (A) identify and demonstrate the most
18 promising, innovative, and cost-effective tech-
19 nologies and methods that address high-priority
20 operational energy requirements of the Depart-
21 ment of Defense;

22 (B) in conducting demonstrations under
23 subparagraph (A), the Secretary shall—

24 (i) collect cost and performance data
25 to overcome barriers against employing an

1 innovative technology because of concerns
2 regarding technical or programmatic risk;
3 and

4 (ii) ensure that components of the De-
5 partment have time to establish new re-
6 quirements where necessary and plan, pro-
7 gram, and budget for technology transition
8 to programs of record;

9 (C) utilize project structures similar to
10 those of the OECIF to ensure transparency and
11 accountability throughout the efforts conducted
12 under the program; and

13 (D) give priority, in conjunction with the
14 OECIF, to the development and fielding of
15 clean technologies that reduce reliance on fossil
16 fuels.

17 (4) TOOL FOR ACCOUNTABILITY AND TRANSI-
18 TION.—

19 (A) IN GENERAL.—In carrying out the
20 program under paragraph (1), the Secretary
21 shall develop and utilize a tool to track relevant
22 investments in operational energy from applied
23 research to transition to use to ensure user or-
24 ganizations have the full picture of technology
25 maturation and development.

1 (B) TRANSITION.—The tool developed and
2 utilized under subparagraph (A) shall be de-
3 signed to overcome transition challenges with
4 rigorous and well-documented demonstrations
5 that provide the information needed by all
6 stakeholders for acceptance of the technology.

7 **SEC. 320. FIVE-YEAR REVIEWS OF CONTAINMENT TECH-**
8 **NOLOGIES RELATING TO RED HILL BULK**
9 **FUEL STORAGE FACILITY.**

10 (a) REVIEWS.—

11 (1) REVIEWS REQUIRED.—At least once every
12 five years, the Secretary of the Navy shall conduct
13 a review of available technologies relating to the con-
14 tainment of fuel to determine whether any such
15 technology may be used to improve the containment
16 of fuel with respect to storage tanks located at the
17 Red Hill Bulk Fuel Storage Facility, Hawaii.

18 (2) DEADLINE FOR INITIAL REVIEW.—The Sec-
19 retary shall begin the first review under paragraph
20 (1) by not later than the date that is one year after
21 the date of the enactment of this Act.

22 (b) BRIEFINGS.—Not later than 60 days after the
23 date on which a review conducted under subsection (a) is
24 completed, the Secretary shall provide to the congressional
25 defense committees a briefing on—

1 (1) any technology identified in such review
2 that the Secretary determines may be used to im-
3 prove the containment of fuel with respect to storage
4 tanks located at the Red Hill Bulk Fuel Storage Fa-
5 cility; and

6 (2) the feasibility and cost of implementing any
7 such technology at the Red Hill Bulk Fuel Storage
8 Facility.

9 (c) TERMINATION.—The requirements to conduct re-
10 views under subsection (a) and provide briefings under
11 subsection (b) shall terminate on the date on which the
12 Red Hill Bulk Fuel Storage Facility ceases operation, as
13 determined by the Secretary of the Navy.

14 **SEC. 321. LIMITATION ON USE OF FUNDS FOR ACQUISITION**
15 **OF FURNISHED ENERGY FOR RHINE ORD-**
16 **NANCE BARRACKS ARMY MEDICAL CENTER.**

17 None of the funds authorized to be appropriated by
18 this Act or otherwise made available for the Department
19 of Defense for fiscal year 2021 may be used to enter into
20 a contract for the acquisition of furnished energy for the
21 new Rhine Ordnance Barracks Army Medical Center
22 (hereafter referred to as the “Medical Center”) before the
23 date on which Secretary of Defense submits to the con-
24 gressional defense committees a written certification that
25 the Medical Center does not use any energy sourced from

1 inside the Russian Federation as a means of generating
2 the furnished energy.

3 **SEC. 322. REQUIREMENT TO UPDATE DEPARTMENT OF DE-**
4 **FENSE CLIMATE CHANGE ROADMAP.**

5 (a) IN GENERAL.—Not later than February 1, 2022,
6 the Secretary of Defense shall submit to the Committees
7 on Armed Services of the Senate and House of Represent-
8 atives an update to the Department of Defense 2014 Cli-
9 mate Change Adaptation Roadmap. Such update shall in-
10 clude an outline of the strategy and implementation plan
11 of the Department to address the current and foreseeable
12 effects of climate change on the mission of the Depart-
13 ment of Defense.

14 (b) ELEMENTS OF STRATEGY AND IMPLEMENTATION
15 PLAN.—The strategy and implementation plan required to
16 be included in the update under subsection (a) shall in-
17 clude—

18 (1) a description of the overarching approach of
19 the Department to climate adaptation and climate
20 mitigation measures; and

21 (2) a discussion of the current and foreseeable
22 effects of climate change on—

23 (A) plans and operations, including—

24 (i) military readiness;

- 1 (ii) increased frequency of extreme
2 weather events, including flooding,
3 drought, desertification, wildfires, thawing
4 permafrost, hurricanes, and extreme heat;
- 5 (iii) geopolitical instability caused by
6 climate events, including extreme weather;
- 7 (iv) increased demand for Defense
8 Support for Civil Authorities and disaster
9 or humanitarian relief operations;
- 10 (v) the operating environment of the
11 Arctic and of the strategic and geopolitical
12 implications of a progressively more ice-
13 free Arctic Ocean; and
- 14 (vi) alteration or limitation on oper-
15 ation environments;
- 16 (B) training and testing, including—
- 17 (i) changes in land carrying capacity;
- 18 (ii) increased maintenance and repair
19 requirements for equipment and infrastruc-
20 ture;
- 21 (iii) mitigation of heat stress and
22 heat-related illnesses resulting from in-
23 creasing temperatures;
- 24 (iv) increased dust generation and fire
25 hazards; and

1 (v) maintaining testing and training
2 capacity to support increased operations
3 and civil support missions;

4 (C) built and natural infrastructure, in-
5 cluding—

6 (i) military installation resilience, as
7 such term is defined in section 101(e)(8)
8 of title 10, United States Code, of installa-
9 tions both within and outside the United
10 States and its possessions and territories
11 and of the State-owned National Guard in-
12 stallations of the several States;

13 (ii) resilience of the air and sea ports
14 of our allies and partners that are critical
15 to the training, deployment, and operations
16 of the armed forces of the United States
17 and its allies and partners;

18 (iii) resilience of the deployment sys-
19 tem and structure of the Department of
20 Defense and of the United States, includ-
21 ing the strategic highway network, the
22 strategic rail network, and designated stra-
23 tegic air and sea ports;

24 (iv) best practices for modeling and
25 mitigating risks posed to military installa-

1 tions by increased inundation, erosion,
2 flood, wind, and fire damage;

3 (v) changing energy demand at mili-
4 tary installations to include heating and
5 cooling, particularly in communities experi-
6 encing grid stress;

7 (vi) disruption and competition for re-
8 liable energy and water resources;

9 (vii) increased maintenance and
10 sustainment costs;

11 (viii) damage to natural and con-
12 structed infrastructure from thawing per-
13 mafrost and sea ice; and

14 (ix) the effects of climate stress on
15 community support infrastructure, includ-
16 ing roads, transportation hubs, and med-
17 ical facilities;

18 (D) acquisition and supply chain, includ-
19 ing—

20 (i) measures to ensure that the cur-
21 rent and projected future scale and im-
22 pacts of climate change are fully consid-
23 ered in the research, development, testing,
24 and acquisition of major weapon systems
25 and of associated supplies and equipment;

- 1 (ii) required alterations of stockpiles;
2 (iii) reduced or changed availability
3 and access to materials, equipment, and
4 supplies, including water and food sources;
5 (iv) disruptions in fuel availability and
6 distribution;
7 (v) estimated climate security invest-
8 ments required to address foreseeable costs
9 incurred or influenced by climate change
10 for each of the lines of effort in this re-
11 port, including extreme weather response,
12 over the next five, ten, and twenty years,
13 with topline estimates and a qualitative
14 discussion of cost drivers for each; and
15 (vi) equipment and infrastructure in-
16 vestments required to address a changing
17 Arctic environment; and
18 (E) such other matters as the Secretary
19 determines appropriate.

20 (c) ASSESSMENTS AND PROJECTIONS OF THE SCOPE
21 AND SCALE OF CLIMATE CHANGE.—In preparing the up-
22 date to the climate change roadmap as required under
23 subsection (a), the Secretary shall consider—

- 24 (1) climate projections from the Global Change
25 Research Office, National Climate Assessment, the

1 National Oceanic and Atmospheric Administration,
2 and other Federal agencies; and

3 (2) data on, and analysis of, the national secu-
4 rity effects of climate prepared by the Climate Secu-
5 rity Advisory Council of the Office of the Director
6 of National Intelligence established pursuant to sec-
7 tion 120 of the National Security Act of 1947 (50
8 U.S.C. 3060) and by other elements of the intel-
9 ligence community.

10 (d) FORM.—The update to the climate change road-
11 map required under subsection (a) shall be submitted in
12 an unclassified form, but may contain a classified annex.
13 If the Secretary determines that the inclusion of a classi-
14 fied annex is necessary, the Secretary shall conduct an in-
15 person briefing for Members of the Committees on Armed
16 Services of the Senate and House of Representatives by
17 not later than 90 days after date of the submission of the
18 update.

19 **SEC. 323. COMPTROLLER GENERAL REPORT ON DEPART-**
20 **MENT OF DEFENSE INSTALLATION ENERGY.**

21 (a) GAO REPORT.—Not later than one year after the
22 date of the enactment of this Act, the Comptroller General
23 of the United States shall submit to the Committees on
24 Armed Services of the Senate and House of Representa-
25 tives a report on the progress of the Department of De-

1 fense toward reaching net zero goals, including an agency-
2 wide view and breakdowns of progress by service branch.

3 (b) CONTENTS OF REPORT.—The report required
4 under subsection (a) shall include—

5 (1) an analysis of the extent to which the De-
6 partment of Defense has implemented net zero ini-
7 tiatives to date and developed a forward-looking in-
8 tegrated net zero strategy for energy, emissions,
9 water, and waste management and the extent to
10 which each of the military departments has imple-
11 mented such strategy;

12 (2) a description of the current challenges to
13 implementing net zero initiatives or meeting net zero
14 goals and the degree to which the Department of
15 Defense and the military departments have ad-
16 dressed applied lessons learned;

17 (3) a cost-benefit analysis of net zero initiatives,
18 including a description of how such costs and bene-
19 fits are identified, tracked, and validated;

20 (4) a description of the feasibility of achieving
21 net zero benchmarks of 25 percent, 50 percent, 75
22 percent, and 100 percent of the energy, emissions,
23 water, and waste management levels for 2020, in-
24 cluding anticipated funding requirements, statutory

1 requirements, infrastructure needs, and timeframes;
2 and

3 (5) an analysis of the integration between en-
4 ergy offices with program offices, budget, and oper-
5 ational planners within the Department of Defense
6 and military departments across the enterprise, and
7 recommendations for improving coordination.

8 (c) FORM OF REPORT.—The report required under
9 this section shall be submitted in unclassified form, but
10 may contain a classified annex.

11 **SEC. 324. DEPARTMENT OF DEFENSE REPORT ON EMIS-**
12 **SIONS LEVELS.**

13 (a) IN GENERAL.—Not later than 180 days after the
14 date of the enactment of this Act, the Secretary of the
15 Department of Defense shall submit to the Committees
16 on Armed Services of the Senate and House of Represent-
17 atives and to the Comptroller General a report on the total
18 level of emissions for each of the last ten fiscal years. Such
19 emissions levels shall include the agency-wide total, break-
20 downs by military department, and delineations between
21 installation and operational emissions.

22 (b) FORM OF REPORT.—The report required under
23 this section shall be submitted in unclassified form, but
24 may contain a classified annex.

1 **SEC. 325. OBJECTIVES, PERFORMANCE STANDARDS, AND**
2 **CRITERIA FOR USE OF WILDLIFE CONSERVA-**
3 **TION BANKING PROGRAMS.**

4 (a) IN GENERAL.—To ensure opportunities for De-
5 partment of Defense participation in wildlife conservation
6 banking programs pursuant to section 2694c of title 10,
7 United States Code, the Secretary of the Interior, acting
8 through the Director of the United States Fish and Wild-
9 life Service, shall issue regulations of general applicability
10 establishing objectives, measurable performance stand-
11 ards, and criteria for use, consistent with the Endangered
12 Species Act (16 U.S.C. 1531 et seq.), for mitigation bank-
13 ing offsetting effects on a species, or habitat of such spe-
14 cies, that is endangered, threatened, a candidate for list-
15 ing, or otherwise at risk under such Act. To the maximum
16 extent practicable, the regulatory standards and criteria
17 shall maximize available credits and opportunities for miti-
18 gation, provide flexibility for characteristics of various spe-
19 cies, and apply equivalent standards and criteria to all
20 mitigation banks.

21 (b) DEADLINE FOR REGULATIONS.—The Secretary
22 of the Interior, acting through the Director of the United
23 States Fish and Wildlife Service, shall publish an advance
24 notice of proposed rulemaking for the regulations required
25 by subsection (a) by not later than one year after the date
26 of the enactment of this Act.

1 **SEC. 326. OFFSHORE WIND ENERGY DEVELOPMENT,**
2 **MORRO BAY, CALIFORNIA.**

3 (a) FINDINGS.—Congress makes the following find-
4 ings:

5 (1) Since 2016, the Department of Defense and
6 Department of the Navy have been working with
7 State and Federal stakeholders to determine wheth-
8 er a commercial lease for the development of renew-
9 able energy off the coast of Morro Bay, California
10 could be developed in a manner that is compatible
11 with the training and readiness requirements of the
12 Department of Defense.

13 (2) Military readiness and the ability to conduct
14 realistic training are critical to our national security;
15 however, energy security and other ocean uses are
16 also important. These interests should be balanced
17 to the extent practicable when analyzing offshore en-
18 ergy proposals.

19 (3) In August 2019, Members of Congress, the
20 Assistant Secretary of Defense for Sustainment, sen-
21 ior officials from other Federal agencies, and state
22 and local elected representatives met to discuss a
23 path forward to accommodate wind energy develop-
24 ment off the Central Coast of California while ensur-
25 ing the Department of Defense was able to continue

1 meeting its testing, training, and operational re-
2 quirements.

3 (4) Following the initial meeting in August
4 2019, the stakeholder group continued meeting at
5 roughly monthly intervals through 2019 and into
6 2020 to discuss options and work towards a mutu-
7 ally agreeable solution for renewable energy develop-
8 ment and continued military testing, training, and
9 operational requirements off the Central Coast of
10 California.

11 (5) In May 2020, the Assistant Secretary of the
12 Navy for Energy, Installations, and Environment
13 notified stakeholders that despite the previous year
14 of negotiations, it was his view any wind energy de-
15 velopments off the Central Coast of California may
16 not be viewed as being compatible with military ac-
17 tivities. This unilateral decision was made abruptly,
18 without providing any supporting analysis or ac-
19 knowledgment of the progress and commitments
20 made during previous negotiations, and was not in
21 the spirit of cooperation and collaboration that had
22 driven the previous nine months of stakeholder en-
23 gagements.

24 (6) Stakeholder confidence in the Department
25 of Defense review process is paramount. Abrupt and

1 unilateral changes of course erode confidence and
2 undermine the State, local, and industry trust in a
3 fair, transparent, and predictable adjudication of po-
4 tential conflicts.

5 (7) In early 2019, in order to create continuity
6 between the offshore and terrestrial processes, the
7 Department of Defense consolidated its review of
8 proposed energy development projects so that off-
9 shore energy proposals were now included in the
10 Military Aviation and Installation Assurance Clear-
11 inghouse (the Clearinghouse). The Clearinghouse
12 has a proven record for reviewing proposed energy
13 development projects through a fair and transparent
14 process. The Morro Bay proposal pre-dates this con-
15 solidation but underwent a similar Department of
16 Defense led compatibility review.

17 (8) Congress has generally supported the trans-
18 parent and fair Clearinghouse review process, as well
19 as all efforts between the Department of Defense
20 and other stakeholders to reach solutions that allow
21 for the development of energy projects in a manner
22 that is compatible with military testing, training,
23 and operational requirements.

24 (9) Legislating a solution to a specific energy
25 development proposal should only be reserved for

1 rare occasions. Due to Navy's abrupt and unilateral
2 decision to walk away from productive negotiations,
3 after months of good-faith efforts by other stake-
4 holders and public engagement, the threshold for
5 congressional intervention has been reached.

6 (b) RESPONSIBILITY.—All interaction on behalf of
7 the Department of the Navy with the California Energy
8 Commission, Federal agencies, State and local govern-
9 ments, and potential energy developers regarding proposed
10 offshore wind energy off the central coast of California
11 shall be performed through the Office of the Under Sec-
12 retary of Defense for Acquisition and Sustainment.

13 (c) BRIEFING REQUIREMENT; LIMITATION.—

14 (1) BRIEFING.—Not later than 180 days after
15 the date of the enactment of this Act, the Secretary
16 of Defense shall provide to the Committees on
17 Armed Services and the Committee on Natural Re-
18 sources of the House of Representatives a briefing
19 on status of the review by the Offshore Energy
20 Working Group of the request to locate at least two
21 offshore wind lease areas proximate to and within
22 the Morro Bay Call Area. Such briefing shall in-
23 clude—

24 (A) a detailed map that shows any areas
25 identified;

1 (B) proposed mitigations that would enable
2 compatible development in the areas identified;

3 (C) any unresolved issues; and

4 (D) any other terms of the agreement
5 reached with the California Energy Commis-
6 sion, other Federal agencies, State and local
7 governments, and potential energy developers.

8 (2) LIMITATION.—The Secretary of Defense
9 may not issue a final offshore wind assessment that
10 proposes wind exclusion areas and may not object to
11 an offshore energy project in the Central Coast of
12 California that has filed for review by the Military
13 Aviation and Installation Assurance Clearinghouse
14 until the Secretary provides the briefing required
15 under paragraph (1).

16 (d) LIMITATION ON USE OF FUNDS.—Of the
17 amounts authorized to be appropriated by this Act or oth-
18 erwise made available for the Department of Defense for
19 fiscal year 2021, not more than 75 percent may be obli-
20 gated or expended for the Office of the Assistant Secretary
21 of the Navy for Energy, Installations, and Environment
22 until the date that is 30 days after the date on which the
23 briefing required under subsection (c)(1) is provided.

1 **SEC. 327. LONG-DURATION DEMONSTRATION INITIATIVE**
2 **AND JOINT PROGRAM.**

3 (a) ESTABLISHMENT OF INITIATIVE.—Not later than
4 January 15, 2021, the Director of the Environmental Se-
5 curity Technology Certification Program of the Depart-
6 ment of Defense (hereinafter in this section referred to
7 as the “Director”) may establish a demonstration initia-
8 tive composed of demonstration projects focused on the
9 development of long-duration energy 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 Director may—

- 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 Direc-
23 tor, in consultation with the Secretary of Energy,
24 may establish within the Department of Defense a
25 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 200 days after the date of enactment of
9 this Act, the Director may enter into a memo-
10 randum of understanding with the Secretary of En-
11 ergy to administer the joint program.

12 (3) INFRASTRUCTURE.—In carrying out the
13 joint program, the Director and the Secretary of En-
14 ergy may—

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 Director and
24 the Secretary of Energy may develop goals and
25 metrics for technological progress under the joint

1 program consistent with energy resilience and energy
2 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 Director and the
7 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 Director and the Secretary of En-
21 ergy may give priority to demonstration
22 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. 328. PRIZES FOR DEVELOPMENT OF NON-PFAS-CON-**
7 **TAINING FIRE-FIGHTING AGENT.**

8 (a) **AUTHORITY.**—The Secretary of Defense, acting
9 through the Assistant Secretary of Defense for
10 Sustainment and the Strategic Environmental Research
11 and Development Program, may carry out a program to
12 award cash prizes and other types of prizes that the Sec-
13 retary determines are appropriate to recognize out-
14 standing achievements in the development of a non-PFAS-
15 containing fire-fighting agent to replace aqueous film-
16 forming foam with the potential for application to the per-
17 formance of the military missions of the Department of
18 Defense.

19 (b) **COMPETITION REQUIREMENTS.**—A program
20 under subsection (a) shall use a competitive process for
21 the selection of recipients of cash prizes. The process shall
22 include the widely-advertised solicitation of submissions of
23 research results, technology developments, and prototypes.

24 (c) **LIMITATIONS.**—The following limitations shall
25 apply to a program under subsection (a):

1 (1) No prize competition may result in the
2 award of a prize with a fair market value of more
3 than \$5,000,000.

4 (2) No prize competition may result in the
5 award of more than \$1,000,000 in cash prizes with-
6 out the approval of the Assistant Secretary of De-
7 fense for Sustainment.

8 (3) No prize competition may result in the
9 award of a solely nonmonetary prize with a fair mar-
10 ket value of more than \$10,000 without the approval
11 of the Assistant Secretary of Defense for
12 Sustainment.

13 (d) RELATIONSHIP TO OTHER AUTHORITY.—A pro-
14 gram under subsection (a) may be carried out in conjunc-
15 tion with or in addition to the exercise of any other author-
16 ity of the Department of Defense.

17 (e) USE OF PRIZE AUTHORITY.—Use of prize author-
18 ity under this section shall be considered the use of com-
19 petitive procedures for the purposes of section 2304 of
20 title 10, United States Code.

21 (f) PFAS.—In this section, the term “PFAS”
22 means—

23 (1) man-made chemicals of which all of the car-
24 bon atoms are fully fluorinated carbon atoms; and

1 (2) man-made chemicals containing a mix of
2 fully fluorinated carbon atoms, partially fluorinated
3 carbon atoms, and nonfluorinated carbon atoms.

4 (g) TERMINATION.—The authority to carry out a
5 program under this section shall terminate on October 1,
6 2024.

7 **SEC. 329. SURVEY OF TECHNOLOGIES FOR DEPARTMENT**
8 **OF DEFENSE APPLICATION IN PHASING OUT**
9 **THE USE OF FLUORINATED AQUEOUS FILM-**
10 **FORMING FOAM.**

11 (a) SURVEY OF TECHNOLOGIES.—The Secretary of
12 Defense shall conduct a survey of relevant technologies,
13 other than fire-fighting agent solutions, to determine
14 whether any such technologies are available and can be
15 adapted for use by the Department of Defense to facilitate
16 the phase-out of fluorinated aqueous film-forming foam.
17 The technologies surveyed under this subsection shall in-
18 clude hangar flooring systems, fire-fighting agent delivery
19 systems, containment systems, and other relevant tech-
20 nologies the Secretary determines appropriate.

21 (b) REPORT.—Not later than one year after the date
22 of enactment of this Act, the Secretary shall submit to
23 the congressional defense committees a report on the re-
24 sults of the survey conducted under subsection (a). Such
25 report shall include—

1 (1) a description of the technologies included in
2 the survey;

3 (2) a list of the technologies that were consid-
4 ered for further testing or analysis; and

5 (3) any technologies that are undergoing addi-
6 tional analysis for possible application within the
7 Department.

8 **SEC. 330. INTERAGENCY BODY ON RESEARCH RELATED TO**
9 **PER- AND POLYFLUOROALKYL SUBSTANCES.**

10 (a) **ESTABLISHMENT.**—The Director of the Office of
11 Science and Technology Policy, acting through the Na-
12 tional Science and Technology Council, shall establish an
13 interagency working group to coordinate Federal activities
14 to advance research and development needed to address
15 PFAS.

16 (b) **AGENCY PARTICIPATION.**—The interagency work-
17 ing group shall include a representative of each—

18 (1) the Environmental Protection Agency;

19 (2) the National Institute of Environmental
20 Health Sciences;

21 (3) the Agency for Toxic Substances and Dis-
22 ease Registry;

23 (4) the National Science Foundation;

24 (5) the Department of Defense;

25 (6) the National Institutes of Health;

1 (7) the National Institute of Standards and
2 Technology;

3 (8) the National Oceanic and Atmospheric Ad-
4 ministration;

5 (9) the Department of Interior;

6 (10) the Department of Transportation;

7 (11) the Department of Homeland Security;

8 (12) the National Aeronautics and Space Ad-
9 ministration;

10 (13) the National Toxicology Program;

11 (14) the Department of Agriculture;

12 (15) the Geological Survey;

13 (16) the Department of Commerce;

14 (17) the Department of Energy;

15 (18) the Office of Information and Regulatory
16 Affairs;

17 (19) the Office of Management and Budget;

18 and

19 (20) any such other Federal department or
20 agency as the President considers appropriate.

21 (c) CO-CHAIRS.—The Interagency working group
22 shall be co-chaired by the Director of the Office of Science
23 and Technology Policy and, on an annual rotating basis,
24 a representative from a Member agency, as selected by the
25 Director of the Office of Science and Technology Policy.

1 (d) RESPONSIBILITIES OF THE WORKING GROUP.—

2 The interagency working group established under sub-
3 section (a) shall—

4 (1) provide for interagency coordination of Fed-
5 erally funded PFAS research and development; and

6 (2) not later than 12 months after the date of
7 enactment of this Act, develop a strategic plan for
8 Federal support for PFAS research and development
9 (to be updated not less than every 2 years) that—

10 (A) identifies all current Federally funded
11 PFAS research and development, including the
12 nature and scope of such research and develop-
13 ment and the amount of funding associated
14 with such research and development during the
15 current fiscal year, disaggregated by agency;

16 (B) identifies scientific and technological
17 challenges that must be addressed to under-
18 stand and to significantly reduce the environ-
19 mental and human health impacts of PFAS and
20 to identify cost-effective—

21 (i) alternatives to PFAS that are de-
22 signed to be safer and more environ-
23 mentally friendly;

24 (ii) methods for removal of PFAS
25 from the environment; and

1 (iii) methods to safely destroy or de-
2 grade PFAS;

3 (C) establishes goals, priorities, and
4 metrics for Federally funded PFAS research
5 and development that takes into account the
6 current state of research and development iden-
7 tified in paragraph (A) and the challenges iden-
8 tified in paragraph (B); and

9 (D) an implementation plan for Federal
10 agencies.

11 (e) CONSULTATION.—In developing the strategic plan
12 under subsection (d), the interagency working group shall
13 consult with states, tribes, territories, local governments,
14 appropriate industries, academic institutions and non-
15 governmental organizations with expertise in PFAS re-
16 search and development, treatment, management, and al-
17 ternative development.

18 (f) ANNUAL REPORT.—For each fiscal year begin-
19 ning with fiscal year 2022, not later than 90 days after
20 submission of the President’s annual budget request for
21 such fiscal year, the Interagency working group shall pre-
22 pare and submit to Congress a report that includes—

23 (1) a summary of Federally funded PFAS re-
24 search and development for such fiscal year and the

1 preceding fiscal year, including a disaggregation of
2 spending for each participating Federal agency; and

3 (2) a description of how Federal agencies are
4 implementing the strategic plan described in sub-
5 section (d).

6 (g) PFAS RESEARCH AND DEVELOPMENT.—The
7 term “PFAS research and development” includes any re-
8 search or project that has the goal of accomplishing the
9 following:

10 (1) The removal of PFAS from the environ-
11 ment.

12 (2) The safe destruction or degradation of
13 PFAS.

14 (3) The development and deployment of safer
15 and more environmentally friendly alternative sub-
16 stances that are functionally similar to those made
17 with PFAS.

18 (4) The understanding of sources of environ-
19 mental PFAS contamination and pathways to expo-
20 sure for the public.

21 (5) The understanding of the toxicity of PFAS
22 to humans and animals.

1 **SEC. 331. RESTRICTION ON PROCUREMENT BY DEFENSE**
2 **LOGISTICS AGENCY OF CERTAIN ITEMS CON-**
3 **TAINING PERFLUOROALKYL SUBSTANCES**
4 **AND POLYFLUOROALKYL SUBSTANCES.**

5 (a) PROHIBITION.—The Director of the Defense Lo-
6 gistics Agency may not procure any covered item con-
7 taining a perfluoroalkyl substance or polyfluoroalkyl sub-
8 stance.

9 (b) DEFINITIONS.—In this section:

10 (1) The term “covered item” means—

11 (A) non-stick cookware or food service
12 ware for use in galleys or dining facilities;

13 (B) food packaging materials;

14 (C) furniture or floor waxes;

15 (D) carpeting, rugs, or upholstered fur-
16 niture;

17 (E) personal care items;

18 (F) dental floss; and

19 (G) sunscreen.

20 (2) The term “perfluoroalkyl substance” means
21 a man-made chemical of which all of the carbon
22 atoms are fully fluorinated carbon atoms.

23 (3) The term “polyfluoroalkyl substance”
24 means a man-made chemical containing a mix of
25 fully fluorinated carbon atoms, partially fluorinated
26 carbon atoms, and nonfluorinated carbon atoms.

1 (c) **EFFECTIVE DATE.**—This section shall take effect
2 on the date that is one year after the date of the enact-
3 ment of this Act.

4 **SEC. 332. STANDARDS FOR REMOVAL OR REMEDIAL AC-**
5 **TIONS WITH RESPECT TO PFOS OR PFOA**
6 **CONTAMINATION.**

7 (a) **IN GENERAL.**—In conducting removal or reme-
8 dial actions pursuant to the Comprehensive Environ-
9 mental Response, Compensation, and Liability Act of
10 1980 (42 U.S.C. 9601 et seq.) or section 332 of the Na-
11 tional Defense Authorization Act for Fiscal Year 2020
12 (Public Law 116–92) of PFOS or PFOA contamination
13 from Department of Defense or National Guard activities
14 found in drinking water or in groundwater that is not cur-
15 rently used for drinking water, the Secretary of Defense
16 shall ensure that such actions result in a level that meets
17 or exceeds the most stringent of the following standards
18 for PFOS or PFOA in any environmental media:

19 (1) An enforceable State standard, in effect in
20 that State, for drinking, surface, or ground water, as
21 described in section 121(d)(2)(A)(ii) of the Com-
22 prehensive Environmental Response, Compensation,
23 and Liability Act of 1980 (42 U.S.C.
24 9621(d)(2)(A)(ii)).

1 (2) An enforceable Federal standard for drink-
2 ing, surface, or ground water, as described in section
3 121(d)(2)(A)(i) of the Comprehensive Environmental
4 Response, Compensation, and Liability Act of 1980
5 (42 U.S.C. 9621(d)(2)(A)(i)).

6 (3) A health advisory under section
7 1412(b)(1)(F) of the Safe Drinking Water Act (42
8 U.S.C. 300g-1(b)(1)(F)).

9 (b) DEFINITIONS.—In this section:

10 (1) The term “PFOA” means perfluorooctanoic
11 acid.

12 (2) The term “PFOS” means perfluorooctane
13 sulfonate.

14 (3) The terms “removal” and “remedial action”
15 have the meanings given those terms in section 101
16 of the Comprehensive Environmental Response,
17 Compensation, and Liability Act of 1980 (42 U.S.C.
18 9601).

19 (c) SAVINGS CLAUSE.—Except with respect to the
20 specific level required to be met under subsection (a),
21 nothing in this section affects the application of the Com-
22 prehensive Environmental Response, Compensation, and
23 Liability Act of 1980 (42 U.S.C. 9607).

1 **SEC. 333. RESEARCH AND DEVELOPMENT OF ALTERNATIVE**
2 **TO AQUEOUS FILM-FORMING FOAM.**

3 (a) IN GENERAL.—The Secretary of Defense, acting
4 through the National Institute of Standards and Tech-
5 nology and in consultation with appropriate stakeholders
6 and manufactures, research institutions, and other Fed-
7 eral agencies shall award grants and carry out other ac-
8 tivities to—

9 (1) promote and advance the research and de-
10 velopment of additional alternatives to aqueous film-
11 forming foam (in this section referred to as
12 “AFFF”) containing per- and polyfluoroalkyl sub-
13 stances (in this section referred to as “PFAS”) to
14 facilitate the development of a military specification
15 and subsequent fielding of a PFAS-free fire-fighting
16 foam;

17 (2) advance the use of green and sustainable
18 chemistry for a fluorine-free alternative to AFFF;

19 (3) increase opportunities for sharing best prac-
20 tices within the research and development sector
21 with respect to AFFF;

22 (4) assist in the testing of potential alternatives
23 to AFFF; and

24 (5) provide guidelines on priorities with respect
25 to an alternative to AFFF.

1 (b) ADDITIONAL REQUIREMENTS.—In carrying out
2 the program required under subsection (a), the Secretary
3 shall—

4 (1) take into consideration the different uses of
5 AFFF and the priorities of the Department of De-
6 fense in finding an alternative;

7 (2) prioritize green and sustainable chemicals
8 that do not pose a threat to public health or the en-
9 vironment; and

10 (3) use and leverage research from existing De-
11 partment of Defense programs.

12 (c) REPORT.—The Secretary shall submit to Con-
13 gress a report on—

14 (1) the priorities and actions taken with respect
15 to finding an alternative to AFFF and the imple-
16 mentation of such priorities; and

17 (2) any alternatives the Secretary has denied,
18 and the reason for any such denial.

19 (d) USE OF FUNDS.—This section shall be carried
20 out using amounts authorized to be available for the Stra-
21 tegic Environmental Research and Development Program.

1 **SEC. 334. NOTIFICATION TO AGRICULTURAL OPERATIONS**
2 **LOCATED IN AREAS EXPOSED TO DEPART-**
3 **MENT OF DEFENSE PFAS USE.**

4 (a) NOTIFICATION REQUIRED.—Not later than 60
5 days after the date of the enactment of this Act, the Sec-
6 retary of Defense, in consultation with the Secretary of
7 Agriculture, shall provide a notification described in sub-
8 section (b) to any agricultural operation located within 10
9 square miles of a location where covered PFAS—

10 (1) has been detected in groundwater;

11 (2) has been hydrologically linked to a local
12 water source, including a water well; and

13 (3) is suspected to be, or due to a positive test
14 known to be, the result of the use of PFAS at any
15 installation of the Department of Defense located in
16 the United States or any State-owned facility of the
17 National Guard.

18 (b) NOTIFICATION REQUIREMENTS.—The notifica-
19 tion required under subparagraph (a) shall include:

20 (1) The name of the Department of Defense or
21 National Guard installation from which the PFAS
22 contamination in groundwater originated.

23 (2) The specific type of PFAS detected in
24 groundwater.

25 (3) The detection levels of PFAS detected.

1 (4) Relevant governmental information regard-
2 ing the health and safety of the covered PFAS de-
3 tected, including relevant Federal or State standards
4 for PFAS in groundwater, livestock, food commod-
5 ities and drinking water, and any known restrictions
6 for sale of agricultural products that have been irri-
7 gated or watered with water containing PFAS.

8 (c) **ADDITIONAL TESTING RESULTS.**—The Secretary
9 of Defense shall provide to an agricultural operation that
10 receives a notice under subsection (a) any pertinent up-
11 dated information, including any results of new elevated
12 testing, by not later than 15 days after receiving such in-
13 formation.

14 (d) **REPORT TO CONGRESS.**—Not later than 90 days
15 after the date of the enactment of this Act, and annually
16 thereafter, the Secretary of Defense shall submit to the
17 Committee on Agriculture, Nutrition, and Forestry of the
18 Senate and the Committee on Agriculture of the House
19 of Representatives a report on the status of providing no-
20 tice under subsection (a). Such report shall include, for
21 the period covered by the report—

22 (1) the approximate locations of such oper-
23 ations relative to installations of the Department of
24 Defense located in the United States and State-
25 owned facilities of the National Guard;

1 (2) the PFAS substances detected in ground-
2 water; and

3 (3) the levels of PFAS detected.

4 (e) DEFINITIONS.—In this section:

5 (1) The term “covered PFAS” means each of
6 the following:

7 (A) Perfluorooctanoic acid (commonly re-
8 ferred to as “PFOA”) (Chemical Abstracts
9 Service No. 335–67–1).

10 (B) Perfluorooctane sulfonic acid (com-
11 monly referred to as “PFOS”) (Chemical Ab-
12 stracts Service No. 1763–23–1).

13 (C) Perfluorobutanesulfonic acid (com-
14 monly referred to as “PFBS”) (Chemical Ab-
15 stracts Service No. 375-73-5).

16 (D) Perfluorohexane sulfonate (commonly
17 referred to as “PFHxs”) (Chemical Abstracts
18 Service No. 108427-53-8).

19 (E) Perfluoroheptanoic acid (commonly re-
20 ferred to as “PFHpA”) (Chemical Abstracts
21 Service No. 375-85-9).

22 (F) Perfluorohexanoic acid (commonly re-
23 ferred to as “PFHxA”) (Chemical Abstracts
24 Service No. 307-24-4).

1 (G) Perfluorodecanoic acid (commonly re-
2 ferred to as “PFDA”) (Chemical Abstracts
3 Service No. 335-76-2).

4 (H) Perfluorononanoic acid (commonly re-
5 ferred to as “PFNA”) (Chemical Abstracts
6 Service No. 375-95-1).

7 (2) The term “PFAS” means a perfluoroalkyl
8 or polyfluoroalkyl substance with at least one fully
9 fluorinated carbon atom, including the chemical
10 GenX.

11 **SEC. 335. PUBLIC DISCLOSURE OF RESULTS OF DEPART-**
12 **MENT OF DEFENSE TESTING FOR**
13 **PERFLUOROALKYL OR POLYFLUOROALKYL**
14 **SUBSTANCES.**

15 (a) PUBLIC DISCLOSURE OF PFAS TESTING.—The
16 Secretary of Defense shall publicly disclose the results of
17 any testing for perfluoroalkyl or polyfluoroalkyl substances
18 (commonly referred to as “PFAS”) conducted on military
19 installations or formerly used defense sites, including—

20 (1) all such testing results conducted by the
21 Department of Defense; and

22 (2) all such testing results conducted by a non-
23 Department entity (including any Federal agency
24 and any public or private entity) under contract by

1 or pursuant to an agreement with the Department
2 of Defense.

3 (b) NATURE OF DISCLOSURE.—The Secretary of De-
4 fense may satisfy the disclosure requirement under sub-
5 section (a) by publishing the information, datasets, and
6 results relating to the testing referred to in such sub-
7 section—

8 (1) on the publicly available website established
9 under section 331(b) of the National Defense Au-
10 thorization Act of 2020 (Public Law 116–92);

11 (2) on another publicly available website of the
12 Department of Defense; or

13 (3) in the Federal Register.

14 (c) REQUIREMENTS.—The information required to be
15 disclosed by the Secretary of Defense under subsection (a)
16 and published under subsection (b) shall—

17 (1) constitute a record for the purposes of
18 chapter 21, 29, 31, and 33 of title 44, United States
19 Code; and

20 (2) include any underlying datasets or addi-
21 tional information of interest to the public, as deter-
22 mined by the Secretary of Defense.

23 (d) LOCAL NOTIFICATION.—Prior to conducting any
24 testing for perfluoroalkyl or polyfluoroalkyl substances,
25 the Secretary of Defense shall provide to the managers

1 of the public water system and the publicly owned treat-
2 ment works serving the areas located immediately adja-
3 cent to the military installation where such testing is to
4 occur notice in writing of the testing.

5 (e) DEFINITIONS.—In this section:

6 (1) The term “formerly used defense site”
7 means any site formerly used by the Department of
8 Defense or National Guard eligible for environ-
9 mental restoration by the Secretary of Defense fund-
10 ed under the “Environmental Restoration Account,
11 Formerly Used Defense Sites” account established
12 under section 2703(a)(5) of title 10, United States
13 Code.

14 (2) The term “military installation” has the
15 meaning given such term in section 2801(c)(4) of
16 title 10, United States Code.

17 (3) The term “perfluoroalkyl or polyfluoroalkyl
18 substance” means any per or polyfluoroalkyl sub-
19 stance with at least one fully fluorinated carbon
20 atom.

21 (4) The term “public water system” has the
22 meaning given such term under section 1401(4) of
23 the Safe Drinking Water Act (42 U.S.C. 300f(4)).

1 (5) The term “treatment works” has the mean-
2 ing given such term in section 212(2) of the Federal
3 Water Pollution Control Act (33 U.S.C. 1292(2)).

4 **Subtitle C—Logistics and** 5 **Sustainment**

6 **SEC. 351. NATIONAL DEFENSE SUSTAINMENT AND LOGIS-** 7 **TICS REVIEW.**

8 (a) IN GENERAL.—Chapter 2 of title 10, United
9 States Code, is amended by inserting after section 118 the
10 following new section:

11 **“§ 118a. National Defense Sustainment and Logistics** 12 **Review**

13 “(a) QUADRENNIAL REVIEW REQUIRED.—Two years
14 after the submittal of each national defense strategy under
15 section 113(g) of this title, the Secretary of Defense shall
16 conduct a comprehensive review of the sustainment and
17 logistics requirements necessary to support the force
18 structure, force modernization, infrastructure, and other
19 elements of the defense program and policies of the United
20 States during the subsequent 5-, 10-, and 25-year periods.
21 Each such review shall be known as the ‘National Defense
22 Sustainment and Logistics Review’. Each such review
23 shall be conducted in consultation with the Secretaries of
24 the military departments, the chief of the armed services,
25 the Commander of United States Transportation Com-

1 mand, and the Commander of the Defense Logistics Agen-
2 cy.

3 “(b) REPORT TO CONGRESS.—(1) Not later than the
4 first Monday in February of the year following the fiscal
5 year during which the review required by subsection (a)
6 is submitted, the Secretary shall submit to the congres-
7 sional defense committees a report on the review. Each
8 such report shall include each of the following:

9 “(A) An assessment of the strategic and tac-
10 tical maritime logistics force (including non-military
11 assets provided by Military Sealift Command and
12 through the Voluntary Intermodal Sealift Agree-
13 ment) required to support sealift and at sea logistics
14 requirements of forces to meet steady state and con-
15 tingency requirements.

16 “(B) An assessment of the strategic and tac-
17 tical airlift and tankers (including non-military as-
18 sets provided by the Civil Reserve Air Fleet and
19 through the Voluntary Tanker Agreement) required
20 to support movement of forces to meet steady state
21 and contingency requirements.

22 “(C) An assessment of the location, configura-
23 tion, and inventory of prepositioned materiel and
24 equipment programs required to meet steady state
25 and contingency requirements.

1 “(D) An assessment of the location, infrastruc-
2 ture, and storage capacity for petroleum, oil, and lu-
3 bricant products, as well as the ability to distribute
4 such products from storage supply points to de-
5 ployed military forces, required to meet steady state
6 and contingency requirements.

7 “(E) An assessment of the capabilities, capaci-
8 ty, and infrastructure of the Department of Defense
9 organic industrial base and private sector industrial
10 base required to meet steady-state and surge soft-
11 ware and depot maintenance requirements.

12 “(F) An assessment of the production capa-
13 bility, capacity, and infrastructure, of the Depart-
14 ment of Defense organic industrial base and private
15 sector industrial base required to meet steady-state
16 and surge production requirements for ammunition
17 and other military munitions.

18 “(G) An assessment of the condition, capacity,
19 and location of military infrastructure required to
20 project military forces to meet steady-state and con-
21 tingency requirements.

22 “(H) An assessment of the cybersecurity risks
23 to military and commercial logistics networks and
24 information technology systems.

1 “(I) An assessment of the gaps between the re-
2 requirements identified under subparagraphs (A)
3 through (H) compared to the actual force structure
4 and infrastructure capabilities, capacity, and posture
5 and the risks associated with each gap as it relates
6 to the ability to meet the national defense strategy.

7 “(J) A discussion of the identified mitigations
8 being pursued to address each gap and risk identi-
9 fied under subparagraph (I) as well as the initiatives
10 and resources planned to address such gaps, as in-
11 cluded in the Department of Defense budget request
12 submitted during the same year as the report and
13 the applicable future-years defense program.

14 “(K) An assessment of the extent to which
15 wargames conducted by the Department of Defense,
16 Joint Staff, geographic combatant commands, and
17 military departments incorporate logistics capabili-
18 ties and threats and a description of the logistics
19 constraints to operations identified through such
20 wargames.

21 “(L) Such other matters the Secretary of De-
22 fense considers appropriate.

23 “(2) The report required under this subsection shall
24 be submitted in classified form and shall include an un-
25 classified summary.

1 “(c) COMPTROLLER GENERAL REVIEW.—Not later
2 than 180 days after the date on which Secretary submits
3 each report required under subsection (b), the Comptroller
4 General shall submit to the congressional defense commit-
5 tees a report that includes an assessment of each of the
6 following:

7 “(1) Whether the report includes each of the
8 elements referred to in subsection (b).

9 “(2) The strengths and weaknesses of the ap-
10 proach and methodology used in conducting the re-
11 view required under subsection (a) that is covered by
12 the report.

13 “(3) Any other matters relating to sustainment
14 that may arise from the report, as the Comptroller
15 General considers appropriate.

16 “(d) RELATIONSHIP TO BUDGET.—Nothing in this
17 section shall be construed to affect section 1105(a) of title
18 31.

19 “(e) TERMINATION.—The requirement to submit a
20 report under this section shall terminate on the date that
21 is 10 years after the date of the enactment of this sec-
22 tion.”.

23 (b) CLERICAL AMENDMENT.—The table of sections
24 at the beginning of such chapter is amended by inserting

1 after the item relating to section 118 the following new
2 item:

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

3 (c) **DEADLINE FOR SUBMITTAL OF FIRST REPORT.**—

4 Notwithstanding the deadline in subsection (b)(1) of sec-
5 tion 118a of title 10, United States Code, the Secretary
6 of Defense shall submit the first report under such section
7 by no later than the date that is 18 months after the date
8 of the enactment of this Act.

9 **SEC. 352. EXTENSION OF SUNSET RELATING TO CHARTER**
10 **AIR TRANSPORTATION SERVICES.**

11 Section 9515(k) of title 10, United States Code, is
12 amended by striking “2020” and inserting “2025”.

13 **SEC. 353. ADDITIONAL ELEMENTS FOR INCLUSION IN NAVY**
14 **SHIP DEPOT MAINTENANCE BUDGET RE-**
15 **PORT.**

16 Section 363(b) of the National Defense Authorization
17 Act for Fiscal Year 2020 (Public Law 116–92) is amended
18 by adding at the end the following new paragraphs:

19 “(6) The execution of the planned schedule,
20 categorized by class of ship, for each of the three
21 preceding fiscal years, including—

22 “(A) the actual contract award compared
23 to the milestone;

24 “(B) the planned completion date com-
25 pared to the actual completion date; and

1 “(C) each regional maintenance center’s
2 availability schedule performance for on-time
3 availability completion.

4 “(7) In accordance with the findings of the
5 Government Accountability Office (GAO 20-370)—

6 “(A) in 2021, an analysis plan for the
7 evaluation of pilot program availabilities funded
8 by the Other Procurement, Navy account; and

9 “(B) in 2022, a report on the Navy’s
10 progress implementing such analysis plan.”.

11 **SEC. 354. MODIFICATION TO LIMITATION ON LENGTH OF**
12 **OVERSEAS FORWARD DEPLOYMENT OF**
13 **NAVAL VESSELS.**

14 Section 323(b) of the National Defense Authorization
15 Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.
16 8690 note) is amended by striking “In the case of any
17 naval vessel” and inserting “In the case of any aircraft
18 carrier, amphibious ship, cruiser, destroyer, frigate, or lit-
19 toral combat ship”.

20 **SEC. 355. INDEPENDENT ADVISORY PANEL ON WEAPON**
21 **SYSTEM SUSTAINMENT.**

22 (a) **ESTABLISHMENT.**—The Secretary of Defense
23 shall establish an independent advisory panel (in this sec-
24 tion referred to as the “panel”) on the weapon system
25 sustainment ecosystem. The National Defense University

1 and the Defense Acquisition University shall sponsor the
2 panel, including by providing administrative support.

3 (b) MEMBERSHIP.—

4 (1) COMPOSITION.—The panel shall be com-
5 prised of nine members, of whom—

6 (A) five shall be appointed by the Sec-
7 retary of Defense;

8 (B) one shall be appointed by the Chair-
9 man of the Committee on Armed Services of
10 the Senate;

11 (C) one shall be appointed by the Ranking
12 Member of the Committee on Armed Services of
13 the Senate;

14 (D) one shall be appointed by the Chair-
15 man of the Committee on Armed Services of
16 the House of Representatives; and

17 (E) one shall be appointed by the Ranking
18 Member of the Committee on Armed Services of
19 the House of Representatives.

20 (2) EXPERTISE.—In making appointments
21 under this subsection, consideration should be given
22 to individuals with expertise in public and private-
23 sector acquisition, sustainment, and logistics policy
24 in aviation, ground, maritime systems, and space
25 systems and their related components.

1 (3) APPOINTMENT DATE.—The appointment of
2 the members of the panel shall be made not later
3 than 120 days after the date of the enactment of
4 this Act.

5 (c) DUTIES.—The panel shall—

6 (1) review the weapon system sustainment eco-
7 system from development, production, and
8 sustainment of the weapon system through use in
9 the field, depot and field-level maintenance, modi-
10 fication, and disposal with a goal of—

11 (A) maximizing the availability and mis-
12 sion capabilities of weapon systems;

13 (B) reducing overall life-cycle costs of
14 weapon systems during fielding, operation and
15 sustainment; and

16 (C) aligning weapon system sustainment
17 functions to the most recent national defense
18 strategy submitted pursuant to section 113 of
19 title 10, United States Code; and

20 (2) using information from the review of the
21 weapon system sustainment ecosystem, make rec-
22 ommendations related to statutory, regulatory, pol-
23 icy, or operational best practices the panel considers
24 necessary.

25 (d) REPORT.—

1 (1) INTERIM REPORT.—Not later than one year
2 after the date on which all members of the panel
3 have been appointed, the panel shall provide to the
4 Secretary of Defense and the Committees on Armed
5 Services of the Senate and House of Representatives
6 a briefing on the interim findings and recommenda-
7 tions of the panel.

8 (2) FINAL REPORT.—Not later than two years
9 after the date on which all members of the panel
10 have been appointed, the panel shall submit to the
11 Secretary of Defense and the Committees on Armed
12 Services of the Senate and House of Representatives
13 a report setting for a detailed statement of the find-
14 ings and conclusions the panel as a result of the re-
15 view described in subsection (c), together with such
16 recommendations related to statutory, regulatory,
17 policy, or operational practices as the panel con-
18 siders appropriate in light of the results of the re-
19 view.

20 (e) ADMINISTRATIVE MATTERS.—

21 (1) IN GENERAL.—The Secretary of Defense
22 shall provide the panel with timely access to appro-
23 priate information, data, resources, analysis, and lo-
24 gistics support so that the panel may conduct a

1 thorough and independent assessment as required
2 under this section.

3 (2) EFFECT OF LACK OF APPOINTMENT BY AP-
4 POINTMENT DATE.—If any member has not been ap-
5 pointed by the date specified in subsection (b)(3),
6 the authority to appoint such member under sub-
7 section (b)(1) shall expire, and the number of mem-
8 bers of the panel shall be reduced by the number
9 equal to the number of appointments so not made.

10 (3) PERIOD OF APPOINTMENT; VACANCIES.—
11 Members of the panel shall be appointed for the du-
12 ration of the panel. Any vacancy in the panel shall
13 not affect its powers, but shall be filled in the same
14 manner as the original appointment.

15 (4) CHAIR.—The panel shall select a Chair
16 from among its members. The Chair may not be a
17 Federal officer or employee.

18 (f) TERMINATION.—The panel shall terminate 90
19 days after the date on which the panel submits the report
20 required under subsection (d)(2).

21 **SEC. 356. BIENNIAL BRIEFINGS ON STATUS OF SHIPYARD**
22 **INFRASTRUCTURE OPTIMIZATION PLAN.**

23 (a) BRIEFINGS REQUIRED.—During the period be-
24 ginning on July 1, 2020, and ending on July 1, 2025,
25 the Secretary of the Navy shall provide to the congress-

1 sional defense committees biannual briefings on the status
2 of the Shipyard Infrastructure Optimization Plan.

3 (b) ELEMENTS OF BRIEFINGS.—Each briefing under
4 subsection (a) shall include a discussion of the status of
5 each of the following elements:

6 (1) A master plan for infrastructure develop-
7 ment, including projected military construction and
8 capital equipment projects.

9 (2) A planning and design update for military
10 construction, minor military construction, and facil-
11 ity sustainment projects over the subsequent five-
12 year period.

13 (3) A human capital management and develop-
14 ment plan.

15 (4) A workload management plan that includes
16 synchronization requirements for each shipyard and
17 ship class.

18 (5) Performance metrics and an assessment
19 plan.

20 (6) A funding and authority plan that includes
21 funding lines across the future years defense pro-
22 gram.

1 **SEC. 357. MATERIEL READINESS METRICS AND OBJEC-**
2 **TIVES FOR MAJOR WEAPON SYSTEMS.**

3 (a) IN GENERAL.—Section 118 of title 10, United
4 States Code is amended—

5 (1) by amending the section heading to read as
6 follows: “**Materiel readiness metrics and**
7 **objectives for major weapon systems**”;

8 (2) by striking “Not later than five days” and
9 inserting the following:

10 “(d) BUDGET JUSTIFICATION.—Not later than five
11 days”;

12 (3) by inserting before subsection (d) (as des-
13 ignated by paragraph (2)) the following new sub-
14 sections:

15 “(a) MATERIEL READINESS METRICS.—Each head
16 of an element of the Department specified in paragraphs
17 (1) through (10) of section 111(b) of this title shall estab-
18 lish and maintain materiel readiness metrics to enable as-
19 sessment of the readiness of members of the armed forces
20 to carry out—

21 “(1) the strategic framework required by sec-
22 tion 113(g)(1)(B)(vii) of this title; and

23 “(2) guidance issued by the Secretary of De-
24 fense pursuant to section 113(g)(1)(B) of this title.

25 “(b) REQUIRED METRICS.—At a minimum, the ma-
26 teriel readiness metrics required by subsection (a) shall

1 address the materiel availability, operational availability,
2 operational capability, and materiel reliability of each
3 major weapon system by designated mission, design series,
4 variant, or class.

5 “(c) MATERIEL READINESS OBJECTIVES.—(1) Not
6 later than one year after the date of the enactment of this
7 Act, each head of an element described in subsection (a)
8 shall establish the metrics required by subsection (b) nec-
9 essary to support the strategic framework and guidance
10 referred to in paragraph (1) and (2) of subsection (a).

11 “(2) Annually, each head of an element described in
12 subsection (a) shall review and revise the metrics required
13 by subsection (b) and include any such revisions in the
14 materials submitted to Congress in support of the budget
15 of the President under section 1105 of title 31.”;

16 (4) in subsection (d) (as designated by para-
17 graph (2))—

18 (A) in paragraph (1)—

19 (i) by striking “materiel reliability,
20 and mean down time metrics for each
21 major weapons system” and inserting
22 “operational availability, and materiel reli-
23 ability for each major weapon system”;
24 and

25 (ii) by inserting “and” at the end;

1 (B) in paragraph (2), by striking “; and”
2 and inserting a period at the end; and

3 (C) by striking paragraph (3); and
4 (5) by adding at the end the following new sub-
5 section:

6 “(e) DEFINITIONS.—In this section:

7 “(1) The term ‘major weapon system’ has the
8 meaning given in section 2379(f) of this title.

9 “(2) The term ‘materiel availability’ means a
10 measure of the percentage of the total inventory of
11 a major weapon system that is operationally capable
12 of performing an assigned mission.

13 “(3) The term ‘materiel reliability’ means the
14 probability that a major weapon system will perform
15 without failure over a specified interval.

16 “(4) The term ‘operational availability’ means a
17 measure of the percentage of time a major weapon
18 system is operationally capable.

19 “(5) The term ‘operationally capable’ means a
20 materiel condition indicating that a major weapon
21 system is capable of performing its assigned mission
22 and has no discrepancies with a subsystem of a
23 major weapon system.”.

24 (b) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of chapter 2 of title 10, United States

1 Code, is amended by striking the item relating to section
2 118 and inserting the following new item:

“118. Materiel readiness metrics and objectives for major defense acquisition programs.”.

3 (c) BRIEFING.—Not later than October 1, 2021, the
4 Secretary of Defense shall brief the congressional defense
5 committees regarding the implementation of the materiel
6 readiness metrics required under section 118 of title 10,
7 United States Code, as amended by subsection (a).

8 **Subtitle D—Munitions Safety and**
9 **Oversight**

10 **SEC. 361. CHAIR OF DEPARTMENT OF DEFENSE EXPLOSIVE**
11 **SAFETY BOARD.**

12 (a) RESPONSIBILITIES.—Section 172 of title 10,
13 United States Code, is amended by adding at the end the
14 following new subsections:

15 “(c) RESPONSIBILITIES OF CHAIR.—The chair of the
16 explosive safety board shall carry out the following respon-
17 sibilities:

18 “(1) To act as the principal executive represent-
19 ative and advisor of the Secretary on explosive and
20 chemical agent safety matters related to Department
21 of Defense military munitions.

22 “(2) To perform the hazard classification ap-
23 proval duties assigned to the chair.

1 “(3) To preside over meetings of the explosive
2 safety board.

3 “(4) To direct the staff of the explosive safety
4 board.

5 “(5) To performs other functions relating to ex-
6 plosives safety management, as directed by the As-
7 sistant Secretary of Defense for Sustainment.

8 “(6) To provide impartial and objective advice
9 related to explosives safety management to the Sec-
10 retary of Defense and the heads of the military de-
11 partments.

12 “(7) To serve as the principal representative
13 and advisor of the Department of Defense on mat-
14 ters relating to explosives safety management.

15 “(8) To provide assistance and advice to the
16 Under Secretary of Defense for Acquisition and
17 Sustainment and the Deputy Director of Land War-
18 fare and Munitions in munitions acquisition over-
19 sight and technology advancement for Department
20 of Defense military munitions, especially in the areas
21 of explosives and chemical agent safety and demili-
22 tarization.

23 “(9) To provide assistance and advice to the
24 Assistant Secretary of Defense for Logistics and
25 Material Readiness in sustainment oversight of De-

1 partment of Defense military munitions, especially in
2 the areas of explosives and chemical agent safety,
3 storage, transportation, and demilitarization.

4 “(10) To develop and recommend issuances to
5 define the functions of the explosive safety board.

6 “(11) To establishes joint hazard classification
7 procedures with covered components of the Depart-
8 ment.

9 “(12) To make recommendations to the Under
10 Secretary of Defense for Acquisition and
11 Sustainment with respect to explosives and chemical
12 agent safety tenets and requirements.

13 “(13) To conducts oversight of Department of
14 Defense explosive safety management programs.

15 “(14) To carry out such other responsibilities
16 as the Secretary of Defense determines appropriate.

17 “(d) RESPONSIBILITIES OF EXECUTIVE DIRECTOR
18 AND CIVILIAN MEMBERS.—The executive director and ci-
19 vilian members of the explosive safety board shall—

20 “(1) provide assistance to the chair in carrying
21 out the responsibilities specified in subsection (c);
22 and

23 “(2) carry out such other responsibilities as the
24 chair determines appropriate.

1 “(e) MEETINGS.—(1) The explosive safety board
2 shall meet not less frequently than quarterly.

3 “(2) The chair shall submit to the congressional de-
4 fense committees an annual report describing the activities
5 conducted at the meetings of the board.

6 “(f) EXCLUSIVE RESPONSIBILITIES.—The explosive
7 safety board shall have exclusive responsibility within the
8 Department of Defense for—

9 “(1) recommending new and updated explosive
10 and chemical agent safety regulations and standards
11 to the Assistant Secretary of Defense for Energy In-
12 stallations and Environment for submittal to the
13 Under Secretary of Defense for Acquisition and
14 Sustainment; and

15 “(2) acting as the primary forum for coordina-
16 tion among covered components of the Department
17 on all matters related to explosive safety manage-
18 ment.

19 “(g) COVERED COMPONENTS.—In this section, the
20 covered components of the Department are each of the fol-
21 lowing:

22 “(1) The Office of the Secretary of Defense.

23 “(2) The military departments.

1 “(3) The Office of the Chairman of the Joint
2 Chiefs of Staff and the Joint Staff, the Combatant
3 Commands.

4 “(4) The Office of the Inspector General of the
5 Department.

6 “(5) The Defense Agencies.

7 “(6) The Department of Defense field activities.

8 “(7) All other organizational entities within the
9 Department.”.

10 (b) DEADLINE FOR APPOINTMENT.—By not later
11 than 90 days after the date of the enactment of this Act,
12 the Secretary of Defense shall take such steps as may be
13 necessary to ensure that the explosive safety board of the
14 Department of Defense, as authorized under section 172
15 of title 10, United States Code, has a chair who is a mili-
16 tary officer and whose responsibilities include the day-to-
17 day management of the explosive safety board and the re-
18 sponsibilities provided in subsection (c) of such section.

19 (c) LIMITATION ON USE OF FUNDS.—Of the
20 amounts authorized to be appropriated or otherwise made
21 available in this Act for the Office of the Under Secretary
22 of Defense for Acquisition and Sustainment for fiscal year
23 2021, not more than 75 percent may be obligated or ex-
24 pended until the date on which the Under Secretary of
25 Defense certifies to the congressional defense committees

1 that all board member positions, including the chair, of
2 the Department of Defense explosive safety board, as au-
3 thorized under section 172 of title 10, United States Code,
4 as amended by this section, have been filled by military
5 officers as required by such section.

6 **SEC. 362. EXPLOSIVE ORDNANCE DISPOSAL DEFENSE PRO-**
7 **GRAM.**

8 (a) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—
9 Section 2284(b) of title 10, United States Code, as amend-
10 ed by section 1052 of the National Defense Authorization
11 Act for Fiscal Year 2020 (Public Law 116–92), is further
12 amended—

13 (1) in paragraph (1)(A)—

14 (A) by inserting “and” before “integra-
15 tion”; and

16 (B) by striking “an Assistant Secretary of
17 Defense” and inserting “the Assistant Sec-
18 retary of Defense for Special Operations and
19 Low Intensity Conflict”;

20 (2) in paragraph (2), by striking “to whom re-
21 sponsibility is assigned under paragraph (1)(A)” and
22 inserting “for Special Operations and Low Intensity
23 Conflict”;

24 (3) by redesignating paragraphs (3) and (4) as
25 paragraphs (4) and (5), respectively; and

1 (4) by inserting after paragraph (2) the fol-
2 lowing new paragraph (3):

3 “(3) the Assistant Secretary of Defense for
4 Special Operations and Low Intensity Conflict shall
5 coordinate with—

6 “(A) the Under Secretary of Defense for
7 Intelligence on explosive ordnance technical in-
8 telligence;

9 “(B) the Under Secretary of Defense for
10 Acquisition and Sustainment on explosive ord-
11 nance disposal research, development, and ac-
12 quisition;

13 “(C) the Under Secretary of Defense for
14 Research and Engineering on explosive ord-
15 nance disposal research, development, test, and
16 evaluation; and

17 “(D) the Assistant Secretary of Defense
18 for Homeland Security and Global Security on
19 explosive ordnance disposal on defense support
20 of civil authorities;”.

21 (b) 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 Committees on Armed Services of the
24 Senate and House of Representatives a report of the Ex-
25 plosive Ordnance Disposal Defense Program under section

1 2284 of title 10, United States Code. Such report shall
2 include each of the following:

3 (1) The status of the establishment and organi-
4 zation of the Program and the compliance with the
5 requirements of such section, as amended by section
6 1052 of the National Defense Authorization Act for
7 Fiscal Year 2020.

8 (2) An assessment of the feasibility and advis-
9 ability of designating the Joint Program Executive
10 Officer for Armaments and Ammunition as the joint
11 program executive officer for the explosive ordnance
12 disposal program or establishing a rotation of the
13 role between an Army, Navy, and Air Force entity
14 on a periodic basis.

15 (3) An assessment of the feasibility and advis-
16 ability of designating the Director of the Defense
17 Threat Reduction Agency with management respon-
18 sibility for a Defense-wide program element for ex-
19 plosive ordnance disposal research, development,
20 test, and evaluation transactions other than con-
21 tracts, cooperative agreements, and grants related to
22 section 2371 of title 10, United States Code, during
23 research projects including rapid prototyping and
24 limited procurement urgent activities and acquisi-
25 tion.

1 **SEC. 363. ASSESSMENT OF RESILIENCE OF DEPARTMENT**
2 **OF DEFENSE MUNITIONS ENTERPRISE.**

3 (a) **ASSESSMENT.**—Not later than 60 days after the
4 date of the enactment of this Act, the Secretary of Defense
5 shall enter into an agreement with a federally-funded re-
6 search and development center with relevant expertise
7 under which such center shall conduct an assessment of
8 the resilience of the Department of Defense munitions en-
9 terprise.

10 (b) **ELEMENTS.**—The assessment required under
11 subsection (a) shall include the following elements:

12 (1) An identification of the points of failure
13 with respect to the munitions enterprise, including
14 physical locations, materials, suppliers, contractors,
15 and other relevant elements, that, if failure occurs,
16 would have the largest negative impact on the capac-
17 ity, resiliency, and safety of the enterprise.

18 (2) An evaluation of the efforts of the Depart-
19 ment of Defense to address the points of failure
20 identified under paragraph (1).

21 (3) Recommendation with respect to any addi-
22 tional efforts or actions that could be taken to pro-
23 vide for mitigation or solutions with respect to such
24 points of failure.

1 cal years 2022 through 2025 (as submitted to Congress
2 pursuant to section 1105 of title 31, United States Code),
3 a report on safety waivers provided in the Department of
4 Defense munitions enterprise. Each such report shall in-
5 clude each of the following for the year covered by the
6 report and each of the preceding three years:

7 (1) A list of each waiver, exemption, and secre-
8 tarial exemption or certification provided with re-
9 spect to any Department of Defense munitions safe-
10 ty standard.

11 (2) For each such waiver, exemption, or certifi-
12 cation provided—

13 (A) the location where the waiver, exemp-
14 tion, or certification was provided;

15 (B) a summary of the justification used for
16 providing the waiver, exemption, or certifi-
17 cation;

18 (C) the time period during which the waiv-
19 er, exemption, or certification applies and the
20 number of times such a waiver, exemption, or
21 certification has been provided at that location;
22 and

23 (D) a list of all safety-related mishaps that
24 occurred at locations where waivers, exemp-
25 tions, or certifications were in place, and for

1 each such mishap, whether or not a subsequent
2 investigation determined the waiver, exemption,
3 or certification was related or may have been
4 related to the mishap.

5 (3) A list and summary of all class A-E mis-
6 haps related to the construction, storage, transpor-
7 tation, usage, and demilitarization of munitions.

8 (4) Any mitigation efforts in place at any loca-
9 tion where a waiver, exemption, or certification has
10 been provided or where a safety-related mishap has
11 occurred.

12 (5) Such other matters as the Secretary deter-
13 mines appropriate.

14 (b) MUNITIONS DEFINED.—In this section, the term
15 “munitions” includes ammunition, explosives, and chem-
16 ical agents.

17 **Subtitle E—Other Matters**

18 **SEC. 371. PILOT PROGRAM FOR TEMPORARY ISSUANCE OF** 19 **MATERNITY-RELATED UNIFORM ITEMS.**

20 (a) PILOT PROGRAM.—The Director of the Defense
21 Logistics Agency, in coordination with the Secretaries con-
22 cerned, shall carry out a pilot program under which each
23 Secretary concerned shall establish an office for issuing
24 maternity-related uniform items to pregnant members of
25 the Armed Forces, on a temporary basis and at no cost

1 to such member. In carrying out the pilot program, the
2 Director shall take the following actions:

3 (1) The Director shall ensure that such offices
4 maintain a stock of each type of maternity-related
5 uniform item determined necessary by the Secretary
6 concerned, including service uniforms items, utility
7 uniform items, and other items relating to the com-
8 mand and duty assignment of the member requiring
9 issuance.

10 (2) The Director shall ensure that such items
11 have not been treated with the chemical permethrin.

12 (3) The Director, in coordination with the Sec-
13 retary concerned, shall determine a standard number
14 of maternity-related uniform items that may be
15 issued per member.

16 (4) The Secretary concerned shall ensure that
17 any member receiving a maternity-related uniform
18 item returns such item to the relevant office estab-
19 lished under paragraph (1) on the date on which the
20 Secretary concerned determines the member no
21 longer requires such item.

22 (5) The Secretary concerned shall inspect, proc-
23 ess, repair, clean, and re-stock items returned by a
24 member pursuant to paragraph (4) for re-issuance
25 from such relevant office.

1 (6) The Director, in coordination with the Sec-
2 retaries concerned, may issue such guidance and
3 regulations as necessary to carry out the pilot pro-
4 gram.

5 (b) TERMINATION.—No maternity-related uniform
6 items may be issued to a member of the Armed Forces
7 under the pilot program after September 30, 2026.

8 (c) REPORT.—Not later than September 30, 2025,
9 the Director of the Defense Logistics Agency, in coordina-
10 tion with the Secretaries concerned, shall submit to the
11 congressional defense committees a report on the pilot
12 program. Such report shall include each of the following:

13 (1) For each year during which the pilot pro-
14 gram was carried out, the number of members of the
15 Armed Forces who received a maternity-related uni-
16 form item under the pilot program.

17 (2) An overview of the costs associated with,
18 and any savings realized by, the pilot program, in-
19 cluding a comparison of the cost of maintaining a
20 stock of maternity-related uniform items for
21 issuance under the pilot program versus the cost of
22 providing allowances to members for purchasing
23 such items.

24 (3) A recommendation on whether the pilot pro-
25 gram should be extended after the date of termi-

1 nation under subsection (b) and whether legislation
2 is necessary for such extension.

3 (4) Any other matters that the Secretary of De-
4 fense determines appropriate.

5 (d) AUTHORIZATION OF APPROPRIATIONS.—Of the
6 amounts authorized to be appropriated for operation and
7 maintenance, Defense-wide, for fiscal year 2021, as speci-
8 fied in the funding table in section 4301, \$10,000,000
9 shall be available for implementation of the pilot program.

10 **SEC. 372. SERVICEWOMEN'S COMMEMORATIVE PARTNER-**
11 **SHIPS.**

12 (a) IN GENERAL.—The Secretary of the Army may
13 enter into a contract, partnership, or grant with a non-
14 profit organization for the purpose of providing financial
15 support for the maintenance and sustainment of infra-
16 structure and facilities at military service memorials and
17 museums that highlight the role of women in the military.
18 Such a contract, partnership, or grant shall be referred
19 to as a “Servicewomen’s Commemorative Partnership”.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—Of the
21 amounts authorized to be appropriated for fiscal year
22 2021, as identified in division D of this Act, \$3,000,000
23 shall be available for Servicewomen’s Commemorative
24 Partnerships under subsection (a).

1 **SEC. 373. BIODEFENSE ANALYSIS AND BUDGET SUBMIS-**
2 **SION.**

3 (a) ANNUAL ANALYSIS.—For each fiscal year, the
4 Director of the Office of Management and Budget shall—

5 (1) conduct a detailed and comprehensive anal-
6 ysis of Federal biodefense programs; and

7 (2) develop an integrated biodefense budget
8 submission.

9 (b) DEFINITION OF BIODEFENSE.—In accordance
10 with the National Biodefense Strategy, the Director shall
11 develop and disseminate to all Federal departments and
12 agencies a unified definition of the term “biodefense” to
13 identify which programs and activities are included in an-
14 nual budget submission referred to in subsection (a).

15 (c) REQUIREMENTS FOR ANALYSIS.—The analysis
16 required under subsection (a) shall include—

17 (1) the display of all funds requested for bio-
18 defense activities, both mandatory and discretionary,
19 by agency and categorized by biodefense enterprise
20 element, including threat awareness, prevention, de-
21 terrence, preparedness, surveillance and detection,
22 response, attribution (including bioforensic capabili-
23 ties), recovery, and mitigation; and

24 (2) detailed explanations of how each program
25 and activity included aligns with biodefense goals.

1 (d) SUBMITTAL TO CONGRESS.— The Director shall
2 submit to Congress the analysis required under subsection
3 (a) for a fiscal year concurrently with the President’s an-
4 nual budget request for that fiscal year.

5 **TITLE IV—MILITARY**
6 **PERSONNEL AUTHORIZATIONS**
7 **Subtitle A—Active Forces**

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

9 The Armed Forces are authorized strengths for active
10 duty personnel as of September 30, 2021, as follows:

- 11 (1) The Army, 485,900.
12 (2) The Navy, 347,800.
13 (3) The Marine Corps, 184,100.
14 (4) The Air Force, 327,266.
15 (5) The Space Force, 6,434.

16 **SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END**
17 **STRENGTH MINIMUM LEVELS.**

18 Section 691(b) of title 10, United States Code, is
19 amended by striking paragraphs (1) through (4) and in-
20 serting the following new paragraphs:

- 21 “(1) For the Army, 485,900.
22 “(2) For the Navy, 347,800.
23 “(3) For the Marine Corps, 184,100.
24 “(4) For the Air Force, 327,266.
25 “(5) For the Space Force, 6,434.”.

1 **SEC. 403. MODIFICATION OF THE AUTHORIZED NUMBER**
2 **AND ACCOUNTING METHOD FOR SENIOR EN-**
3 **LISTED PERSONNEL.**

4 (a) IN GENERAL.—Section 517 of title 10, United
5 States Code, is amended—

6 (1) in the section heading, by striking “**daily**
7 **average**” and inserting “**enlisted end**
8 **strength**”; and

9 (2) in subsection (a)—

10 (A) by striking “daily average number of”
11 and inserting “end strength for”;

12 (B) by striking “in a fiscal year” and in-
13 sserting “as of the last day of a fiscal year”;

14 (C) by striking “2.5 percent” and inserting
15 “3.0 percent”; and

16 (D) by striking “on the first day of that
17 fiscal year”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 at the beginning of chapter 31 of such title is amended
20 by striking the item relating to section 517 and inserting
21 the following new item:

“517. Authorized enlisted end strength: members in pay grades E–8 and E–9.”.

1 **Subtitle B—Reserve Forces**

2 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

3 (a) IN GENERAL.—The Armed Forces are authorized
4 strengths for Selected Reserve personnel of the reserve
5 components as of September 30, 2021, as follows:

6 (1) The Army National Guard of the United
7 States, 336,500.

8 (2) The Army Reserve, 189,800.

9 (3) The Navy Reserve, 58,800.

10 (4) The Marine Corps Reserve, 38,500.

11 (5) The Air National Guard of the United
12 States, 108,100.

13 (6) The Air Force Reserve, 70,300.

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

15 (b) END STRENGTH REDUCTIONS.—The end
16 strengths prescribed by subsection (a) for the Selected Re-
17 serve of any reserve component shall be proportionately
18 reduced by—

19 (1) the total authorized strength of units orga-
20 nized to serve as units of the Selected Reserve of
21 such component which are on active duty (other
22 than for training) at the end of the fiscal year; and

23 (2) the total number of individual members not
24 in units organized to serve as units of the Selected
25 Reserve of such component who are on active duty

1 (other than for training or for unsatisfactory partici-
2 pation in training) without their consent at the end
3 of the fiscal year.

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

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

14 Within the end strengths prescribed in section
15 411(a), the reserve components of the Armed Forces are
16 authorized, as of September 30, 2021, the following num-
17 ber of Reserves to be serving on full-time active duty or
18 full-time duty, in the case of members of the National
19 Guard, for the purpose of organizing, administering, re-
20 cruiting, instructing, or training the reserve components:

21 (1) The Army National Guard of the United
22 States, 30,595.

23 (2) The Army Reserve, 16,511.

24 (3) The Navy Reserve, 10,215.

25 (4) The Marine Corps Reserve, 2,386.

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

3 (6) The Air Force Reserve, 5,256.

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

6 The minimum number of military technicians (dual
7 status) as of the last day of fiscal year 2021 for the re-
8 serve components of the Army and the Air Force (notwith-
9 standing section 129 of title 10, United States Code) shall
10 be the following:

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

13 (2) For the Army Reserve, 6,492.

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

16 (4) For the Air Force Reserve, 7,947.

17 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
18 **THORIZED TO BE ON ACTIVE DUTY FOR**
19 **OPERATIONAL SUPPORT.**

20 During fiscal year 2021, the maximum number of
21 members of the reserve components of the Armed Forces
22 who may be serving at any time on full-time operational
23 support duty under section 115(b) of title 10, United
24 States Code, is the following:

1 (1) The Army National Guard of the United
2 States, 17,000.

3 (2) The Army Reserve, 13,000.

4 (3) The Navy Reserve, 6,200.

5 (4) The Marine Corps Reserve, 3,000.

6 (5) The Air National Guard of the United
7 States, 16,000.

8 (6) The Air Force Reserve, 14,000.

9 **Subtitle C—Authorization of**
10 **Appropriations**

11 **SEC. 421. MILITARY PERSONNEL.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
13 are hereby authorized to be appropriated for fiscal year
14 2021 for the use of the Armed Forces and other activities
15 and agencies of the Department of Defense for expenses,
16 not otherwise provided for, for military personnel, as spec-
17 ified in the funding table in section 4401.

18 (b) CONSTRUCTION OF AUTHORIZATION.—The au-
19 thorization of appropriations in the subsection (a) super-
20 sedes any other authorization of appropriations (definite
21 or indefinite) for such purpose for fiscal year 2021.

1 **TITLE V—MILITARY PERSONNEL**
2 **POLICY**
3 **Subtitle A—Officer Personnel**
4 **Policy**

5 **SEC. 501. AUTHORIZED STRENGTH: EXCLUSION OF CER-**
6 **TAIN GENERAL AND FLAG OFFICERS OF THE**
7 **RESERVE COMPONENTS ON ACTIVE DUTY.**

8 Section 526a of title 10, United States Code, is
9 amended—

10 (1) by redesignating subsections (c) through (h)
11 as subsections (d) through (i), respectively; and

12 (2) by inserting after subsection (b) the fol-
13 lowing new subsection (c):

14 “(c) EXCLUSION OF CERTAIN OFFICERS OF THE RE-
15 SERVE COMPONENTS.—The limitations of this section do
16 not apply to the following:

17 “(1) A general or flag officer of a reserve com-
18 ponent who is on active duty—

19 “(A) for training; or

20 “(B) under a call or order specifying a pe-
21 riod of less than 180 days.

22 “(2)(A) A general or flag officer of a reserve
23 component who is authorized by the Secretary of the
24 military department concerned to serve on active

1 duty for a period of at least 180 days and not longer
2 than 365 days.

3 “(B) The Secretary of the military department
4 concerned may authorize a number, determined
5 under subparagraph (C), of officers in the reserve
6 component of each armed force under the jurisdic-
7 tion of that Secretary to serve as described in sub-
8 paragraph (A).

9 “(C) Each number described in subparagraph
10 (B) may not exceed 10 percent of the number of
11 general or flag officers, as the case may be, author-
12 ized to serve in the armed force concerned under
13 section 12004 of this title. In determining a number
14 under this subparagraph, any fraction shall be
15 rounded down to the next whole number that is
16 greater than zero.

17 “(3)(A) A general or flag officer of a reserve
18 component who is on active duty for a period longer
19 than 365 days and not longer than three years.

20 “(B) The number of officers described in sub-
21 paragraph (A) who do not serve in a position that
22 is a joint duty assignment for purposes of chapter
23 38 of this title may not exceed five per armed force,
24 unless authorized by the Secretary of Defense.”.

1 **SEC. 502. DIVERSITY IN SELECTION BOARDS.**

2 (a) REQUIREMENT FOR DIVERSE MEMBERSHIP OF
3 ACTIVE DUTY SELECTION BOARDS.—

4 (1) OFFICERS.—Section 612(a)(1) of title 10,
5 United States Code, is amended by adding at the
6 end the following new sentence: “The members of a
7 selection board shall represent the diversity of the
8 armed forces to the extent practicable.”.

9 (2) WARRANT OFFICERS.—Section 573(b) of
10 title 10, United States Code, is amended by adding
11 at the end the following new sentence: “The mem-
12 bers of a selection board shall represent the diversity
13 of the armed forces to the extent practicable.”.

14 (b) REQUIREMENT FOR DIVERSE MEMBERSHIP OF
15 RESERVE COMPONENTS SELECTION BOARDS.—Section
16 14102(b) of title 10, United States Code, is amended by
17 adding at the end the following new sentence: “The mem-
18 bers of a selection board shall represent the diversity of
19 the armed forces to the extent practicable.”.

20 (c) OTHER SELECTION BOARDS.—

21 (1) IN GENERAL.—The Secretary of Defense
22 shall ensure that the members of each selection
23 board described in paragraph (2) represent the di-
24 versity of the armed forces to the extent practicable.

25 (2) SELECTION BOARD DESCRIBED.—A selec-
26 tion board described in this paragraph (1) is any se-

1 lection board used with respect to the promotion,
2 education, or command assignments of members of
3 the Armed Forces that is not covered by the amend-
4 ments made by this section.

5 **SEC. 503. REDACTION OF PERSONALLY IDENTIFIABLE IN-**
6 **FORMATION FROM RECORDS FURNISHED TO**
7 **A PROMOTION BOARD.**

8 (a) ACTIVE-DUTY OFFICERS.—Section 615(b) of title
9 10, United States Code, is amended—

10 (1) by redesignating paragraphs (1) through
11 (6) as subparagraphs (A) through (F), respectively;

12 (2) in the matter preceding subparagraph (A),
13 as redesignated, by inserting “(1)” before “The Sec-
14 retary”;

15 (3) in subparagraph (C), as redesignated, by
16 striking “whose name is furnished to the board” and
17 inserting “under consideration by the board for pro-
18 motion”;

19 (4) by striking subparagraph (B), as redesign-
20 ated, and redesignating subparagraphs (C) through
21 (F) as subparagraphs (B) through (E), respectively;
22 and

23 (5) by adding at the end the following new
24 paragraph:

1 “(2) The Secretary of the military department con-
2 cerned shall redact any personally identifiable information
3 from the information furnished to a selection board under
4 this section.”.

5 (b) RESERVE OFFICERS.—Section 14107(b) of title
6 10, United States Code, is amended—

7 (1) by redesignating paragraphs (1) through
8 (5) as subparagraphs (A) through (E), respectively;

9 (2) in the matter preceding subparagraph (A),
10 as redesignated, by inserting “(1)” before “The Sec-
11 retary”;

12 (3) in subparagraph (C), as redesignated, by
13 striking “whose name is furnished to the board” and
14 inserting “under consideration by the board for pro-
15 motion”;

16 (4) by striking subparagraph (B), as redesi-
17 gnated, and redesignating subparagraphs (C) through
18 (E) as subparagraphs (B) through (D), respectively;
19 and

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

22 “(2) The Secretary of the military department con-
23 cerned shall redact any personally identifiable information
24 from the information furnished to a promotion board
25 under this section.”.

1 (c) ENLISTED MEMBERS.—Each Secretary of a mili-
2 tary department shall prescribe regulations that require
3 the redaction of any personally identifiable information
4 from the information furnished to a board that considers
5 for promotion an enlisted member of an Armed Force
6 under the jurisdiction of that Secretary.

7 **Subtitle B—Reserve Component** 8 **Management**

9 **SEC. 511. GRANTS TO SUPPORT STEM EDUCATION IN THE** 10 **JUNIOR RESERVE OFFICERS' TRAINING** 11 **CORPS.**

12 (a) PROGRAM AUTHORITY.—

13 (1) IN GENERAL.—Chapter 102 of title 10,
14 United States Code, is amended by adding at the
15 end the following new section:

16 **“§ 2036. Grants to support science, technology, engi- 17 neering, and mathematics education**

18 “(a) AUTHORITY.—The Secretary, in consultation
19 with the Secretary of Education, may carry out a program
20 to make grants to eligible entities to assist such entities
21 in providing education in covered subjects to students in
22 the Junior Reserve Officers' Training Corps.

23 “(b) COORDINATION.—In carrying out a program
24 under subsection (a), the Secretary may coordinate with
25 the following:

1 “(1) The Secretaries of the military depart-
2 ments.

3 “(2) The Secretary of Education.

4 “(3) The Director of the National Science
5 Foundation.

6 “(4) The Administrator of the National Aero-
7 nautics and Space Administration.

8 “(5) The heads of such other Federal, State,
9 and local government entities the Secretary of De-
10 fense determines to be appropriate.

11 “(6) Private sector organizations as the Sec-
12 retary of Defense determines appropriate.

13 “(c) ACTIVITIES.—Activities funded with grants
14 under this section may include the following:

15 “(1) Training and other support for instructors
16 to teach courses in covered subjects to students.

17 “(2) The acquisition of materials, hardware,
18 and software necessary for the instruction of covered
19 subjects.

20 “(3) Activities that improve the quality of edu-
21 cational materials, training opportunities, and cur-
22 ricula available to students and instructors in cov-
23 ered subjects.

24 “(4) Development of travel opportunities, dem-
25 onstrations, mentoring programs, and informal edu-

1 cation in covered subjects for students and instruc-
2 tors.

3 “(5) Students’ pursuit of certifications in cov-
4 ered subjects.

5 “(d) PREFERENCE.—In making any grants under
6 this section, the Secretary shall give preference to eligible
7 entities that are eligible for assistance under part A of
8 title I of the Elementary and Secondary Education Act
9 of 1965 (20 U.S.C. 6311 et seq.).

10 “(e) EVALUATIONS.—In carrying out a program
11 under this section, the Secretary shall establish outcome-
12 based metrics and internal and external assessments to
13 evaluate the merits and benefits of the activities funded
14 with grants under this section with respect to the needs
15 of the Department of Defense.

16 “(f) AUTHORITIES.—In carrying out a program
17 under this section, the Secretary shall, to the extent prac-
18 ticable, make use of the authorities under chapter 111 and
19 sections 2601 and 2605 of this title, and other authorities
20 the Secretary determines appropriate.

21 “(g) DEFINITIONS.—In this section:

22 “(1) The term ‘eligible entity’ means a local
23 education agency that hosts a unit of the Junior Re-
24 serve Officers’ Training Corps.

25 “(2) The term ‘covered subjects’ means—

1 “(A) science;
2 “(B) technology;
3 “(C) engineering;
4 “(D) mathematics;
5 “(E) computer science;
6 “(F) computational thinking;
7 “(G) artificial intelligence;
8 “(H) machine learning;
9 “(I) data science;
10 “(J) cybersecurity;
11 “(K) robotics;
12 “(L) health sciences; and
13 “(M) other subjects determined by the Sec-
14 retary of Defense to be related to science, tech-
15 nology, engineering, and mathematics.”.

16 (2) CLERICAL AMENDMENT.—The table of sec-
17 tions at the beginning of chapter 102 of such title
18 is amended by adding at the end the following new
19 item:

“2036. Grants to support science, technology, engineering, and mathematics
education.”.

20 (b) REPORT.—

21 (1) IN GENERAL.—Not later than two years
22 after the date of the enactment of this Act, the Sec-
23 retary of Defense shall submit to the congressional
24 defense committees a report on any activities carried

1 out under section 2036 of title 10, United States
2 Code (as added by subsection (a)).

3 (2) CONGRESSIONAL DEFENSE COMMITTEES
4 DEFINED.—In this subsection, the term “congres-
5 sional defense committees” has the meaning given
6 that term in section 101(a)(16) of title 10, United
7 States Code.

8 **SEC. 512. MODIFICATION OF EDUCATION LOAN REPAY-**
9 **MENT PROGRAM FOR MEMBERS OF SE-**
10 **LECTED RESERVE.**

11 (a) MODIFICATION OF MAXIMUM REPAYMENT
12 AMOUNT.—Section 16301(b) of title 10, United States
13 Code, is amended by striking “15 percent or \$500” and
14 inserting “20 percent or \$1,000”.

15 (b) EFFECTIVE DATE AND APPLICABILITY.—The
16 amendment made by subsection (a) shall take effect on
17 the date of the enactment of this Act and shall apply with
18 respect to loan repayment under section 16301 of title 10,
19 United States Code, for eligible years of service completed
20 on or after the date of the enactment of this Act.

1 **SEC. 513. REQUIREMENT OF CONSENT OF THE CHIEF EXEC-**
2 **UTIVE OFFICER FOR CERTAIN FULL-TIME NA-**
3 **TIONAL GUARD DUTY PERFORMED IN A**
4 **STATE, TERRITORY, OR THE DISTRICT OF CO-**
5 **LUMBIA.**

6 Section 502(f)(2)(A) of title 32, United States Code,
7 is amended by inserting “and performed inside the United
8 States with the consent of the chief executive officer of
9 the State (as that term is defined in section 901 of this
10 title)” after “Defense”.

11 **SEC. 514. CONSTRUCTIVE CREDIT FOR CERTAIN MEMBERS**
12 **OF THE RESERVE COMPONENTS WHO CAN-**
13 **NOT COMPLETE MINIMUM ANNUAL TRAINING**
14 **REQUIREMENTS AS A RESULT OF THE COVID-**
15 **19 PANDEMIC.**

16 (a) **AUTHORITY.**—Under regulations prescribed by
17 the Secretary of Defense, the Secretary, in computing re-
18 tired pay pursuant to section 12733 of title 10, United
19 States Code, may approve constructive credit, in addition
20 to points earned under section 12732(a)(2) of such title,
21 for a member of the reserve components of the Armed
22 Forces who cannot complete minimum annual training re-
23 quirements due to cancellation or other extenuating cir-
24 cumstance arising from the covered national emergency.

25 (b) **REPORTING.**—

1 (1) REPORT REQUIRED.—Not later than one
2 year after the date on which the covered national
3 emergency ends, the Secretary of Defense shall sub-
4 mit to the congressional defense committees a report
5 on the use of the authority under subsection (a).

6 (2) ELEMENTS.—The report under this sub-
7 section shall include, with respect to each reserve
8 component, the following:

9 (A) The number of individuals granted
10 constructive credit as a result of a training can-
11 cellation.

12 (B) The number of individuals granted
13 constructive credit as a result of another ex-
14 tenuating circumstance.

15 (C) Recommendations of the Secretary
16 whether the authority under subsection (a)
17 should be made permanent and under what cir-
18 cumstances such permanent authority should
19 apply.

20 (3) PUBLICATION.—Not later than 30 days
21 after submitting the report under paragraph (1), the
22 Secretary shall—

23 (A) publish the report on a publicly acces-
24 sible website of the Department of Defense; and

1 **SEC. 516. DIRECT EMPLOYMENT PILOT PROGRAM FOR CER-**
2 **TAIN MEMBERS OF THE RESERVE COMPO-**
3 **NENTS.**

4 (a) IN GENERAL.—The Secretary of Defense may
5 carry out a pilot program to enhance the efforts of the
6 Department of Defense to provide job placement assist-
7 ance and related employment services directly to members
8 of the National Guard and Reserves in reserve active-sta-
9 tus.

10 (b) ADMINISTRATION.—Any such pilot program shall
11 be offered to, and administered by, the adjutants general
12 appointed under section 314 of title 32, United States
13 Code, or other officials in the States concerned designated
14 by the Secretary for purposes of the pilot program.

15 (c) COST-SHARING REQUIREMENT.—As a condition
16 on the provision of funds under this section to a State
17 to support the operation of the pilot program in that
18 State, the State must agree to contribute an amount, de-
19 rived from non-Federal sources, equal to at least 50 per-
20 cent of the funds provided by the Secretary to the State
21 under this section.

22 (d) DEVELOPMENT.—In developing any such pilot
23 program, the Secretary shall—

24 (1) incorporate elements of State direct employ-
25 ment programs for members of the reserve compo-
26 nents; and

1 (2) use resources provided to members of the
2 Armed Forces with civilian training opportunities
3 through the SkillBridge transition training program
4 administered by the Department of Defense.

5 (e) DIRECT EMPLOYMENT PROGRAM MODEL.—Any
6 such pilot program shall use a job placement program
7 model that focuses on working one-on-one with eligible
8 members to cost-effectively provide job placement services,
9 including—

10 (1) identifying unemployed and underemployed
11 individuals;

12 (2) job matching services;

13 (3) resume editing;

14 (4) interview preparation; and

15 (5) post-employment follow up.

16 (f) EVALUATION.—The Secretary shall develop out-
17 come metrics to evaluate the success of any such pilot pro-
18 gram.

19 (g) REPORTING.—

20 (1) REPORT REQUIRED.—If the Secretary car-
21 ries out the pilot Program, the Secretary of Defense
22 shall submit to the congressional defense committees
23 a report describing the results of the pilot program
24 not later than March 1, 2022. The Secretary shall

1 prepare the report in coordination with the Chief of
2 the National Guard Bureau.

3 (2) ELEMENTS.—A report under paragraph (1)
4 shall include the following:

5 (A) A description and assessment of the ef-
6 fectiveness and achievements of the pilot pro-
7 gram, including the number of members of the
8 reserve components of the Armed Forces hired
9 and the cost-per-placement of participating
10 members.

11 (B) An assessment of the effects of the
12 pilot program and increased reserve component
13 employment on the readiness of members of the
14 reserve components and on the retention of
15 members.

16 (C) A comparison of the pilot program to
17 other programs conducted by the Department
18 of Defense to provide unemployment or under-
19 employment support to members of the reserve
20 components of the Armed Forces, including the
21 best practices developed through and used in
22 such programs.

23 (D) Any other matters the Secretary of
24 Defense determines appropriate.

25 (h) DURATION; EXTENSION.—

1 (1) Subject to paragraph (2), the authority to
2 carry out the pilot program expires on September
3 30, 2024.

4 (2) The Secretary may elect to extend the pilot
5 program for not more than two additional fiscal
6 years.

7 **SEC. 517. TEMPORARY LIMITATION ON AUTHORITY TO**
8 **TRANSFER, RELOCATE, OR DISSOLVE ELE-**
9 **MENTS OF THE RESERVE COMPONENTS OF**
10 **THE AIR FORCE.**

11 (a) **LIMITATION.**—The Secretary of the Air Force
12 may not transfer or relocate any personnel or asset, or
13 dissolve any unit, of the Air National Guard or Air Force
14 Reserve until the latter of the following occurs:

15 (1) The day that is 180 days after the date on
16 which the Secretary of the Air Force submits the re-
17 port under subsection (b).

18 (2) The Chief of Space Operations certifies in
19 writing to the Secretary of the Air Force that plans
20 of the Secretary to establish the reserve components
21 of the Space Force shall not diminish space capa-
22 bility of the Department of the Air Force.

23 (b) **REPORT REQUIRED.**—Not later than January 31,
24 2021, the Secretary of the Air Force shall submit to the
25 Committees on Armed Services of the Senate and House

1 of Representatives a report regarding the plan of the Sec-
2 retary to establish the reserve components of the Space
3 Force. The report shall identify the following:

4 (1) The assumptions and factors used to de-
5 velop the plan.

6 (2) The members of the team that issued rec-
7 ommendations regarding the organization of such re-
8 serve components.

9 (3) The recommendations of the Secretary re-
10 garding the mission, organization, and unit retention
11 of such reserve components.

12 (4) The final organizational and integration
13 recommendations regarding such reserve compo-
14 nents.

15 (5) The proposed staffing and operational orga-
16 nization for such reserve components.

17 (6) The estimated date of implementation of
18 the plan.

19 (7) Any savings or costs arising from the pres-
20 ervation of existing space-related force structures in
21 the Air National Guard.

1 **SEC. 518. PILOT PROGRAMS IN CONNECTION WITH SROTC**
2 **UNITS AND CSPI PROGRAMS AT HISTORI-**
3 **CALLY BLACK COLLEGES AND UNIVERSITIES**
4 **AND MINORITY INSTITUTIONS.**

5 (a) PILOT PROGRAMS REQUIRED.—The Secretary of
6 Defense may carry out two pilot programs as follows:

7 (1) A pilot program, with elements as provided
8 for in subsection (c), at covered institutions in order
9 to assess the feasibility and advisability of mecha-
10 nisms to reduce barriers to participation in the Sen-
11 ior Reserve Officers' Training Corps at such institu-
12 tions by creating partnerships between satellite or
13 extension Senior Reserve Officers' Training Corps
14 units at such institutions and military installations.

15 (2) In consultation with the Secretary of Home-
16 land Security, a pilot program, with elements as pro-
17 vided for in subsection (d), in order to assess the
18 feasibility and advisability of the provision of finan-
19 cial assistance to members of the Senior Reserve Of-
20 ficers' Training Corps, and members of the Coast
21 Guard College Student Pre-Commissioning Initia-
22 tive, at covered institutions for participation in flight
23 training.

24 (b) DURATION.—The duration of each pilot program
25 under subsection (a) may not exceed five years.

1 (c) PILOT PROGRAM ON PARTNERSHIPS BETWEEN
2 SATELLITE OR EXTENSION SROTC UNITS AND MILITARY
3 INSTALLATIONS.—

4 (1) PARTICIPATING INSTITUTIONS.—The Sec-
5 retary of Defense shall carry out the pilot program
6 required by subsection (a)(1) at not fewer than five
7 covered institutions selected by the Secretary for
8 purposes of the pilot program.

9 (2) REQUIREMENTS FOR SELECTION.—Each
10 covered institution selected by the Secretary for pur-
11 poses of the pilot program under subsection (a)(1)
12 shall—

13 (A) currently maintain a satellite or exten-
14 sion Senior Reserve Officers' Training Corps
15 unit under chapter 103 of title 10, United
16 States Code, that is located more than 20 miles
17 from the host unit of such unit; or

18 (B) establish and maintain a satellite or
19 extension Senior Reserve Officers' Training
20 Corps unit that meets the requirements in sub-
21 paragraph (A).

22 (3) PREFERENCE IN SELECTION OF INSTITU-
23 TIONS.—In selecting covered institutions under this
24 subsection for participation in the pilot program
25 under subsection (a)(1), the Secretary shall give

1 preference to covered institutions that are located
2 within 20 miles of a military installation of the same
3 Armed Force as the host unit of the Senior Reserve
4 Officers' Training Corps of the covered institution
5 concerned.

6 (4) PARTNERSHIP ACTIVITIES.—The activities
7 conducted under the pilot program under subsection
8 (a)(1) between a satellite or extension Senior Re-
9 serve Officers' Training Corps unit and the military
10 installation concerned shall include such activities
11 designed to reduce barriers to participation in the
12 Senior Reserve Officers' Training Corps at the cov-
13 ered institution concerned as the Secretary considers
14 appropriate, including measures to mitigate travel
15 time and expenses in connection with receipt of Sen-
16 ior Reserve Officers' Training Corps instruction.

17 (d) PILOT PROGRAM ON FINANCIAL ASSISTANCE FOR
18 SROTC AND CSPI MEMBERS FOR FLIGHT TRAINING.—

19 (1) ELIGIBILITY FOR PARTICIPATION BY SROTC
20 AND CSPI MEMBERS.—A member of a Senior Re-
21 serve Officers' Training Corps unit, or a member of
22 a Coast Guard College Student Pre-Commissioning
23 Initiative program, at a covered institution may par-
24 ticipate in the pilot program under subsection (a)(2)
25 if the member meets such academic requirements at

1 the covered institution, and such other requirements,
2 as the Secretary shall establish for purposes of the
3 pilot program.

4 (2) PREFERENCE IN SELECTION OF PARTICI-
5 PANTS.—In selecting members under this subsection
6 for participation in the pilot program under sub-
7 section (a)(2), the Secretary shall give a preference
8 to members who will pursue flight training under the
9 pilot program at a covered institution.

10 (3) FINANCIAL ASSISTANCE FOR FLIGHT TRAIN-
11 ING.—

12 (A) IN GENERAL.—The Secretary may
13 provide any member of a Senior Reserve Offi-
14 cers' Training Corps unit or a College Student
15 Pre-Commissioning Initiative program who par-
16 ticipates in the pilot program under subsection
17 (a)(2) financial assistance to defray, whether in
18 whole or in part, the charges and fees imposed
19 on the member for flight training.

20 (B) FLIGHT TRAINING.—Financial assist-
21 ance may be used under subparagraph (A) for
22 a course of flight training only if the course
23 meets Federal Aviation Administration stand-
24 ards and is approved by the Federal Aviation

1 Administration and the applicable State approv-
2 ing agency.

3 (C) USE.—Financial assistance received by
4 a member under subparagraph (A) may be used
5 only to defray the charges and fees imposed on
6 the member as described in that subparagraph.

7 (D) CESSATION OF ELIGIBILITY.—Finan-
8 cial assistance may not be provided to a mem-
9 ber under subparagraph (A) as follows:

10 (i) If the member ceases to meet the
11 academic and other requirements estab-
12 lished pursuant to paragraph (1).

13 (ii) If the member ceases to be a
14 member of the Senior Reserve Officers'
15 Training Corps or the College Student
16 Pre-Commissioning Initiative, as applica-
17 ble.

18 (e) EVALUATION METRICS.—The Secretary of De-
19 fense shall establish metrics to evaluate the effectiveness
20 of the pilot programs under subsection (a).

21 (f) REPORTS.—

22 (1) INITIAL REPORT.—Not later than 180 days
23 after the commencement of the pilot programs under
24 subsection (a), the Secretary of Defense shall submit
25 to the Committees on Armed Services of the Senate

1 and the House of Representatives a report on the
2 pilot programs. The report shall include the fol-
3 lowing:

4 (A) A description of each pilot program,
5 including in the case of the pilot program under
6 subsection (a)(2) the requirements established
7 pursuant to subsection (d)(1).

8 (B) The evaluation metrics established
9 under subsection (e).

10 (C) Such other matters relating to the
11 pilot programs as the Secretary considers ap-
12 propriate.

13 (2) ANNUAL REPORT.—Not later than 90 days
14 after the end of each fiscal year in which the Sec-
15 retary carries out the pilot programs, the Secretary
16 shall submit to the Committees on Armed Services
17 of the Senate and the House of Representatives a
18 report on the pilot programs during such fiscal year.
19 Each report shall include, for the fiscal year covered
20 by such report, the following:

21 (A) In the case of the pilot program re-
22 quired by subsection (a)(1), a description of the
23 partnerships between satellite or extension Sen-
24 ior Reserve Officers' Training Corps units and
25 military installations under the pilot program.

1 (B) In the case of the pilot program re-
2 quired by subsection (a)(2), the following:

3 (i) The number of members of Senior
4 Reserve Officers' Training Corps units,
5 and the number of members of Coast
6 Guard College Student Pre-Commissioning
7 Initiative programs, at covered institutions
8 selected for purposes of the pilot program,
9 including the number of such members
10 participating in the pilot program.

11 (ii) The number of recipients of finan-
12 cial assistance provided under the pilot
13 program, including the number who—

14 (I) completed a ground school
15 course of instruction in connection
16 with obtaining a private pilot's certifi-
17 cate;

18 (II) completed flight training,
19 and the type of training, certificate, or
20 both received;

21 (III) were selected for a pilot
22 training slot in the Armed Forces;

23 (IV) initiated pilot training in the
24 Armed Forces; or

1 (V) successfully completed pilot
2 training in the Armed Forces.

3 (iii) The amount of financial assist-
4 ance provided under the pilot program,
5 broken out by covered institution, course of
6 study, and such other measures as the Sec-
7 retary considers appropriate.

8 (C) Data collected in accordance with the
9 evaluation metrics established under subsection
10 (e).

11 (3) FINAL REPORT.—Not later than 180 days
12 prior to the completion of the pilot programs, the
13 Secretary shall submit to the Committees on Armed
14 Services of the Senate and the House of Representa-
15 tives a report on the pilot programs. The report
16 shall include the following:

17 (A) A description of the pilot programs.

18 (B) An assessment of the effectiveness of
19 each pilot program.

20 (C) A description of the cost of each pilot
21 program, and an estimate of the cost of making
22 each pilot program permanent.

23 (D) An estimate of the cost of expanding
24 each pilot program throughout all eligible Sen-
25 ior Reserve Officers' Training Corps units and

1 College Student Pre-Commissioning Initiative
2 programs.

3 (E) Such recommendations for legislative
4 or administrative action as the Secretary con-
5 siders appropriate in light of the pilot pro-
6 grams, including recommendations for extend-
7 ing or making permanent the authority for each
8 pilot program.

9 (g) DEFINITIONS.—In this section:

10 (1) The term “covered institution” has the
11 meaning given that term in section 262(g)(2) of the
12 National Defense Authorization Act for Fiscal Year
13 2020 (Public Law 116–92).

14 (2) The term “flight training” means a course
15 of instruction toward obtaining any of the following:

16 (A) A private pilot’s certificate.

17 (B) A commercial pilot certificate.

18 (C) A certified flight instructor certificate.

19 (D) A multi-crew pilot’s license.

20 (E) A flight instrument rating.

21 (F) Any other certificate, rating, or pilot
22 privilege the Secretary considers appropriate for
23 purposes of this section.

1 (3) The term “military installation” means an
2 installation of the Department of Defense for the
3 regular components of the Armed Forces.

4 **Subtitle C—General Service Au-**
5 **thorities and Correction of Mili-**
6 **tary Records**

7 **SEC. 521. TEMPORARY AUTHORITY TO ORDER RETIRED**
8 **MEMBERS TO ACTIVE DUTY IN HIGH-DE-**
9 **MAND, LOW-DENSITY ASSIGNMENTS DURING**
10 **WAR OR NATIONAL EMERGENCY.**

11 Section 688a of title 10, United States Code, is
12 amended—

13 (1) by redesignating subsection (g) as sub-
14 section (h); and

15 (2) by inserting after subsection (f) the fol-
16 lowing new subsection:

17 “(g) EXCEPTION DURING PERIOD OF WAR OR NA-
18 TIONAL EMERGENCY.—The limitations in subsections (c)
19 and (f) shall not apply during time of war declared by
20 Congress or of national emergency declared by the Presi-
21 dent.”.

1 **SEC. 522. REENLISTMENT WAIVERS FOR PERSONS SEPA-**
2 **RATED FROM THE ARMED FORCES WHO COM-**
3 **MIT ONE MISDEMEANOR CANNABIS OFFENSE.**

4 (a) IN GENERAL.—Not later than 90 days after the
5 date of the enactment of this Act, the Secretary of Defense
6 shall prescribe regulations that permit any Secretary of
7 a military department to grant a reenlistment waiver to
8 a covered person if the Secretary determines that the reen-
9 listment of that covered person is vital to the national in-
10 terest.

11 (b) DEFINITIONS.—In this section:

12 (1) The term “covered person” means an indi-
13 vidual—

14 (A) who has been separated, discharged,
15 dismissed, or released from the Armed Forces;
16 and

17 (B) who has admitted to or been convicted
18 by a court of competent jurisdiction of a single
19 violation—

20 (i) of any law of a State or the United
21 States relating to the use or possession of
22 cannabis;

23 (ii) that constitutes a misdemeanor;
24 and

25 (iii) that occurred while that indi-
26 vidual was not performing active service.

1 (2) The terms “active service” and “military
2 department” have the meanings given such terms in
3 section 101 of title 10, United States Code.

4 **SEC. 523. REVIEW OF SEAMAN TO ADMIRAL-21 PROGRAM;**
5 **CREDIT TOWARDS RETIREMENT.**

6 (a) REVIEW.—The Secretary of the Navy shall review
7 personnel records of all participants in the Seaman to Ad-
8 miral-21 program during fiscal years 2010 through 2014
9 to determine whether each participant acknowledged, be-
10 fore entering a baccalaureate degree program, that service
11 during the baccalaureate degree program would not be in-
12 cluded when computing years of service for retirement.

13 (b) CREDIT.—For each participant described in sub-
14 section (a) for whom the Secretary cannot find evidence
15 of an acknowledgment described in that subsection, the
16 Secretary shall include service during the baccalaureate
17 degree program when computing—

18 (1) years of service; and

19 (2) retired or retainer pay.

20 (c) REPORT REQUIRED.—The Secretary shall submit
21 a report to the Committees on Armed Services of the Sen-
22 ate and House of Representatives regarding the results
23 of the review under subsection (a) and the number of par-
24 ticipants credited with service under subsection (b).

1 (d) DEADLINE.—The Secretary of the Navy shall
2 carry out this section not later than 180 days after the
3 date of the enactment of this Act.

4 **Subtitle D—Military Justice and**
5 **Other Legal Matters**

6 **SEC. 531. PUNITIVE ARTICLE ON VIOLENT EXTREMISM.**

7 (a) VIOLENT EXTREMISM.—

8 (1) IN GENERAL.—Subchapter X of chapter 47
9 of title 10, United States Code, is amended by in-
10 sserting after section 916 (article 116 of the Uniform
11 Code of Military Justice) the following new section
12 (article):

13 **“§ 916a. Art. 116a. Violent extremism**

14 “(a) PROHIBITION.—Any person subject to this chap-
15 ter who—

16 “(1) knowingly commits a covered offense
17 against—

18 “(A) the Government of the United States;

19 or

20 “(B) any person or class of people;

21 “(2)(A) with the intent to intimidate or coerce
22 any person or class of people; or

23 “(B) with the intent to influence, affect, or re-
24 taliate against the policy or conduct of the Govern-
25 ment of the United States or any State; and

1 “(3) does so—

2 “(A) to achieve political, ideological, reli-
3 gious, social, or economic goals; or

4 “(B) in the case of an act against a person
5 or class of people, for reasons relating to the
6 race, religion, color, ethnicity, sex, age, dis-
7 ability status, national origin, sexual orienta-
8 tion, or gender identity of the person or class
9 of people concerned;

10 is guilty of violent extremism and shall be punished as a
11 court-martial may direct.

12 “(b) ATTEMPTS, SOLICITATION, AND CONSPIRACY.—
13 Any person who attempts, solicits, or conspires to commit
14 an offense under this section shall be punished in the same
15 manner as a person who completes the offense.

16 “(c) DEFINITIONS.—In this section:

17 “(1) COVERED OFFENSE.—The term ‘covered
18 offense’ means—

19 “(A) loss, damage, destruction, or wrongful
20 disposition of military property of the United
21 States, in violation of section 908 of this title
22 (article 108);

23 “(B) waste, spoilage, or destruction of
24 property other than military property of the

1 United States, in violation of section 909 of this
2 title (article 109);

3 “(C) communicating threats, in violation of
4 section 915 of this title (article 115);

5 “(D) riot or breach of peace, in violation of
6 section 916 of this title (article 116);

7 “(E) provoking speech or gestures, in vio-
8 lation of section 917 of this title (article 117);

9 “(F) murder, in violation of section 918 of
10 this title (article 118);

11 “(G) manslaughter, in violation of section
12 919 of this title (article 119);

13 “(H) larceny or wrongful appropriation, in
14 violation of section 921 of this title (article
15 121);

16 “(I) robbery, in violation of section 922 of
17 this title (article 122);

18 “(J) kidnapping, in violation of section
19 925 of this title (article 125);

20 “(K) assault, in violation of section 928 of
21 this title (article 128);

22 “(L) conspiracy to commit an offense spec-
23 ified in any of subparagraphs (A) through (K),
24 as punishable under section 881 of this title
25 (article 81);

1 “(M) solicitation to commit an offense
2 specified in any of subparagraphs (A) through
3 (K), as punishable under section 882 of this
4 title (article 82); or

5 “(N) an attempt to commit an offense
6 specified in any of subparagraphs (A) through
7 (K), as punishable under section 880 of this
8 title (article 80).

9 “(2) STATE.—The term ‘State’ includes any
10 State of the United States, the District of Columbia,
11 the Commonwealth of Puerto Rico, and any other
12 possession or territory of the United States.”.

13 (2) CLERICAL AMENDMENT.—The table of sec-
14 tions at the beginning of such subchapter is amend-
15 ed by inserting after the item relating to section 916
16 (article 116) the following new item:

“916a. 116a. Violent extremism.”.

17 (b) EFFECTIVE DATE.—The amendments made by
18 subsection (a) shall take effect on the date of the enact-
19 ment of this Act and shall apply to offenses committed
20 on or after such date.

21 **SEC. 532. PRESERVATION OF COURT-MARTIAL RECORDS.**

22 Section 940a of title 10, United States Code (article
23 140a of the Uniform Code of Military Justice), is amended
24 by adding at the end the following new subsection:

1 “(d) **PRESERVATION OF COURT-MARTIAL RECORDS**
2 **WITHOUT REGARD TO OUTCOME.**—The standards and
3 criteria prescribed by the Secretary of Defense under sub-
4 section (a) shall provide for the preservation of general
5 and special court-martial records, without regard to the
6 outcome of the proceeding concerned, for not fewer than
7 15 years.”.

8 **SEC. 533. ELECTRONIC NOTARIZATION FOR MEMBERS OF**
9 **THE ARMED FORCES.**

10 Section 1044a of title 10, United States Code, is
11 amended by adding at the end the following new sub-
12 section:

13 “(e)(1) A person named in subsection (b) may exer-
14 cise the powers described in subsection (a) through elec-
15 tronic means, including under circumstances where the in-
16 dividual with respect to whom such person is performing
17 the notarial act is not physically present in the same loca-
18 tion as such person.

19 “(2) A determination of the authenticity of a notarial
20 act authorized in this section shall be made without regard
21 to whether the notarial act was performed through elec-
22 tronic means.

23 “(3) A log or journal of a notarial act authorized in
24 this section shall be considered for evidentiary purposes

1 without regard to whether the log or journal is in elec-
2 tronic form.”.

3 **SEC. 534. CLARIFICATIONS REGARDING SCOPE OF EMPLOY-**
4 **MENT AND REEMPLOYMENT RIGHTS OF MEM-**
5 **BERS OF THE UNIFORMED SERVICES.**

6 (a) CLARIFICATION REGARDING DEFINITION OF
7 RIGHTS AND BENEFITS.—Section 4303(2) of title 38,
8 United States Code, is amended—

9 (1) by inserting “(A)” before “The term”; and

10 (2) by adding at the end the following new sub-
11 paragraph:

12 “(B) Any procedural protections or provisions
13 set forth in this chapter shall also be considered a
14 right or benefit subject to the protection of this
15 chapter.”.

16 (b) CLARIFICATION REGARDING RELATION TO
17 OTHER LAW AND PLANS FOR AGREEMENTS.—Section
18 4302 of such title is amended by adding at the end the
19 following:

20 “(c)(1) Pursuant to this section and the procedural
21 rights afforded by subchapter III of this chapter, any
22 agreement to arbitrate a claim under this chapter is unen-
23 forceable, unless all parties consent to arbitration after a
24 complaint on the specific claim has been filed in court or
25 with the Merit Systems Protection Board and all parties

1 knowingly and voluntarily consent to have that particular
2 claim subjected to arbitration.

3 “(2) For purposes of this subsection, consent shall
4 not be considered voluntary when a person is required to
5 agree to arbitrate an action, complaint, or claim alleging
6 a violation of this chapter as a condition of future or con-
7 tinued employment, advancement in employment, or re-
8 ceipt of any right or benefit of employment.”.

9 **SEC. 535. ABSENTEE BALLOT TRACKING PROGRAM.**

10 (a) ESTABLISHMENT AND OPERATION OF PRO-
11 GRAM.—Section 102(h) of the Uniformed and Overseas
12 Citizens Absentee Voting Act (52 U.S.C. 20302(h)) is
13 amended to read as follows:

14 “(h) ABSENTEE BALLOT TRACKING PROGRAM.—

15 “(1) REQUIRING ESTABLISHMENT AND OPER-
16 ATION OF PROGRAM.—The chief State election offi-
17 cial, in coordination with local election jurisdictions,
18 shall establish and operate an absentee ballot track-
19 ing program described in paragraph (2) for the use
20 of absent uniformed services voters and overseas vot-
21 ers.

22 “(2) PROGRAM DESCRIBED.—

23 “(A) INFORMATION ON TRANSMISSION AND
24 RECEIPT OF ABSENTEE BALLOTS.—An absentee

1 ballot tracking program described in this para-
2 graph is a program under which—

3 “(i) the State or local election official
4 responsible for the transmission of absen-
5 tee ballots in an election for Federal office
6 operates procedures to track and confirm
7 the transmission of such ballots and to
8 make information on the transmission of
9 such a ballot available by means of online
10 access using the Internet site of the offi-
11 cial’s office; and

12 “(ii) the State or local election official
13 responsible for the receipt of absentee bal-
14 lots in an election for Federal office oper-
15 ates procedures to track and confirm the
16 receipt of such ballots and (subject to sub-
17 paragraph (B)) to make information on
18 the receipt of such a ballot available by
19 means of online access using the Internet
20 site of the official’s office.

21 “(B) SPECIFIC INFORMATION ON RECEIPT
22 OF VOTED ABSENTEE BALLOTS.—The informa-
23 tion required to be made available under clause
24 (ii) of subparagraph (A) with respect to the re-
25 ceipt of a voted absentee ballot in an election

1 for Federal office shall include information re-
2 garding whether the vote cast on the ballot was
3 counted, and, in the case of a vote which was
4 not counted, the reasons therefor. The appro-
5 priate State or local election official shall make
6 the information described in the previous sen-
7 tence available during the 30-day period that
8 begins on the date on which the results of the
9 election are certified, or during such earlier 30-
10 day period as the official may provide.

11 “(3) USE OF TOLL-FREE TELEPHONE NUMBER
12 BY OFFICIALS WITHOUT INTERNET SITE.—A pro-
13 gram established and operated by a State or local
14 election official whose office does not have an Inter-
15 net site may meet the requirements of paragraph (2)
16 if the official has established and operates a toll-free
17 telephone number that may be used to obtain the in-
18 formation on the transmission or receipt of the ab-
19 sentee ballot which is required under such para-
20 graph.”.

21 (b) EFFECTIVE DATE.—The amendment made by
22 subsection (a) shall apply with respect to an election held
23 during 2022 or any succeeding year.

1 **SEC. 536. TRACKING MECHANISM AND REPORTING RE-**
2 **QUIREMENTS FOR SUPREMACIST, EXTREM-**
3 **IST, AND CRIMINAL GANG ACTIVITY IN THE**
4 **ARMED FORCES.**

5 (a) **PROCESS REQUIRED.**—The Secretary of Defense
6 shall develop and implement a process to track investiga-
7 tions, criminal and administrative actions, and final deter-
8 minations with respect to conduct of members of the cov-
9 ered Armed Forces that is prohibited under Department
10 of Defense Instruction 1325.06, titled “Handling Dis-
11 sident and Protest Activities Among Members of the
12 Armed Forces”, or any successor instruction.

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

15 (1) A mechanism that military criminal inves-
16 tigative organizations may use—

17 (A) to track criminal investigations into
18 the prohibited conduct described in subsection
19 (a), including a mechanism to track those inves-
20 tigations that are forwarded to commanders for
21 administrative action;

22 (B) to provide relevant information from
23 criminal investigations and administrative ac-
24 tions to civilian law enforcement agencies; and

1 (C) to track final administrative actions
2 taken with respect to investigations that are re-
3 ferred to commanders.

4 (2) A mechanism commanders may use to pro-
5 vide information to military criminal investigative or-
6 ganizations on any serious conduct under consider-
7 ation for administrative action or any final adminis-
8 trative actions taken with respect to the prohibited
9 conduct described in subsection (a).

10 (3) A standardized database, shared among the
11 covered Armed Forces, to ensure that the tracking
12 required under subsection (a) is carried out in the
13 same manner across such Armed Forces.

14 (c) REPORT.—Not later than December 1 of each
15 year beginning after the date of the enactment of this Act,
16 the Secretary of Defense shall submit to the appropriate
17 congressional committees a report on the process imple-
18 mented under subsection (a). Each report shall include—

19 (1) the number of investigations, criminal and
20 administrative actions, and final determinations
21 tracked over the preceding year; and

22 (2) of the actions enumerated under paragraph
23 (1), the number of instances in which information on
24 the conduct of a member of the covered Armed

1 Forces was referred to civilian law enforcement
2 agencies as a result of the investigation or action.

3 (d) DEFINITIONS.—In this section:

4 (1) The term “appropriate congressional com-
5 mittees” means—

6 (A) the Committee on the Judiciary and
7 the Committee on Armed Services of the Sen-
8 ate; and

9 (B) the Committee on the Judiciary and
10 the Committee on Armed Services of the House
11 of Representatives.

12 (2) The term “covered Armed Forces” means
13 the Army, the Navy, the Air Force, and the Marine
14 Corps.

15 **SEC. 537. MILITARY-CIVILIAN TASK FORCE ON DOMESTIC**
16 **VIOLENCE AND RELATED INFORMATION COL-**
17 **LECTION ACTIVITIES.**

18 (a) MILITARY-CIVILIAN TASK FORCE ON DOMESTIC
19 VIOLENCE.—

20 (1) ESTABLISHMENT.—The Secretary of De-
21 fense shall establish a military-civilian task force on
22 domestic violence (in this section, referred to as the
23 “Task Force”).

24 (2) DUTIES.—The duties of the Task Force
25 shall be to analyze and develop recommendations,

1 for implementation by the Secretary, with respect to
2 each of the following:

3 (A) The risk of domestic violence at var-
4 ious stages of military service, including identi-
5 fication of—

6 (i) stages at which there is a higher
7 than average risk of domestic violence; and

8 (ii) stages at which the implementa-
9 tion of domestic violence prevention strate-
10 gies may have the greatest preventive ef-
11 fect.

12 (B) The use and dissemination of domestic
13 violence prevention resources throughout the
14 stages of military service including providing
15 new service members with training in domestic
16 violence prevention.

17 (C) How to best target prevention re-
18 sources to address those with a higher risk of
19 domestic violence.

20 (D) The implementation of strategies to
21 prevent domestic violence by training, edu-
22 cating, and assigning prevention-related respon-
23 sibilities to—

24 (i) commanders;

1 (ii) medical, behavioral, and mental
2 health service providers;

3 (iii) family advocacy representatives;

4 (iv) Military Family Life Consultants;

5 and

6 (v) other individuals and entities with
7 responsibilities that may be relevant to ad-
8 dressing domestic violence.

9 (E) The efficacy of providing survivors of
10 domestic violence with the option to request ex-
11 pedited transfers, and the effects of such trans-
12 fers.

13 (F) Improvements to procedures for re-
14 porting appropriate legal actions to the Na-
15 tional Crime Information Center and the effi-
16 cacy of such procedures.

17 (G) The effects of domestic violence on—

18 (i) housing for military families;

19 (ii) the education of military depend-
20 ent children;

21 (iii) servicemember work assignments
22 and careers; and

23 (iv) the health of servicemembers and
24 their families, including short-term and

1 long-term health effects and effects on
2 mental health.

3 (H) Age-appropriate training and edu-
4 cation programs for students attending schools
5 operated by the Department of Defense Edu-
6 cation Activity that are designed to assist such
7 students in learning positive relationship behav-
8 iors in families and with intimate partners.

9 (I) The potential effects of requiring mili-
10 tary protective orders to be issued by a military
11 judge and whether such a requirement would
12 increase the enforcement of military protective
13 orders by civilian law enforcement agencies out-
14 side the boundaries of military installations.

15 (J) Whether prevention of domestic vio-
16 lence would be enhanced by raising the disposi-
17 tion authority for offenses of domestic violence
18 to an officer who is—

19 (i) in the grade of 0–6 or above;

20 (ii) in the chain of command of the
21 accused; and

22 (iii) authorized by chapter 47 of title
23 10, United States Code (the Uniform Code
24 of Military Justice) to convene special
25 courts martial.

1 (K) Consideration of any other matters
2 that the Task Force determines to be relevant
3 to—

4 (i) decreasing the frequency of domes-
5 tic violence committed by or upon members
6 of the covered Armed Forces and their de-
7 pendants; and

8 (ii) reducing the severity of such vio-
9 lence.

10 (3) MEMBERSHIP.—The Task Force shall be
11 composed of the following members:

12 (A) One or more representatives of family
13 advocacy programs of the Department of De-
14 fense.

15 (B) One or more representatives of the De-
16 fense Advisory Committee on Women in the
17 Services.

18 (C) One or more medical personnel of the
19 Department of Defense.

20 (D) One or more Judge Advocates Gen-
21 eral.

22 (E) One or more military police or other
23 law enforcement personnel of the covered
24 Armed Forces.

25 (F) One or more military commanders.

1 (G) One or more individuals whose duties
2 include planning, executing, and evaluating
3 training of the covered Armed Forces.

4 (H) Civilians who are experts on domestic
5 violence or who provide services relating to do-
6 mestic violence, including—

7 (i) not fewer than two representatives
8 from the national domestic violence re-
9 source center and the special issue re-
10 source centers referred to in section 310 of
11 the Family Violence Prevention and Serv-
12 ices Act (42 U.S.C. 10410);

13 (ii) not fewer than two representatives
14 from national domestic violence organiza-
15 tions;

16 (iii) not fewer than two representa-
17 tives from State domestic violence and sex-
18 ual assault coalitions; and

19 (iv) not fewer than two domestic vio-
20 lence service providers who provide services
21 in communities located near military in-
22 stallations.

23 (I) One or more representatives who are
24 subject matter experts on—

1 (i) scientific and other research relat-
2 ing to domestic violence; and

3 (ii) science-based strategies for the
4 prevention, intervention, and response to
5 domestic violence.

6 (J) Civilian law enforcement personnel.

7 (K) One or more representatives from the
8 Office on Violence Against Women of the De-
9 partment of Justice.

10 (L) One or more representatives of the
11 Family Violence Prevention and Services Pro-
12 gram of the Department of Health and Human
13 Services.

14 (M) One or more representatives from the
15 Centers for Disease Control and Prevention.

16 (4) APPOINTMENT BY SECRETARY OF DE-
17 FENSE.—

18 (A) IN GENERAL.—The Secretary of De-
19 fense shall appoint the members of the Task
20 Force specified in subparagraphs (A) through
21 (M) of paragraph (3).

22 (B) CONSULTATION.—

23 (i) CONSULTATION WITH ATTORNEY
24 GENERAL.—In appointing members under
25 subparagraph (K) of paragraph 3, the Sec-

1 retary of Defense shall consult with the At-
2 torney General.

3 (ii) CONSULTATION WITH SECRETARY
4 OF HHS.—In appointing members under
5 subparagraphs (L) and (M) of such para-
6 graph, the Secretary shall consult with the
7 Secretary of Health and Human Services

8 (C) INCLUSION OF CERTAIN PER-
9 SONNEL.—The Secretary shall ensure that the
10 members appointed by the Secretary under this
11 subparagraph include—

12 (i) representatives of the Office of the
13 Secretary of Defense;

14 (ii) general and flag officers;

15 (iii) noncommissioned officers; and

16 (iv) other enlisted personnel of the
17 covered Armed Forces.

18 (5) TOTAL NUMBER OF MEMBERS.—The total
19 number of members appointed to the Task Force
20 shall be not more than 25.

21 (6) CHAIRPERSON.—

22 (A) NOMINEE LIST.—On an annual basis,
23 the Task Force shall submit to the Secretary a
24 list of members of the Task Force who may be

1 considered for the position of chairperson of the
2 Task Force.

3 (B) SELECTION.—From the list submitted
4 to the Secretary under subparagraph (A) for
5 each year, the Secretary of Defense shall des-
6 ignate one member of the Task Force to serve
7 as the chairperson of the Task Force.

8 (C) TERM.—The chairperson designated
9 by the Secretary under subparagraph (B) shall
10 serve for a term of one year and may serve for
11 additional terms of one year if redesignated as
12 the chairperson by the Secretary under such
13 subparagraph.

14 (7) MEETINGS.—The first meeting of the Task
15 Force shall convene not later than 180 days after
16 the date of the enactment of this Act. Thereafter,
17 the task Force shall meet in plenary session not less
18 frequently than once annually.

19 (8) COMPENSATION AND TRAVEL EXPENSES.—
20 Each member of the Task Force shall serve without
21 compensation (other than the compensation to which
22 such member may be entitled as a member of the
23 covered Armed Forces or an officer or employee of
24 the United States, as the case may be), but shall be
25 allowed travel expenses, including per diem in lieu of

1 subsistence, at rates authorized for employees of
2 agencies under subchapter I of chapter 57 of title 5,
3 United States Code, while away from the member's
4 home or regular places of business in the perform-
5 ance of services for the Task Force.

6 (9) SITE VISITS.—In the carrying out the du-
7 ties described in paragraph (2), members of the
8 Task Force shall—

9 (A) on an annual basis, visit one or more
10 military installations outside the United States;
11 and

12 (B) on a semiannual basis, visit one or
13 more military installations within the United
14 States.

15 (10) OVERSIGHT AND ADMINISTRATION.—The
16 Secretary of Defense shall designate an appropriate
17 organization within the Office of the Secretary of
18 Defense to—

19 (A) provide oversight of the Task Force;

20 (B) provide the Task Force with the per-
21 sonnel, facilities, and other administrative sup-
22 port that is necessary for the performance of
23 the Task Force's duties; and

24 (C) on a rotating basis, direct the Sec-
25 retary of each military department to—

1 (i) coordinate visits of the Task Force
2 to military installations; and

3 (ii) provide administrative, logistical,
4 and other support for the meetings of the
5 Task Force.

6 (11) REPORTS.—

7 (A) REPORTS TO SECRETARY.—

8 (i) INITIAL REPORT.—Not later than
9 one year after the date on which the mem-
10 bers of the Task Force are appointed
11 under paragraph (3), the Task Force shall
12 submit to the Secretary of Defense rec-
13 ommendations with respect to each matter
14 described in paragraph (2).

15 (ii) SUBSEQUENT REPORTS.—After
16 submitting the initial report under sub-
17 paragraph (A), the Task Force shall, from
18 time to time, submit to the Secretary of
19 Defense such analyses and recommenda-
20 tions as the Task Force considers appro-
21 priate to improve the effectiveness of the
22 covered Armed Forces in responding to
23 and preventing domestic violence.

24 (B) REPORTS TO CONGRESS.—On an an-
25 nual basis until the date on which the Task

1 Force terminates under paragraph (12), the
2 Task Force shall submit to Congress a report
3 that includes—

4 (i) a description of any improvements
5 in the response of the covered Armed
6 Forces to domestic violence over the pre-
7 ceding year;

8 (ii) an explanation of any pending re-
9 search on domestic violence that may be
10 relevant to domestic violence involving
11 members of the covered Armed Forces;
12 and

13 (iii) such analyses and recommenda-
14 tions as the Task Force considers appro-
15 priate to improve the effectiveness of the
16 covered Armed Forces in responding to
17 and preventing domestic violence

18 (12) TERMINATION.—

19 (A) IN GENERAL.—Except as provided in
20 subparagraph (B), the Task Force shall termi-
21 nate on the date that is five years after the
22 date of the first meeting of the Task Force.

23 (B) CONTINUATION.—

24 (i) IN GENERAL.—Subject to clause

25 (ii), the Secretary of Defense may continue

1 the Task Force for a period of up to two
2 years after the termination date applicable
3 under subparagraph (A) if the Secretary
4 determines that continuation of the Task
5 Force is advisable and appropriate.

6 (ii) NOTICE TO CONGRESS.—If the
7 Secretary determines to continue the Task
8 Force under clause (i), not later than 90
9 days before the termination date applicable
10 under subparagraph (A) and annually
11 thereafter until the new date of the termi-
12 nation of the Task Force, the Secretary
13 shall submit to the Committees on Armed
14 Services of the Senate and the House of
15 Representatives a notice describing the
16 reasons for the continuation and con-
17 firming the new termination date.

18 (13) IMPLEMENTATION OF RECOMMENDA-
19 TIONS.—

20 (A) IN GENERAL.—Except as provided in
21 subparagraph (B), not later than 180 days
22 after the date on which the Secretary of De-
23 fense receives the initial report of the Task
24 Force under paragraph (11)(A)(i), the Sec-
25 retary shall, in consultation with the Task

1 Force, implement the recommendations of the
2 Task Force with respect to each matter de-
3 scribed in paragraph (2).

4 (B) WAIVER.—The Secretary of Defense
5 may waive the requirement under subparagraph
6 (A) with respect to a recommendation of the
7 Task force by submitting to the Committees on
8 Armed Services of the Senate and the House of
9 Representatives a written notification setting
10 forth the reasons for the Secretary's decision
11 not to implement the recommendation.

12 (b) INFORMATION COLLECTION AND REPORTING.—

13 (1) INFORMATION COLLECTION.—

14 (A) REGULAR INFORMATION COLLEC-
15 TION.—Using the mechanism developed under
16 subparagraph (B), the Secretary of Defense
17 shall regularly collect information to measure
18 the prevalence of domestic violence involving
19 members of the covered Armed Forces, their in-
20 timate partners, and immediate family mem-
21 bers.

22 (B) MECHANISM TO MEASURE DOMESTIC
23 VIOLENCE.—The Secretary of Defense, in co-
24 ordination with the Centers for Disease Control
25 and civilian organizations with expertise in con-

1 ducting informational surveys, shall develop a
2 mechanism to carry out the information collec-
3 tion required under subparagraph (A).

4 (2) ANNUAL REPORT ON DOMESTIC VIO-
5 LENCE.—

6 (A) REPORT REQUIRED.—On an annual
7 basis, the Secretary of Defense shall submit to
8 the congressional defense committees a report
9 on domestic violence in the covered Armed
10 Forces.

11 (B) ELEMENTS.—The report required
12 under subparagraph (A) shall include, with re-
13 spect to the year covered by the report, the fol-
14 lowing:

15 (i) Based on the information collected
16 under paragraph (1), an assessment of the
17 prevalence of domestic violence involving
18 members of the covered Armed Forces,
19 their intimate partners, and immediate
20 family members.

21 (ii) The number of convictions under
22 section 928b of title 10, United States
23 Code (article 128b of the Uniform Code of
24 Military Justice).

1 (iii) The recidivism rate for members
2 of the covered Armed Forces convicted of
3 domestic violence offenses.

4 (iv) The number instances in which a
5 member of the covered Armed Forces re-
6 ceived an administrative discharge as a re-
7 sult of the member's involvement in a do-
8 mestic violence incident.

9 (v) The number of instances in which
10 a member of the covered Armed Forces
11 was prohibited from possessing firearms as
12 a result of the member's conviction for a
13 domestic violence offense.

14 (vi) Of the incidents described in
15 clause (v), the number of instances in
16 which the member received a waiver of
17 such prohibition or was otherwise allowed
18 to access firearms for duty purposes.

19 (vii) An explanation of the status of
20 data sharing between the Department of
21 Defense and civilian law enforcement agen-
22 cies on matters relating to domestic vio-
23 lence.

1 (c) COVERED ARMED FORCES DEFINED.—In this
2 section, the term “covered Armed Forces” means the
3 Army, the Navy, the Air Force, and the Marine Corps.

4 **SEC. 538. ACTIONS TO ADDRESS MILITARY-CONNECTED**
5 **CHILD ABUSE.**

6 (a) IN GENERAL.—Consistent with the recommenda-
7 tions of the Government Accountability Office in the re-
8 port titled “Increased Guidance and Collaboration Needed
9 to Improve DOD’s Tracking and Response to Child
10 Abuse” (GAO–20–110), the Secretary of Defense shall
11 carry out activities to improve the ability of the Depart-
12 ment of Defense to effectively prevent, track, and respond
13 to military-connected child abuse.

14 (b) ACTIVITIES REQUIRED.—The activities carried
15 out under subsection (a) shall include the following:

16 (1) The Secretary of Defense shall expand the
17 scope of the Department of Defense’s centralized
18 database on problematic sexual behavior in children
19 and youth to track information on all incidents in-
20 volving child abuse reported to a Family Advocacy
21 Program or investigated by a military law enforce-
22 ment organization, regardless of whether the pepe-
23 trator of the abuse is another child, an adult, or a
24 person in a noncaregiving role at the time of the in-
25 cident.

1 (2) The Secretary of Defense, in consultation
2 with the Secretary of each military department, shall
3 ensure—

4 (A) that each Family Advocacy Program
5 records, in a database of the Program, the date
6 on which the Program notified a military law
7 enforcement organization of a reported incident
8 of child abuse; and

9 (B) that each military law enforcement or-
10 ganization records, in a database of the organi-
11 zation, the date on which the organization noti-
12 fied a Family Advocacy Program of a reported
13 incident of child abuse.

14 (3) The Secretary of Defense, in consultation
15 with the Secretary of each military department, shall
16 issue guidance that clarifies the process through
17 which the Family Advocacy Program of a covered
18 Armed Force will receive, and incorporate into the
19 Program's central registry, information regarding
20 child abuse allegations involving members of that a
21 covered Armed Force and dependents of such mem-
22 bers in cases in which such allegations were pre-
23 viously recorded by the Family Advocacy Program of
24 another covered Armed Force. Such guidance shall

1 include a mechanism for monitoring the process to
2 ensure that the process is carried out consistently.

3 (4) Each covered Armed Force shall develop a
4 process to monitor how reported incidents of child
5 abuse are screened at military installations to help
6 ensure that all reported child abuse incidents that
7 should be presented to an Incident Determination
8 Committee are consistently presented and tracked.

9 (5) The Secretary of Defense shall ensure that
10 the Under Secretary of Defense for Personnel and
11 Readiness, in consultation with the Director of the
12 Department of Defense Education Activity, clarifies
13 Department of Defense Education Activity guidance
14 to define what types of child abuse incidents must
15 be reported as serious incidents to help ensure that
16 all serious incidents of which Department of Defense
17 Education Activity leadership needs to be informed
18 are accurately and consistently reported by school
19 administrators.

20 (6) The Secretary of Defense, in consultation
21 with the Secretaries of the military departments,
22 shall—

23 (A) expand the voting membership of each
24 Incident Determination Committee to include

1 medical personnel with requisite knowledge and
2 experience; and

3 (B) ensure, to the extent practicable, that
4 voting membership of a Committee includes
5 medical personnel with expertise in pediatric
6 medicine in cases in which a reported incident
7 of child abuse is under review by the Com-
8 mittee.

9 (7) Each covered Armed Force shall implement
10 procedures to provide the families of child abuse vic-
11 tims with comprehensive information on how re-
12 ported incidents of child abuse will be addressed.
13 Such practices may include the development of a
14 guide that—

15 (A) explains the processes the Family Ad-
16 vocacy Program and military law enforcement
17 organizations will follow to address the report;
18 and

19 (B) identifies services and other resources
20 available to victims and their families.

21 (8) The Secretary of Defense, in consultation
22 with the Secretaries of the military departments,
23 shall issue guidance to clarify the circumstances
24 under which military commanders may exercise the
25 authority to remove a child from a potentially unsafe

1 home on a military installation outside the United
2 States.

3 (9) The Secretary of Defense shall ensure that
4 the Under Secretary of Defense for Personnel and
5 Readiness, in consultation with the Director of the
6 Defense Health Agency, establishes processes that
7 help ensure children who are sexually abused outside
8 the United States have timely access to a certified
9 pediatric sexual assault forensic examiner to conduct
10 an examination. Such processes may include certi-
11 fying pediatricians, or adult sexual assault forensic
12 examiners who have pediatric sexual assault nurse
13 examiner training in a multidisciplinary team set-
14 ting, as pediatric examiners during mandatory train-
15 ing or establishing shared regional assets.

16 (10) The Secretary of Defense, in consultation
17 with the Deputy Attorney General, shall establish
18 procedures for military criminal investigative organi-
19 zations to communicate with United States Attor-
20 neys, State Attorneys General, and local prosecutors
21 for relevant cases involving child victims, including
22 establishing protocols that—

23 (A) ensure that military investigators are
24 notified when a prosecution is declined;

1 (B) provide notice to victims of the status
2 of prosecutions and, as applicable, the reasons
3 for the declination to prosecute;

4 (C) arrange for specialized victim services
5 outside of the Department of Defense to be pro-
6 vided to juvenile victims to the extent possible;

7 (D) facilitate legal assistance or other civil
8 legal aid services to juvenile victims; and

9 (E) ensure that juveniles accused of crimes
10 are, to the extent possible, provided defense
11 counsel who are trained in representing juve-
12 niles.

13 (11) The Secretary of each military department
14 shall seek to develop a memorandum of under-
15 standing with the National Children's Alliance that
16 makes children's advocacy center services and proto-
17 cols available to all military installations of the de-
18 partment and increases awareness of those services
19 across the department.

20 (c) DEADLINE.—The Secretary of Defense shall
21 carry out the activities described in subsection (b) not
22 later than one year after the date of the enactment of this
23 Act.

24 (d) DEFINITIONS.—In this section:

1 (1) The term “child abuse” means any abuse of
2 a child (including physical abuse, sexual abuse, emo-
3 tional abuse, and neglect) regardless of whether the
4 perpetrator of the abuse is another child, an adult,
5 or a person in a noncaregiving role.

6 (2) The term “covered Armed Forces” means
7 the Army, Navy, Air Force, Marine Corps, and
8 Space Force.

9 (3) The term “Incident Determination Com-
10 mittee” means a committee established at a military
11 installation that is responsible for reviewing reported
12 incidents of child abuse and determining whether
13 such incidents constitute child abuse according to
14 the applicable criteria of the Department of Defense.

15 (4) The term “military-connected”, when used
16 with respect to child abuse, means child abuse occur-
17 ring on a military installation or involving a depend-
18 ent of a member of the covered Armed Forces.

19 **SEC. 539. MULTIDISCIPLINARY BOARD TO EVALUATE SUI-**
20 **CIDE EVENTS.**

21 (a) **GUIDANCE REQUIRED.**—The Secretary of De-
22 fense shall issue guidance that requires each suicide event
23 involving of a member of a covered Armed Force to be
24 reviewed by a multidisciplinary board established at the
25 command or installation level. Such guidance shall require

1 that, for each suicide event reviewed by such a board, the
2 board will—

3 (1) clearly define the objective, purpose, and
4 outcome of the review;

5 (2) take a multidisciplinary approach to the re-
6 view and include, as part of the review process, lead-
7 ers of military units, medical and mental health pro-
8 fessionals, and representatives of military criminal
9 investigative organizations;

10 (3) obtain the data necessary to make a com-
11 prehensive Department of Defense suicide event re-
12 port submission; and

13 (4) take appropriate steps to protect and share
14 information obtained from ongoing investigations
15 into the event (such as medical and law enforcement
16 reports).

17 (b) IMPLEMENTATION BY COVERED ARMED
18 FORCES.—Not later than 90 days after the date on which
19 the guidance is issued under subsection (a), the chiefs of
20 the covered Armed Forces shall implement the guidance.

21 (c) PROGRESS REPORT.—Not later than 180 days
22 after the date of the enactment of this Act, the Secretary
23 of Defense shall submit to the congressional defense com-
24 mittees a report on the progress of the Secretary in imple-
25 menting the guidance required under subsection (a).

1 (d) COVERED ARMED FORCES DEFINED.—In this
2 section, the term “covered Armed Forces” means the
3 Army, Navy, Air Force, Marine Corps, and Space Force.

4 **Subtitle E—Sexual Assault**

5 **SEC. 541. PROTECTION OF ATTORNEY-CLIENT PRIVILEGE** 6 **BETWEEN VICTIMS AND SPECIAL VICTIMS’** 7 **COUNSEL.**

8 (a) SPECIAL VICTIMS’ COUNSEL.—Subsection (c) of
9 section 1044e of title 10, United States Code, is amended
10 to read as follows:

11 “(c) NATURE OF RELATIONSHIP.—

12 “(1) ATTORNEY-CLIENT RELATIONSHIP.—The
13 relationship between a Special Victims’ Counsel and
14 a victim in the provision of legal advice and assist-
15 ance shall be the relationship between an attorney
16 and client.

17 “(2) TESTIMONY IN LEGAL PROCEEDINGS.—
18 During any criminal legal proceeding in which a
19 Special Victims’ Counsel is asked to testify or give
20 evidence, the Special Victims’ Counsel shall be given
21 the same consideration as counsel for the Govern-
22 ment and counsel for the accused.”.

23 (b) REVISION TO MILITARY RULES OF EVIDENCE.—
24 Not later than 180 days after the date of the enactment
25 of this Act, Rule 502 of the Military Rules of Evidence

1 shall be modified to provide that the privilege between a
2 Special Victims' Counsel and a client shall be the same
3 as lawyer-client privilege.

4 **SEC. 542. AUTHORITY OF MILITARY JUDGES AND MILITARY**
5 **MAGISTRATES TO ISSUE MILITARY COURT**
6 **PROTECTIVE ORDERS.**

7 (a) JUDGE-ISSUED MILITARY COURT PROTECTIVE
8 ORDERS.—Chapter 80 of title 10, United States Code, is
9 amended by adding at the end the following new section
10 **“§ 1567b. Authority of military judges and military**
11 **magistrates to issue military court pro-**
12 **TECTIVE ORDERS**

13 “(a) AUTHORITY TO ISSUE MILITARY COURT PRO-
14 TECTIVE ORDERS.—The President shall prescribe regula-
15 tions authorizing military judges and military magistrates
16 to issue protective orders in accordance with this section.
17 A protective order issued in accordance with this section
18 shall be known as a ‘military court protective order’.
19 Under the regulations prescribed by the President, mili-
20 tary judges and military magistrates shall have exclusive
21 jurisdiction over the issuance, appeal, renewal, and termi-
22 nation of military court protective orders and such orders
23 may not be issued, appealed, renewed, or terminated by
24 State, local, territorial, or tribal courts.

25 “(b) ENFORCEMENT BY CIVILIAN AUTHORITIES.—

1 “(1) IN GENERAL.—In prescribing regulations
2 for military court protective orders, the President
3 shall seek to ensure that the protective orders are
4 issued in a form and manner that is enforceable by
5 State, local, territorial, and tribal civilian law en-
6 forcement authorities.

7 “(2) FULL FAITH AND CREDIT.—Any military
8 court protective order, should be accorded full faith
9 and credit by the court of a State, local, territorial,
10 or tribal jurisdiction (the enforcing jurisdiction) and
11 enforced by the court and law enforcement personnel
12 of that jurisdiction as if it were the order of the en-
13 forcing jurisdiction.

14 “(3) RECIPROCITY AGREEMENTS.—Consistent
15 with paragraphs (1) and (2), the Secretary of De-
16 fense shall seek to enter into reciprocity agreements
17 with State, local, territorial, and tribal civilian law
18 enforcement authorities under which—

19 “(A) such authorities agree to enforce mili-
20 tary court protective orders; and

21 “(B) the Secretary agrees to enforce pro-
22 tective orders issued by such authorities that
23 are consistent with section 2265(b) of title 18.

24 “(c) PURPOSE AND FORM OF ISSUANCE.—A military
25 court protective order may be issued for the purpose of

1 protecting a victim of an alleged sex or domestic violence
2 offense, or a family member or associate of the victim,
3 from a person subject to chapter 47 of this title (the Uni-
4 form Code of Military Justice) who is alleged to have com-
5 mitted such an offense.

6 “(d) TIMING AND MANNER OF ISSUANCE.—A mili-
7 tary court protective order may be issued—

8 “(1) by a military magistrate, before referral of
9 charges and specifications to court-martial for trial,
10 at the request of—

11 “(A) a victim of an alleged sex or domestic
12 violence offense; or

13 “(B) a Special Victims’ Counsel or other
14 qualified counsel acting on behalf of the victim;
15 or

16 “(2) by a military judge, after referral of
17 charges and specifications to court-martial for trial,
18 at the request of qualified counsel, which may in-
19 clude a Special Victims’ Counsel acting on behalf of
20 the victim or trial counsel acting on behalf of the
21 prosecution.

22 “(e) DURATION AND RENEWAL OF PROTECTIVE
23 ORDER.—

24 “(1) DURATION.—A military court protective
25 order shall be issued for an initial period of thirty

1 days and may be reissued for one or more additional
2 periods of thirty days in accordance with paragraph
3 (2).

4 “(2) EXPIRATION AND RENEWAL.—Before the
5 expiration of any 30 day period during which a mili-
6 tary court protective order is in effect, a military
7 judge or military magistrate shall review the order
8 to determine whether the order will terminate at the
9 expiration of such period or be reissued for an addi-
10 tional period of 30 days.

11 “(3) NOTICE TO PROTECTED PERSONS.—If a
12 military judge or military magistrate determines
13 under paragraph (2) that a military court protective
14 order will terminate, the judge or magistrate con-
15 cerned shall provide to each person protected by the
16 order reasonable, timely, and accurate notification of
17 the termination.

18 “(f) REVIEW OF MAGISTRATE-ISSUED ORDERS.—

19 “(1) REVIEW.—A military judge, at the request
20 of the person subject to a military court protective
21 order that was issued by a military magistrate, may
22 review the order to determine if the order was prop-
23 erly issued by the magistrate.

24 “(2) STANDARDS OF REVIEW.—A military
25 judge who reviews an order under paragraph (1)

1 shall terminate the order if the judge determines
2 that—

3 “(A) the military magistrate’s decision to
4 issue the order was an abuse of discretion, and
5 there is not sufficient information presented to
6 the military judge to justify the order; or

7 “(B) information not presented to the mili-
8 tary magistrate establishes that the military
9 court protective order should be terminated.

10 “(g) DUE PROCESS.—

11 “(1) PROTECTION OF DUE PROCESS.—Except
12 as provided in paragraph (2), a protective order au-
13 thorized under subsection (a) may be issued only
14 after reasonable notice and opportunity to be heard,
15 directly or through counsel, is given to the person
16 against whom the order is sought sufficient to pro-
17 tect that person’s right to due process.

18 “(2) EMERGENCY ORDERS.—A protective order
19 on an emergency basis may be issued on an ex parte
20 basis under such rules and limitations as the Presi-
21 dent shall prescribe. In the case of ex parte orders,
22 notice and opportunity to be heard must be provided
23 within a reasonable time after the order is issued,
24 sufficient to protect the respondent’s due process
25 rights.

1 “(h) RIGHTS OF VICTIM.—The victim of an alleged
2 sex or domestic violence offense who seeks a military court
3 protective order has, in addition to any rights provided
4 under section 806b (article 6b), the following rights with
5 respect to any proceeding involving the protective order:

6 “(1) The right to reasonable, accurate, and
7 timely notice of the proceeding and of any change in
8 the status of the protective order resulting from the
9 proceeding.

10 “(2) The right to be reasonably heard at the
11 proceeding.

12 “(3) The right to appear in person, with or
13 without counsel, at the proceeding.

14 “(4) The right be represented by qualified
15 counsel in connection with the proceeding, which
16 may include a Special Victims’ Counsel.

17 “(5) The reasonable right to confer with a rep-
18 resentative of the command of the accused and
19 counsel representing the government at the pro-
20 ceeding, as applicable.

21 “(6) The right to submit a written statement,
22 directly or through counsel, for consideration by the
23 military judge or military magistrate presiding over
24 the proceeding.

25 “(i) RESTRICTIONS ON ACCESS TO FIREARMS.—

1 “(1) IN GENERAL.—Notwithstanding any other
2 provision of law—

3 “(A) a military court protective order
4 issued on an ex parte basis shall restrain a per-
5 son from possessing, receiving, or otherwise ac-
6 cessing a firearm; and

7 “(B) a military court protective order
8 issued after the person to be subject to the
9 order has received notice and opportunity to be
10 heard on the order, shall restrain such person
11 from possessing, receiving, or otherwise access-
12 ing a firearm in accordance with section 922 of
13 title 18.

14 “(2) NOTICE TO ATTORNEY GENERAL.—Not
15 later than 72 hours after the issuance of an order
16 described in paragraph (1), the Secretary of Defense
17 shall submit to the Attorney General a record of the
18 order.

19 “(j) TREATMENT AS LAWFUL ORDER.—A military
20 court protective order shall be treated as a lawful order
21 for purposes of the application of section 892 (article 92)
22 and a violation of such an order shall be punishable under
23 such section (article).

24 “(k) COMMAND MATTERS.—

1 “(1) INCLUSION IN PERSONNEL FILE.—Any
2 military court protective order against a member
3 shall be placed and retained in the military per-
4 sonnel file of the member.

5 “(2) NOTICE TO CIVILIAN LAW ENFORCEMENT
6 OF ISSUANCE.—Any military court protective order
7 against a member shall be treated as a military pro-
8 tective order for purposes of section 1567a including
9 for purposes of mandatory notification of issuance to
10 civilian law enforcement as required by that section.

11 “(1) RELATIONSHIP TO OTHER AUTHORITIES.—
12 Nothing in this section may be construed as prohibiting—

13 “(1) a commanding officer from issuing or en-
14 forcing any otherwise lawful order in the nature of
15 a protective order to or against members of the offi-
16 cer’s command;

17 “(2) pretrial restraint in accordance with Rule
18 for Courts-Martial 304 (as set forth in the Manual
19 for Courts-Martial, 2019 edition, or any successor
20 rule); or

21 “(3) pretrial confinement in accordance with
22 Rule for Courts-Martial 305 (as set forth in the
23 Manual for Courts-Martial, 2019 edition, or any suc-
24 cessor rule)

1 “(m) DELIVERY TO CERTAIN PERSONS.—A physical
2 and electronic copy of any military court protective order
3 shall be provided, as soon as practicable after issuance,
4 to the following:

5 “(1) The person or persons protected by the
6 protective order or to the guardian of such a person
7 if such person is under the age of 18 years.

8 “(2) The person subject to the protective order.

9 “(3) To such commanding officer in the chain
10 of command of the person subject to the protective
11 order as the President shall prescribe for purposes
12 of this section.

13 “(n) DEFINITIONS.—In this section:

14 “(1) CONTACT.—The term ‘contact’ includes
15 contact in person or through a third party, or
16 through gifts,

17 “(2) COMMUNICATION.—The term ‘communica-
18 tion’ includes communication in person or through a
19 third party, and by telephone or in writing by letter,
20 data fax, or other electronic means.

21 “(3) COVERED SEX OR DOMESTIC VIOLENCE
22 OFFENSE.—The term ‘covered sex or domestic vio-
23 lence offense’ means—

24 “(A) an alleged sex-related offense (as de-
25 fined in section 1044e(h)); or

1 “(B) an alleged offense of domestic vio-
2 lence under section 928b of this title (article
3 128b of the Uniform Code of Military Justice)
4 or an attempt to commit such an offense that
5 is punishable under section 880 of this title (ar-
6 ticle 80 of the Uniform Code of Military Jus-
7 tice).

8 “(4) MILITARY JUDGE AND MILITARY MAG-
9 ISTRATE.—The terms ‘military judge’ and ‘military
10 magistrate’ mean a commissioned officer of the
11 armed forces who is a member of the bar of a Fed-
12 eral court or a member of the bar of the highest
13 court of a State and who is certified to be qualified,
14 by reason of education, training, experience, and ju-
15 dicial temperament, for duty as a military judge or
16 magistrate by the Judge Advocate General of the
17 armed force of which the officer is a member.

18 “(5) PROTECTIVE ORDER.—The term ‘protec-
19 tive order’ means an order that—

20 “(A) restrains a person from harassing,
21 stalking, threatening, or otherwise contacting or
22 communicating with a victim of an alleged sex
23 or domestic violence offense, or a family mem-
24 ber or associate of the victim, or engaging in
25 other conduct that would place such other per-

1 son in reasonable fear of bodily injury to any
2 such other person;

3 “(B) by its terms, explicitly prohibits—

4 “(i) the use, attempted use, or threat-
5 ened use of physical force by the person
6 against a victim of an alleged sex or do-
7 mestic violence offense, or a family mem-
8 ber or associate of the victim, that would
9 reasonably be expected to cause bodily in-
10 jury;

11 “(ii) the initiation by the person re-
12 strained of any contact or communication
13 with such other person; or

14 “(iii) actions described by both clauses
15 (i) and (ii).

16 “(6) SPECIAL VICTIMS’ COUNSEL.—The term
17 ‘Special Victims Counsel’ means a Special Victims’
18 Counsel described in section 1044e and includes a
19 Victims’ Legal Counsel of the Navy.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of such chapter is amended by adding
22 at the end the following new item:

“1567b. Authority of military judges and military magistrates to issue military
court protective orders.”.

23 (c) IMPLEMENTATION.—The President shall pre-
24 scribe regulations implementing section 1567b of title 10,

1 United States Code, not later than one year after the date
2 of the enactment of this Act.

3 **SEC. 543. ADDITIONAL BASES FOR PROVISION OF ADVICE**
4 **BY THE DEFENSE ADVISORY COMMITTEE**
5 **FOR THE PREVENTION OF SEXUAL MIS-**
6 **CONDUCT.**

7 Section 550B(c)(2) of the National Defense Author-
8 ization Act for Fiscal Year 2020 (Public Law 116–92) is
9 amended—

10 (1) by redesignating subparagraph (C) as sub-
11 paragraph (E); and

12 (2) by inserting after subparagraph (B) the fol-
13 lowing new subparagraphs:

14 “(C) Efforts among private employers to
15 prevent sexual assault and sexual harassment
16 among their employees.

17 “(D) Evidence-based studies on the pre-
18 vention of sexual assault and sexual harassment
19 in the Armed Forces, institutions of higher edu-
20 cation, and the private sector.”.

21 **SEC. 544. MODIFICATION OF REPORTING AND DATA COL-**
22 **LECTION ON VICTIMS OF SEXUAL OFFENSES.**

23 Section 547 of the John S. McCain National Defense
24 Authorization Act for Fiscal Year 2019 (Public Law 115–
25 232; 10 U.S.C. 1561 note) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1)—

3 (i) by striking “accused of” and in-
4 sserting “suspected of”; and

5 (ii) by striking “assault” and insert-
6 ing “offense”;

7 (B) in paragraph (2), by striking “accused
8 of” and inserting “suspected of”; and

9 (C) in paragraph (3)—

10 (i) by striking “assaults” and insert-
11 ing “offenses”; and

12 (ii) by striking “an accusation” and
13 inserting “suspicion of”;

14 (2) by redesignating subsection (b) as sub-
15 section (c);

16 (3) by inserting after subsection (b) the fol-
17 lowing new subsection:

18 “(b) GUIDANCE REQUIRED.—The Secretary of De-
19 fense shall issue guidance to ensure the uniformity of the
20 data collected by each Armed Force for purposes of sub-
21 section (a). At a minimum, such guidance shall estab-
22 lish—

23 “(1) standardized methods for the collection of
24 the data required to be reported under such sub-
25 section; and

1 “(2) standardized definitions for the terms ‘sex-
2 ual offense’, ‘collateral misconduct’, and ‘adverse ac-
3 tion.’”; and

4 (4) by amending subsection (c), as so redesign-
5 nated, to read as follows:

6 “(c) DEFINITIONS.—In this section:

7 “(1) The term ‘covered individual’ means an in-
8 dividual who is identified in the case files of a mili-
9 tary criminal investigative organization as a victim
10 of a sexual offense that occurred while that indi-
11 vidual was serving on active duty as a member of
12 the Armed Forces.

13 “(2) The term ‘suspected of’, when used with
14 respect to a covered individual suspected of collateral
15 misconduct or crimes as described in subsection (a),
16 means that an investigation by a military criminal
17 investigative organization reveals facts and cir-
18 cumstances that would lead a reasonable person to
19 believe that the individual committed an offense
20 under chapter 47 of title 10, United States Code
21 (the Uniform Code of Military Justice).”.

1 **SEC. 545. MODIFICATION OF ANNUAL REPORT REGARDING**
2 **SEXUAL ASSAULTS INVOLVING MEMBERS OF**
3 **THE ARMED FORCES.**

4 (a) SUBMISSION TO CONGRESS.—Section 1631(d) of
5 the Ike Skelton National Defense Authorization Act for
6 Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561
7 note) is amended by inserting “and the Committees on
8 Veterans’ Affairs of the Senate and the House of Rep-
9 resentatives” after “House of Representatives”.

10 (b) APPLICABILITY.—The amendment made by sub-
11 section (a) shall take effect on the date of the enactment
12 of this Act and shall apply to reports required to be sub-
13 mitted under section 1631 of the Ike Skelton National De-
14 fense Authorization Act for Fiscal Year 2011 (Public Law
15 111–383; 10 U.S.C. 1561 note) on or after such date.

16 **SEC. 546. COORDINATION OF SUPPORT FOR SURVIVORS OF**
17 **SEXUAL TRAUMA.**

18 (a) IN GENERAL.—Not later than one year after the
19 date of the enactment of this Act, the Secretaries of De-
20 fense and Veterans Affairs shall jointly develop, imple-
21 ment, and maintain a standard of coordinated care for
22 members of the Armed Forces who are survivors of sexual
23 trauma. Such standard shall include the following:

24 (b) MINIMUM ELEMENTS.—The standard developed
25 and implemented under subsection (a) by the Secretaries

1 of Defense and Veterans Affairs shall include the fol-
2 lowing:

3 (1) INFORMATION FOR MEMBERS OF THE
4 ARMED FORCES.—The Secretary of Defense shall en-
5 sure that—

6 (A) Sexual Assault Response Coordinators
7 and Uniformed Victim Advocates receive annual
8 training on resources of the Department of Vet-
9 erans Affairs regarding sexual trauma;

10 (B) information regarding services fur-
11 nished by the Secretary of Veterans Affairs to
12 survivors of sexual trauma is provided to each
13 such survivor; and

14 (C) information described in subparagraph
15 (B) is posted in the following areas in each fa-
16 cility of the Department of Defense:

17 (i) An office of the Family Advocacy
18 Program.

19 (ii) An office of a mental health care
20 provider.

21 (iii) Each area in which sexual assault
22 prevention staff normally post notices or
23 information.

24 (iv) High-traffic areas (including din-
25 ing facilities).

1 (2) COORDINATION BETWEEN STAFF OF THE
2 DEPARTMENTS.—The Secretaries shall ensure that a
3 Sexual Assault Response Coordinator or Uniformed
4 Victim Advocate of the Department of Defense who
5 receives a report of an instance of sexual trauma
6 connects the survivor to the Military Sexual Trauma
7 Coordinator of the Department of Veterans Affairs
8 at the facility of that Department nearest to the res-
9 idence of that survivor if that survivor is a member
10 separating or retiring from the Armed Forces.

11 (c) REPORTS.—

12 (1) REPORT ON RESIDENTIAL TREATMENT.—
13 Not later than 180 days after the date of the enact-
14 ment of this Act, the Secretaries of Defense and
15 Veterans Affairs shall provide a report to the appro-
16 priate committees of Congress regarding the avail-
17 ability of residential treatment programs for sur-
18 vivors of sexual trauma, including—

19 (A) barriers to access for such programs;

20 and

21 (B) resources required to reduce such bar-
22 riers.

23 (2) INITIAL REPORT.—Upon implementation of
24 the standard under subsection (a), the Secretaries of
25 Defense and Veterans Affairs shall jointly submit to

1 the appropriate committees of Congress a report on
2 the standard.

3 (3) PROGRESS REPORTS.—Not later than 180
4 days after submitting the initial report under para-
5 graph (2), and on December 1 of each subsequent
6 year, the Secretaries of Defense and Veterans Af-
7 fairs shall jointly submit to the appropriate commit-
8 tees of Congress a report on the progress of the Sec-
9 retaries in implementing and improving the stand-
10 ard.

11 (4) UPDATES.—Whenever the Secretaries of
12 Defense and Veterans Affairs update the standard
13 developed under subsection (a), the Secretaries shall
14 jointly submit to the appropriate committees of Con-
15 gress a report on such update, including a com-
16 prehensive and detailed description of such update
17 and the reasons for such update.

18 (d) DEFINITIONS.—In this section:

19 (1) The term “sexual trauma” means psycho-
20 logical trauma described in section 1720D(a)(1) of
21 title 38, United States Code.

22 (2) The term “appropriate committees of Con-
23 gress” means—

1 (A) the Committees on Veterans' Affairs of
2 the House of Representatives and the Senate;
3 and

4 (B) the Committees on Armed Services of
5 the House of Representatives and the Senate.

6 **SEC. 547. POLICY ON SEPARATION OF VICTIM AND AC-**
7 **CUSED AT MILITARY SERVICE ACADEMIES.**

8 (a) IN GENERAL.—The Secretary of Defense shall,
9 in consultation with the Secretaries of the military depart-
10 ments and the Superintendent of each military service
11 academy, prescribe in regulations a policy under which a
12 cadet or midshipman of a military service academy who
13 is the alleged victim of a sexual assault and a cadet or
14 midshipman who is the alleged perpetrator of such assault
15 shall, to the extent practicable, each be given the oppor-
16 tunity to complete their course of study at the academy
17 without—

18 (1) taking classes together; or

19 (2) otherwise being in close proximity to each
20 other during mandatory activities.

21 (b) ELEMENTS.—The Secretary of Defense shall en-
22 sure that the policy developed under subsection (a)—

23 (1) protects the alleged victim as necessary, in-
24 cluding by prohibiting retaliatory harassment;

1 (2) allows both the victim and the accused to
2 complete their course of study at the institution with
3 minimal disruption;

4 (3) protects the privacy of both the victim and
5 the accused by ensuring that information about the
6 alleged sexual assault and the individuals involved is
7 not revealed to third parties who are not specifically
8 authorized to receive such information in the course
9 of performing their regular duties, except that such
10 policy shall not preclude the alleged victim or the al-
11 leged perpetrator from making such disclosures to
12 third parties; and

13 (4) minimizes the burden on the alleged victim
14 when taking steps to separate the alleged victim and
15 alleged perpetrator.

16 (c) SPECIAL RULE.—The policy developed under sub-
17 section (a) shall not preclude a military service academy
18 from taking other administrative or disciplinary action
19 when appropriate.

20 (d) MILITARY SERVICE ACADEMY DEFINED.—In this
21 section, the term “military service academy” means the
22 following:

- 23 (1) The United States Military Academy.
- 24 (2) The United States Naval Academy.
- 25 (3) The United States Air Force Academy.

1 **SEC. 548. SAFE-TO-REPORT POLICY APPLICABLE ACROSS**
2 **THE ARMED FORCES.**

3 (a) **IN GENERAL.**—The Secretary of Defense shall,
4 in consultation with the Secretaries of the military depart-
5 ments, prescribe in regulations a safe-to-report policy de-
6 scribed in subsection (b) that applies with respect to all
7 members of the covered Armed Forces (including members
8 of the reserve components of the covered Armed Forces)
9 and cadets and midshipmen at the military service acad-
10 emies.

11 (b) **SAFE-TO-REPORT POLICY.**—The safe-to-report
12 policy described in this subsection is a policy that pre-
13 scribes the handling of minor collateral misconduct involv-
14 ing a member of the covered Armed Forces who is the
15 alleged victim of sexual assault.

16 (c) **AGGRAVATING CIRCUMSTANCES.**—The regula-
17 tions under subsection (a) shall specify aggravating cir-
18 cumstances that increase the gravity of minor collateral
19 misconduct or its impact on good order and discipline for
20 purposes of the safe-to-report policy.

21 (d) **TRACKING OF COLLATERAL MISCONDUCT INCI-**
22 **DENTS.**—In conjunction with the issuance of regulations
23 under subsection (a), Secretary shall develop and imple-
24 ment a process to track incidents of minor collateral mis-
25 conduct that are subject to the safe-to-report policy.

26 (e) **DEFINITIONS.**—In this section:

1 (1) The term “covered Armed Forces” has the
2 meaning given the term “armed forces” in section
3 101(a)(4) of title 10, United States Code, except
4 such term does not include the Coast Guard.

5 (2) The term “military service academy” means
6 the following:

7 (A) The United States Military Academy.

8 (B) The United States Naval Academy.

9 (C) The United States Air Force Academy.

10 (3) The term “minor collateral misconduct”
11 means any minor misconduct that is potentially pun-
12 ishable under chapter 47 of title 10, United States
13 Code (the Uniform Code of Military Justice), that—

14 (A) is committed close in time to or during
15 the sexual assault, and directly related to the
16 incident that formed the basis of the sexual as-
17 sault allegation;

18 (B) is discovered as a direct result of the
19 report of sexual assault or the ensuing inves-
20 tigation into the sexual assault; and

21 (C) does not involve aggravating cir-
22 cumstances (as specified in the regulations pre-
23 scribed under subsection (e)) that increase the
24 gravity of the minor misconduct or its impact
25 on good order and discipline.

1 **SEC. 549. QUESTION IN WORKPLACE AND GENDER RELA-**
2 **TIONS SURVEYS REGARDING PROSECUTIONS**
3 **OF SEXUAL ASSAULT.**

4 (a) **IN GENERAL.**—Not later than 90 days after the
5 date of the enactment of this Act, the Secretary of Defense
6 shall include in the covered surveys a question regarding
7 whether a member of an Armed Force under the jurisdic-
8 tion of the Secretary of a military department would be
9 more willing to report a sexual assault if prosecution deci-
10 sions were made by lawyers and not commanders.

11 (b) **COVERED SURVEYS DEFINED.**—In this section,
12 the term “covered surveys” means the workplace and gen-
13 der relations surveys and focus groups administered by the
14 Office of People Analytics of the Department of Defense,
15 including—

16 (1) the Workplace and Gender Relations Survey
17 of Active Duty Members;

18 (2) the Workplace and Gender Relations Survey
19 of Reserve Component Members;

20 (3) the Military Service Gender Relations Focus
21 Group; and

22 (4) any successor survey or focus group.

1 **SEC. 549A. PILOT PROGRAM ON PROSECUTION OF SPECIAL**
2 **VICTIM OFFENSES COMMITTED BY**
3 **ATTENDEES OF MILITARY SERVICE ACAD-**
4 **EMIES.**

5 (a) PILOT PROGRAM.—Beginning not later than Jan-
6 uary 1, 2021, the Secretary of Defense shall carry out a
7 pilot program (referred to in this Act as the “Pilot Pro-
8 gram”) under which the Secretary shall establish, in ac-
9 cordance with this section, an independent authority to—

10 (1) review each covered special victim offense;

11 and

12 (2) determine whether such offense shall be re-
13 ferred to trial by an appropriate court-martial con-
14 vening authority.

15 (b) OFFICE OF THE CHIEF PROSECUTOR.—

16 (1) ESTABLISHMENT.—As part of the Pilot
17 Program, the Secretary shall establish, within the
18 Office of the Secretary of Defense, an Office of the
19 Chief Prosecutor.

20 (2) HEAD OF OFFICE.—The head of the Office
21 shall be known as the Chief Prosecutor. The Sec-
22 retary shall appoint as the Chief Prosecutor a com-
23 missioned officer in the grade of O–7 or above
24 who—

25 (A) has significant experience prosecuting
26 sexual assault trials by court-martial; and

1 (B) is outside the chain of command of
2 any cadet or midshipman described in sub-
3 section (f)(2).

4 (3) RESPONSIBILITIES.—The Chief Prosecutor
5 shall exercise the authorities described in subsection
6 (c) but only with respect to covered special victim of-
7 fenses.

8 (4) SPECIAL RULE.—Notwithstanding any other
9 provision of law, the military service from which the
10 Chief Prosecutor is appointed is authorized an addi-
11 tional billet for a general officer or a flag officer for
12 each year in the two year period beginning with the
13 year in which the appointment is made.

14 (5) TERMINATION.—The Office of the Chief
15 Prosecutor shall terminate on the date on which the
16 Pilot Program terminates under subsection (e).

17 (c) REFERRAL TO OFFICE OF THE CHIEF PROS-
18 ECUTOR.—

19 (1) INVESTIGATION PHASE.—

20 (A) NOTICE AND INFORMATION.—A mili-
21 tary criminal investigative organization that re-
22 ceives an allegation of a covered special victim
23 offense shall provide to the Chief Prosecutor
24 and the commander of the military service
25 academy concerned—

1 (i) timely notice of such allegation;

2 and

3 (ii) any information and evidence ob-
4 tained as the result a subsequent investiga-
5 tion into the allegation.

6 (B) TRIAL COUNSEL.—A trial counsel as-
7 signed to a case involving a covered special vic-
8 tim offense shall, during the investigative phase
9 of such case, provide the Chief Prosecutor with
10 the information necessary to enable the Chief
11 Prosecutor to make the determination required
12 under paragraph (3).

13 (2) REFERRAL TO CHIEF PROSECUTOR.—In the
14 case of a charge relating to a covered special victim
15 offense, in addition to referring the charge to the
16 staff judge advocate under subsection (a) or (b) of
17 section 834 of title 10, United States Code (article
18 34 of the Uniform Code of Military Justice), the
19 convening authority of the Armed Force of which
20 the accused is a member shall refer, as soon as rea-
21 sonably practicable, the charge to the Chief Pros-
22 ecutor to make the determination required by para-
23 graph (3).

24 (3) PROSECUTORIAL DETERMINATION.—The
25 Chief Prosecutor shall make a determination regard-

1 ing whether a charge relating to a covered special
2 victim offense shall be referred to trial. If the Chief
3 Prosecutor makes a determination that the charge
4 shall be tried by court-martial, the Chief Prosecutor
5 also shall determine whether the charge shall be
6 tried by a general court-martial convened under sec-
7 tion 822 of title 10, United States Code (article 22
8 of the Uniform Code of Military Justice) or a special
9 court-martial convened under section 823 of such
10 title (article 23 of the Uniform Code of Military Jus-
11 tice). The determination of whether to try a charge
12 relating to a covered special victim offense by court-
13 martial shall include a determination of whether to
14 try any known offenses, including any lesser in-
15 cluded offenses.

16 (4) EFFECT OF DETERMINATION AND APPEALS
17 PROCESS.—

18 (A) DETERMINATION TO PROCEED TO
19 TRIAL.—Subject to subparagraph (C), a deter-
20 mination to try a charge relating to a covered
21 special victim offense by court-martial under
22 paragraph (3), and the determination as to the
23 type of court-martial, shall be binding on any
24 convening authority under chapter 47 of title
25 10, United States Code (the Uniform Code of

1 Military Justice) for a trial by court-martial on
2 the charge.

3 (B) DETERMINATION NOT TO PROCEED TO
4 TRIAL.—Subject to subparagraph (C), a deter-
5 mination under paragraph (3) not to proceed to
6 trial on a charge relating to a covered special
7 victim offense by general or special court-mar-
8 tial shall be binding on any convening authority
9 under chapter 47 of title 10, United States
10 Code (the Uniform Code of Military Justice) ex-
11 cept that such determination shall not operate
12 to terminate or otherwise alter the authority of
13 the convening authority—

14 (i) to proceed to trial by court-martial
15 on charges of collateral misconducted re-
16 lated to the special victim offense; or

17 (ii) to impose non-judicial punishment
18 in connection with the conduct covered by
19 the charge as authorized by section 815 of
20 such title (article 15 of the Uniform Code
21 of Military Justice).

22 (C) APPEAL.—In a case in which a con-
23 vening authority and the staff judge advocate
24 advising such authority disagree with the deter-
25 mination of the Chief Prosecutor under para-

1 graph (3), the convening authority and staff
2 judge advocate may jointly appeal the deter-
3 mination to the General Counsel of the Depart-
4 ment of Defense. The determination of the Gen-
5 eral Counsel with respect to such appeal shall
6 be binding on the Chief Prosecutor and the con-
7 vening authority concerned.

8 (5) TRIAL BY RANDOMIZED JURY.—After the
9 Chief Prosecutor makes a determination under para-
10 graph (3) to proceed to trial on a charge relating to
11 a covered special victim offense, the matter shall be
12 tried by a court-martial convened within the Armed
13 Force of which the accused is a member in accord-
14 ance with the applicable provisions of chapter 47 of
15 title 10, United States Code (the Uniform Code of
16 Military Justice) except that, when convening a
17 court-martial that is a general or special court-mar-
18 tial involving a covered special victim offense in
19 which the accused elects a jury trial, the convening
20 authority shall detail members of the Armed Forces
21 as members thereof at random unless the
22 obtainability of members of the Armed Forces for
23 such court-martial prevents the convening authority
24 from detailing such members at random.

1 (6) UNLAWFUL INFLUENCE OR COERCION.—

2 The actions of the Chief Prosecutor under this sub-
3 section whether or not to try charges by court-mar-
4 tial shall be free of unlawful or unauthorized influ-
5 ence or coercion.

6 (d) EFFECT ON OTHER LAW.—This section shall su-
7 persede any provision of chapter 47 of title 10, United
8 States Code (the Uniform Code of Military Justice), that
9 is inconsistent with this section, but only to the extent of
10 the inconsistency.

11 (e) TERMINATION AND TRANSITION.—

12 (1) TERMINATION.—The authority of the Sec-
13 retary to carry out the Pilot Program shall termi-
14 nate four years after the date on which the Pilot
15 Program is initiated.

16 (2) TRANSITION.—The Secretary shall take
17 such actions as are necessary to ensure that, on the
18 date on which the Pilot Program terminates under
19 paragraph (1), any matter referred to the Chief
20 Prosecutor under subsection (c)(2), but with respect
21 to which the Chief Prosecutor has not made a deter-
22 mination under subsection (c)(3), shall be trans-
23 ferred to the appropriate convening authority for
24 consideration.

25 (f) DEFINITIONS.—In this Act:

1 (1) The term “Armed Force” means an Armed
2 Force under the jurisdiction of the Secretary of a
3 military department.

4 (2) The term “covered special victim offense”
5 means a special victim offense—

6 (A) alleged to have been committed on or
7 after the date of the enactment of this Act by
8 a cadet of the United States Military Academy
9 or the United States Air Force Academy, with-
10 out regard to the location at which the offense
11 was committed; or

12 (B) alleged to have been committed on or
13 after the date of the enactment of this Act by
14 a midshipman of the United States Naval Acad-
15 emy, without regard to the location at which
16 the offense was committed.

17 (3) The term “Secretary” means the Secretary
18 of Defense.

19 (4) The term “special victim offense” means
20 any of the following:

21 (A) An offense under section 917a, 920,
22 920b, 920c, or 930 of title 10, United States
23 Code (article 117a, 120, 120b, 120c, or 130 of
24 the Uniform Code of Military Justice).

1 (B) A conspiracy to commit an offense
2 specified in subparagraph (A) as punishable
3 under section 881 of such title (article 81 of the
4 Uniform Code of Military Justice).

5 (C) A solicitation to commit an offense
6 specified in subparagraph (A) as punishable
7 under section 882 of such title (article 82 of the
8 Uniform Code of Military Justice).

9 (D) An attempt to commit an offense spec-
10 ified in subparagraph (A) as punishable under
11 section 880 of such title (article 80 of the Uni-
12 form Code of Military Justice).

13 **SEC. 549B. REPORT ON STATUS OF INVESTIGATIONS OF AL-**
14 **LEGED SEX-RELATED OFFENSES.**

15 (a) **REPORTS REQUIRED.**—Not later than one year
16 after the date of the enactment of this Act, and annually
17 thereafter through December 31, 2025, the Secretary of
18 each military department shall submit to the congressional
19 defense committees a report on the status of investigations
20 into alleged sex-related offenses.

21 (b) **ELEMENTS.**—Each report under subsection (a)
22 shall include, with respect to investigations into alleged
23 sex-related offenses carried out by military criminal inves-
24 tigative organizations under the jurisdiction of the Sec-
25 retary concerned during the preceding year, the following:

1 (1) The total number of investigations.

2 (2) For each investigation—

3 (A) the date the investigation was initi-
4 ated; and

5 (B) an explanation of whether the inves-
6 tigation is in-progress or complete as of the
7 date of the report and, if complete, the date on
8 which the investigation was completed.

9 (3) The total number of investigations that are
10 complete as of the date of the report.

11 (4) The total number of investigations that are
12 in-progress as of the date of the report.

13 (5) For investigations lasting longer than 180
14 days, an explanation of the primary reasons for the
15 extended duration of the investigation.

16 (c) DEFINITIONS.—In this section:

17 (1) The term “alleged sex-related offense” has
18 the meaning given that term in section 1044(e)(h)
19 of title 10, United States Code.

20 (2) The term “complete” when used with re-
21 spect to an investigation of an alleged sex-related of-
22 fense, means the active phase of the investigation is
23 sufficiently complete to enable the appropriate au-
24 thority to reach a decision with respect to the dis-
25 position of charges for the offense.

1 **Subtitle F—Member Education,**
2 **Training, and Transition**

3 **SECTION 551. COUNSELING IN THE TRANSITION ASSIST-**
4 **ANCE PROGRAM REGARDING SEXUAL AS-**
5 **SAULT, SEXUAL OR GENDER HARASSMENT,**
6 **AND INTIMATE PARTNER VIOLENCE.**

7 Section 1142(b) of title 10, United States Code, is
8 amended by adding at the end the following new para-
9 graph:

10 “(20) Information concerning health care (in-
11 cluding mental health care) furnished by the Sec-
12 retary of Veterans Affairs to veterans and members
13 of the Armed Forces who have survived sexual as-
14 sault, sexual or gender harassment, or intimate part-
15 ner violence.”.

16 **SEC. 552. ESTABLISHMENT OF MENTORING AND CAREER**
17 **COUNSELING PROGRAM.**

18 (a) IN GENERAL.—Chapter 107 of title 10, United
19 States Code, is amended by adding at the end the fol-
20 lowing new section:

21 **“§ 2158. Mentoring and career counseling program**

22 “(a) ESTABLISHMENT; OBJECTIVES.—The Secretary
23 of Defense, in coordination with the Secretaries of the
24 military departments and the Chief Diversity Officer, shall

1 implement a program for mentoring and career counseling
2 that—

3 “(1) ensures that all military occupational spe-
4 cialties and career fields reflect the demographics of
5 the armed forces; and

6 “(2) ensures that members in all ranks and
7 grades reflect the demographics of the armed forces.

8 “(b) PROGRAM DESCRIPTION AND COMPONENTS.—
9 The program under subsection (a) shall—

10 “(1) include mentoring and career counseling
11 efforts that start prior to the initial career field deci-
12 sion point and continue throughout the career of
13 each participating member;

14 “(2) provide guidance on accession into the
15 military occupational specialties and career fields
16 that experience the highest rates and greatest num-
17 ber of promotions to a grade above O-6; and

18 “(3) promote information regarding career
19 choices, including opportunities in the reserve com-
20 ponents, to optimize the ability of a participating
21 member to make informed career choices from acces-
22 sion to retirement.

23 “(c) EVALUATION METRICS.—The Secretary of De-
24 fense shall establish and maintain metrics to evaluate the
25 effectiveness of the program under this section.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 107 of such title is amended
3 by at the end the following new item:

“2158. Mentoring and career counseling program.”.

4 (c) INTERIM REPORT.—

5 (1) REPORT REQUIRED.—Not later than 120
6 days after the date of the enactment of this Act, the
7 Secretary of Defense shall submit to the congres-
8 sional defense committees on Armed Services of the
9 Senate and the House of Representatives a report on
10 the implementation of section 2158 of title 10,
11 United States Code, as added by subsection (a).

12 (2) ELEMENTS.—The report under paragraph
13 (1) shall include the following:

14 (A) A description and assessment of the
15 manner in which the Department of Defense
16 shall implement the program under subsection
17 (a) of such section 2158.

18 (B) The initial evaluation metrics devel-
19 oped under subsection (c) of such section 2158.

20 (C) An explanation of whether the pro-
21 gram will be carried out as part of another pro-
22 gram of the Department or through the estab-
23 lishment of a separate program.

24 (D) A comprehensive description of the ad-
25 ditional personnel, resources, and training that

1 will be required to implement the program, in-
2 cluding identification of the specific number of
3 additional billets that will be needed to staff the
4 program.

5 (E) Recommendations of the Secretary for
6 additional legislation that the Secretary deter-
7 mines e necessary to effectively and efficiently
8 implement the program.

9 (d) ANNUAL REPORT.—

10 (1) REPORT REQUIRED.—Not later than Octo-
11 ber 1, 2021, and annually thereafter for three years,
12 the Secretary of Defense shall submit to the con-
13 gressional defense committees on Armed Services of
14 the Senate and the House of Representatives a re-
15 port on the program under section 2158 of title 10,
16 United States Code, as added by subsection (a).

17 (2) ELEMENTS.—Each report under paragraph
18 (1) shall include, disaggregated by Armed Force, the
19 following:

20 (A) The latest evaluation metrics developed
21 under subsection (c) of such section 2158.

22 (B) The number of individuals,
23 disaggregated by grade, ethnicity, race, and
24 gender, who were eligible for participation in
25 the program.

1 (C) The number of individuals,
2 disaggregated by grade, ethnicity, race, and
3 gender, who opted out of participation in the
4 program.

5 (D) An assessment of the effectiveness of
6 the program in advancing the careers of minor-
7 ity commissioned officers.

8 (e) PUBLICATION.—The Secretary of Defense shall—

9 (1) publish on an appropriate publicly available
10 website of the Department of Defense the reports re-
11 quired under subsections (c) and (d); and

12 (2) ensure that any data included with each
13 such report is made available in a machine-readable
14 format that is downloadable, searchable, and sort-
15 able.

16 (f) IMPLEMENTATION DATE.—The Secretary of De-
17 fense shall implement the program under section 2158 of
18 title 10, United States Code, as added by subsection (a),
19 not later than one year after the date of the enactment
20 of this Act.

21 (g) DEFINITIONS.—In this section:

22 (1) The term “minority person” means any in-
23 dividual who is a citizen of the United States and
24 who is—

25 (A) Asian American;

- 1 (B) Native Hawaiian;
2 (C) a Pacific Islander;
3 (D) African American;
4 (E) Hispanic;
5 (F) Puerto Rican;
6 (G) Native American;
7 (H) an Alaska Native; or
8 (I) female.

9 (2) The term “minority commissioned officer”
10 means any commissioned officer who is a minority
11 person.

12 (3) The term “machine-readable” has the
13 meaning given that term in section 3502(18) of title
14 44, United States Code.

15 **SEC. 553. DEFENSE LANGUAGE INSTITUTE FOREIGN LAN-**
16 **GUAGE CENTER.**

17 (a) AUTHORITY TO AWARD BACHELOR’S DE-
18 GREES.—Section 2168 of title 10, United States Code, is
19 amended—

20 (1) in the section heading, by striking “**Asso-**
21 **ciate**” and inserting “**Associate or Bachelor**”;
22 and

23 (2) by amending subsection (a) to read as fol-
24 lows:

1 “(a) Subject to subsection (b), the Commandant of
2 the Defense Language Institute may confer—

3 “(1) an Associate of Arts degree in a foreign
4 language upon any graduate of the Foreign Lan-
5 guage Center of the Institute who fulfills the re-
6 quirements for that degree; or

7 “(2) a Bachelor of Arts degree in a foreign lan-
8 guage upon any graduate of the Foreign Language
9 Center of the Institute who fulfills the requirements
10 for that degree.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of chapter 108 of title 10, United States
13 Code, is amended by striking the item relating to section
14 2168 and inserting the following new item:

“2168. Defense Language Institute Foreign Language Center: degree of Asso-
ciate or Bachelor of Arts in foreign language.”.

15 **SEC. 554. DEFENSE LANGUAGE INSTITUTE FOREIGN LAN-**
16 **GUAGE CENTER.**

17 (a) AUTHORITY TO AWARD BACHELOR’S DE-
18 GREES.—Section 2168 of title 10, United States Code, is
19 amended—

20 (1) in the section heading, by striking “**Asso-**
21 **ciate**” and inserting “**Associate or Bachelor**”;
22 and

23 (2) by amending subsection (a) to read as fol-
24 lows:

1 “(a) Subject to subsection (b), the Commandant of
2 the Defense Language Institute may confer—

3 “(1) an Associate of Arts degree in a foreign
4 language upon any graduate of the Foreign Lan-
5 guage Center of the Institute who fulfills the re-
6 quirements for that degree; or

7 “(2) a Bachelor of Arts degree in a foreign lan-
8 guage upon any graduate of the Foreign Language
9 Center of the Institute who fulfills the requirements
10 for that degree.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of chapter 108 of title 10, United States
13 Code, is amended by striking the item relating to section
14 2168 and inserting the following new item:

“2168. Defense Language Institute Foreign Language Center: degree of Asso-
ciate or Bachelor of Arts in foreign language.”.

15 **SEC. 555. INCREASE IN NUMBER OF PERMANENT PROFES-**
16 **SORS AT THE UNITED STATES AIR FORCE**
17 **ACADEMY.**

18 Section 9431(b)(4) of title 10, United States Code,
19 is amended by striking “23” and inserting “25”.

20 **SEC. 556. INFORMATION ON NOMINATIONS AND APPLICA-**
21 **TIONS FOR MILITARY SERVICE ACADEMIES.**

22 (a) CONGRESSIONAL NOMINATIONS PORTAL.—

23 (1) IN GENERAL.—Not later than one year
24 after the date of the enactment of this Act, the Sec-

1 retary, in consultation with the Superintendents of
2 the military service academies, shall ensure that
3 there is a uniform online portal for all military serv-
4 ice academies that enables Members of Congress to
5 nominate individuals for appointment to each acad-
6 emy through a secure website.

7 (2) INFORMATION COLLECTION AND REPORT-
8 ING.—The online portal established under paragraph
9 (1) shall—

10 (A) collect, from each Member of Con-
11 gress, the demographic information described in
12 subsection (b) for each individual nominated by
13 the Member; and

14 (B) collect the information required to be
15 included in each annual report of the Secretary
16 under subsection (c) in a manner that enables
17 the Secretary to automatically compile such in-
18 formation when preparing the report.

19 (3) AVAILABILITY OF INFORMATION.—The por-
20 tal shall allow Members of Congress and their des-
21 ignees to view past nomination records for all appli-
22 cation cycles.

23 (b) STANDARD CLASSIFICATIONS FOR COLLECTION
24 OF DEMOGRAPHIC DATA.—

1 (1) STANDARDS REQUIRED.—The Secretary, in
2 consultation with the Superintendents of the military
3 service academies, shall establish standard classifica-
4 tions that cadets, midshipmen, and applicants to the
5 academies may use to self-identify gender, race, and
6 ethnicity and to provide other demographic informa-
7 tion in connection with admission to or enrollment in
8 an academy.

9 (2) CONSISTENCY WITH OMB GUIDANCE.—The
10 standard classifications established under paragraph
11 (1) shall be consistent with the standard classifica-
12 tions specified in Office of Management and Budget
13 Directive No. 15 (pertaining to race and ethnic
14 standards for Federal statistics and administrative
15 reporting) or any successor directive.

16 (3) INCORPORATION INTO APPLICATIONS AND
17 RECORDS.—Not later than 180 days after the date
18 of the enactment of this Act, the Secretary shall in-
19 corporate the standard classifications established
20 under paragraph (1) into—

21 (A) applications for admission to the mili-
22 tary service academies; and

23 (B) the military personnel records of ca-
24 dets and midshipmen enrolled in such acad-
25 emies.

1 (c) ANNUAL REPORT ON THE DEMOGRAPHICS MILI-
2 TARY SERVICE ACADEMY APPLICANTS.—

3 (1) REPORT REQUIRED.—Not later than Sep-
4 tember 30 of each year beginning after the date of
5 the enactment of this Act, the Secretary shall submit
6 to the congressional defense committees a report on
7 the demographics of applicants to military service
8 academies for the most recently concluded applica-
9 tion year.

10 (2) ELEMENTS.—Each report under paragraph
11 (1) shall include, with respect to each military serv-
12 ice academy, the following:

13 (A) The number of individuals who sub-
14 mitted an application for admission to the acad-
15 emy in the application year covered by the re-
16 port.

17 (B) Of the individuals who submitted an
18 application for admission to the academy in
19 such year—

20 (i) the overall demographics of appli-
21 cant pool, disaggregated by the classifica-
22 tions established under subsection (b) and
23 by Member of Congress;

24 (ii) the number and percentage who
25 received a nomination, disaggregated by

1 the classifications established under sub-
2 section (b) and by Member of Congress;

3 (iii) the number and percentage who
4 received an offer for appointment to the
5 academy, disaggregated by the classifica-
6 tions established under subsection (b) and
7 by Member of Congress; and

8 (iv) the number and percentage who
9 accepted an appointment to the academy,
10 disaggregated by the classifications estab-
11 lished under subsection (b) and by Member
12 of Congress.

13 (3) CONSULTATION.—In preparing each report
14 under paragraph (1), the Secretary shall consult
15 with the Superintendents of the military service
16 academies.

17 (4) AVAILABILITY OF REPORTS AND DATA.—
18 The Secretary shall—

19 (A) make the results of each report under
20 paragraph (1) available on a publicly accessible
21 website of the Department of Defense; and

22 (B) ensure that any data included with the
23 report is made available in a machine-readable
24 format that is downloadable, searchable, and
25 sortable.

1 (d) DEFINITIONS.—In this section:

2 (1) The term “application year” means the pe-
3 riod beginning on January 1 of one year and ending
4 on June 1 of the following year.

5 (2) The term “congressional defense commit-
6 tees” has the meaning given that term in section
7 101(a)(16) of title 10, United States Code.

8 (3) The term “machine-readable” has the
9 meaning given that term in section 3502(18) of title
10 44, United States Code.

11 (4) The term “military service academy”
12 means—

13 (A) the United States Military Academy;

14 (B) the United States Naval Academy; and

15 (C) the United States Air Force Academy.

16 (5) The term “Secretary” means the Secretary
17 of Defense.

18 **SEC. 557. TRANSFORMATION OF THE PROFESSIONAL MILI-**

19 **TARY EDUCATION ENTERPRISE.**

20 (a) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that--

22 (1) professional military education is
23 foundational to the development of ethical and effec-
24 tive military leaders and vital to national security;

1 (2) oversight of professional military education
2 is an essential part of Congress' constitutional re-
3 sponsibilities to regulate and maintain the Armed
4 Forces of the United States;

5 (3) reform of the professional military edu-
6 cation system, as directed by the congressional de-
7 fense committees, has played a central role in the in-
8 stitutionalization of jointness as envisioned by the
9 Goldwater-Nichols Department of Defense Reorga-
10 nization Act of 1986 (Public Law 99-433);

11 (4) the Goldwater-Nichols professional military
12 education model has served the Nation well since the
13 end of the Cold War by enabling successful joint
14 military operations across the spectrum of conflict;

15 (5) recent changes in the national security envi-
16 ronment require that the professional military edu-
17 cation enterprise adapt to prepare the joint force to
18 successfully defend American interests in evolving
19 areas of strategic competition;

20 (6) the Department of Defense must transform
21 the professional military education enterprise to
22 meet these challenges by emphasizing focused and
23 rigorous intellectual study reflecting the hard won
24 strategic insights of history, while leveraging ad-
25 vancements in the modern learning environment.

1 (b) LIMITATION.—None of the funds authorized to
2 be appropriated by this Act or otherwise made available
3 for fiscal year 2021 for the Department of Defense may
4 be obligated or expended consolidate, close, or significantly
5 change the curriculum of the National Defense University
6 or any institution of professional military education of an
7 Armed Force until a period of 120 days has elapsed fol-
8 lowing the date on which the Under Secretary of Defense
9 for Personnel and Readiness submits the report required
10 under subsection (c).

11 (c) REPORT REQUIRED.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the enactment of this Act, the Sec-
14 retary of Defense, acting through the Under Sec-
15 retary of Defense for Personnel and Readiness, shall
16 submit to the Committees on Armed Services of the
17 Senate and the House of Representatives a report on
18 the status of the professional military education en-
19 terprise.

20 (2) ELEMENTS.—The report required under
21 paragraph (1) shall include the following:

22 (A) A consolidated summary that—

23 (i) lists all components of the profes-
24 sional military education enterprise of the
25 Department of Defense, including all asso-

1 ciated schools, programs, research centers,
2 and support activities; and

3 (ii) for each such component, identi-
4 fies the assigned personnel strength, an-
5 nual student throughput, and budget de-
6 tails covering the period of three fiscal
7 years preceding the date of the report.

8 (B) An assessment of the effectiveness and
9 shortfalls of the existing professional military
10 education enterprise as measured against grad-
11 uate utilization, post-graduate evaluations, and
12 the education and force development require-
13 ments of the Chairman of the Joint Chiefs of
14 Staff and the Chiefs of the Armed Forces.

15 (C) Recommendations to improve the intel-
16 lectual readiness of the joint force through re-
17 forms designed to—

18 (i) improve the warfighting readiness,
19 intellectual fitness and cognitive ingenuity
20 of military leaders;

21 (ii) promote development of strategic
22 thinkers capable of developing integrated
23 political-military and cross-domain strate-
24 gies and new doctrinal concepts;

1 (iii) enhance the effectiveness, coher-
2 ence, and efficiency of individual service
3 approaches to professional military edu-
4 cation;

5 (iv) improve the depth and rigor of
6 professional military education curriculum
7 in alignment with national defense strategy
8 pacing threats while enhancing strategic
9 relationships and operational integration
10 with key allies and international security
11 partners; and

12 (v) foster the deliberate development
13 of world-class faculty through increasing
14 the value of faculty assignments and other
15 appropriate measures.

16 **SEC. 558. COLLEGE OF INTERNATIONAL SECURITY AFFAIRS**
17 **OF THE NATIONAL DEFENSE UNIVERSITY.**

18 (a) PROHIBITION.—The Secretary of Defense may
19 not eliminate, divest, downsize, or reorganize the College
20 of International Security Affairs, nor its satellite program,
21 the Joint Special Operations Masters of Arts, of the Na-
22 tional Defense University, or seek to reduce the number
23 of students educated at the College, or its satellite pro-
24 gram, until 30 days after the date on which the congres-

1 sional defense committees receive the report required by
2 subsection (c).

3 (b) ASSESSMENT, DETERMINATION, AND REVIEW.—

4 The Under Secretary of Defense for Policy, in consultation
5 with the Under Secretary of Defense for Personnel and
6 Readiness, the Assistant Secretary of Defense for Special
7 Operations/Low-Intensity Conflict , the Deputy Assistant
8 Secretary of Defense for Counternarcotics and Global
9 Threats, the Deputy Assistant Secretary of Defense for
10 Stability and Humanitarian Affairs, the Deputy Assistant
11 Secretary of Defense for Special Operations and Com-
12 bating Terrorism, the Chief Financial Officer of the De-
13 partment, the Chairman of the Joint Chiefs of Staff, and
14 the Commander of United States Special Operations Com-
15 mand, shall—

16 (1) assess requirements for joint professional
17 military education and civilian leader education in
18 the counterterrorism, irregular warfare, and asym-
19 metrical domains to support the Department and
20 other national security institutions of the Federal
21 Government;

22 (2) determine whether the importance, chal-
23 lenges, and complexity of the modern counterter-
24 rorism environment and irregular and asymmetrical
25 domains warrant—

1 (A) a college at the National Defense Uni-
2 versity, or a college independent of the National
3 Defense University whose leadership is respon-
4 sible to the Office of the Secretary of Defense;
5 and

6 (B) the provision of resources, services,
7 and capacity at levels that are the same as, or
8 decreased or enhanced in comparison to, those
9 resources, services, and capacity in place at the
10 College of International Security Affairs on
11 January 1, 2019;

12 (3) review the plan proposed by the National
13 Defense University for eliminating the College of
14 International Security Affairs and reducing and re-
15 structuring the counterterrorism, irregular, and
16 asymmetrical faculty, course offerings, joint profes-
17 sional military education and degree and certificate
18 programs, and other services provided by the Col-
19 lege; and

20 (4) assess the changes made to the College of
21 International Security Affairs since January 1,
22 2019, and the actions necessary to reverse those
23 changes, including relocating the College and its as-
24 sociated budget, faculty, staff, students, and facili-
25 ties outside of the National Defense University.

1 (c) REPORT REQUIRED.—Not later than February 1,
2 2021, the Secretary shall submit to the congressional de-
3 fense committees a report on—

4 (1) the findings of the Secretary with respect to
5 the assessments, determination, and review con-
6 ducted under subsection (b); and

7 (2) such recommendations as the Secretary may
8 have for higher education in the counterterrorism,
9 irregular, and asymmetrical domains.

10 **SEC. 559. PUBLIC-PRIVATE CONSORTIUM TO IMPROVE PRO-**
11 **FESSIONAL MILITARY EDUCATION.**

12 (a) ESTABLISHMENT.—The Secretary of Defense,
13 acting through the Chairman of the Joint Chiefs of Staff
14 and in consultation with the Under Secretary of Defense
15 for Personnel and Readiness, shall establish and maintain
16 a public-private consortium (referred to in this section as
17 the “Consortium”) to improve and broaden professional
18 military education for military officers and civilian em-
19 ployees of the Federal Government.

20 (b) DIRECTORS.—

21 (1) IN GENERAL.—The President of the Na-
22 tional Defense University and the head of a civilian
23 institution of higher education appointed in accord-
24 ance with paragraph (3) shall serve as co-directors
25 of the Consortium.

1 (2) RESPONSIBILITIES OF CO-DIRECTORS.—The
2 co-directors shall be responsible for—

3 (A) the administration and management of
4 the Consortium; and

5 (B) developing a common curriculum for
6 professional military education using input re-
7 ceived from members of the Consortium.

8 (3) APPOINTMENT OF CO-DIRECTOR FROM CI-
9 VILIAN INSTITUTION.—Not later than June 1, 2021,
10 the Secretary of Defense shall appoint an individual
11 who is the President or Chancellor of a civilian insti-
12 tution of higher education to serve as co-director of
13 the Consortium as described in paragraph (1).

14 (4) TERM OF CO-DIRECTOR.—The co-director
15 appointed under paragraph (3) shall serve an initial
16 term of five years. The Secretary of Defense may re-
17 appoint such co-director for one or more additional
18 terms of not more than five years, as the Secretary
19 determines appropriate.

20 (5) AUTHORITY.—In the event that a conflict
21 arises between co-directors of the Consortium, the
22 conflict shall be resolved by the Director for Joint
23 Force Development of the Joint Chiefs of Staff (J-
24 7).

1 (c) ACTIVITIES OF CONSORTIUM.—The Consortium
2 shall carry out the following activities:

3 (1) Bring the military education system (includ-
4 ing military service academies, institutions that pro-
5 vide professional military education, and other insti-
6 tutions the provide military education) together with
7 a broad group of civilian institutions of higher edu-
8 cation, policy research institutes, and the commercial
9 sector to develop and continually update a research-
10 based curriculum to prepare early career, mid-ca-
11 reer, and senior military officers and civilian employ-
12 ees of the Federal Government to succeed in an era
13 that will be predominantly defined by great power
14 competition and in which security challenges will
15 transcend the traditional areas of defense expertise,
16 becoming more complex and inter-related than be-
17 fore, with disruptions that will manifest rapidly and
18 with little warning.

19 (2) Train military officers and civilian edu-
20 cators serving in the joint professional military edu-
21 cation system to implement the curriculum developed
22 under paragraph (2) at the institutions they serve.

23 (3) On a regular basis, make recommendations
24 to the Secretary about how the joint professional
25 military education system should be modified to

1 meet the challenges of apparent or possible future
2 defense, national security, and international environ-
3 ments.

4 (d) MEMBERS.—The Consortium shall be composed
5 of representatives selected by the Secretary of Defense
6 from the following organizations:

7 (1) Organizations within the joint professional
8 military education system.

9 (2) Military service academies.

10 (3) Other institutions of the Federal Govern-
11 ment that provide military education.

12 (4) Civilian institutions of higher education.

13 (5) Private sector and government policy re-
14 search institutes.

15 (6) Organizations in the commercial sector, in-
16 cluding organizations from the industrial, finance,
17 and technology sectors.

18 (e) ANNUAL REPORT.—Not later than September 30,
19 2022, and annually thereafter, the co-directors of the Con-
20 sortium shall submit to the Secretary of Defense and the
21 congressional defense committees a report that describes
22 the activities carried out by the Consortium during the
23 preceding year.

24 (f) CIVILIAN INSTITUTION DEFINED.—In this sec-
25 tion, the term “civilian institution of higher education”

1 means an institution of higher education (as defined in
2 section 101 of the Higher Education Act of 1965 (20
3 U.S.C. 1001)) that is not owned or controlled by the Fed-
4 eral Government.

5 **Subtitle G—Military Family Readiness and Dependents’ Education**

7 **SECTION 561. FAMILY READINESS: DEFINITIONS; COMMU-**
8 **UNICATION STRATEGY; REPORT.**

9 (a) DEFINITIONS.—Not later than six months after
10 the date of the enactment of this Act, the Secretary of
11 Defense, in coordination with the Secretaries of the mili-
12 tary departments, shall define the terms “military family
13 readiness” and “military family resiliency”.

14 (b) COMMUNICATION STRATEGY.—Not later than one
15 year after the date of the enactment of this Act, the Sec-
16 retary of Defense, in coordination with the Secretaries of
17 the military departments, shall establish and implement
18 a strategy regarding communication with military fami-
19 lies. The strategy shall include the following:

20 (1) The use of a variety of modes of commu-
21 nication to ensure the broadest means of commu-
22 nicating with military families.

23 (2) Updating an existing annual standardized
24 survey that assesses military family readiness to ad-
25 dress the following issues:

- 1 (A) Communication with beneficiaries.
- 2 (B) Child care.
- 3 (C) Education,
- 4 (D) Spousal employment.
- 5 (E) The Exceptional Family Member Pro-
- 6 gram.
- 7 (F) Financial literacy.
- 8 (G) Financial stress.
- 9 (H) Health care (including copayments,
- 10 network adequacy, and the availability of ap-
- 11 pointments with health care providers).
- 12 (c) REPORT.—Not later than 180 days after the date
- 13 of the enactment of the Act, the Secretary of Defense shall
- 14 submit to the Committees on Armed Services of the Sen-
- 15 ate and the House of Representatives a report regarding
- 16 the feasibility of implementing the recommendations in—
- 17 (1) chapter 3 of the report of the Inspector
- 18 General of the Department of Defense for fiscal year
- 19 2020, “Ensuring Wellness and Wellbeing of Service-
- 20 Members and their Families”; and
- 21 (2) the report, dated July 2019, of the National
- 22 Academies of Science, Engineering and Medicine, ti-
- 23 tled “Strengthening the Military Family Readiness
- 24 System for a Changing American Society”.

1 **SEC. 562. SUPPORT SERVICES FOR MEMBERS OF SPECIAL**
2 **OPERATIONS FORCES AND IMMEDIATE FAM-**
3 **ILY MEMBERS.**

4 (a) IN GENERAL.—Section 1788a of title 10, United
5 States Code, is amended—

6 (1) in the heading—

7 (A) by striking “**Family support**” and
8 inserting “**Support**”;

9 (B) by striking “**immediate family**
10 **members of**”; and

11 (C) by adding “**; immediate family**
12 **members**” at the end;

13 (2) in subsection (a), by striking “for the imme-
14 diate family members of members of the armed
15 forces assigned to special operations forces”;

16 (3) in subsection (b)(1)—

17 (A) by striking “the immediate family
18 members”; and

19 (B) by inserting “and the immediate fam-
20 ily members of such members” before the semi-
21 colon;

22 (4) in subsection (d)(2)—

23 (A) in subparagraph (A)—

24 (i) by striking “family members of”;

25 and

1 (ii) by inserting “and immediate fam-
2 ily members of such members” before the
3 period;

4 (B) in subparagraph (B)—

5 (i) by striking “and on family mem-
6 bers of” and inserting a comma; and

7 (ii) by inserting “, and immediate
8 family members of such members” before
9 the period; and

10 (5) in subsection (e)(4)—

11 (A) by inserting “psychological support,
12 spiritual support, and” before “costs”;

13 (B) by striking “immediate family mem-
14 bers of”;

15 (C) by inserting “(including the reserve
16 components)” after “members of the armed
17 forces”; and

18 (D) by inserting “, and immediate family
19 members of such members,” before “while”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of chapter 88 of title 10, United States
22 Code, is amended by striking the item relating to section
23 1788a and inserting the following:

“1788a. Support programs: members of special operations forces; immediate family members”.

1 **SEC. 563. AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE**
2 **TO CERTAIN IN-HOME CHILD CARE PRO-**
3 **VIDERS FOR MEMBERS OF THE ARMED**
4 **FORCES AND SURVIVORS OF MEMBERS WHO**
5 **DIE IN COMBAT IN THE LINE OF DUTY.**

6 (a) **AUTHORITY.**—Section 1798 of title 10, United
7 States Code, is amended—

8 (1) in subsection (a), in the matter preceding
9 paragraph (1), by inserting “, or to an in-home child
10 care provider,” after “youth program services”;

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

13 (3) by inserting after subsection (b) the fol-
14 lowing new subsection (c):

15 “(c) **ELIGIBLE IN-HOME CHILD CARE PROVIDERS.**—
16 The Secretary may determine that an in-home child care
17 provider is eligible for financial assistance under this sec-
18 tion.”.

19 (b) **IN-HOME CHILD CARE PROVIDER DEFINED.**—
20 Section 1800 of such title is amended by adding at the
21 end the following:

22 “(5) The term ‘in-home child care provider’
23 means an individual (including a nanny, babysitter,
24 or au pair) who provides child care services in the
25 home of the child.”.

1 (c) REGULATIONS.—Not later than July 1, 2021, the
2 Secretary of Defense shall prescribe regulations that es-
3 tablish eligibility requirements and amounts of financial
4 assistance for an in-home child care provider under sub-
5 section (c) of section 1798 of title 10, United States Code,
6 as amended by subsection (a).

7 **SEC. 564. EXPANSION OF FINANCIAL ASSISTANCE UNDER**
8 **MY CAREER ADVANCEMENT ACCOUNT PRO-**
9 **GRAM.**

10 Section 580F of the National Defense Authorization
11 Act for Fiscal Year 2020 (Public Law 116–92) is amend-
12 ed—

13 (1) by inserting “or maintenance (including
14 continuing education courses)” after “pursuit”; and

15 (2) by adding at the end the following: “Such
16 financial assistance may be applied to the costs of
17 national tests that may earn a participating military
18 spouse course credits required for a degree approved
19 under the program (including the College Level Ex-
20 amination Program tests and the Subject Standard-
21 ized Tests of the Defense Activity for Non-Tradi-
22 tional Education Support Division of the Depart-
23 ment of Defense).”

1 **SEC. 565. CHILD CARE.**

2 (a) 24-HOUR CHILD CARE.—If the Secretary of De-
3 fense determines it feasible, the Secretary shall furnish
4 child care to each child of a member of the Armed Forces
5 or employee of the Department of Defense while that
6 member or employee works on rotating shifts at a military
7 installation.

8 (b) METRICS.—Not later than six months after the
9 date of the enactment of this Act, the Secretary of Defense
10 shall develop and implement metrics to evaluate the effec-
11 tiveness of the child care priority system of the Depart-
12 ment of Defense, including—

13 (1) the speed of placement for children of mem-
14 bers of the Armed Forces on active duty;

15 (2) the type of child care offered;

16 (3) available spaces in such system, if any; and

17 (4) other metrics to monitor the child care pri-
18 ority system determined by the Secretary.

19 (c) REPORT.—Not later than 180 days after the date
20 of the enactment of the Act, the Secretary of Defense shall
21 submit to the Committees on Armed Services of the Sen-
22 ate and the House of Representatives a report regarding
23 the results of a study that evaluates—

24 (1) the sufficiency of the stipend furnished by
25 the Secretary to members of the Armed Forces for
26 civilian child care; and

1 (2) whether the amount of such stipend should
2 be based on—

3 (A) cost of living in the applicable locale;

4 and

5 (B) the capacity of licensed civilian child
6 care providers in the local market.

7 **SEC. 566. CONTINUATION OF PAID PARENTAL LEAVE UPON**
8 **DEATH OF CHILD.**

9 Not later than 180 days after the date of the enact-
10 ment of this Act, the Secretary of Defense shall amend
11 the regulations prescribed pursuant to subsections (i) and
12 (j) of section 701 of title 10, United States Code, to pro-
13 vide that the eligibility of primary and secondary care-
14 givers for paid parental leave that has already been ap-
15 proved shall not terminate upon the death of the child for
16 whom such leave is taken.

17 **SEC. 567. STUDY AND REPORT ON THE PERFORMANCE OF**
18 **THE DEPARTMENT OF DEFENSE EDUCATION**
19 **ACTIVITY.**

20 (a) **STUDY.**—The Secretary of Defense shall conduct
21 a study on the performance of the Department of Defense
22 Education Activity.

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

1 (1) A review of the curriculum relating to
2 health, resiliency, and nutrition taught in schools op-
3 erated by the Department of Defense Education Ac-
4 tivity and a comparison of such curriculum to appro-
5 priate education benchmarks.

6 (2) An analysis of the outcomes experienced by
7 students in such schools, as measured by—

8 (A) the performance of such students on
9 the National Assessment of Educational
10 Progress carried out under section 303(b)(3) of
11 the National Assessment of Educational
12 Progress Authorization Act (20 U.S.C.
13 9622(b)(3)); and

14 (B) any other methodologies used by the
15 Department of Defense Education Activity to
16 measure individual student outcomes.

17 (3) An assessment of the effectiveness of the
18 School Liaison Officer program of the Department
19 of Defense Education Activity in achieving the goals
20 of the program with an emphasis on goals relating
21 to special education and family outreach.

22 (c) REPORT.—Not later than 180 days after the date
23 of the enactment of the Act, the Secretary of Defense shall
24 submit to the Committees on Armed Services of the Sen-
25 ate and the House of Representatives a report that in-

1 cludes the findings of the study conducted under sub-
2 section (a).

3 **SEC. 568. COMPTROLLER GENERAL OF THE UNITED**
4 **STATES REPORT ON THE STRUCTURAL CON-**
5 **DITION OF DEPARTMENT OF DEFENSE EDU-**
6 **CATION ACTIVITY SCHOOLS.**

7 (a) REPORT REQUIRED.—Not later than one year
8 after the date of the enactment of this Act, the Comp-
9 troller General of the United States shall submit to the
10 congressional defense committees a report setting forth an
11 assessment by the Comptroller General of the structural
12 condition of schools of the Department of Defense Edu-
13 cation Activity, both within the continental United States
14 (CONUS) and outside the continental United States
15 (OCONUS).

16 (b) VIRTUAL SCHOOLS.—The report shall include an
17 assessment of the virtual infrastructure or other means
18 by which students attend Department of Defense Edu-
19 cation Activity schools that have no physical structure, in-
20 cluding the satisfaction of the military families concerned
21 with such infrastructure or other means.

1 **SEC. 569. PILOT PROGRAM TO EXPAND ELIGIBILITY FOR**
2 **ENROLLMENT AT DOMESTIC DEPENDENT EL-**
3 **EMENTARY AND SECONDARY SCHOOLS.**

4 (a) PILOT PROGRAM AUTHORIZED.—Beginning not
5 later than 180 days after the date of the enactment of
6 this Act, the Secretary of Defense shall carry out a pilot
7 program under which a dependent of a full-time, active-
8 duty member of the Armed Forces may enroll in a covered
9 DODEA school at the military installation to which the
10 member is assigned, on a space-available basis as de-
11 scribed in subsection (c), without regard to whether the
12 member resides on the installation as described in
13 2164(a)(1) of title 10, United States Code.

14 (b) PURPOSES.—The purposes of the pilot program
15 under this section are—

16 (1) to evaluate the feasibility and advisability of
17 expanding enrollment in covered DODEA schools;
18 and

19 (2) to determine how increased access to such
20 schools will affect military and family readiness.

21 (c) ENROLLMENT ON SPACE-AVAILABLE BASIS.—A
22 student participating in the pilot program under this sec-
23 tion may be enrolled in a covered DODEA school only if
24 the school has the capacity to accept the student, as deter-
25 mined by the Director of the Department of Defense Edu-
26 cation Activity.

1 (d) LOCATIONS.—The Secretary of Defense shall
2 carry out the pilot program under this section at not more
3 than four military installations at which covered DODEA
4 schools are located. The Secretary shall select military in-
5 stallations for participation in the program based on—

6 (1) the readiness needs of the Secretary of a
7 the military department concerned; and

8 (2) the capacity of the DODEA schools located
9 at the installation to accept additional students, as
10 determined by the Director of the Department of
11 Defense Education Activity.

12 (e) TERMINATION.—The authority to carry out the
13 pilot program under this section shall terminate four years
14 after the date of the enactment of this Act.

15 (f) COVERED DODEA SCHOOL DEFINED.—In this
16 Section, the term “covered DODEA school” means a do-
17 mestic dependent elementary or secondary school operated
18 by the Department of Defense Education Activity that—

19 (1) has been established on or before the date
20 of the enactment of this Act; and

21 (2) is located in the continental United States.

1 **SEC. 569A. CONTINUED ASSISTANCE TO SCHOOLS WITH**
2 **SIGNIFICANT NUMBERS OF MILITARY DE-**
3 **PENDENT STUDENTS.**

4 (a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT
5 NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the
6 amount authorized to be appropriated for fiscal year 2021
7 in division D of this Act and available for operation and
8 maintenance for Defense-wide activities as specified in the
9 funding table in section 4301 of this Act, \$40,000,000
10 shall be available only for the purpose of providing assist-
11 ance to local educational agencies under subsection (a) of
12 section 572 of the National Defense Authorization Act for
13 Fiscal Year 2006 (Public Law 109–163; 20 U.S.C.
14 7703b).

15 (b) IMPACT AID FOR CHILDREN WITH SEVERE DIS-
16 ABILITIES.—Of the amount authorized to be appropriated
17 for fiscal year 2021 in division D of this Act and available
18 for operation and maintenance for Defense-wide activities
19 as specified in the funding table in section 4301 of this
20 Act, \$10,000,000 shall be available for payments under
21 section 363 of the Floyd D. Spence National Defense Au-
22 thorization Act for Fiscal Year 2001 (Public Law 106–
23 398; 20 U.S.C. 7703a).

24 (c) LOCAL EDUCATIONAL AGENCY DEFINED.—In
25 this section, the term “local educational agency” has the
26 meaning given that term in section 7013(9) of the Ele-

1 mentary and Secondary Education Act of 1965 (20 U.S.C.
2 7713(9)).

3 **SEC. 569B. STANDARDIZATION OF THE EXCEPTIONAL FAM-
4 ILY MEMBER PROGRAM.**

5 (a) POLICY.—Not later than six months after the
6 date of the enactment of this Act, the Secretary of De-
7 fense, in coordination with the Secretaries of the military
8 departments, shall, to the extent practicable, standardize
9 the Exceptional Family Member Program (in this section
10 referred to as the “EFMP”) across the military depart-
11 ments.

12 (b) ELEMENTS.—The EFMP, standardized under
13 subsection (a), shall include the following:

14 (1) Processes for the identification and enroll-
15 ment of dependents of covered members with special
16 needs.

17 (2) A process for the permanent change of or-
18 ders for covered members, to ensure seamless con-
19 tinuity of services at the new permanent duty sta-
20 tion.

21 (3) A review process for installations to ensure
22 that health care furnished through the TRICARE
23 program, special needs education programs, and in-
24 stallation-based family support programs are avail-
25 able to military families enrolled in the EFMP.

1 (4) A standardized respite care benefit across
2 the covered Armed Forces, including the number of
3 hours available under such benefit to military fami-
4 lies enrolled in the EFMP.

5 (5) Outcomes and metrics to evaluate the
6 EFMP.

7 (6) A requirement that the Secretary of each
8 military department provide a dedicated EFMP at-
9 torney, who specializes in education law, at each
10 military installation—

11 (A) the Secretary determines is a primary
12 receiving installation for military families with
13 special needs; and

14 (B) in a State that the Secretary deter-
15 mines has historically not supported families
16 enrolled in the EFMP.

17 (7) The option for a family enrolled in the
18 EFMP to continue to receive all services under that
19 program and the bachelor allowance for housing if—

20 (A) the covered member receives a new
21 permanent duty station; and

22 (B) the covered member and family elect
23 for the family not to relocate with the covered
24 member.

1 (8) A process to discuss policy challenges and
2 opportunities, best practices adopted across the cov-
3 ered Armed Forces, a forum period for discussion
4 with members of military families with special needs,
5 and other matters the Secretary of Defense deter-
6 mines appropriate.

7 (c) CASE MANAGEMENT.—The Secretary of Defense,
8 in coordination with the Secretaries of the military depart-
9 ments, shall develop an EFMP case management model,
10 including the following:

11 (1) A single EFMP office, located at the head-
12 quarters of each covered Armed Force, to oversee
13 implementation of the EFMP and coordinate health
14 care services, permanent change of station order
15 processing, and educational support services for that
16 covered Armed Force.

17 (2) An EFMP office at each military installa-
18 tion with case managers to assist each family of a
19 covered member in the development of a plan that
20 addresses the areas specified in subsection (b)(1).

21 (d) REPORT.—Not later than 180 days after the date
22 of the enactment of the Act, the Secretary of Defense shall
23 submit to the Committees on Armed Services of the Sen-
24 ate and the House of Representatives a report on the im-
25 plementation of the items identified under subsections (a),

1 (b), and (c), including any recommendations of the Sec-
2 retary regarding legislation.

3 (e) GAO REPORT.—Not later than one year after the
4 date of the enactment of this Act, the Comptroller General
5 of the United States shall submit to the Committees on
6 Armed Services of the Senate and the House of Represent-
7 atives a report on—

8 (1) whether military families have higher rates
9 of disputes and loss of free and appropriate public
10 education under section 504 of the Rehabilitation
11 Act of 1973 (Public Law 93–112; 29 U.S.C. 794)
12 than civilian counterparts; and

13 (2) an analysis of the number of due process
14 hearings that were filed by school districts against
15 children of members of the Armed Forces.

16 (f) DEFINITIONS.—In this section:

17 (1) The term “covered Armed Force” means an
18 Armed Force under the jurisdiction of the Secretary
19 of a military department.

20 (2) The term “covered member” means a mem-
21 ber—

22 (A) of a covered Armed Force; and

23 (B) with a dependent with special needs.

1 **Subtitle H—Diversity and**
2 **Inclusion**

3 **SEC. 571. DIVERSITY AND INCLUSION REPORTING RE-**
4 **QUIREMENTS.**

5 (a) STANDARD DIVERSITY METRICS AND ANNUAL
6 REPORTING REQUIREMENT.—Section 113 of title 10,
7 United States Code is amended—

8 (1) in subsection (c)—

9 (A) by redesignating paragraphs (2) and
10 (3) as paragraphs (3) and (4), respectively; and

11 (B) by inserting after paragraph (1), the
12 following new paragraph (2):

13 “(2) a report from each military department on
14 the goals, barriers, and status of diversity and inclu-
15 sion of that military department;”;

16 (2) in subsection (g)(1)(B), by inserting after
17 clause (vi), the following new clause (vii):

18 “(vii) Strategic metrics and bench-
19 marks evaluating how the officer and en-
20 listed corps reflects the eligible United
21 States population across all armed forces
22 and ranks.”;

23 (3) by redesignating subsections (m) and (n) as
24 subsections (n) and (o), respectively; and

1 (4) by inserting after subsection (k), the fol-
2 lowing new subsections (l) and (m):

3 “(l)(1) The Secretary of Defense shall establish and
4 maintain a standard set of strategic metrics and bench-
5 marks toward objectives of:

6 “(A) an officer and enlisted corps that reflects
7 the eligible U.S. population across all armed forces
8 and ranks; and

9 “(B) a military force that is able to prevail in
10 its wars, prevent and deter conflict, defeat adver-
11 saries and succeed in a wide range of contingencies,
12 and preserve and enhance the all-volunteer force.

13 “(2) In implementing the requirement in paragraph
14 (1), the Secretary shall—

15 “(A) establish a universal data collection system
16 to ensure comparability across each military depart-
17 ment;

18 “(B) establish standard definitions of demo-
19 graphic groups, a common methodology, and a com-
20 mon reporting structure across each military depart-
21 ment;

22 “(C) conduct annual barrier analyses to review
23 demographic diversity patterns across the military
24 life cycle, starting with accessions; and

1 “(D) each year meet with the Secretaries of the
2 military departments, the Chiefs of Staff of the
3 armed forces, and the Chairman of the Joint Chiefs
4 of Staff to assess progress towards the objective
5 under paragraph (1) and establish recommendations
6 to meet such objective.

7 “(m) The Secretary shall include in each national de-
8 fense strategy under subsection (g)—

9 “(1) the demographics, disaggregated by grade,
10 ethnicity, race, gender, and military occupational
11 specialty, for—

12 “(A) accession into the armed forces;

13 “(B) the enlisted corps;

14 “(C) the commissioned officers;

15 “(D) graduates of the military service
16 academies;

17 “(E) the rate of promotion in the pro-
18 motion zone;

19 “(F) the rate of promotion below the zone
20 for promotion;

21 “(G) the rates of retention;

22 “(H) command selection;

23 “(I) special assignments;

24 “(J) career broadening assignments;

1 “(K) aides to general officers and flag offi-
2 cers; and

3 “(L) any other matter the Secretary deter-
4 mines appropriate;

5 “(2) an analysis of assignment patterns by eth-
6 nicity, race, and gender;

7 “(3) an analysis of attitudinal survey data by
8 ethnicity, race, and gender;

9 “(4) an assessment of the available pool of
10 qualified of Asian American, Native Hawaiian, Pa-
11 cific Islander, African American, Hispanic, Puerto
12 Rican, Native American, Alaska Native and female
13 candidates for pay grades O–9 and O–10;

14 “(5) identification of persistent, group-specific
15 deviations from overall averages and plans to inves-
16 tigate underlying causes; and

17 “(6) summaries of progress made on previous
18 actions.”.

19 (b) NATIONAL GUARD DIVERSITY REPORTING.—Sec-
20 tion 10504 of title 10, United States Code is amended
21 by adding at the end the following new subsection (d):

22 “(d) REPORT ON DIVERSITY AND INCLUSION.—

23 “(1) IN GENERAL.—Not less than once every
24 four years, the Chief of the National Guard Bureau
25 shall report in writing to the Secretary of Defense

1 and the Congress on the status of diversity in each
2 State, Territory, and the District of Columbia for all
3 ranks of the Army and Air National Guard.

4 “(2) ELEMENTS.—Each report under para-
5 graph (1) shall include—

6 “(A) the demographics, disaggregated by
7 State, grade, ethnicity, race, gender, and mili-
8 tary occupational specialty, for—

9 “(i) accession into the National
10 Guard;

11 “(ii) the enlisted corps;

12 “(iii) the commissioned officers;

13 “(iv) the rate of promotion in the pro-
14 motion zone;

15 “(v) the rate of promotion below the
16 zone for promotion;

17 “(vi) the rates of retention;

18 “(vii) command selection;

19 “(viii) special assignments;

20 “(ix) career broadening assignments;

21 “(x) aides to a general officer; and

22 “(xi) any other matter the Chief of
23 the National Guard Bureau determines ap-
24 propriate;

1 “(B) an analysis of assignment patterns by
2 ethnicity, race, and gender;

3 “(C) an analysis of attitudinal survey data
4 by ethnicity, race, and gender;

5 “(D) an assessment of the available pool of
6 qualified of Asian American, Native Hawaiian,
7 Pacific Islander, African American, Hispanic,
8 Puerto Rican, Native American, Alaska Native
9 and female candidates for pay grades O–9 and
10 O–10;

11 “(E) identification of persistent, group-spe-
12 cific deviations from overall averages and plans
13 to investigate underlying causes; and

14 “(F) summaries of progress made on pre-
15 vious actions.

16 “(3) PUBLIC AVAILABILITY.—The Chief of the
17 National Guard Bureau shall—

18 “(A) publish on an appropriate publicly
19 available website of the National Guard the re-
20 ports required under paragraph (1); and

21 “(B) ensure that any data included with
22 the report is made available in a machine-read-
23 able format that is downloadable, searchable,
24 and sortable.”.

1 (c) COAST GUARD DIVERSITY REPORTING.—Section
2 5101 of title 14, United States Code is amended—

3 (1) in subsection (b)—

4 (A) by redesignating paragraphs (2) and
5 (3) as paragraphs (3) and (4), respectively; and

6 (B) by inserting after paragraph (1), the
7 following new paragraph (2):

8 “(2) the goals, barriers, and status of diversity
9 and inclusion;”; and

10 (3) by adding at the end the following new sub-
11 section (c):

12 “(c) Not less than once every four years, the Sec-
13 retary shall include in the annual request under subsection
14 (a)—

15 “(1) the demographics, disaggregated by grade,
16 ethnicity, race, gender, and military occupational
17 specialty, for—

18 “(A) accession into the Coast Guard;

19 “(B) the enlisted corps;

20 “(C) the commissioned officers;

21 “(D) graduates of the Coast Guard Acad-
22 emy;

23 “(E) the rate of promotion in the pro-
24 motion zone;

1 “(F) the rate of promotion below the zone
2 for promotion;

3 “(G) the rates of retention;

4 “(H) command selection;

5 “(I) special assignments;

6 “(J) career broadening assignments;

7 “(K) aides to a flag officer; and

8 “(L) any other matter the Secretary deter-
9 mines appropriate;

10 “(2) an analysis of assignment patterns by eth-
11 nicity, race, and gender;

12 “(3) an analysis of attitudinal survey data by
13 ethnicity, race, and gender;

14 “(4) an assessment of the available pool of
15 qualified of Asian American, Native Hawaiian, Pa-
16 cific Islander, African American, Hispanic, Puerto
17 Rican, Native American, Alaska Native and female
18 candidates for pay grades O–9 and O–10;

19 “(5) identification of persistent, group-specific
20 deviations from overall averages and plans to inves-
21 tigate underlying causes; and

22 “(6) summaries of progress made on previous
23 actions.”.

24 (d) REQUIREMENT TO CONSIDER MINORITY OFFI-
25 CERS FOR O–9 AND O–10 GRADES.—

1 (1) ARMY, NAVY, AIR FORCE, MARINE CORPS,
2 AND SPACE FORCE.—Section 601 of title 10, United
3 States Code is amended by adding at the end the
4 following new subsections:

5 “(e) The Chairman of the Joint Chiefs of Staff shall
6 consider all Asian American, Native Hawaiian, Pacific Is-
7 lander, African American, Hispanic, Puerto Rican, Native
8 American, Alaska Native and female candidates prior to
9 recommending to the President an initial appointment to
10 the grade of lieutenant general or vice admiral, or an ini-
11 tial appointment to the grade of general or admiral.

12 “(f) When seeking the advice and consent of the Sen-
13 ate under subsection (a), the President shall submit to the
14 Committee on Armed Services of the Senate a certification
15 that—

16 “(1) all Asian American, Native Hawaiian, Pa-
17 cific Islander, African American, Hispanic, Puerto
18 Rican, Native American, Alaska Native and female
19 candidates were considered for appointment; and

20 “(2)(A) none of the candidates under subpara-
21 graph (A) met the qualifications needed by an offi-
22 cer serving in that position or office to carry out ef-
23 fectively the duties and responsibilities of that posi-
24 tion or office; or

1 “(B) the officers in the positions designated
2 under subsection (a) represent the diversity of the
3 armed forces to the extent practicable.”.

4 (2) COAST GUARD.—Section 305(a) of title 14,
5 United States Code, is amended by adding at the
6 end the following new paragraphs:

7 “(4) The Commandant shall consider all Asian Amer-
8 ican, Native Hawaiian, Pacific Islander, African Amer-
9 ican, Hispanic, Puerto Rican, Native American, Alaska
10 Native and female candidates prior to recommending to
11 the President an initial appointment to the grade of vice
12 admiral, or an initial appointment to the grade of admiral.

13 “(5) When seeking the advice and consent of the Sen-
14 ate under subsection (a), the President shall submit to the
15 committee of the Senate with jurisdiction over the depart-
16 ment in which the Coast Guard is operating a certification
17 that—

18 “(A) all Asian American, Native Hawaiian, Pa-
19 cific Islander, African American, Hispanic, Puerto
20 Rican, Native American, Alaska Native and female
21 candidates were considered for appointment; and

22 “(B)(i) none of the candidates under subpara-
23 graph (A) met the qualifications needed by an offi-
24 cer serving in that position or office to carry out ef-

1 fectively the duties and responsibilities of that posi-
2 tion or office; or

3 “(ii) the officers in the positions designated
4 under subsection (a) represent the diversity of the
5 armed forces to the extent practicable.”.

6 **SEC. 572. ESTABLISHMENT OF DIVERSITY AND INCLUSION**

7 **ADVISORY COUNCIL OF THE DEPARTMENT**
8 **OF DEFENSE.**

9 (a) ESTABLISHMENT.—Chapter 7 of title 10, United
10 States Code, is amended by inserting before section 187
11 the following:

12 **“§ 186. Diversity and Inclusion Advisory Council**

13 “(a) ESTABLISHMENT.—The Secretary of the De-
14 partment of Defense (referred to in this section as the
15 ‘Secretary’) shall establish a council to be known as the
16 ‘Diversity and Inclusion Advisory Council of the Depart-
17 ment of Defense’ (referred to in this section as the ‘Coun-
18 cil’).

19 “(b) DUTIES.—The Council shall provide advice and
20 recommendations to the Secretary on matters concerning
21 diversity and inclusion in the Department of Defense, re-
22 lating to the following:

23 “(1) Aligning diversity and inclusion with the
24 strategic goals of the Department of Defense.

1 “(2) Conducting strategic outreach efforts to
2 identify, attract, and recruit individuals that rep-
3 resent the demographic diversity of the United
4 States.

5 “(3) Developing, mentoring, and retaining a di-
6 verse and inclusive Armed Forces.

7 “(4) Encouraging leadership development
8 through diversity and inclusion practices and pro-
9 cesses.

10 “(c) MEMBERSHIP.—

11 “(1) IN GENERAL.—The Council shall be com-
12 posed of not fewer than 22 members, including the
13 Federal officials and officers specified in paragraph
14 (2), and not fewer than 12 members appointed by
15 the Secretary from nongovernmental positions de-
16 scribed in paragraph (3).

17 “(2) FEDERAL OFFICIALS AND OFFICERS.—The
18 Federal officials and officers specified in this para-
19 graph are the following:

20 “(A) The Chief Diversity Officer of the
21 Department of Defense.

22 “(B) The Under Secretary of Defense for
23 Personnel and Readiness.

24 “(C) The Chief of Staff of the Army.

25 “(D) The Chief of Naval Operations.

1 “(E) The Chief of Staff of the Air Force.

2 “(F) The Chief of Space Operations.

3 “(G) The Chief of Staff of the Air Force.

4 “(H) The Commandant of the Marine
5 Corps.

6 “(I) The Commandant of the Coast Guard.

7 “(J) The Chief of the National Guard Bu-
8 reau.

9 “(3) NONGOVERNMENTAL POSITIONS.—Non-
10 governmental positions described in this paragraph
11 are the following:

12 “(A) Five presidents or chancellors of in-
13 stitutions of higher education, including private
14 and public institutions representing diverse
15 areas of the United States.

16 “(B) Senior leaders of the defense indus-
17 tries of the United States.

18 “(C) Senior leaders of veterans or military
19 service organizations.

20 “(D) Veterans (as defined in section 101
21 of title 38).

22 “(E) Others determined appropriate by the
23 Secretary.

24 “(4) TIMING OF APPOINTMENTS.—Appoint-
25 ments to the Council shall be made not later than

1 for months after the date of the enactment of this
2 Act.

3 “(5) TERMS.—

4 “(A) IN GENERAL.—Each member shall be
5 appointed for a term of two years.

6 “(B) VACANCIES.—Any member appointed
7 to fill a vacancy occurring before the expiration
8 of the term for which the member’s predecessor
9 was appointed shall be appointed only for the
10 remainder of that term. A member may serve
11 after the expiration of that term until a suc-
12 cessor has been appointed.

13 “(6) CHAIRPERSON AND VICE CHAIRPERSON.—

14 “(A) CHAIRPERSON.—The Chairperson of
15 the Council shall be the Chief Diversity Officer
16 of the Department of Defense.

17 “(B) VICE CHAIRPERSON.—The Vice
18 Chairperson shall be designated by the Sec-
19 retary at the time of the appointment of the
20 members pursuant to paragraph (4), and when
21 a vacancy of the Vice Chairperson occurs, as
22 the case may be.

23 “(d) MEETING.—

1 “(1) MEETINGS.—The Council shall meet not
2 fewer than four times each year at the call of the
3 Chairperson or Vice Chairperson.

4 “(2) QUORUM.—Twelve members of the Coun-
5 cil, including six appointed under subsection (c)(2)
6 and six appointed under subsection (c)(3), shall con-
7 stitute a quorum.

8 “(e) COMPENSATION.—

9 “(1) PROHIBITION ON COMPENSATION.—Except
10 as provided in paragraph (2), members of the Coun-
11 cil may not receive additional pay, allowances, or
12 benefits by reason of their service on the Council.

13 “(2) TRAVEL EXPENSES.—Each member shall
14 receive travel expenses, including per diem in lieu of
15 subsistence, in accordance with applicable provisions
16 under subchapter I of chapter 57 of title 5.

17 “(f) ADMINISTRATIVE SUPPORT SERVICES.—Upon
18 the request of the Council, the Secretary shall provide to
19 the Council, on a reimbursable basis, the administrative
20 support services necessary for the Council to carry out its
21 responsibilities under this Act.

22 “(g) REPORTS.—Not later than 180 days after the
23 date on which the Council holds its initial meeting under
24 subsection (d) and annually thereafter, the Council shall
25 submit to the congressional defense committees a report

1 containing a detailed statement of the advice and rec-
2 ommendations of the Council pursuant to subsection (b).”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 7 of title 10, United States
5 Code, is amended by inserting before the item relating to
6 section 187 the following:

“186. Diversity and Inclusion Advisory Council.”.

7 **SEC. 573. ESTABLISHMENT OF SPECIAL INSPECTOR GEN-**
8 **ERAL FOR RACIAL AND ETHNIC DISPARITIES**
9 **IN THE ARMED FORCES; AMENDMENTS TO IN-**
10 **SPECTOR GENERAL ACT.**

11 (a) SPECIAL INSPECTOR GENERAL FOR RACIAL AND
12 ETHNIC DISPARITIES IN THE ARMED FORCES.—

13 (1) PURPOSES.—The purposes of this section
14 are the following:

15 (A) To provide for the independent and ob-
16 jective conduct and supervision of audits and
17 investigations relating to racial and ethnic dis-
18 parities in military personnel and military jus-
19 tice systems, and white supremacy among mili-
20 tary personnel.

21 (B) To provide recommendations to the
22 Secretary of Defense and to Congress on ac-
23 tions necessary to eliminate racial and ethnic
24 disparities in military personnel and military
25 justice systems.

1 (2) OFFICE OF INSPECTOR GENERAL.—To
2 carry out the purposes of paragraph (1), there is
3 hereby established, in the Department of Defense,
4 the Office of the Special Inspector General for Ra-
5 cial and Ethnic Disparities in the Armed Forces.

6 (3) APPOINTMENT OF INSPECTOR GENERAL.—

7 (A) NOMINATION; APPOINTMENT.—The
8 head of the Office of the Special Inspector Gen-
9 eral for Racial and Ethnic Disparities is the
10 Special Inspector General for Racial and Ethnic
11 Disparities (in this section referred to as the
12 “Inspector General”), who shall be appointed
13 by the President, by and with the advice and
14 consent of the Senate.

15 (B) QUALIFICATIONS.—The appointment
16 of the Inspector General shall be made solely on
17 the basis of integrity and demonstrated ability
18 in accounting, auditing, financial analysis, law,
19 management analysis, public administration, or
20 investigations.

21 (C) DEADLINE FOR NOMINATION.—The
22 nomination of an individual as Inspector Gen-
23 eral shall be made not later than 90 days after
24 the date of the enactment of this Act.

1 (D) COMPENSATION.—The annual rate of
2 basic pay of the Inspector General shall be the
3 annual rate of basic pay provided for positions
4 at level IV of the Executive Schedule under sec-
5 tion 5315 of title 5, United States Code.

6 (E) PROHIBITION ON POLITICAL ACTIVI-
7 TIES.—For purposes of section 7324 of title 5,
8 United States Code, the Inspector General shall
9 not be considered an employee who determines
10 policies to be pursued by the United States in
11 the nationwide administration of Federal law.

12 (F) REMOVAL.—The Inspector General
13 shall be removable from office in accordance
14 with the provisions of section 3(b) of the In-
15 spector General Act of 1978 (5 U.S.C. App.).

16 (4) ASSISTANT INSPECTORS GENERAL.—The
17 Inspector General shall, in accordance with applica-
18 ble laws and regulations governing the civil service,
19 appoint an Assistant Inspector General for Military
20 Justice who shall have the responsibility for auditing
21 and investigation activities relating to racial and eth-
22 nic disparities within the military justice system.

23 (5) SUPERVISION.—

24 (A) IN GENERAL.—Except as provided in
25 subparagraph (B), the Inspector General shall

1 report directly to, and be under the general su-
2 pervision of the Secretary of Defense.

3 (B) INDEPENDENCE TO CONDUCT INVES-
4 TIGATIONS AND AUDITS.—No officer of the De-
5 partment of Defense shall prevent or prohibit
6 the Inspector General from initiating, carrying
7 out, or completing any audit or investigation re-
8 lated to racial and ethnic disparities or from
9 issuing any subpoena during the course of any
10 such audit or investigation.

11 (6) DUTIES.—

12 (A) OVERSIGHT OF MILITARY JUSTICE.—It
13 shall be the duty of the Inspector General to
14 conduct, supervise, and coordinate audits and
15 investigations of—

16 (i) the effect of military justice poli-
17 cies and practices on racial and ethnic dis-
18 parities, including overrepresentation of
19 minorities in actions related to investiga-
20 tions, courts-martial, nonjudicial punish-
21 ments, and other military justice actions as
22 determined by the Inspector General;

23 (ii) the effect of military personnel
24 policies and practices, including recruiting,
25 accessions, and promotions, on racial and

1 ethnic disparities, including underrepresenta-
2 tion of minorities among members of the
3 Armed Forces under the jurisdiction of the
4 Secretary of a military department in
5 grades above E-7;

6 (iii) the scope and efficacy of existing
7 diversity and inclusion offices and pro-
8 grams within the Department of Defense;
9 and

10 (iv) white supremacist activities
11 among military personnel and any other
12 issues, determined by the Inspector Gen-
13 eral, necessary to address racial and ethnic
14 disparities within the Armed Forces under
15 the jurisdiction of the Secretary of a mili-
16 tary department.

17 (B) OTHER DUTIES RELATED TO OVER-
18 SIGHT.—The Inspector General shall establish,
19 maintain, and oversee such systems, procedures,
20 and controls as the Inspector General considers
21 appropriate to discharge the duties under sub-
22 paragraph (A).

23 (C) DUTIES AND RESPONSIBILITIES
24 UNDER INSPECTOR GENERAL ACT OF 1978.—In
25 addition to the duties specified in subpara-

1 graphs (A) and (B), the Inspector General shall
2 also have the duties and responsibilities of in-
3 spectors general under the Inspector General
4 Act of 1978.

5 (D) COORDINATION OF EFFORTS.—In car-
6 rying out the duties, responsibilities, and au-
7 thorities of the Inspector General under this
8 section, the Inspector General shall coordinate
9 with, and receive the cooperation of each of the
10 following:

11 (i) The Inspector General of the De-
12 partment of Defense.

13 (ii) The Inspector General of the
14 Army.

15 (iii) The Inspector General of the
16 Navy.

17 (iv) The Inspector General of the Air
18 Force.

19 (7) POWERS AND AUTHORITIES.—

20 (A) AUTHORITIES UNDER INSPECTOR GEN-
21 ERAL ACT OF 1978.—In carrying out the duties
22 specified in paragraph (6), the Inspector Gen-
23 eral shall have the authorities provided in sec-
24 tion 6 of the Inspector General Act of 1978.

1 (B) AUDIT STANDARDS.—The Inspector
2 General shall carry out the duties specified in
3 paragraph (6)(A) in accordance with section
4 4(b)(1) of the Inspector General Act of 1978.

5 (8) PERSONNEL, FACILITIES, AND OTHER RE-
6 SOURCES.—

7 (A) PERSONNEL.—The Inspector General
8 may select, appoint, and employ such officers
9 and employees as may be necessary for carrying
10 out the duties of the Inspector General, subject
11 to the provisions of title 5, United States Code,
12 governing appointments in the competitive serv-
13 ice, and the provisions of chapter 51 and sub-
14 chapter III of chapter 53 of such title, relating
15 to classification and General Schedule pay
16 rates.

17 (B) EMPLOYMENT OF EXPERTS AND CON-
18 SULTANTS.—The Inspector General may obtain
19 services as authorized by section 3109 of title
20 5, United States Code, at daily rates not to ex-
21 ceed the equivalent rate prescribed for grade
22 GS–15 of the General Schedule by section 5332
23 of such title.

24 (C) CONTRACTING AUTHORITY.—To the
25 extent and in such amounts as may be provided

1 in advance by appropriations Acts, the Inspec-
2 tor General may enter into contracts and other
3 arrangements for audits, studies, analyses, and
4 other services with public agencies and with pri-
5 vate persons, and make such payments as may
6 be necessary to carry out the duties of the In-
7 spector General.

8 (D) RESOURCES.—The Secretary of De-
9 fense, as appropriate, shall provide the Inspec-
10 tor General with appropriate and adequate of-
11 fice space at appropriate locations of the De-
12 partment of Defense, together with such equip-
13 ment, office supplies, and communications fa-
14 cilities and services as may be necessary for the
15 operation of such offices, and shall provide nec-
16 essary maintenance services for such offices and
17 the equipment and facilities located therein.

18 (E) ASSISTANCE FROM FEDERAL AGEN-
19 CIES.—

20 (i) IN GENERAL.—Upon request of
21 the Inspector General for information or
22 assistance from any department, agency,
23 or other entity of the Federal Government,
24 the head of such entity shall, insofar as is
25 practicable and not in contravention of any

1 existing law, furnish such information or
2 assistance to the Inspector General, or an
3 authorized designee.

4 (ii) REPORTING OF REFUSED ASSIST-
5 ANCE.—Whenever information or assist-
6 ance requested by the Inspector General is,
7 in the judgment of the Inspector General,
8 unreasonably refused or not provided, the
9 Inspector General shall report the cir-
10 cumstances to the Secretary of Defense, as
11 appropriate, and to the appropriate con-
12 gressional committees without delay.

13 (9) REPORTS.—

14 (A) QUARTERLY REPORTS.—Not later
15 than 30 days after the end of each fiscal-year
16 quarter, the Inspector General shall submit
17 quarterly reports to the Secretary of Defense
18 and the congressional defense committees sum-
19 marizing the activities of the Inspector General
20 for the previous quarter.

21 (B) ANNUAL REPORTS.—The Inspector
22 General shall submit annual reports to the Sec-
23 retary of Defense and the congressional defense
24 committees presenting recommendations for
25 changes to policy, practice, regulation, and stat-

1 ute to eliminate disparities within the military
2 personnel and military justice systems and to
3 eliminate white supremacist activities among
4 military personnel.

5 (C) OCCASIONAL REPORTS.—The Inspector
6 General shall, from time to time, submit addi-
7 tional reports containing findings and rec-
8 ommendations at the discretion of the Inspector
9 General.

10 (D) ONLINE PUBLICATION.—The Inspector
11 General shall publish each report under this
12 paragraph on a publicly available website not
13 later than seven days after submission to the
14 Secretary of Defense and the congressional de-
15 fense committees.

16 (10) FUNDING.—This section shall be carried
17 out using not more than \$10,000,000 of funds au-
18 thorized to be appropriated in this Act for Operation
19 and Maintenance, Defense-wide, and no additional
20 amounts are authorized to be appropriated to carry
21 out this section.

22 (b) AMENDMENTS TO THE INSPECTOR GENERAL
23 ACT.—The Inspector General Act of 1978 (5 U.S.C. App.)
24 is amended—

25 (1) in section 3(b)—

1 (A) by inserting “(1)” before “An Inspec-
2 tor General”;

3 (B) by inserting after the first sentence
4 the following: “An Inspector General may only
5 be removed by the President before the expira-
6 tion of the term of the Inspector General for
7 permanent incapacity, neglect of duty, malfea-
8 sance, conviction of a felony or conduct involv-
9 ing moral turpitude, knowing violation of a law,
10 gross mismanagement, gross waste of funds, or
11 abuse of authority.”; and

12 (C) by adding at the end the following new
13 paragraphs:

14 “(2) If an Inspector General is removed by the Presi-
15 dent under paragraph (1) fewer than 30 days after the
16 President has communicated in writing the reasons for
17 such removal pursuant to paragraph (1), the Inspector
18 General shall submit to the Council of the Inspectors Gen-
19 eral on Integrity and Efficiency a report that includes the
20 following information:

21 “(A) A description of the facts and cir-
22 cumstances of each investigation involving a senior
23 government employee (as defined in section 5 of this
24 Act) being conducted by that Inspector General at
25 the time of such removal.

1 “(B) Any other matter that the Inspector Gen-
2 eral determines to include.

3 “(3) Any individual serving as the head of an Office
4 of Inspector General, after the removal of an Inspector
5 General under paragraph (1), shall issue to the Council
6 of the Inspectors General on Integrity and Efficiency a
7 report identifying any instances in which an investigation
8 or matter described in paragraph (2) is closed prior to
9 its completion, with a description of the reasons for closing
10 the investigation or matter.”; and

11 (2) in section 8G(e), by adding at the end the
12 following new paragraph:

13 “(3) In the event of the removal of an Inspector Gen-
14 eral, the Council of the Inspectors General on Integrity
15 and Efficiency shall—

16 “(A) investigate the reasons for removal pro-
17 vided by the President;

18 “(B) publish a report including the determina-
19 tion of the Council whether the reasons described in
20 subparagraph (A) are in accordance with the rel-
21 evant provisions relating to for cause removal;

22 “(C) review any investigation that was being
23 conducted by the Inspector General at the time of
24 such removal; and

1 **SEC. 576. PLANS TO INCREASE FEMALE AND MINORITY**
2 **REPRESENTATION IN THE ARMED FORCES.**

3 (a) **PLANS REQUIRED.**—The Secretary of Defense
4 and each Secretary of a military department shall develop
5 plans to increase, with respect to female and minority
6 members of the Armed Forces under the jurisdiction of
7 that Secretary, the following:

8 (1) Recruitment.

9 (2) Retention.

10 (3) Representation in grades above E-7.

11 (b) **ELEMENTS.**—Each plan developed under this sec-
12 tion shall include clearly defined goals, performance meas-
13 ures, and timeframes.

14 (c) **GOALS.**—A goal under subsection (b) shall be to
15 exceed, by not less than 100 percent, the rate at which
16 the number of members described in subsection (a)(3) in-
17 creased during the five years immediately preceding the
18 date of the enactment of this Act.

19 (d) **SUBMITTAL.**—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary of Defense
21 and each Secretary of a military department shall submit
22 to the committees on Armed Services of the Senate and
23 the House of Representatives a copy of each plan devel-
24 oped under this section by that Secretary.

25 (e) **REPORT.**—Three months after submitting a plan
26 under subsection (d) and quarterly thereafter for five

1 years, the Secretary of Defense and each Secretary of a
2 military department shall submit to the committees on
3 Armed Services of the Senate and the House of Represent-
4 atives a report indicating the number of female and minor-
5 ity members in grades above E-7 in each Armed Force
6 under the jurisdiction of that Secretary.

7 **SEC. 577. EVALUATION OF BARRIERS TO MINORITY PAR-**
8 **TICIPATION IN CERTAIN UNITS OF THE**
9 **ARMED FORCES.**

10 (a) STUDY REQUIRED.—

11 (1) IN GENERAL.—Not later than 30 days after
12 the date of the enactment of this Act, the Under
13 Secretary of Defense for Personnel and Readiness
14 shall seek to enter into an agreement with a feder-
15 ally funded research and development center with
16 relevant expertise to conduct an evaluation of the
17 barriers to minority participation in covered units of
18 the Armed Forces.

19 (2) ELEMENTS.—The evaluation required under
20 paragraph (1) shall include the following elements:

21 (A) A description of the racial, ethnic, and
22 gender composition of covered units.

23 (B) A comparison of the participation
24 rates of minority populations in covered units to

1 participation rates of the general population as
2 members and as officers of the Armed Forces.

3 (C) A comparison of the percentage of mi-
4 nority officers in the grade of O-7 or higher
5 who have served in each covered unit to such
6 percentage for all such officers in the Armed
7 Force of that covered unit.

8 (D) An identification of barriers to minor-
9 ity participation in the accession, assessment,
10 and training processes.

11 (E) The status and effectiveness of the re-
12 sponse to the recommendations contained in the
13 report of the RAND Corporation titled “Bar-
14 riers to Minority Participation in Special Oper-
15 ations Forces” and any follow-up recommenda-
16 tions.

17 (F) Recommendations to increase the num-
18 bers of minority officers in the Armed Forces.

19 (G) Recommendations to increase minority
20 participation in covered units.

21 (H) Any other matters the Secretary deter-
22 mines appropriate.

23 (3) REPORT TO CONGRESS.—The Secretary
24 shall—

1 (A) submit to the congressional defense
2 committees a report on the results of the study
3 by not later than January 1, 2022; and

4 (B) provide interim briefings to such com-
5 mittees upon request.

6 (b) DESIGNATION.—The study conducted under sub-
7 section (a) shall be known as the “Study on Reducing Bar-
8 riers to Minority Participation in Elite Units in the Armed
9 Services”.

10 (c) IMPLEMENTATION REQUIRED.—

11 (1) IN GENERAL.—Except as provided in para-
12 graph (2), not later than March 1, 2023, the Sec-
13 retary of Defense shall commence the implementa-
14 tion of each recommendation included in the final
15 report submitted under subsection (a)(3).

16 (2) EXCEPTIONS.—

17 (A) DELAYED IMPLEMENTATION.—The
18 Secretary of Defense may commence implemen-
19 tation of a recommendation described para-
20 graph (1) later than March 1, 2023, if—

21 (i) the Secretary submits to the con-
22 gressional defense committees, not later
23 than January 1, 2023, written notice of
24 the intent of the Secretary to delay imple-
25 mentation of the recommendation; and

1 (ii) includes, as part of such notice, a
2 specific justification for the delay in imple-
3 menting the recommendation.

4 (B) NONIMPLEMENTATION.—The Sec-
5 retary of Defense may elect not to implement a
6 recommendation described in paragraph (1),
7 if—

8 (i) the Secretary submits to the con-
9 gressional defense committees, not later
10 than January 1, 2023, written notice of
11 the intent of the Secretary not to imple-
12 ment the recommendation; and

13 (ii) includes, as part of such notice—

14 (I) the reasons for the Sec-
15 retary's decision not to implement the
16 recommendation; and

17 (II) a summary of alternative ac-
18 tions the Secretary will carry out to
19 address the purposes underlying the
20 recommendation.

21 (3) IMPLEMENTATION PLAN.—For each rec-
22 ommendation that the Secretary implements under
23 this subsection, the Secretary shall submit to the
24 congressional defense committees an implementation
25 plan that includes—

1 (A) a summary of actions the Secretary
2 has carried out, or intends to carry out, to im-
3 plement the recommendation; and

4 (B) a schedule, with specific milestones,
5 for completing the implementation of the rec-
6 ommendation.

7 (d) COVERED UNITS DEFINED.—In this section, the
8 term “covered units” means the following:

9 (1) Army Special Forces.

10 (2) Army Rangers.

11 (3) Navy SEALs.

12 (4) Air Force Combat Control Teams.

13 (5) Air Force Pararescue.

14 (6) Air Force Special Reconnaissance.

15 (7) Marine Raider Regiments.

16 (8) Marine Corps Force Reconnaissance.

17 (9) Coast Guard Maritime Security Response
18 Team.

19 (10) Any other forces designated by the Sec-
20 retary of Defense as special operations forces.

21 (11) Pilot and navigator military occupational
22 specialties.

1 **Subtitle I—Decorations and**
2 **Awards**

3 **SEC. 581. ESTABLISHMENT OF THE ATOMIC VETERANS**
4 **SERVICE MEDAL.**

5 (a) SERVICE MEDAL REQUIRED.—The Secretary of
6 Defense shall design and produce a military service medal,
7 to be known as the “Atomic Veterans Service Medal”, to
8 honor retired and former members of the Armed Forces
9 who are radiation-exposed veterans (as such term is de-
10 fined in section 1112(c)(3) of title 38, United States
11 Code).

12 (b) DISTRIBUTION OF MEDAL.—

13 (1) ISSUANCE TO RETIRED AND FORMER MEM-
14 BERS.—At the request of a radiation-exposed vet-
15 eran, the Secretary of Defense shall issue the Atom-
16 ic Veterans Service Medal to the veteran.

17 (2) ISSUANCE TO NEXT-OF-KIN.—In the case of
18 a radiation-exposed veteran who is deceased, the
19 Secretary may provide for issuance of the Atomic
20 Veterans Service Medal to the next-of-kin of the per-
21 son.

22 (3) APPLICATION.—The Secretary shall prepare
23 and disseminate as appropriate an application by
24 which radiation-exposed veterans and their next-of-

1 kin may apply to receive the Atomic Veterans Serv-
2 ice Medal.

3 **SEC. 582. AUTHORIZATION FOR AWARD OF THE DISTIN-**
4 **GUISHED-SERVICE CROSS FOR RAMIRO F.**
5 **OLIVO FOR ACTS OF VALOR DURING THE**
6 **VIETNAM WAR.**

7 (a) **AUTHORIZATION.**—Notwithstanding the time lim-
8 itations specified in section 7274 of title 10, United States
9 Code, or any other time limitation with respect to the
10 awarding of certain medals to persons who served in the
11 United States Armed Forces, the President of the United
12 States is authorized to award the Distinguished-Service
13 Cross under section 7272 of such title to Ramiro F. Olivo
14 for the acts of valor during the Vietnam War described
15 in subsection (b).

16 (b) **ACTS OF VALOR DESCRIBED.**—The acts of valor
17 described in this subsection are the actions of Ramiro F.
18 Olivo on May 9, 1968, as a member of the Army while
19 serving in the Republic of Vietnam with Company C, 1st
20 Battalion, 5th Cavalry Regiment, 1st Cavalry Division.

1 **Subtitle J—Miscellaneous Reports**
2 **and Other Matters**

3 **SEC. 591. EXPANSION OF DEPARTMENT OF DEFENSE**
4 **STARBASE PROGRAM.**

5 (a) IN GENERAL.—Section 2193b of title 10, United
6 States Code, is amended—

7 (1) in the section heading, by striking
8 “**science, mathematics, and technology**”
9 and inserting “**science, technology, engineer-**
10 **ing, art and design, and mathematics**”;

11 (2) in subsection (a), by striking “science,
12 mathematics, and technology” and inserting
13 “science, technology, engineering, art and design,
14 and mathematics”; and

15 (3) in subsection (b), by striking “mathematics,
16 science, and technology” and inserting “science,
17 technology, engineering, art and design, and mathe-
18 matics”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of chapter 111 of title 10, United States
21 Code, is amended by striking the item relating to section
22 2193b and inserting the following new item:

“2193b. Improvement of education in technical fields: program for support of elementary and secondary education in science, technology, engineering, art and design, and mathematics.”.

1 **SEC. 592. INCLUSION OF CERTAIN OUTLYING AREAS IN THE**
2 **DEPARTMENT OF DEFENSE STARBASE PRO-**
3 **GRAM.**

4 Section 2193b(h) of title 10, United States Code, is
5 amended by inserting “the Commonwealth of the North-
6 ern Mariana Islands, American Samoa,” before “and
7 Guam”.

8 **SEC. 593. PROHIBITION ON CHARGING FOR OR COUNTING**
9 **CERTAIN ACRONYMS ON HEADSTONES OF IN-**
10 **DIVIDUALS INTERRED AT ARLINGTON NA-**
11 **TIONAL CEMETERY.**

12 The Secretary of the Army shall prescribe regulations
13 or establish policies that, with regards to the headstone
14 for an individual interred at Arlington National Cemetery,
15 prohibit the charging of a fee for, or counting towards
16 character or line count, the following acronyms:

17 (1) “KIA” for an individual killed in action.

18 (2) “MIA” for an individual who was missing
19 in action.

20 (3) “POW” for an individual who was a pris-
21 oner of war.

1 **SEC. 594. REPORT ON PLACEMENT OF MEMBERS OF THE**
2 **ARMED FORCES IN ACADEMIC STATUS WHO**
3 **ARE VICTIMS OF SEXUAL ASSAULT ONTO**
4 **NON-RATED PERIODS.**

5 Not later than 90 days after the date of the enact-
6 ment of this Act, the Secretary of Defense shall submit
7 to the Committees on Armed Services of the Senate and
8 the House of Representatives a report on the feasibility
9 and advisability, and current practice (if any), of the De-
10 partment of Defense of granting requests by members of
11 the Armed Forces who are in academic status (whether
12 at the military service academies or in developmental edu-
13 cation programs) and who are victims of sexual assault
14 to be placed on a Non-Rated Period for their performance
15 report.

16 **SEC. 595. SENSE OF CONGRESS REGARDING ADVERTISING**
17 **RECRUITING EFFORTS.**

18 It is the Sense of Congress that the Chiefs of the
19 Armed Forces, in coordination with the Recruiting Com-
20 mands of the Armed Forces, should give all due consider-
21 ation to the use of local broadcasting and traditional news
22 publishers when advertising.

1 **TITLE VI—COMPENSATION AND**
2 **OTHER PERSONNEL BENEFITS**
3 **Subtitle A—Pay and Allowances**

4 **SEC. 601. INCREASE IN BASIC PAY.**

5 Effective on January 1, 2021, the rates of monthly
6 basic pay for members of the uniformed services are in-
7 creased by 3.0 percent.

8 **SEC. 602. BASIC NEEDS ALLOWANCE FOR LOW-INCOME**
9 **REGULAR MEMBERS.**

10 (a) IN GENERAL.—Chapter 7 of title 37, United
11 States Code, is amended by inserting after section 402a
12 the following new section:

13 **“§ 402b. Basic needs allowance for low-income reg-**
14 **ular members**

15 “(a) ALLOWANCE REQUIRED.—(1) Subject to para-
16 graph (2), the Secretary of Defense shall pay to each cov-
17 ered member a basic needs allowance in the amount deter-
18 mined for such member under subsection (b).

19 “(2) In the event a household contains two or more
20 covered members entitled to receive the allowance under
21 this section in a given year, only one allowance may be
22 paid for that year to a covered member among such cov-
23 ered members whom such covered members shall jointly
24 elect.

1 “(b) AMOUNT OF ALLOWANCE FOR A COVERED
2 MEMBER.—(1) The amount of the monthly allowance pay-
3 able to a covered member under subsection (a) for a year
4 shall be the aggregate amount equal to—

5 “(A) the aggregate amount equal to—

6 “(i) 130 percent of the Federal poverty guide-
7 lines of the Department of Health and Human Serv-
8 ices for the location and number of persons in the
9 household of the covered member for such year;
10 minus

11 “(ii) the gross household income of the covered
12 member during the preceding year; and

13 “(B) divided by 12.

14 “(2) The monthly allowance payable to a covered
15 member for a year shall be payable for each of the 12
16 months following March of such year.

17 “(c) NOTICE OF ELIGIBILITY.—(1)(A) Not later than
18 December 31 each year, the Director of the Defense Fi-
19 nance and Accounting Service shall notify, in writing, each
20 individual whom the Director estimates will be a covered
21 member during the following year of the potential entitle-
22 ment of that individual to the allowance described in sub-
23 section (a) for that following year.

24 “(B) The preliminary notice under subparagraph (A)
25 shall include information regarding financial management

1 and assistance programs administered by the Secretary of
2 Defense for which a covered member is eligible.

3 “(2) Not later than January 31 each year, each indi-
4 vidual who seeks to receive the allowance for such year
5 (whether or not subject to a notice for such year under
6 paragraph (1)) shall submit to the Director such informa-
7 tion as the Director shall require for purposes of this sec-
8 tion in order to determine whether or not such individual
9 is a covered member for such year.

10 “(3) Not later than February 28 each year, the Di-
11 rector shall notify, in writing, each individual the Director
12 determines to be a covered member for such year.

13 “(d) ELECTION NOT TO RECEIVE ALLOWANCE.—(1)
14 A covered member otherwise entitled to receive the allow-
15 ance under subsection (a) for a year may elect, in writing,
16 not to receive the allowance for such year. Any election
17 under this subsection shall be effective only for the year
18 for which made. Any election for a year under this sub-
19 section is irrevocable.

20 “(2) A covered member who does not submit informa-
21 tion described in subsection (d)(2) for a year as otherwise
22 required by that subsection shall be deemed to have elect-
23 ed not to receive the allowance for such year.

24 “(e) DEFINITIONS.—In this section:

1 “(1) The term ‘covered member’ means a reg-
2 ular member of an armed force under the jurisdic-
3 tion of the Secretary of a military department—

4 “(A) who has completed initial entry train-
5 ing;

6 “(B) whose gross household income during
7 the most recent year did not exceed an amount
8 equal to 130 percent of the Federal poverty
9 guidelines of the Department of Health and
10 Human Services for the location and number of
11 persons in the household of the covered member
12 for such year; and

13 “(C) who does not elect under subsection
14 (d) not to receive the allowance for such year.

15 “(2) The term ‘gross household income’ of a
16 covered member for a year for purposes of para-
17 graph (1)(B) does not include any basic allowance
18 for housing received by the covered member (and
19 any dependents of the covered member in the house-
20 hold of the covered member) during such year under
21 section 403 of this title.

22 “(f) REGULATIONS.—The Secretary of Defense shall
23 prescribe regulations for the administration of this section.
24 Subject to subsection (e)(2), such regulations shall specify
25 the income to be included in, and excluded from, the gross

1 household income of individuals for purposes of this sec-
2 tion.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 7 of such title is amended by
5 inserting after the item relating to section 402a the fol-
6 lowing new item:

“402b. Basic needs allowance for low-income regular members.”.

7 **SEC. 603. REORGANIZATION OF CERTAIN ALLOWANCES**

8 **OTHER THAN TRAVEL AND TRANSPORTATION**

9 **ALLOWANCES.**

10 (a) PER DIEM FOR DUTY OUTSIDE THE CONTI-
11 NENTAL UNITED STATES.—

12 (1) TRANSFER TO CHAPTER 7.—Section 475 of
13 title 37, United States Code, is transferred to chap-
14 ter 7 of such title, inserted after section 403b, and
15 redesignated as section 405.

16 (2) REPEAL OF TERMINATION PROVISION.—
17 Section 405 of title 37, United States Code, as
18 added by paragraph (1), is amended by striking sub-
19 section (f).

20 (b) ALLOWANCE FOR FUNERAL HONORS DUTY.—

21 (1) TRANSFER TO CHAPTER 7.—Section 495 of
22 title 37, United States Code, is transferred to chap-
23 ter 7 of such title, inserted after section 433a, and
24 redesignated as section 435.

1 (2) REPEAL OF TERMINATION PROVISION.—
2 Section 435 of title 37, United States Code, as
3 added by paragraph (1), is amended by striking sub-
4 section (c).

5 (c) CLERICAL AMENDMENTS.—

6 (1) CHAPTER 7.—The table of sections at the
7 beginning of chapter 7 of title 37, United States
8 Code, is amended—

9 (A) by inserting after the item relating to
10 section 403b the following new item:

“405. Travel and transportation allowances: per diem while on duty outside the
continental United States.”; and

11 (B) by inserting after the item relating to
12 section 433a the following new item:

“435. Funeral honors duty: allowance.”.

13 (2) CHAPTER 8.—The table of sections at the
14 beginning of chapter 8 of title 37, United States
15 Code, is amended by striking the items relating to
16 sections 475 and 495.

17 **Subtitle B—Bonuses and Special**
18 **Incentive Pays**

19 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING**
20 **BONUS AND SPECIAL PAY AUTHORITIES.**

21 (a) AUTHORITIES RELATING TO RESERVE
22 FORCES.—Section 910(g) of title 37, United States Code,
23 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, 2020” and inserting “December 31,
4 2021”.

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, 2020” and inserting “December 31, 2021”:

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, 2020” and inserting
17 “December 31, 2021”.

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 2020” and inserting “December 31, 2021”:

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, 2020” and inserting “Decem-
24 ber 31, 2021”.

1 **SEC. 612. INCREASE IN CERTAIN HAZARDOUS DUTY INCEN-**
2 **TIVE PAY FOR MEMBERS OF THE UNIFORMED**
3 **SERVICES.**

4 Section 351(b) of title 37, United States Code, is
5 amended by striking “\$250” both places it appears and
6 inserting “\$275”.

7 **SEC. 613. STANDARDIZATION OF PAYMENT OF HAZARDOUS**
8 **DUTY INCENTIVE PAY FOR MEMBERS OF THE**
9 **UNIFORMED SERVICES.**

10 (a) IN GENERAL.—Section 351(c) of title 37, United
11 States Code, is amended to read as follows:

12 “(c) PAYMENT.—Hazardous duty pay shall be paid
13 on a monthly basis.”

14 (b) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect on October 1, 2020, and shall
16 apply with respect to duty performed in any month begin-
17 ning on or after that date.

18 **SEC. 614. CLARIFICATION OF 30 DAYS OF CONTINUOUS**
19 **DUTY ON BOARD A SHIP REQUIRED FOR FAM-**
20 **ILY SEPARATION ALLOWANCE FOR MEMBERS**
21 **OF THE UNIFORMED SERVICES.**

22 Section 427(a)(1)(B) of title 37, United States Code,
23 is amended by inserting “(or under orders to remain on
24 board the ship while at the home port)” after “of the
25 ship”.

1 **SEC. 615. EXPANSION OF REIMBURSABLE STATE LICEN-**
2 **SURE AND CERTIFICATION COSTS FOR A**
3 **MILITARY SPOUSE ARISING FROM RELOCA-**
4 **TION.**

5 Section 476(p)(5) of title 37, United States Code, is
6 amended in the matter preceding subparagraph (A), by
7 striking “and” and inserting “fees, continuing education
8 courses, and”.

9 **Subtitle C—Family and Survivor**
10 **Benefits**

11 **SEC. 621. EXPANSION OF AUTHORITY TO PROVIDE FINAN-**
12 **CIAL ASSISTANCE TO CIVILIAN PROVIDERS**
13 **OF CHILD CARE SERVICES OR YOUTH PRO-**
14 **GRAM SERVICES FOR SURVIVORS OF MEM-**
15 **BERS OF THE ARMED FORCES WHO DIE IN**
16 **THE LINE OF DUTY.**

17 Section 1798(a) of title 10, United States Code, is
18 amended by striking “in combat-related incidents”.

19 **SEC. 622. EXPANSION OF DEATH GRATUITY FOR ROTC**
20 **GRADUATES.**

21 Section 623(b) of the National Defense Authorization
22 Act for Fiscal Year 2020 (Public Law 116–92) is amended
23 by striking “the date of the enactment of this Act” and
24 inserting “May 1, 2017”.

1 **SEC. 623. RECALCULATION OF FINANCIAL ASSISTANCE FOR**
2 **PROVIDERS OF CHILD CARE SERVICES AND**
3 **YOUTH PROGRAM SERVICES FOR DEPEND-**
4 **ENTS.**

5 (a) IN GENERAL.—Not later than July 1, 2021, the
6 Secretary of Defense shall develop a method by which to
7 determine appropriate amounts of financial assistance
8 under section 1798 of title 10, United States Code. In
9 such development, the Secretary shall take into consider-
10 ation the following:

- 11 (1) Grades of members of the Armed Forces.
- 12 (2) The cost of living in an applicable locale.
- 13 (3) Whether a military installation has a mili-
14 tary child development center, including any wait list
15 length.
- 16 (4) Whether a military child development center
17 has vacant child care employee positions.
- 18 (5) The capacity of licensed civilian child care
19 providers in an applicable locale.
- 20 (6) The average cost of licensed civilian child
21 care services available in an applicable locale.

22 (b) REPORT.—Not later than August 1, 2021, the
23 Secretary shall submit a report the Committees on Armed
24 Services of the Senate and the House of Representatives
25 on the method developed under this section.

1 (c) DEFINITIONS.—In this section, the terms “child
2 care employee” and “military child development center”
3 have the meanings given those terms in section 1800 of
4 title 10, United States Code.

5 **SEC. 624. PRIORITY FOR CERTAIN MILITARY FAMILY HOUS-**
6 **ING TO A MEMBER OF THE ARMED FORCES**
7 **WHOSE SPOUSE AGREES TO PROVIDE FAMILY**
8 **HOME DAY CARE SERVICES.**

9 (a) PRIORITY.—If the Secretary of a military depart-
10 ment determines that not enough child care employees are
11 employed at a military child development center on a mili-
12 tary installation under the jurisdiction of that Secretary
13 to adequately care for the children of members of the
14 Armed Forces stationed at that military installation, the
15 Secretary, to the extent practicable, may give priority for
16 covered military family housing to a member whose spouse
17 is an eligible military spouse.

18 (b) NUMBER OF PRIORITY POSITIONS.—A Secretary
19 of a military department may grant priority under sub-
20 section (a) only to the minimum number of eligible mili-
21 tary spouses that the Secretary determines necessary to
22 provide adequate child care to the children of members
23 stationed at a military installation described in subsection
24 (a).

1 (c) LIMITATION.—Nothing in this section may be
2 construed to require the Secretary of a military depart-
3 ment to provide covered military family housing that has
4 been adapted for disabled individuals to a member under
5 this section instead of to a member with one more depend-
6 ents enrolled in the Exceptional Family Member Program.

7 (d) RESULT OF FAILURE TO PROVIDE FAMILY HOME
8 DAY CARE SERVICES OR LOSS OF ELIGIBILITY.—The
9 Secretary of the military department concerned may re-
10 move a household provided covered military family housing
11 under this section therefrom if the Secretary determines
12 the spouse of that member has failed to abide by an agree-
13 ment described in subsection (e)(3) or has ceased to be
14 an eligible military spouse. Such removal may not occur
15 sooner than 60 days after the date of such determination.

16 (e) DEFINITIONS.—In this section:

17 (1) The terms “child care employee”, “family
18 home day care”, and “military child development
19 center” have the meanings given those terms in sec-
20 tion 1800 of title 10, United States Code.

21 (2) The term “covered military family housing”
22 means military family housing—

23 (A) located on a military installation de-
24 scribed in subsection (a); and

1 (B) that the Secretary of the military de-
2 partment concerned determines is large enough
3 to provide family home day care services to no
4 fewer than six children (not including children
5 in the household of the eligible military spouse).

6 (3) The term “eligible military spouse” means
7 a military spouse who—

8 (A) is eligible for military family housing;

9 (B) is eligible to provide family home day
10 care services;

11 (C) has provided family home day care
12 services for at least one year; and

13 (D) agrees in writing to provide family
14 home day care services in covered military fam-
15 ily housing for a period determined by the Sec-
16 retary of the military department concerned.

17 **SEC. 625. STUDY ON FEASIBILITY OF TSP CONTRIBUTIONS**
18 **BY MILITARY SPOUSES.**

19 (a) **STUDY REQUIRED.**—The Secretary of Defense
20 shall conduct a study on potential enhancements to the
21 military Thrift Savings Plan administered by the Federal
22 Retirement Thrift Investment Board.

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

1 (1) An evaluation of the effect of allowing mili-
2 tary spouses to contribute or make eligible retire-
3 ment account transfers to the military Thrift Sav-
4 ings Plan account of the member of the Armed
5 Forces to whom that military spouse is married.

6 (2) Legislation the Secretary determines nec-
7 essary to permit contributions and transfers de-
8 scribed in paragraph (1).

9 (3) An evaluation of whether and to what ex-
10 tent employer-funded matching of contributions de-
11 scribed in paragraph (1) may encourage further par-
12 ticipation in the military Thrift Savings Plan.

13 (c) REPORTING.—

14 (1) INITIAL REPORT.—Not later than February
15 1, 2021, the Secretary of Defense shall submit to
16 the Federal Retirement Thrift Investment Board a
17 report on the results of the study under subsection
18 (a).

19 (2) ANALYSIS.—Not later than 60 days after
20 receiving the report under paragraph (1), the Fed-
21 eral Thrift Savings Retirement Board shall analyze
22 the report under paragraph (1), generate rec-
23 ommendations and comments it determines appro-
24 priate, and submit such analysis, recommendations,
25 and comments to the Secretary.

1 “(2) The Secretary shall set the user fee under this
2 subsection at a rate that the Secretary determines will off-
3 set any increase in expenses arising from this section
4 borne by the Department of the Treasury on behalf of
5 commissary stores associated with the use of credit or
6 debit cards for customer purchases, including expenses re-
7 lated to card network use and related transaction proc-
8 essing fees.

9 “(3) The Secretary shall deposit funds collected pur-
10 suant to a user fee under this subsection in the General
11 Fund of the Treasury.

12 “(4) Any fee under this subsection is in addition to
13 the uniform surcharge under section 2484(d) of this title.

14 “(c) DEFINITIONS.—In this section:

15 “(1) The term ‘MWR retail facility’ has the
16 meaning given that term in section 1063 of this
17 title.

18 “(2) The term ‘protective services civilian em-
19 ployee’ means a position in any of the following se-
20 ries (or successor classifications) of the General
21 Schedule:

22 “(A) Security Administration (GS–0080).

23 “(B) Fire Protection and Prevention (GS–
24 0081).

25 “(C) Police (GS–0083).

1 “(D) Security Guard (GS–0085).

2 “(E) Emergency Management (GS–
3 0089).”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of chapter 54 of title 10, United States
6 Code, is amended by adding at the end the following new
7 item:

“1066. Use of commissary stores and MWR facilities: protective services civilian
employees.”.

8 **SEC. 632. FIRST RESPONDER ACCESS TO MOBILE EX-**
9 **CHANGES.**

10 Section 1146 of title 10, United States Code, is
11 amended by adding at the end the following new sub-
12 section:

13 “(d) EMERGENCY RESPONSE PROVIDERS DURING A
14 DECLARED MAJOR DISASTER OR EMERGENCY.—The Sec-
15 retary of Defense shall prescribe regulations to allow an
16 emergency response provider (as that term is defined in
17 section 2 of the Homeland Security Act of 2002 (Public
18 Law 107–296; 6 U.S.C. 101)) to use a mobile commissary
19 or exchange store deployed to an area covered by a dec-
20 laration of a major disaster or emergency under section
21 401 of the Robert T. Stafford Disaster Relief and Emer-
22 gency Assistance Act (42 U.S.C. 5170).”.

1 **SEC. 633. UPDATED BUSINESS CASE ANALYSIS FOR CON-**
2 **SOLIDATION OF THE DEFENSE RESALE SYS-**
3 **TEM.**

4 (a) IN GENERAL.—Not later than March 1, 2021, the
5 Chief Management Officer of the Department of Defense,
6 in coordination with the Undersecretary of Defense for
7 Personnel and Readiness, shall update the study titled
8 “Study to Determine the Feasibility of Consolidation of
9 the Defense Resale Entities” and dated December 4,
10 2018, to include a new business case analysis that—

11 (1) establishes new baselines for—

12 (A) savings from the costs of goods sold;

13 (B) costs of new information technology
14 required for such consolidation; and

15 (C) costs of headquarters relocation arising
16 from such consolidation; and

17 (2) addresses each recommendation for execu-
18 tive action in the Government Accountability Office
19 report GAO–20–418SU.

20 (b) REVIEW AND COMMENT.—Not later than April
21 1, 2021, the Secretary of Defense shall make the updated
22 business case analysis (in this section referred to as the
23 “updated BCA”) available to the Secretaries of the mili-
24 tary departments for comment.

25 (c) SUBMITTAL TO CONGRESSIONAL COMMITTEES.—
26 Not later than June 1, 2021, the Secretary of Defense

1 shall make any comments made under subsection (b) and
2 the updated BCA available to the Committees on Armed
3 Services of the Senate and the House of Representatives.

4 (d) DELAY OF CONSOLIDATION.—The Secretary of
5 Defense may not take any action to consolidate military
6 exchanges and commissaries until the Committees on
7 Armed Services of the Senate and the House of Represent-
8 atives notify the Secretary in writing of receipt and accept-
9 ance of the updated BCA.

10 **Subtitle E—Other Personnel**

11 **Benefits**

12 **SEC. 641. MAINTENANCE OF FUNDING FOR STARS AND**

13 **STRIPES.**

14 (a) FUNDING.—

15 (1) OPERATION AND MAINTENANCE.—Of the
16 amounts authorized to be appropriated for fiscal
17 year 2021 in Division D of this Act and available for
18 operations and maintenance for Defense-wide activi-
19 ties as specified in the funding table in section 4301
20 of this Act, \$9,000,000 shall be made available for
21 the purpose of maintaining the operations and publi-
22 cation of Stars and Stripes.

23 (2) CONTINGENCY OPERATIONS.—Of the
24 amounts authorized to be appropriated for fiscal
25 year 2021 in Division D of this Act and available for

1 overseas contingency operations for Defense-wide ac-
2 tivities as specified in the funding tables in section
3 4301 of this Act, \$6,000,000 shall be made available
4 for the purpose of maintaining the operations and
5 publication of Stars and Stripes

6 (b) REPORT ON BUSINESS CASE ANALYSIS.—Not
7 later than March 1, 2021, the Secretary of Defense, in
8 coordination with the editor of Stars and Stripes, shall
9 submit a report to the Committees on Armed Services of
10 the Senate and the House of Representatives detailing the
11 business case analysis for various options for Stars and
12 Stripes. The report shall contain the following elements:

13 (1) An analysis of the pros and cons of, and
14 business case for, continuing the operation and pub-
15 lication of Stars and Stripes at its current levels, in-
16 cluding other options for the independent reporting
17 currently provided, especially in a deployed environ-
18 ment.

19 (2) An analysis of the modes of communication
20 used by Stars and Stripes.

21 (3) An analysis of potential reduced operations
22 of Stars and Stripes.

23 (4) An analysis of the operation of Stars and
24 Stripes solely as a non-appropriated entity.

1 (5) An analysis of operating Stars and Stripes
2 as a category B morale, welfare, and recreation enti-
3 ty.

4 (6) An assessment of the value of the avail-
5 ability of Stars and Stripes (in print or an electronic
6 version) to deployed or overseas members of the
7 Armed Forces.

8 **TITLE VII—HEALTH CARE**
9 **PROVISIONS**
10 **Subtitle A—TRICARE and Other**
11 **Health Care Benefits**

12 **SEC. 701. EXPANSION OF MENTAL HEALTH ASSESSMENTS**
13 **FOR MEMBERS OF THE ARMED FORCES.**

14 Section 1074m of title 10, United States Code, is
15 amended by adding at the end the following new sub-
16 section:

17 “(g) MENTAL HEALTH ASSESSMENTS FOR PARTICI-
18 PATION IN CERTAIN ACTIVITIES.—(1) The Secretary shall
19 provide to a member described in paragraph (2) mental
20 health assessments under this section in a frequency and
21 schedule that the Secretary determines to be as similar
22 as practicable to the frequency and schedule for such as-
23 sessments under subsection (a)(1).

24 “(2) A member described in this paragraph is a mem-
25 ber who, while not deployed in support of a contingency

1 operation, participated in warfighting activities that had
2 a direct and immediate impact on a combat operation or
3 other military operation.”.

4 **SEC. 702. MANDATORY REFERRAL FOR MENTAL HEALTH**
5 **EVALUATION.**

6 Section 1090a of title 10, United States Code, is
7 amended—

8 (1) by redesignating subsection (e) as sub-
9 section (f); and

10 (2) by inserting after subsection (d) the fol-
11 lowing new subsection:

12 “(e) PROCESS APPLICABLE TO MEMBER DISCLO-
13 SURE.—The regulations required by subsection (a) shall—

14 “(1) establish a phrase that enables a member
15 of the armed forces to trigger a referral of the mem-
16 ber by a commanding officer or supervisor for a
17 mental health evaluation;

18 “(2) require a commanding officer or supervisor
19 to make such referral as soon as practicable fol-
20 lowing disclosure by the member to the commanding
21 officer or supervisor of the phrase established under
22 paragraph (1); and

23 “(3) ensure that the process protects the con-
24 fidentiality of the member in a manner similar to
25 the confidentiality provided for members making re-

1 stricted reports under section 1565b(b) of this
2 title.”.

3 **SEC. 703. ASSESSMENTS AND TESTING RELATING TO EXPO-**
4 **SURE TO PERFLUOROALKYL AND**
5 **POLYFLUOROALKYL SUBSTANCES.**

6 (a) PERIODIC HEALTH ASSESSMENT.—The Sec-
7 retary of Defense shall ensure that any periodic health as-
8 sessment provided to a member of the Armed Forces in-
9 cludes an evaluation of whether the member has been—

10 (1) based or stationed at a military installation
11 identified by the Department of Defense as a loca-
12 tion with a known or suspected release of
13 perfluoroalkyl substances or polyfluoroalkyl sub-
14 stances during the period in which the member was
15 based or stationed at the military installation; or

16 (2) exposed to such substances, including by
17 evaluating any information in the health record of
18 the member.

19 (b) SEPARATION HISTORY AND PHYSICAL EXAMINA-
20 TIONS.—Section 1145(a)(5) of title 10, United States
21 Code, is amended by adding at the end the following new
22 subparagraph:

23 “(D) The Secretary concerned shall ensure that each
24 physical examination of a member under subparagraph
25 (A) includes an assessment of whether the member was—

1 “(i) based or stationed at a military installation
2 identified by the Department as a location with a
3 known or suspected release of perfluoroalkyl sub-
4 stances or polyfluoroalkyl substances during the pe-
5 riod in which the member was based or stationed at
6 the military installation; or

7 “(ii) exposed to such substances, including by
8 assessing any information in the health record of the
9 member.”.

10 (c) DEPLOYMENT ASSESSMENTS.—Section
11 1074f(b)(2) of title 10, United States Code, is amended
12 by adding at the end the following new subparagraph:

13 “(E) An assessment of whether the member
14 was—

15 “(i) based or stationed at a military instal-
16 lation identified by the Department as a loca-
17 tion with a known or suspected release of
18 perfluoroalkyl substances or polyfluoroalkyl sub-
19 stances during the period in which the member
20 was based or stationed at the military installa-
21 tion; or

22 “(ii) exposed to such substances, including
23 by assessing any information in the health
24 record of the member.”.

25 (d) PROVISION OF BLOOD TESTING.—

1 (1) MEMBERS OF THE ARMED FORCES.—

2 (A) IN GENERAL.—If a covered evaluation
3 of a member of the Armed Forces results in a
4 positive determination of potential exposure to
5 perfluoroalkyl substances or polyfluoroalkyl sub-
6 stances, the Secretary of Defense shall provide
7 to that member, during that covered evaluation,
8 blood testing to determine and document poten-
9 tial exposure to such substances.

10 (B) INCLUSION IN HEALTH RECORD.—The
11 results of blood testing of a member of the
12 Armed Forces conducted under subparagraph
13 (A) shall be included in the health record of the
14 member.

15 (2) COVERED EVALUATION DEFINED.—In this
16 subsection, the term “covered evaluation” means—

17 (A) a periodic health assessment conducted
18 in accordance with subsection (a);

19 (B) a separation history and physical ex-
20 amination conducted under section 1145(a)(5)
21 of title 10, United States Code, as amended by
22 subsection (b); and

23 (C) a deployment assessment conducted
24 under section 1074f(b)(2) of such title, as
25 amended by subsection (c).

1 **SEC. 704. IMPROVEMENT TO BREAST CANCER SCREENING.**

2 Section 1074d(b)(2) of title 10, United States Code,
3 is amended by inserting before the period at the end the
4 following: “, including through the use of digital breast
5 tomosynthesis”.

6 **Subtitle B—Health Care**
7 **Administration**

8 **SEC. 711. PROTECTION OF THE ARMED FORCES FROM IN-**
9 **FECTIOUS DISEASES.**

10 (a) **IN GENERAL.**—Chapter 55 of title 10, United
11 States Code, is amended by inserting after section 1073d
12 the following new section:

13 **“§ 1073e. Protection of armed forces from infectious**
14 **diseases**

15 “(a) **PROTECTION.**—The Secretary of Defense shall
16 ensure that the armed forces have the diagnostic equip-
17 ment, testing capabilities, and personal protective equip-
18 ment necessary to protect members of the armed forces
19 from the threat of infectious diseases and to treat mem-
20 bers who contract infectious diseases.

21 “(b) **REQUIREMENTS.**—In carrying out subsection
22 (a), the Secretary shall ensure the following:

23 “(1) Each military medical treatment facility
24 has the testing capabilities described in such sub-
25 section.

1 “(2) Each deployed naval vessel has the testing
2 capabilities described in such subsection.

3 “(3) Members of the armed forces deployed in
4 support of a contingency operation outside of the
5 United States have access to the testing capabilities
6 described in such subsection, including at field hos-
7 pitals, combat support hospitals, field medical sta-
8 tions, and expeditionary medical facilities.

9 “(4) The Department of Defense maintains a
10 stock of personal protective equipment in a quantity
11 sufficient for each member of the armed forces, in-
12 cluding the reserve components thereof.

13 “(c) RESEARCH AND DEVELOPMENT.—(1) The Sec-
14 retary shall include with the defense budget materials (as
15 defined by section 231(f) of this title) for a fiscal year
16 a plan to research and develop vaccines for infectious dis-
17 eases.

18 “(2) The Secretary shall ensure that the medical lab-
19 oratories of the Department of Defense are equipped with
20 the technology needed to facilitate rapid research in the
21 case of a pandemic.”.

22 (b) CLERICAL AMENDMENT.—The table of contents
23 at the beginning of such chapter is amended by inserting
24 after the item relating to section 1073d the following new
25 item:

“1073e. Protection of armed forces from infectious diseases.”.

1 **SEC. 712. INCLUSION OF DRUGS, BIOLOGICAL PRODUCTS,**
2 **AND CRITICAL MEDICAL SUPPLIES IN NA-**
3 **TIONAL SECURITY STRATEGY FOR NATIONAL**
4 **TECHNOLOGY AND INDUSTRIAL BASE.**

5 (a) NATIONAL SECURITY STRATEGY FOR NATIONAL
6 TECHNOLOGY AND INDUSTRIAL BASE.—Section 2501(a)
7 of title 10, United States Code, is amended by adding at
8 the end the following new paragraph:

9 “(11) Providing for the provision of drugs, bio-
10 logical products, vaccines, and critical medical sup-
11 plies (including personal protective equipment, diag-
12 nostic and testing capabilities, and lifesaving breath-
13 ing apparatuses required for the treatment of severe
14 respiratory illness and respiratory distress) required
15 to enable combat readiness and protect the health of
16 the armed forces.”.

17 (b) REPORT.—

18 (1) IN GENERAL.—Not later than one year
19 after the date of the enactment of this Act, the Sec-
20 retary of Defense, in consultation with the Secretary
21 of Health and Human Services, the Commissioner of
22 Food and Drugs, and the heads of other depart-
23 ments and agencies of the Federal Government that
24 the Secretary of Defense determines appropriate,
25 shall submit to the appropriate congressional com-
26 mittees a report on vulnerabilities to the drugs, bio-

1 logical products, vaccines, and critical medical sup-
2 plies of the Department of Defense.

3 (2) MATTERS INCLUDED.—The report under
4 paragraph (1) shall include—

5 (A) an identification and origin of any fin-
6 ished drugs, as identified by the Secretary of
7 Defense, and the essential components of such
8 drugs, including raw materials, chemical compo-
9 nents, and active pharmaceutical ingredients
10 that are necessary for the manufacture of such
11 drugs, whose supply is at risk of disruption
12 during a time of war or national emergency;

13 (B) an identification of shortages of fin-
14 ished drugs, biological products, vaccines, and
15 critical medical supplies essential for combat
16 readiness and the protection of the health of the
17 Armed Forces, as identified by the Secretary of
18 Defense;

19 (C) an identification of the defense and
20 geopolitical contingencies that are sufficiently
21 likely to arise that may lead to the discontinu-
22 ance, interruption or meaningful disruption in
23 the supply of a drug, biological product, vac-
24 cine, or critical medical supply, and rec-
25 ommendations regarding actions the Secretary

1 of Defense should take to reasonably prepare
2 for the occurrence of such contingencies;

3 (D) an assessment conducted by the Sec-
4 retary of Defense of the resilience and capacity
5 of the current supply chain and industrial base
6 to support national defense upon the occurrence
7 of the contingencies identified in subparagraph
8 (C), including with respect to—

9 (i) the manufacturing capacity of the
10 United States;

11 (ii) gaps in domestic manufacturing
12 capabilities, including non-existent, extinct,
13 threatened, and single-point-of-failure ca-
14 pabilities; and

15 (iii) supply chains with single points
16 of failure and limited resiliency; and

17 (E) recommendations to enhance and
18 strengthen the surge requirements and readi-
19 ness contracts of the Department of Defense to
20 ensure the sufficiency of the stockpile of the
21 Department of, and the ready access by the De-
22 partment to, critical medical supplies, pharma-
23 ceuticals, vaccines, counter-measure prophylaxis,
24 and personal protective equipment, includ-
25 ing with respect to the effectiveness of the the-

1 ater lead agent for medical materiel program in
2 support of the combatant commands.

3 (3) FORM.—The report under paragraph (1)
4 shall be submitted in classified form.

5 (4) DEFINITIONS.—In this subsection:

6 (A) The term “appropriate congressional
7 committees” means the following:

8 (i) The congressional defense commit-
9 tees.

10 (ii) The Committee on Energy and
11 Commerce and the Committee on Home-
12 land Security of the House of Representa-
13 tives.

14 (iii) The Committee on Health, Edu-
15 cation, Labor, and Pensions and the Com-
16 mittee on Homeland Security and Govern-
17 mental Affairs of the Senate.

18 (B) The term “critical medical equipment”
19 includes personal protective equipment, diag-
20 nostic tests, testing supplies, and lifesaving
21 breathing apparatuses required to treat severe
22 respiratory illnesses and distress.

1 **SEC. 713. CONTRACT AUTHORITY OF THE UNIFORMED**
2 **SERVICES UNIVERSITY OF THE HEALTH**
3 **SCIENCES.**

4 Section 2113(g)(1) of title 10, United States Code,
5 is amended—

6 (1) in subparagraph (E), by striking “and” at
7 the end;

8 (2) in subparagraph (F), by striking the period
9 at the end and inserting “; and”; and

10 (3) by adding at the end the following new sub-
11 paragraph:

12 “(G) notwithstanding section 2304(k) of
13 this title, to enter into such contracts, coopera-
14 tive agreements, or grants on a sole-source
15 basis pursuant to section 2304(c)(5) of this
16 title.”.

17 **SEC. 714. EXTENSION OF ORGANIZATION REQUIREMENTS**
18 **FOR DEFENSE HEALTH AGENCY.**

19 Section 1073c(e) of title 10, United States Code, is
20 amended by striking “September 30, 2022” and inserting
21 “September 30, 2025”.

1 **SEC. 715. MODIFICATION TO LIMITATION ON THE REALIGN-**
2 **MENT OR REDUCTION OF MILITARY MEDICAL**
3 **MANNING END STRENGTH.**

4 Section 719 of the National Defense Authorization
5 Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.
6 1454) is amended—

7 (1) in subsection (a), in the matter preceding
8 paragraph (1), by striking “may not realign or re-
9 duce military medical end strength authorizations
10 until” and inserting the following: “may not realign
11 or reduce military medical end strength authoriza-
12 tions during the one-year period following the date
13 of the enactment of the National Defense Authoriza-
14 tion Act for Fiscal Year 2021, and after such pe-
15 riod, may not realign or reduce such authorizations
16 unless”; and

17 (2) in subsection (b)(1), by inserting before the
18 period at the end the following: “, including with re-
19 spect to both the homeland defense mission and pan-
20 demic influenza”.

21 **SEC. 716. MODIFICATIONS TO IMPLEMENTATION PLAN FOR**
22 **RESTRUCTURE OR REALIGNMENT OF MILI-**
23 **TARY MEDICAL TREATMENT FACILITIES.**

24 Section 703(d) of the National Defense Authorization
25 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
26 2199) is amended—

1 (1) in paragraph (2), by striking subparagraph
2 (D) and inserting the following new subparagraph:

3 “(D) A description of how the Secretary
4 will carry out subsection (b), including with re-
5 spect to—

6 “(i) the standards required for health
7 care providers to accept and transition cov-
8 ered beneficiaries to the purchased care
9 component of the TRICARE program;

10 “(ii) a method to monitor and report
11 on quality benchmarks for the beneficiary
12 population that is required to transition to
13 such component of the TRICARE pro-
14 gram; and

15 “(iii) a process by which the Defense
16 Health Agency will ensure that such com-
17 ponent of the TRICARE program has the
18 required capacity.”; and

19 (2) by adding at the end the following new
20 paragraph:

21 “(4) NOTICE AND WAIT.—The Secretary may
22 not implement the plan under paragraph (1) un-
23 less—

24 “(A) the Secretary has submitted the plan
25 to the congressional defense committees; and

1 “(B) a one-year period elapses following
2 the later of the date of such submission or the
3 date of the enactment of the National Defense
4 Authorization Act for Fiscal Year 2021.”.

5 **SEC. 717. POLICY TO ADDRESS OPIOID PRESCRIPTION**
6 **ABUSE PREVENTION.**

7 (a) **REQUIREMENT.**—The Secretary of Defense shall
8 develop a policy and tracking mechanism for opioids that
9 monitors and prohibits the over prescribing of opioids to
10 ensure compliance with clinical practice guidelines.

11 (b) **ELEMENTS.**—The requirements under subsection
12 (a) shall include the following:

13 (1) Limit the prescribing of opioids to the mor-
14 phine milligram equivalent level per day specified in
15 the guideline published by the Centers for Disease
16 Control and Prevention titled “CDC Guideline for
17 Prescribing Opioids for Chronic Pain—United
18 States, 2016”, or such successor guideline.

19 (2) Limit the supply of opioids to within clini-
20 cally accepted guidelines.

21 (3) Develop a waiver process for specific patient
22 categories that will require treatment beyond the
23 limit specified in paragraph (1).

24 (4) Implement controls to ensure that the pre-
25 scriptions in the military health system data reposi-

1 tory exist and that the dispense date and the metric
2 quantity field for opioid prescriptions in liquid form
3 are consistent among all systems.

4 (5) Implement opioid prescribing controls with-
5 in the electronic health record system known as
6 “Genesis”.

7 (6) Develop metrics that can be used by the
8 Defense Health Agency and each military medical
9 treatment facility to actively monitor and limit the
10 over prescribing of opioids.

11 (7) Develop a report that tracks progression to-
12 ward reduced levels of opioid use.

13 **SEC. 718. ADDITION OF BURN PIT REGISTRATION TO ELEC-**
14 **TRONIC HEALTH RECORDS OF MEMBERS OF**
15 **THE ARMED FORCES AND VETERANS.**

16 (a) UPDATES TO ELECTRONIC HEALTH RECORDS.—
17 Beginning not later than one year after the date of the
18 enactment of this Act—

19 (1) the Secretary of Defense shall ensure that
20 the electronic health record maintained by such Sec-
21 retary of a member of the Armed Forces registered
22 with the burn pit registry is updated with any infor-
23 mation contained in such registry; and

24 (2) the Secretary of Veterans Affairs shall en-
25 sure that the electronic health record maintained by

1 such Secretary of a veteran registered with the burn
2 pit registry is updated with any information con-
3 tained in such registry.

4 (b) BURN PIT REGISTRY DEFINED.—In this section,
5 the term “burn pit registry” means the registry estab-
6 lished under section 201 of the Dignified Burial and Other
7 Veterans’ Benefits Improvement Act of 2012 (Public Law
8 112–260; 38 U.S.C. 527 note).

9 **Subtitle C—Matters Relating to**
10 **COVID–19**

11 **SEC. 721. COVID–19 MILITARY HEALTH SYSTEM REVIEW**
12 **PANEL.**

13 (a) ESTABLISHMENT.—The Secretary of Defense
14 shall establish a panel to be known as the “COVID–19
15 Military Health System Review Panel” (in this section re-
16 ferred to as the “panel”).

17 (b) COMPOSITION.—

18 (1) MEMBERS.—The panel shall be composed of
19 the following members:

20 (A) The President of the Uniformed Serv-
21 ices University of the Health Sciences.

22 (B) The Director of the Defense Health
23 Agency.

24 (C) The Surgeon General of the Army.

25 (D) The Surgeon General of the Navy.

1 (E) The Surgeon General of the Air Force.

2 (F) The Joint Staff Surgeon.

3 (G) The Deputy Assistant Secretary of De-
4 fense for Health Readiness Policy and Over-
5 sight.

6 (H) The Deputy Assistant Secretary of
7 Defense for Health Resources Management and
8 Policy.

9 (2) CHAIRPERSON.—The chairperson of the
10 panel shall be the President of the Uniformed Serv-
11 ices University of the Health Sciences.

12 (3) TERMS.—Each member shall be appointed
13 for the life of the panel.

14 (c) DUTIES.—

15 (1) IN GENERAL.—The panel shall—

16 (A) review the response of the military
17 health system to the coronavirus disease 2019
18 (COVID–19) and the effects of COVID–19 on
19 such system, including by analyzing any
20 strengths or weaknesses of such system identi-
21 fied as a result COVID–19; and

22 (B) using information from the review,
23 make such recommendations as the panel con-
24 siders appropriate with respect to any policy,
25 practice, organization, manning level, funding

1 level, or legislative authority relating to the
2 military health system.

3 (2) ELEMENTS OF REVIEW.—In conducting the
4 review under paragraph (1), each member of the
5 panel shall lead a review of at least one of the fol-
6 lowing elements, with respect to the military health
7 system:

8 (A) Policy, including any policy relating to
9 force health protection or medical standards for
10 the appointment, enlistment, or induction of in-
11 dividuals into the Armed Forces.

12 (B) Public health activities, including any
13 activity relating to risk communication, surveil-
14 lance, or contact tracing.

15 (C) Research, diagnostics, and thera-
16 peutics.

17 (D) Logistics and technology.

18 (E) Force structure and manning.

19 (F) Governance and organization.

20 (G) Operational capabilities and oper-
21 ational support.

22 (H) Education and training.

23 (I) Health benefits under the TRICARE
24 program.

1 (J) Engagement and security activities re-
2 relating to global health.

3 (K) The financial impact of COVID–19 on
4 the military health system.

5 (d) REPORT.—Not later than June 1, 2021, the Sec-
6 retary of Defense shall submit to the congressional defense
7 committees a report that includes the findings of the panel
8 as a result of the review under subsection (c)(1)(A), to-
9 gether with such recommendations as the panel considers
10 appropriate under subsection (c)(1)(B).

11 (e) TERMINATION.—The panel shall terminate on
12 June 1, 2021.

13 **SEC. 722. COVID–19 GLOBAL WAR ON PANDEMICS.**

14 (a) STRATEGY.—The Secretary of Defense shall de-
15 velop a strategy for pandemic preparedness and response
16 that includes the following:

17 (1) Identification of activities necessary to be
18 carried out prior to a pandemic to ensure prepared-
19 ness and effective communication of roles and re-
20 sponsibilities within the Department of Defense, in-
21 cluding—

22 (A) reviewing the frequency of each exer-
23 cise conducted by the Department or a military
24 department that relates to a pandemic or severe

1 influenza season or related force health protec-
2 tion;

3 (B) ensuring such exercises are appro-
4 priately planned, resourced, and practiced;

5 (C) including a consideration of the capa-
6 bilities and capacities necessary to carry out the
7 strategy under this section, and related oper-
8 ations for force health protection, and ensuring
9 that these are included in each cost evaluation,
10 Defense-wide review, or manning assessment of
11 the Department of Defense that affects such
12 capabilities and capacities;

13 (D) reviewing the placement, exploring
14 broader utilization of global health engagement
15 liaisons, and increasing the scope of global
16 health activities of the Department of Defense;

17 (E) assessing a potential career track re-
18 lating to health protection research for mem-
19 bers of the Armed Forces and civilian employ-
20 ees of the Department of Defense;

21 (F) providing to members of the Armed
22 Forces guidance on force health protection prior
23 to and during a pandemic or severe influenza
24 season, including guidance on specific behaviors
25 or actions required, such as self-isolating, social

1 distancing, and additional protective measures
2 to be carried out after contracting a novel virus
3 or influenza;

4 (G) reviewing and updating the inventory
5 of medical supplies and equipment of the De-
6 partment of Defense that is available for oper-
7 ational support to the combatant commands
8 prior to and during a pandemic (such as vac-
9 cines, biologics, drugs, preventive medicine,
10 antiviral medicine, and equipment relating to
11 trauma support), including a review of—

12 (i) the sufficiency of prepositioned
13 stocks; and

14 (ii) the effectiveness of the
15 Warstopper Program of the Defense Logis-
16 tics Agency, or such successor program;

17 (H) reviewing and updating distribution
18 plans of the Department of Defense for critical
19 medical supplies and equipment within the in-
20 ventory of the Department of Defense, includ-
21 ing vaccines and antiviral medicines; and

22 (I) reviewing and updating research on in-
23fectious diseases and preventive medicine con-
24 ducted by the military health system, including
25 research conducted by the Health Related Com-

1 munities of Interest of the Department of De-
2 fense, the Joint Program Committees, the over-
3 seas medical laboratories of the Department of
4 Defense, the Armed Forces Health Surveillance
5 Branch, or other elements of the Department of
6 Defense that conduct research in support of
7 members of the Armed Forces or beneficiaries
8 under the TRICARE program.

9 (2) Review of Department of Defense systems
10 for health surveillance and detection to ensure con-
11 tinuous situational awareness and early warning
12 with respect to a pandemic, including a review of—

13 (A) the levels of funding and investment,
14 and the overall value, of the Global Emerging
15 Infections Surveillance and Response System of
16 the Department of Defense, including the value
17 demonstrated by the role of such system in—

18 (i) improving the Department of De-
19 fense prevention and surveillance of, and
20 the response to, infectious diseases that
21 may impact members of the Armed Forces;

22 (ii) informing decisions relating to
23 force health protection across the geo-
24 graphic combatant commands;

1 (iii) ensuring laboratory readiness to
2 support pandemic response efforts and to
3 understand infectious disease threats to
4 the Armed Forces; and

5 (iv) coordinating and collaborating
6 with partners, such as the geographic com-
7 batant commands, other Federal agencies,
8 and international partners;

9 (B) the levels of funding and investment,
10 and the overall value, of the overseas medical
11 laboratories of the Department of Defense, in-
12 cluding the value demonstrated by the role of
13 such laboratories in conducting research and
14 forming partnerships with other elements of the
15 Department of Defense, other Federal agencies,
16 international partners in the country in which
17 such laboratory is located, and, as applicable,
18 the private sector of the United States; and

19 (C) the levels of funding and investment,
20 and the overall value, of the Direct HIV/AIDS
21 Prevention Program of the Department of De-
22 fense, including the value demonstrated by the
23 role of such program in developing (in coordina-
24 tion with other Federal agencies) programs for
25 the prevention, care, and treatment of the

1 human immunodeficiency virus infection and
2 acquired immune deficiency syndrome.

3 (3) Identification of activities to limit the
4 spread of an infectious disease outbreak among
5 members of the Armed Forces and beneficiaries
6 under the TRICARE program, including activities to
7 mitigate the health, social, and economic impacts of
8 a pandemic on such members and beneficiaries, in-
9 cluding by—

10 (A) reviewing the role of the Department
11 of Defense in the National Disaster Medical
12 System under section 2812 of the Public Health
13 Service Act (42 U.S.C. 300hh–11) and imple-
14 menting plans across the Department that le-
15 verage medical facilities, personnel, and re-
16 sponse capabilities of the Federal Government
17 to support requirements under such Act relat-
18 ing to medical surge capacity;

19 (B) determining the range of public health
20 capacity, medical surge capacity, administrative
21 capacity, and veterinary capacity necessary for
22 the Armed Forces to—

23 (i) support operations during a pan-
24 demic; and

1 (ii) develop mechanisms to reshape
2 force structure during such pandemic as
3 necessary (contingent upon primary mis-
4 sion requirements); and

5 (C) determining the range of activities for
6 operational medical support and infrastructure
7 sustainment that the Department of Defense
8 and other Federal agencies have the capacity to
9 implement during a pandemic (contingent upon
10 primary mission requirements), and develop
11 plans for the implementation of such activities.

12 (b) STUDY ON RESPONSE TO COVID-19.—The Sec-
13 retary shall conduct a study on the response of the mili-
14 tary health system to the coronavirus disease 2019
15 (COVID-19).

16 (c) REPORT.—Not later than June 1, 2021, the Sec-
17 retary shall submit to the congressional defense commit-
18 tees a report containing—

19 (1) the strategy under subsection (a); and

20 (2) the study under subsection (b), including
21 any findings or recommendations from the study
22 that relate to an element of the strategy under sub-
23 section (a), such as recommended changes to policy,
24 funding, practices, manning, organization, or legisla-
25 tive authority.

1 **SEC. 723. REGISTRY OF TRICARE BENEFICIARIES DIAG-**
2 **NOSED WITH COVID-19.**

3 (a) ESTABLISHMENT.—Not later than June 1, 2021,
4 the Secretary of Defense shall establish and maintain a
5 registry of TRICARE beneficiaries who have been diag-
6 nosed with COVID-19.

7 (b) CONTENTS.—The registry under subsection (a)
8 shall include, with respect to each TRICARE beneficiary
9 included in the registry, the following:

10 (1) The demographic information of the bene-
11 ficiary.

12 (2) Information on the industrial or occupa-
13 tional history of the beneficiary, to the extent such
14 information is available in the records regarding the
15 COVID-19 diagnosis of the beneficiary.

16 (3) Administrative information regarding the
17 COVID-19 diagnosis of the beneficiary, including
18 the date of the diagnosis and the location and source
19 of the test used to make the diagnosis.

20 (4) Any symptoms of COVID-19 manifested in
21 the beneficiary.

22 (5) Any treatments for COVID-19 taken by the
23 beneficiary, or other medications taken by the bene-
24 ficiary, when the beneficiary was diagnosed with
25 COVID-19.

1 (6) Any pathological data characterizing the in-
2 cidence of COVID–19 and the type of treatment for
3 COVID–19 provided to the beneficiary.

4 (7) Any other information determined appro-
5 priate by the Secretary.

6 (c) REPORT.—Not later than 180 days after the date
7 of the enactment of this Act, the Secretary shall submit
8 to the Committees on Armed Services of the House of
9 Representatives and the Senate a report on establishing
10 the registry under subsection (a), including—

11 (1) a plan to implement the registry;

12 (2) the cost of implementing the registry;

13 (3) the location of the registry; and

14 (4) any recommended legislative changes with
15 respect to establishing the registry.

16 (d) TRICARE BENEFICIARY DEFINED.—In this sec-
17 tion, the term “TRICARE beneficiary” means the fol-
18 lowing:

19 (1) An individual covered by section 1074(a) of
20 title 10, United States Code.

21 (2) A covered beneficiary (as defined in section
22 1072 of title 10, United States Code).

1 **Subtitle D—Reports and Other**
2 **Matters**

3 **SEC. 731. MODIFICATIONS TO PILOT PROGRAM ON CIVIL-**
4 **IAN AND MILITARY PARTNERSHIPS TO EN-**
5 **HANCE INTEROPERABILITY AND MEDICAL**
6 **SURGE CAPABILITY AND CAPACITY OF NA-**
7 **TIONAL DISASTER MEDICAL SYSTEM.**

8 Section 740 of the National Defense Authorization
9 Act for Fiscal Year 2020 (Public Law 116–92) is amend-
10 ed—

11 (1) in subsection (a)—

12 (A) by striking “The Secretary of Defense
13 may” and inserting “Beginning not later than
14 180 days after the date of the enactment of the
15 National Defense Authorization Act for Fiscal
16 Year 2021, the Secretary of Defense shall”; and

17 (B) by striking “and the Secretary of
18 Transportation” and inserting “the Secretary of
19 Transportation, and the Administrator of the
20 Federal Emergency Management Agency”;

21 (2) in subsection (d), by striking “and the Sec-
22 retary of Transportation” and inserting “the Sec-
23 retary of Transportation, and the Administrator of
24 the Federal Emergency Management Agency”; and

25 (3) in subsection (f)—

1 (A) by striking “the Committees on Armed
2 Services of the Senate and the House of Rep-
3 resentatives” each place it appears and insert-
4 ing “the appropriate congressional committees”;

5 (B) in paragraph (1)(B)(i), by inserting
6 before the period the following: “, including a
7 recommendation for at least one of the locations
8 selected under subsection (c)”; and

9 (C) by adding at the end the following new
10 paragraph:

11 “(3) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES DEFINED.—In this subsection, the term ‘ap-
13 propriate congressional committees’ means the fol-
14 lowing:

15 “(A) The Committee on Armed Services,
16 the Committee on Transportation and Infra-
17 structure, the Committee on Veterans’ Affairs,
18 the Committee on Homeland Security, and the
19 Committee on Energy and Commerce of the
20 House of Representatives.

21 “(B) The Committee on Armed Services,
22 the Committee on Commerce, Science, and
23 Transportation, the Committee on Veterans’ Af-
24 fairs, the Committee on Homeland Security and
25 Governmental Affairs, and the Committee on

1 Health, Education, Labor, and Pensions of the
2 Senate.”.

3 **SEC. 732. REPORTS ON SUICIDE AMONG MEMBERS OF THE**
4 **ARMED FORCES AND SUICIDE PREVENTION**
5 **PROGRAMS AND ACTIVITIES OF THE DEPART-**
6 **MENT OF DEFENSE.**

7 Section 741(a)(2) of the National Defense Authoriza-
8 tion Act for Fiscal Year 2020 (Public Law 116–92; 133
9 Stat. 1467) is amended—

10 (1) in subparagraph (B), by adding at the end
11 the following new clause:

12 “(iii) The one-year period following
13 the date on which the member returns
14 from such a deployment.”;

15 (2) by redesignating subparagraphs (D)
16 through (H) as subparagraphs (E) through (I), re-
17 spectively;

18 (3) by inserting after subparagraph (C) the fol-
19 lowing new subparagraph (D):

20 “(D) The number of suicides involving a
21 member who was prescribed a medication to
22 treat a mental health or behavioral health diag-
23 nosis during the one-year period preceding the
24 death.”; and

1 (4) by adding at the end the following new sub-
2 paragraph:

3 “(J) A description of the programs carried
4 out by the military departments to address and
5 reduce the stigma associated with seeking as-
6 sistance for mental health or suicidal
7 thoughts.”.

8 **SEC. 733. CLARIFICATION OF RESEARCH UNDER JOINT**
9 **TRAUMA EDUCATION AND TRAINING DIREC-**
10 **TORATE AND INCLUSION OF MILITARY**
11 **WORKING DOGS.**

12 (a) IN GENERAL.—Subsection (b) of section 708 of
13 the National Defense Authorization Act for Fiscal Year
14 2017 (Public Law 114–328; 10 U.S.C. 1071 note) is
15 amended—

16 (1) in paragraph (7), by striking “of members
17 of the Armed Forces” and inserting “with respect to
18 both members of the Armed Forces and military
19 working dogs”; and

20 (2) by striking paragraph (9) and inserting the
21 following new paragraph:

22 “(9) To inform and advise the conduct of re-
23 search on the leading causes of morbidity and mor-
24 tality of members of the Armed Forces and military
25 working dogs in combat.”.

1 (b) VETERINARIANS IN PERSONNEL MANAGEMENT

2 PLAN.—Subsection (d)(1) of such section is amended—

3 (1) by redesignating subparagraph (F) as sub-

4 paragraph (G); and

5 (2) by inserting after subparagraph (E) the fol-

6 lowing new subparagraph:

7 “(F) Veterinary care.”.

8 **SEC. 734. EXTENSION OF THE JOINT DEPARTMENT OF DE-**

9 **FENSE-DEPARTMENT OF VETERANS AFFAIRS**

10 **MEDICAL FACILITY DEMONSTRATION**

11 **PROJECT.**

12 Section 1704(e) of the National Defense Authoriza-

13 tion Act for Fiscal Year 2010 (Public Law 111–84; 123

14 Stat. 2567), as most recently amended by section 732 of

15 the National Defense Authorization Act for Fiscal Year

16 2020 (Public Law 116–92), is further amended by strik-

17 ing “September 30, 2021” and inserting “September 30,

18 2023”.

19 **SEC. 735. INFORMATION SHARING BY SECRETARY OF DE-**

20 **FENSE REGARDING PREVENTION OF INFANT**

21 **AND MATERNAL MORTALITY.**

22 (a) AUTHORIZATION OF INFORMATION SHARING.—

23 The Secretary of Defense may enter into memoranda of

24 understanding with State and local health authorities to

25 share the practices of, and lessons learned by, the military

1 health system for the prevention of infant and maternal
2 mortality.

3 (b) STATE DEFINED.—In this section, the term
4 “State” means each State, the District of Columbia, each
5 commonwealth, territory or possession of the United
6 States, and each federally recognized Indian Tribe.

7 **SEC. 736. GRANT PROGRAM FOR INCREASED COOPERA-**
8 **TION ON POST-TRAUMATIC STRESS DIS-**
9 **ORDER RESEARCH BETWEEN UNITED STATES**
10 **AND ISRAEL.**

11 (a) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that the Secretary of Defense, acting through the
13 Psychological Health and Traumatic Brain Injury Re-
14 search Program, should seek to explore scientific collabo-
15 ration between American academic institutions and non-
16 profit research entities, and Israeli institutions with exper-
17 tise in researching, diagnosing, and treating post-trau-
18 matic stress disorder.

19 (b) GRANT PROGRAM.—The Secretary of Defense, in
20 coordination with the Secretary of Veterans Affairs and
21 the Secretary of State, shall award grants to eligible enti-
22 ties to carry out collaborative research between the United
23 States and Israel with respect to post-traumatic stress dis-
24 orders. The Secretary of Defense shall carry out the grant
25 program under this section in accordance with the agree-

1 ment titled “Agreement Between the Government of the
2 United States of America and the Government of Israel
3 on the United States-Israel Binational Science Founda-
4 tion”, dated September 27, 1972.

5 (c) ELIGIBLE ENTITIES.—To be eligible to receive a
6 grant under this section, an entity shall be an academic
7 institution or a nonprofit entity located in the United
8 States.

9 (d) AWARD.—The Secretary shall award grants
10 under this section to eligible entities that—

11 (1) carry out a research project that—

12 (A) addresses a requirement in the area of
13 post-traumatic stress disorders that the Sec-
14 retary determines appropriate to research using
15 such grant; and

16 (B) is conducted by the eligible entity and
17 an entity in Israel under a joint research agree-
18 ment; and

19 (2) meet such other criteria that the Secretary
20 may establish.

21 (e) APPLICATION.—To be eligible to receive a grant
22 under this section, an eligible entity shall submit an appli-
23 cation to the Secretary at such time, in such manner, and
24 containing such commitments and information as the Sec-
25 retary may require.

1 (f) GIFT AUTHORITY.—The Secretary may accept,
2 hold, and administer, any gift of money made on the con-
3 dition that the gift be used for the purpose of the grant
4 program under this section. Such gifts of money accepted
5 under this subsection shall be deposited in the Treasury
6 in the Department of Defense General Gift Fund and shall
7 be available, subject to appropriation, without fiscal year
8 limitation.

9 (g) REPORTS.—Not later than 180 days after the
10 date on which an eligible entity completes a research
11 project using a grant under this section, the Secretary
12 shall submit to Congress a report that contains—

13 (1) a description of how the eligible entity used
14 the grant; and

15 (2) an evaluation of the level of success of the
16 research project.

17 (h) TERMINATION.—The authority to award grants
18 under this section shall terminate on the date that is seven
19 years after the date on which the first such grant is
20 awarded.

21 **SEC. 737. PILOT PROGRAM ON CRYOPRESERVATION AND**
22 **STORAGE.**

23 (a) PILOT PROGRAM.—The Secretary of Defense
24 shall establish a pilot program to provide not more than
25 1,000 members of the Armed Forces serving on active

1 duty with the opportunity to cryopreserve and store their
2 gametes prior to deployment to a combat zone.

3 (b) PERIOD.—

4 (1) IN GENERAL.—The Secretary shall provide
5 for the cryopreservation and storage of gametes of
6 a participating member of the Armed Forces under
7 subsection (a), at no cost to the member, in a facil-
8 ity of the Department of Defense or at a private en-
9 tity pursuant to a contract under subsection (d)
10 until the date that is one year after the retirement,
11 separation, or release of the member from the
12 Armed Forces.

13 (2) CONTINUED CRYOPRESERVATION AND
14 STORAGE.—At the end of the one-year period speci-
15 fied in paragraph (1), the Secretary shall authorize
16 an individual whose gametes were cryopreserved and
17 stored in a facility of the Department as described
18 in that paragraph to select, including pursuant to an
19 advance medical directive or military testamentary
20 instrument completed under subsection (c), one of
21 the following options:

22 (A) To continue such cryopreservation and
23 storage in such facility with the cost of such
24 cryopreservation and storage borne by the indi-
25 vidual.

1 (B) To transfer the gametes to a private
2 cryopreservation and storage facility selected by
3 the individual.

4 (C) To authorize the Secretary to dispose
5 of the gametes of the individual not earlier than
6 the date that is 90 days after the end of the
7 one-year period specified in paragraph (1) with
8 respect to the individual.

9 (e) **ADVANCE MEDICAL DIRECTIVE AND MILITARY**
10 **TESTAMENTARY INSTRUMENT.**—A member of the Armed
11 Forces who elects to cryopreserve and store their gametes
12 under this section shall complete an advance medical di-
13 rective described in section 1044c(b) of title 10, United
14 States Code, and a military testamentary instrument de-
15 scribed in section 1044d(b) of such title, that explicitly
16 specifies the use of their cryopreserved and stored gametes
17 if such member dies or otherwise loses the capacity to con-
18 sent to the use of their cryopreserved and stored gametes.

19 (d) **AGREEMENTS.**—To carry out this section, the
20 Secretary may enter into agreements with private entities
21 that provide cryopreservation and storage services for
22 gametes.

1 **SEC. 738. PILOT PROGRAM ON PARENTS SERVING AS CER-**
2 **TIFIED NURSING ASSISTANTS FOR CHILDREN**
3 **UNDER TRICARE PROGRAM.**

4 (a) PILOT PROGRAM.—The Director of the Defense
5 Health Agency may carry out a pilot program under which
6 an eligible parent serves as a certified nursing assistant
7 under the TRICARE program with respect to providing
8 personal care services to a covered child.

9 (b) DURATION.—If the Director carries out the pilot
10 program under subsection (a), the Director shall carry out
11 the pilot program for a period of 18 months.

12 (c) BRIEFING.—If the Director carries out the pilot
13 program under subsection (a), not later than one year
14 after the date of the enactment of this Act, the Director
15 shall provide to the congressional defense committees a
16 briefing on the pilot program.

17 (d) REPORT.—If the Director carries out the pilot
18 program under subsection (a), not later than 180 days
19 after the date of the completion of the pilot program, the
20 Director shall submit to the congressional defense commit-
21 tees a report on the pilot program. The report shall in-
22 clude—

23 (1) the cost of the program;

24 (2) an analysis of whether the pilot program
25 met established performance metrics;

1 (3) an analysis of whether the pilot program
2 provided the standard of care to the patient that is
3 required; and

4 (4) the recommendation of the Director regard-
5 ing whether the pilot program should be made per-
6 manent.

7 (e) DEFINITIONS.—In this section:

8 (1) The term “covered child” means a covered
9 beneficiary described in section 1072(2)(D) of title
10 10, United States Code, who—

11 (A) is the child of a member of the uni-
12 formed services serving on active duty; and

13 (B) is eligible for private duty nursing
14 under the Extended Care Health Option under
15 subsections (d) through (f) of section 1079 of
16 such title.

17 (2) The term “eligible parent” means an indi-
18 vidual who is—

19 (A) a certified nursing assistant; and

20 (B) the parent of a covered child.

21 (3) The term “personal care services” means
22 personal care services prescribed by a medical doctor
23 and provided by a certified nursing assistant under
24 the supervision and guidance of a registered nurse
25 case manager.

1 (4) The term “TRICARE program” has the
2 meaning given that term in section 1072 of title 10,
3 United States Code.

4 **SEC. 739. STUDY ON INCIDENCE OF CANCER DIAGNOSIS**
5 **AND MORTALITY AMONG PILOTS IN THE**
6 **ARMED FORCES.**

7 (a) STUDY.—Not later than 180 days after the date
8 of the enactment of this Act, the Secretary of Defense
9 shall seek to enter into an agreement with the National
10 Academies of Sciences, Engineering, and Medicine to con-
11 duct a study to—

12 (1) determine the incidence of cancer diagnosis
13 and mortality among members, and former mem-
14 bers, of the Armed Forces who serve as pilots com-
15 pared to such members who do not serve as pilots,
16 including by determining such incidence based on
17 gender, age, flying hours, Armed Force, and type of
18 aircraft; and

19 (2) determine the appropriate age to begin
20 screening such members for cancer, including by de-
21 termining such age based on gender, flying hours,
22 Armed Force, and type of aircraft.

23 (b) SUBMISSION.—Not later than two years after the
24 date on which the Secretary enters into the agreement
25 under subsection (a), the Secretary shall submit to the ap-

1 appropriate congressional committees a report on the find-
2 ings from the study under such subsection.

3 (c) DEFINITIONS.—In this section:

4 (1) The term “appropriate congressional com-
5 mittees” means—

6 (A) the Committees on Armed Services
7 and Veterans’ Affairs of the House of Rep-
8 resentatives; and

9 (B) the Committees on Armed Services
10 and Veterans’ Affairs of the Senate.

11 (2) The term “Armed Forces” means each
12 Armed Force under the jurisdiction of the Secretary
13 of a military department.

14 (3) The term “pilot” includes an individual who
15 frequently accompanies a pilot in a cockpit, such as
16 a navigator.

17 **SEC. 740. REPORT ON DIET AND NUTRITION OF MEMBERS**
18 **OF THE ARMED FORCES.**

19 Not later than 180 days after the date of the enact-
20 ment of this Act, the Secretary of Defense shall submit
21 to the congressional defense committees a report on the
22 diet and nutrition of members of the Armed Forces. The
23 report shall describe the following:

1 (1) The relationship between the diet and nutri-
2 tion of members and the health, performance, and
3 combat effectiveness of members.

4 (2) The relationship between diets high in
5 Omega-3 fatty acids, or other diets that may lower
6 inflammation and obesity, and improved mental
7 health.

8 (3) The extent to which the food and beverages
9 offered at the dining halls of the Armed Forces as
10 of the date of the report are designed to optimize
11 the health, performance, and combat effectiveness of
12 members according to science-based approaches.

13 (4) The plan of the Secretary to improve the
14 health, performance, and combat effectiveness of
15 members by modifying the food and beverages of-
16 fered at the dining halls of the Armed Forces, in-
17 cluding in ways that minimize the change members.

18 (5) Expected costs and timeline to implement
19 such plan, including any expected savings from re-
20 duced medical costs.

1 **SEC. 741. REPORT ON COSTS AND BENEFITS OF ALLOWING**
2 **RETIRED MEMBERS OF THE ARMED FORCES**
3 **TO CONTRIBUTE TO HEALTH SAVINGS AC-**
4 **COUNTS.**

5 (a) REPORT.—Not later than 180 days after the date
6 of the enactment of this Act, the Assistant Secretary of
7 Defense for Health Affairs shall submit to the congres-
8 sional defense committees a report on the costs and bene-
9 fits of allowing covered individuals to make contributions
10 to a health savings account.

11 (b) MATTERS.—The report under subsection (a) shall
12 include a description of the following:

13 (1) Any anticipated cost savings as a result of
14 allowing covered individuals to make contributions to
15 health savings accounts.

16 (2) Any anticipated increase in health care op-
17 tions available to covered individuals as a result of
18 allowing such contributions.

19 (3) Any anticipated disruption or delay in
20 health services or benefits for covered individuals as
21 a result of allowing such contributions.

22 (c) DEFINITIONS.—In this section:

23 (1) The term “covered individual”—

24 (A) means a beneficiary covered by sub-
25 section (c) of section 1086 of title 10, United
26 States Code; and

1 (B) includes a Medicare-eligible beneficiary
2 described in subsection (d)(2) of such section.

3 (2) The term “health savings account” has the
4 meaning given that term in section 223(d) of the In-
5 ternal Revenue Code of 1986.

6 **SEC. 742. STUDY ON TOXIC EXPOSURE AT KARSHI-**
7 **KHANABAD AIR BASE, UZBEKISTAN.**

8 (a) STUDY.—

9 (1) IN GENERAL.—The Secretary of Defense
10 shall conduct a study on toxic exposure by members
11 of the Armed Forces deployed to Karshi–Khanabad
12 Air Base, Uzbekistan, at any time during the period
13 beginning October 1, 2001, and ending December
14 31, 2005.

15 (2) MATTERS INCLUDED.—The study under
16 paragraph (1) shall include the following:

17 (A) An assessment regarding the condi-
18 tions of Karshi–Khanabad Air Base, Uzbek-
19 istan, during the period beginning October 1,
20 2001, and ending December 31, 2005, includ-
21 ing an identification of toxic substances con-
22 taminating the Air Base during such period.

23 (B) An epidemiological study of the health
24 consequences of a member of the Armed Forces
25 deployed to the Air Base during such period.

1 (C) An assessment of any association be-
2 tween exposure to toxic substances identified
3 under subparagraph (A) and the health con-
4 sequences studied under subparagraph (B).

5 (b) REPORT.—Not later than 180 days after the date
6 of the enactment of this Act, the Secretary of Defense
7 shall submit to the Committees on Armed Services of the
8 House of Representatives and the Senate a report on the
9 results of the study under subsection (a).

10 **SEC. 743. AUDIT OF MEDICAL CONDITIONS OF TENANTS IN**
11 **PRIVATIZED MILITARY HOUSING.**

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 commence the conduct
15 of an audit of the medical conditions of eligible individuals
16 and the association between adverse exposures of such in-
17 dividuals in unsafe or unhealthy housing units and the
18 health of such individuals.

19 (b) CONTENT OF AUDIT.—The audit conducted
20 under subsection (a) shall—

21 (1) determine the percentage of units of
22 privatized military housing that are unsafe or
23 unhealthy housing units;

24 (2) study the adverse exposures of eligible indi-
25 viduals that relate to residing in an unsafe or

1 unhealthy housing unit and the effect of such expo-
2 sures on the health of such individuals; and

3 (3) determine the association, to the extent per-
4 mitted by available scientific data, and provide quan-
5 tifiable data on such association, between such ad-
6 verse exposures and the occurrence of a medical con-
7 dition in eligible individuals residing in unsafe or
8 unhealthy housing units.

9 (c) CONDUCT OF AUDIT.—The Inspector General of
10 the Department shall conduct the audit under subsection
11 (a) using the same privacy preserving guidelines used by
12 the Inspector General in conducting other audits of health
13 records.

14 (d) SOURCE OF DATA.—In conducting the audit
15 under subsection (a), the Inspector General of the Depart-
16 ment shall use—

17 (1) de-identified data from electronic health
18 records of the Department;

19 (2) records of claims under the TRICARE pro-
20 gram (as defined in section 1072(7) of title 10,
21 United States Code); and

22 (3) such other data as determined necessary by
23 the Inspector General.

24 (e) SUBMITTAL AND PUBLIC AVAILABILITY OF RE-
25 PORT.—Not later than one year after the commencement

1 of the audit under subsection (a), the Inspector General
2 of the Department shall—

3 (1) submit to the Secretary of Defense and the
4 Committees on Armed Services of the Senate and
5 the House of Representatives a report on the results
6 of the audit conducted under subsection (a); and

7 (2) publish such report on a publicly available
8 internet website of the Department of Defense.

9 (f) DEFINITIONS.—In this section:

10 (1) The term “eligible individual” means a
11 member of the Armed Forces or a family member of
12 a member of the Armed Forces who—

13 (A) has resided in an unsafe or unhealthy
14 housing unit; and

15 (B) has registered under the Housing En-
16 vironmental Health Response Registry of the
17 Army.

18 (2) The term “privatized military housing”
19 means military housing provided under subchapter
20 IV of chapter 169 of title 10, United States Code.

21 (3) The term “unsafe or unhealthy housing
22 unit” means a unit of privatized military housing in
23 which, at any given time, at least one of the fol-
24 lowing hazards is present:

1 (A) Physiological hazards, including the
2 following:

3 (i) Dampness or microbial growth.

4 (ii) Lead-based paint.

5 (iii) Asbestos or manmade fibers.

6 (iv) Ionizing radiation.

7 (v) Biocides.

8 (vi) Carbon monoxide.

9 (vii) Volatile organic compounds.

10 (viii) Infectious agents.

11 (ix) Fine particulate matter.

12 (B) Psychological hazards, including ease
13 of access by unlawful intruders or lighting
14 issues.

15 (C) Poor ventilation.

16 (D) Safety hazards.

17 (E) Other hazards as determined by the
18 Inspector General of the Department.

19 **SEC. 744. REPORT ON INTEGRATED DISABILITY EVALUA-**
20 **TION SYSTEM.**

21 (a) IN GENERAL.—Not later than one year after the
22 date of the enactment of this Act, the Secretary of Defense
23 shall submit to Congress a report on the findings of a
24 study, conducted by the Secretary for the purposes of the

1 report, of the implementation and application of the Inte-
2 grated Disability Evaluation System.

3 (b) MATTERS INCLUDED.—The report under sub-
4 section (a) shall include the following:

5 (1) All changes to policies and procedures appli-
6 cable to the implementation of the Integrated Dis-
7 ability Evaluation System from the previous dis-
8 ability evaluation system.

9 (2) The extent to which the Integrated Dis-
10 ability Evaluation System is the primary means of
11 processing members of the Armed Forces through
12 the disability evaluation system process.

13 (3) The extent to which the military depart-
14 ments and the Defense Health Agency coordinate—

15 (A) treatment of members of the Armed
16 Forces;

17 (B) referrals of members of the Armed
18 Forces to a medical evaluation board;

19 (C) appointing a convening authority and
20 staffing a medical evaluation board;

21 (D) the sharing of medical documentation
22 with a medical evaluation board;

23 (E) evaluations of members of the Armed
24 Forces for initial or subsequent limited duty
25 status; and

1 (F) a medical evaluation board referral to
2 a physical evaluation board.

3 (4) The process for members of the Armed
4 Forces to request an impartial medical review or
5 rebut medical evaluation board findings.

6 (5) The criteria a medical evaluation board con-
7 vening authority applies when considering such re-
8 quests under paragraph (4).

9 (6) The average time to process Integrated Dis-
10 ability Evaluation System cases by both phase and
11 stage (as defined in Department of Defense Manual
12 1332.18) for both the active component and reserve
13 component.

14 **SEC. 745. REVIEW AND REPORT ON PREVENTION OF SUI-**
15 **CIDE AMONG MEMBERS OF THE ARMED**
16 **FORCES STATIONED AT REMOTE INSTALLA-**
17 **TIONS OUTSIDE THE CONTIGUOUS UNITED**
18 **STATES.**

19 (a) REVIEW REQUIRED.—The Comptroller General
20 of the United States shall conduct a review of efforts by
21 the Department of Defense to prevent suicide among
22 members of the Armed Forces stationed at covered instal-
23 lations.

1 (b) ELEMENTS OF REVIEW.—The review conducted
2 under subsection (a) shall include an assessment of each
3 of the following:

4 (1) Current policy guidelines of the Armed
5 Forces on the prevention of suicide among members
6 of the Armed Forces stationed at covered installa-
7 tions.

8 (2) Current suicide prevention programs of the
9 Armed Forces and activities for members of the
10 Armed Forces stationed at covered installations and
11 their dependents, including programs provided by
12 the Defense Health Program and the Office of Sui-
13 cide Prevention.

14 (3) The integration of mental health screenings
15 and suicide risk and prevention efforts for members
16 of the Armed Forces stationed at covered installa-
17 tions and their dependents into the delivery of pri-
18 mary care for such members and dependents.

19 (4) The standards for responding to attempted
20 or completed suicides among members of the Armed
21 Forces stationed at covered installations and their
22 dependents, including guidance and training to as-
23 sist commanders in addressing incidents of at-
24 tempted or completed suicide within their units.

1 (5) The standards regarding data collection for
2 members of the Armed Forces stationed at covered
3 installations and their dependents, including related
4 factors such as domestic violence and child abuse.

5 (6) The means to ensure the protection of pri-
6 vacy of members of the Armed Forces stationed at
7 covered installations and their dependents who seek
8 or receive treatment related to suicide prevention.

9 (7) The availability of information from indige-
10 nous populations on suicide prevention for members
11 of the Armed Forces stationed at covered installa-
12 tions who are members of such a population.

13 (8) The availability of information from grad-
14 uate research programs of institutions of higher edu-
15 cation on suicide prevention for members of the
16 Armed Forces.

17 (9) Such other matters as the Comptroller Gen-
18 eral considers appropriate in connection with the
19 prevention of suicide among members of the Armed
20 Forces stationed at covered installations and their
21 dependents.

22 (c) BRIEFING AND REPORT.—The Comptroller Gen-
23 eral shall—

24 (1) not later than October 1, 2021, brief the
25 Committees on Armed Services of the Senate and

1 the House of Representatives on preliminary obser-
2 vations relating to the review conducted under sub-
3 section (a); and

4 (2) not later than March 1, 2022, submit to the
5 Committees on Armed Services of the Senate and
6 the House of Representatives a report containing the
7 results of such review.

8 (d) COVERED INSTALLATION DEFINED.—In this sec-
9 tion, the term “covered installation” means a remote in-
10 stallation of the Department of Defense outside the con-
11 tiguous United States.

12 **Subtitle E—Mental Health Services**
13 **From Department of Veterans**
14 **Affairs for Members of Reserve**
15 **Components**

16 **SEC. 751. SHORT TITLE.**

17 This subtitle may be cited as the “Care and Readiness Enhancement for Reservists Act of 2020” or the
18 “CARE for Reservists Act of 2020”.
19

1 **SEC. 752. EXPANSION OF ELIGIBILITY FOR READJUSTMENT**
2 **COUNSELING AND RELATED OUTPATIENT**
3 **SERVICES FROM DEPARTMENT OF VETERANS**
4 **AFFAIRS TO INCLUDE MEMBERS OF RESERVE**
5 **COMPONENTS OF THE ARMED FORCES.**

6 (a) READJUSTMENT COUNSELING.—Subsection
7 (a)(1) of section 1712A of title 38, United States Code,
8 is amended by adding at the end the following new sub-
9 paragraph:

10 “(D)(i) The Secretary, in consultation with the Sec-
11 retary of Defense, may furnish to any member of the re-
12 serve components of the Armed Forces who has a behav-
13 ioral health condition or psychological trauma, counseling
14 under subparagraph (A)(i), which may include a com-
15 prehensive individual assessment under subparagraph
16 (B)(i).

17 “(ii) A member of the reserve components of the
18 Armed Forces described in clause (i) shall not be required
19 to obtain a referral before being furnished counseling or
20 an assessment under this subparagraph.”.

21 (b) OUTPATIENT SERVICES.—Subsection (b) of such
22 section is amended—

23 (1) in paragraph (1)—

24 (A) by inserting “to an individual” after
25 “If, on the basis of the assessment furnished”;

26 and

1 (B) by striking “veteran” each place it ap-
2 pears and inserting “individual”; and

3 (2) in paragraph (2), by striking “veteran” and
4 inserting “individual”.

5 (c) EFFECTIVE DATE.—The amendments made by
6 this section shall take effect on the date that is one year
7 after the date of the enactment of this Act.

8 **SEC. 753. PROVISION OF MENTAL HEALTH SERVICES FROM**
9 **DEPARTMENT OF VETERANS AFFAIRS TO**
10 **MEMBERS OF RESERVE COMPONENTS OF**
11 **THE ARMED FORCES.**

12 (a) IN GENERAL.—Subchapter VIII of chapter 17 of
13 title 38, United States Code, is amended by adding at the
14 end the following new section:

15 **“§ 1789. Mental health services for members of the re-**
16 **serve components of the Armed Forces**

17 “The Secretary, in consultation with the Secretary of
18 Defense, may furnish mental health services to members
19 of the reserve components of the Armed Forces.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of such subchapter is amended by insert-
22 ing after the item relating to section 1788 the following
23 new item:

“1789. Mental health services for members of the reserve components of the
Armed Forces.”.

1 **SEC. 754. INCLUSION OF MEMBERS OF RESERVE COMPO-**
2 **NENTS IN MENTAL HEALTH PROGRAMS OF**
3 **DEPARTMENT OF VETERANS AFFAIRS.**

4 (a) SUICIDE PREVENTION PROGRAM.—

5 (1) IN GENERAL.—Section 1720F of title 38,
6 United States Code, is amended by adding at the
7 end the following new subsection:

8 “(1)(1) COVERED INDIVIDUAL DEFINED.—In this
9 section, the term ‘covered individual’ means a veteran or
10 a member of the reserve components of the Armed Forces.

11 “(2) In determining coverage of members of the re-
12 serve components of the Armed Forces under the com-
13 prehensive program, the Secretary shall consult with the
14 Secretary of Defense.”.

15 (2) CONFORMING AMENDMENTS.—Such section
16 is further amended—

17 (A) in subsection (a), by striking “vet-
18 erans” and inserting “covered individuals”;

19 (B) in subsection (b), by striking “vet-
20 erans” each place it appears and inserting “cov-
21 ered individuals”;

22 (C) in subsection (c)—

23 (i) in the subsection heading, by strik-
24 ing “OF VETERANS”;

1 (ii) by striking “veterans” each place
2 it appears and inserting “covered individ-
3 uals”; and

4 (iii) by striking “veteran” and insert-
5 ing “individual”;

6 (D) in subsection (d), by striking “to vet-
7 erans” each place it appears and inserting “to
8 covered individuals”;

9 (E) in subsection (e), in the matter pre-
10 ceeding paragraph (1), by striking “veterans”
11 and inserting “covered individuals”;

12 (F) in subsection (f)—

13 (i) in the first sentence, by striking
14 “veterans” and inserting “covered individ-
15 uals”; and

16 (ii) in the second sentence, by insert-
17 ing “or members” after “veterans”;

18 (G) in subsection (g), by striking “vet-
19 erans” and inserting “covered individuals”;

20 (H) in subsection (h), by striking “vet-
21 erans” and inserting “covered individuals”;

22 (I) in subsection (i)—

23 (i) in the subsection heading, by strik-
24 ing “FOR VETERANS AND FAMILIES”;

1 (ii) in the matter preceding paragraph
2 (1), by striking “veterans and the families
3 of veterans” and inserting “covered indi-
4 viduals and the families of covered individ-
5 uals”;

6 (iii) in paragraph (2), by striking
7 “veterans” and inserting “covered individ-
8 uals”; and

9 (iv) in paragraph (4), by striking
10 “veterans” each place it appears and in-
11 sserting “covered individuals”;

12 (J) in subsection (j)—

13 (i) in paragraph (1), by striking “vet-
14 erans” each place it appears and inserting
15 “covered individuals”; and

16 (ii) in paragraph (4)—

17 (I) in subparagraph (A), in the
18 matter preceding clause (i), by strik-
19 ing “women veterans” and inserting
20 “covered individuals who are women”;

21 (II) in subparagraph (B), by
22 striking “women veterans who” and
23 inserting “covered individuals who are
24 women and”; and

1 (III) in subparagraph (C), by
2 striking “women veterans” and insert-
3 ing “covered individuals who are
4 women”; and

5 (K) in subsection (k), by striking “vet-
6 erans” and inserting “covered individuals”.

7 (3) CLERICAL AMENDMENTS.—

8 (A) IN GENERAL.—Such section is further
9 amended, in the section heading, by inserting
10 “**and members of the reserve compo-**
11 **ments of the Armed Forces**” after “**vet-**
12 **erans**”.

13 (B) TABLE OF SECTIONS.—The table of
14 sections at the beginning of such subchapter is
15 amended by striking the item relating to section
16 1720F and inserting the following new item:

“1720F. Comprehensive program for suicide prevention among veterans and
members of the reserve components of the Armed Forces.”.

17 (b) MENTAL HEALTH TREATMENT FOR INDIVIDUALS
18 WHO SERVED IN CLASSIFIED MISSIONS.—

19 (1) IN GENERAL.—Section 1720H of such title
20 is amended—

21 (A) in subsection (a)—

22 (i) in paragraph (1)—

1 (I) by striking “eligible veteran”
2 and inserting “eligible individual”;
3 and

4 (II) by striking “the veteran”
5 and inserting “the individual”; and

6 (ii) in paragraph (3), by striking “eli-
7 gible veterans” and inserting “eligible indi-
8 viduals”;

9 (B) in subsection (b)—

10 (i) by striking “a veteran” and insert-
11 ing “an individual”; and

12 (ii) by striking “eligible veteran” and
13 inserting “eligible individual”; and

14 (C) in subsection (c)—

15 (i) in paragraph (2), in the matter
16 preceding subparagraph (A), by striking
17 “The term ‘eligible veteran’ means a vet-
18 eran” and inserting “The term ‘eligible in-
19 dividual’ means a veteran or a member of
20 the reserve components of the Armed
21 Forces”; and

22 (ii) in paragraph (3), by striking “eli-
23 gible veteran” and inserting “eligible indi-
24 vidual”.

25 (2) CLERICAL AMENDMENTS.—

1 (A) IN GENERAL.—Such section is further
2 amended, in the section heading, by inserting
3 **“and members of the reserve compo-**
4 **nents of the Armed Forces”** after **“vet-**
5 **erans”**.

6 (B) TABLE OF SECTIONS.—The table of
7 sections at the beginning of chapter 17 of such
8 title is amended by striking the item relating to
9 section 1720H and inserting the following new
10 item:

“1720H. Mental health treatment for veterans and members of the reserve com-
ponents of the Armed Forces who served in classified mis-
sions.”.

11 **SEC. 755. REPORT ON MENTAL HEALTH AND RELATED**
12 **SERVICES PROVIDED BY DEPARTMENT OF**
13 **VETERANS AFFAIRS TO MEMBERS OF THE**
14 **ARMED FORCES.**

15 (a) IN GENERAL.—Not later than one year after the
16 date of the enactment of this Act, the Secretary of Vet-
17 erans Affairs shall submit to the congressional defense
18 committees and the Committees on Veterans’ Affairs of
19 the Senate and the House of Representatives a report that
20 includes an assessment of the following:

21 (1) The increase, as compared to the day before
22 the date of the enactment of this Act, of the number
23 of members of the Armed Forces that use readjust-
24 ment counseling or outpatient mental health care

1 from the Department of Veterans Affairs,
2 disaggregated by State, Vet Center location, and
3 clinical care site of the Department, as appropriate.

4 (2) The number of members of the reserve com-
5 ponents of the Armed Forces receiving telemental
6 health care from the Department.

7 (3) The increase, as compared to the day before
8 the date of the enactment of this Act, of the annual
9 cost associated with readjustment counseling and
10 outpatient mental health care provided by the De-
11 partment to members of the reserve components of
12 the Armed Forces.

13 (4) The changes, as compared to the day before
14 the date of the enactment of this Act, in staffing,
15 training, organization, and resources required for
16 the Department to offer readjustment counseling
17 and outpatient mental health care to members of the
18 reserve components of the Armed Forces.

19 (5) Any challenges the Department has encoun-
20 tered in providing readjustment counseling and out-
21 patient mental health care to members of the reserve
22 components of the Armed Forces.

23 (b) VET CENTER DEFINED.—In this section, the
24 term “Vet Center” has the meaning given that term in
25 section 1712A(h) of title 38, United States Code.

1 **TITLE VIII—ACQUISITION POL-**
2 **ICY, ACQUISITION MANAGE-**
3 **MENT, AND RELATED MAT-**
4 **TERS**

5 **Subtitle A—Acquisition Policy and**
6 **Management**

7 **SEC. 801. CONGRESSIONAL NOTIFICATION OF TERMI-**
8 **NATION OF A MIDDLE TIER ACQUISITION**
9 **PROGRAM.**

10 Section 804 of the National Defense Authorization
11 Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C.
12 2302 note), is amended by adding at the end the following
13 new subsection:

14 “(e) REPORT.—Not later than 30 days after the date
15 of termination of an acquisition program commenced
16 using the authority under this section, the Secretary of
17 Defense shall submit to Congress a notification of such
18 termination. Such notice shall include—

19 “(1) the initial amount of a contract awarded
20 under such acquisition program;

21 “(2) the aggregate amount of funds awarded
22 under such contract; and

23 “(3) written documentation of the reason for
24 termination of such acquisition program.”.

1 **SEC. 802. MODIFICATION TO THE DEFINITION OF NON-**
2 **TRADITIONAL DEFENSE CONTRACTOR.**

3 Section 2302(9) of title 10, United States Code, is
4 amended to read as follows:

5 “(9) the term ‘nontraditional defense con-
6 tractor’, with respect to a procurement or with re-
7 spect to a transaction authorized under section
8 2371(a) or 2371b of this title, means—

9 “(A) an entity that is not currently per-
10 forming and has not performed, for at least the
11 one-year period preceding the solicitation of
12 sources by the Department of Defense for the
13 procurement or transaction, any contract or
14 subcontract for the Department of Defense that
15 is subject to full coverage under the cost ac-
16 counting standards prescribed pursuant to sec-
17 tion 1502 of title 41 and the regulations imple-
18 menting such section; or

19 “(B) a corporation all of the stock of
20 which is owned by an employee stock ownership
21 plan (as defined in section 4975(e)(7) of the In-
22 ternal Revenue Code of 1986).”.

1 **SEC. 803. MAJOR WEAPON SYSTEMS: LIFE-CYCLE**
2 **SUSTAINMENT PLAN.**

3 (a) IN GENERAL.—Chapter 139 of title 10, United
4 States Code, is amended by inserting after section 2366c
5 the following new section:

6 **“§ 2366d. Major weapon systems: life-cycle**
7 **sustainment plans**

8 “(a) REQUIREMENT.—Before granting Milestone C
9 approval for a major weapon system acquired pursuant to
10 a major defense acquisition program, the milestone deci-
11 sion authority for such program shall submit to the Sec-
12 retary a life-cycle sustainment plan.

13 “(b) ELEMENTS.—A life-cycle sustainment plan re-
14 quired under subsection (a) shall include—

15 “(1) a sustainment plan that includes the prod-
16 uct support strategy, performance, and operation
17 and support costs of the major weapon system;

18 “(2) metrics to measure readiness and avail-
19 ability of the major weapon system to perform its in-
20 tended purpose or function;

21 “(3) a schedule for the major maintenance and
22 overhaul activities that will be required during the
23 life cycle of the major weapon system; and

24 “(4) a sustainment baseline cost estimate for
25 the planned life cycle of the major weapon system
26 that includes a technical data and intellectual prop-

1 erty management plan that clearly delineates which
2 subsystems of the major weapon system are Govern-
3 ment-owned or Government-required and which sub-
4 systems are owned by a prime contractor or subcon-
5 tractor (at any tier).

6 “(c) REVIEW.—The Secretary of Defense shall review
7 a life-cycle sustainment plan submitted under subsection
8 (a) 5 years after the receipt of Milestone C approval de-
9 scribed in such subsection, and every 10 years thereafter,
10 to ensure that the major weapon system is cost effective
11 and is able to meet required metrics relating to readiness
12 and availability of such system.

13 “(d) NOTIFICATION REQUIREMENTS.—

14 “(1) IN GENERAL.—Not later than 45 days
15 after a significant and critical breach of a
16 sustainment baseline cost estimate of a life-cycle
17 sustainment plan for a major weapon system ac-
18 quired pursuant to a major defense acquisition pro-
19 gram, the Secretary of the military department that
20 is managing such program shall submit to the con-
21 gressional defense committees a notification of such
22 breach.

23 “(2) REVIEW.—Not later than 180 days after
24 submitting a notification under paragraph (1), such
25 Secretary shall review the sustainment costs of the

1 major weapon system to which such notification re-
2 lates relative to the sustainment baseline cost esti-
3 mate.

4 “(3) ADDITIONAL SUBMISSION.—Such Sec-
5 retary shall submit to the congressional defense com-
6 mittees—

7 “(A) a certification that the review re-
8 quired under paragraph (2) has been com-
9 pleted; and

10 “(B) a remediation plan or endorsement by
11 such Secretary that the sustainment cost
12 growth is justified and required for such Sec-
13 retary to meet the requirements related to the
14 major defense acquisition program.

15 “(e) DEFINITIONS.—In this section:

16 “(1) MAJOR DEFENSE ACQUISITION PRO-
17 GRAM.—The term ‘major defense acquisition pro-
18 gram’ has the meaning given in section 2430 of this
19 title.

20 “(2) MAJOR WEAPON SYSTEM.—The term
21 ‘major weapon system’ has the meaning given in sec-
22 tion 2379(f) of this title.

23 “(3) MILESTONE C APPROVAL.—The term
24 ‘Milestone C approval’ means a decision to enter
25 into production and deployment pursuant to guid-

1 ance prescribed by the Secretary of Defense for the
2 management of a major defense acquisition pro-
3 gram.

4 “(4) SUSTAINMENT BASELINE COST ESTI-
5 MATE.—The term ‘sustainment baseline cost esti-
6 mate’ means the cost estimate and schedule for a
7 life-cycle sustainment plan required under this sec-
8 tion.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 at the beginning of chapter 139 of title 10, United States
11 Code, is amended by inserting after the item relating to
12 section 2366c the following new item:

 “2366d. Major weapon systems: life-cycle sustainment plans.”.

13 **SEC. 804. CONTRACTOR BUSINESS SYSTEMS.**

14 Section 893 of the Ike Skelton National Defense Au-
15 thorization Act for Fiscal Year 2011 (Public Law 111–
16 383; 10 U.S.C. 2302 note) is amended—

17 (1) in subsection (b)—

18 (A) in paragraph (2), by striking “signifi-
19 cant deficiencies” and inserting “deficiencies
20 and material weaknesses”;

21 (B) in paragraph (4), by striking “signifi-
22 cant deficiency” and inserting “material weak-
23 ness”; and

1 (C) in paragraph (5)(A), by striking “sig-
2 nificant deficiency” and inserting “material
3 weakness”;

4 (2) in subsection (d)(1), by striking “significant
5 deficiencies” and inserting “material weaknesses”;

6 (3) in subsection (g)—

7 (A) in paragraph (3), by striking “signifi-
8 cant deficiency” and inserting “material weak-
9 ness”;

10 (B) by striking paragraph (4);

11 (C) by redesignating paragraph (5) as
12 paragraph (4); and

13 (D) by adding at the end the following new
14 paragraph:

15 “(5) The term ‘material weakness’ means a de-
16 ficiency or combination of deficiencies in the internal
17 control of a contractor business system used to com-
18 ply with contracting requirements of the Department
19 of Defense, or other shortcomings in such system,
20 such that there is a reasonable possibility that a ma-
21 terial noncompliance with contracting requirements
22 will not be prevented, or detected and corrected, on
23 a timely basis.”.

1 **SEC. 805. ACQUISITION AUTHORITY OF THE DIRECTOR OF**
2 **THE JOINT ARTIFICIAL INTELLIGENCE CEN-**
3 **TER.**

4 (a) AUTHORITY.—

5 (1) IN GENERAL.—The Director of the Joint
6 Artificial Intelligence Center shall be responsible for,
7 and shall have the authority to conduct, the fol-
8 lowing covered activities:

9 (A) Development and acquisition of artifi-
10 cial intelligence technologies, services, and capa-
11 bilities.

12 (B) Sustainment of artificial intelligence
13 technologies, services, and capabilities.

14 (2) ACQUISITION FUNCTIONS.—Subject to the
15 authority, direction, and control of the Secretary of
16 Defense, the Director shall have authority to exer-
17 cise the functions of a head of an agency (as defined
18 in section 2302 of title 10, United States Code) with
19 respect to a covered activity described in paragraph
20 (1).

21 (b) JAIC ACQUISITION EXECUTIVE.—

22 (1) IN GENERAL.—The staff of the Director
23 shall include an acquisition executive who shall be
24 responsible for the supervision of covered activities
25 under subsection (a). The acquisition executive shall
26 have the authority—

1 (A) to negotiate memoranda of agreement
2 with any element of the Department of Defense
3 to carry out the acquisition of technologies,
4 services, and capabilities described in subsection
5 (a)(1) on behalf of the Center;

6 (B) to supervise the acquisition of tech-
7 nologies, services, and capabilities described in
8 subsection (a)(1);

9 (C) to represent the Center in discussions
10 with military departments regarding acquisition
11 programs relating to covered activities for which
12 the Center is involved; and

13 (D) to work with the military departments
14 to ensure that the Center is appropriately rep-
15 resented in any joint working group or inte-
16 grated product team regarding acquisition pro-
17 grams relating to covered activities for which
18 the Center is involved.

19 (2) DELIVERY OF ACQUISITION SOLUTIONS.—
20 The acquisition executive of the Center shall be—

21 (A) responsible to the Director for rapidly
22 delivering acquisition solutions to meet vali-
23 dated artificial intelligence requirements;

1 (B) subordinate to the Under Secretary of
2 Defense for Acquisition and Sustainment in
3 matters of acquisition;

4 (C) subject to the same oversight as the
5 service acquisition executives; and

6 (D) included on the distribution list for ac-
7 quisition directives and instructions of the De-
8 partment of Defense.

9 (c) ACQUISITION PERSONNEL.—

10 (1) IN GENERAL.—The Secretary of Defense
11 shall provide the Center with ten full-time employees
12 to support the Director in carrying out the require-
13 ments of this section. Such employees shall have ex-
14 perience in—

15 (A) program acquisition;

16 (B) the Joint Capabilities Integration and
17 Development System process;

18 (C) program management;

19 (D) system engineering; and

20 (E) cost analysis.

21 (2) EXISTING PERSONNEL.—The personnel pro-
22 vided under this subsection shall be provided from
23 among the existing personnel of the Department of
24 Defense.

1 (d) BUDGET.—Any budget proposal of the Center for
2 funding for any covered activity described under sub-
3 section (a) shall be disaggregated by the amount requested
4 for each covered activity.

5 (e) FUNDING.—In exercising the authority granted in
6 subsection (a), the Director may not obligate or expend
7 more than \$150,000,000 out of the funds made available
8 in each of fiscal years 2021, 2022, 2023, 2024, and 2025
9 to enter into new contracts to support covered activities
10 carried out under this section.

11 (f) IMPLEMENTATION PLAN REQUIRED.—

12 (1) IN GENERAL.—The Secretary of Defense
13 may use the authority granted under subsection (a)
14 30 days after the date on which the Secretary pro-
15 vides to the congressional defense committees a plan
16 for implementation such authority. The plan shall
17 include the following:

18 (A) A Department of Defense-wide defini-
19 tion of artificial intelligence technologies, serv-
20 ices, and capabilities.

21 (B) Summaries of the components to be
22 negotiated in any memoranda of agreement
23 with an element of the Department of Defense
24 to carry out covered activities described under
25 subsection (a).

1 (C) Timelines for the negotiation and ap-
2 proval of any such memorandum of agreement.

3 (D) Plan for oversight of the position of
4 acquisition executive established in subsection
5 (b).

6 (E) Assessment of the acquisition work-
7 force needs of the Center to support the author-
8 ity in subsection (a) until September 30, 2025.

9 (F) Other matters as appropriate.

10 (2) RELATIONSHIP TO OTHER AUTHORITIES.—

11 The requirement to submit a plan under this sub-
12 section is in addition to the requirements under sec-
13 tion 260 of the National Defense Authorization Act
14 for Fiscal Year 2020 (Public Law 116–92; 133 Stat.
15 1293).

16 (g) SUNSET.—Effective October 1, 2025, the Direc-
17 tor may not exercise the authority under subsection (a)
18 and may not enter into any new contracts under this sec-
19 tion. The performance on any contract entered into before
20 such date may continue according to the terms of such
21 contract.

22 (h) DEFINITIONS.—In this section:

23 (1) CENTER.—The term “Center” means the
24 Joint Artificial Intelligence Center of the Depart-
25 ment of Defense established pursuant to the memo-

1 randum of the Secretary of Defense dated June 27,
2 2018, and titled “Establishment of the Joint Artifi-
3 cial Intelligence Center”, or any successor to such
4 Center.

5 (2) COVERED ACTIVITY.—The term “covered
6 activity”—

7 (A) means an acquisition activity con-
8 ducted using the authority under this section;
9 and

10 (B) does not include—

11 (i) a major defense acquisition pro-
12 gram (as defined in section 2430 of title
13 10, United States Code); or

14 (ii) a procurement of technologies re-
15 lated to artificial intelligence, if the dura-
16 tion of such procurement is expected to be
17 greater than five years.

18 (3) DIRECTOR.—The term “Director” means
19 the Director of the Center.

20 (4) ELEMENT.—The term “element” means an
21 element described under section 111(b) of title 10,
22 United States Code.

23 (5) MILITARY DEPARTMENTS.—The term “mili-
24 tary departments” has the meaning given in section
25 101(8) of title 10, United States Code.

1 (6) SERVICE ACQUISITION EXECUTIVE.—The
2 term “service acquisition executive” has the meaning
3 given in section 101(10) of title 10, United States
4 Code.

5 **SEC. 806. REFORMING THE DEPARTMENT OF DEFENSE.**

6 (a) IN GENERAL.—The Secretary of Defense shall
7 take such action as necessary to reform the Department
8 of Defense to provide more effective, efficient, and eco-
9 nomical administration and operation, and to eliminate
10 duplication.

11 (b) NATIONAL DEFENSE STRATEGY.—Each national
12 defense strategy required by section 113(g) of title 10,
13 United States Code, shall include a description of the re-
14 form efforts described under subsection (a).

15 (c) DEFENSE PLANNING GUIDANCE.—The annual
16 Defense Planning Guidance (as described in section
17 113(g)(2)(A) of title 10, United States Code) shall include
18 an explanation of how the Department of Defense will
19 carry out the reform efforts described under subsection
20 (a).

21 (d) DEFENSE AUTHORIZATION REQUEST.—The Sec-
22 retary of Defense shall include in the annual defense au-
23 thorization request (as defined in section 113a of title 10,
24 United States Code) a description of the savings from im-

1 plementing the reform efforts described under subsection

2 (a). Such description—

3 (1) shall be set forth separately from requested
4 amounts;

5 (2) may not include savings relating to the
6 deferment of requirements or taking of risk;

7 (3) shall be identified across the future-years
8 defense plan; and

9 (4) shall provide a comparison with the savings
10 in the annual defense authorization request from the
11 prior year.

12 (e) POLICY.—The Secretary of Defense shall develop
13 a policy and issue guidance to implement reform within
14 the Department of Defense in order to provide more effec-
15 tive, efficient, and economical administration and oper-
16 ations, and to eliminate duplication.

17 (f) REPORT.—The Secretary of Defense shall report
18 annually to Congress on the expenditures, work, and ac-
19 complishments of the Department of Defense during the
20 period covered by the report, together with a report on
21 the reform efforts described under subsection (a).

22 (g) MILITARY DEPARTMENTS.—Each Secretary of a
23 military department shall—

24 (1) take such action as necessary to reform the
25 military department to provide more effective, effi-

1 gate authority over major systems to an appropriate
2 program manager.

3 (b) ALTERNATIVE SPACE ACQUISITION SYSTEM.—

4 (1) IN GENERAL.—The Secretary of Defense
5 shall take such actions necessary to develop an ac-
6 quisition pathway within the Department of Defense
7 to be known as the “Alternative Space Acquisition
8 System” that is specifically tailored for space sys-
9 tems and programs in order to achieve faster acqui-
10 sition and more rapid fielding of critical systems (in-
11 cluding by using new commercial capabilities and
12 services), while maintaining accountability for effec-
13 tive programs that are delivered on time and on
14 budget.

15 (2) GOAL.—The goal of the Alternative Space
16 Acquisition System shall be to quickly and effectively
17 acquire space warfighting capabilities needed to ad-
18 dress the requirements of the national defense strat-
19 egy (as defined under section 113(g) of title 10,
20 United States Code).

21 (3) REPORT.—Not later than January 15,
22 2021, the Secretary of Defense shall submit to the
23 congressional defense committees a report on the Al-
24 ternative Space Acquisition System that includes the
25 following:

1 (A) Proposed United States Space Force
2 budget line items for fiscal year 2022, includ-
3 ing—

4 (i) a comparison with budget line
5 items for major defense acquisition pro-
6 grams and major systems of the United
7 States Space Force for three previous fis-
8 cal years; and

9 (ii) measures to ensure sufficient
10 transparency related to the performance of
11 the Alternative Space Acquisition System
12 and opportunities to oversee funding prior-
13 ities for the Alternative Space Acquisition
14 System;

15 (B) Proposed revised, flexible, and stream-
16 lined options for joint requirements validation
17 in order to be more responsive and innovative,
18 while ensuring the ability of the Joint Chiefs of
19 Staff to ensure top-level system requirements
20 are properly prioritized to address joint
21 warfighting needs;

22 (C) A list of acquisition programs of the
23 United States Space Force for which multiyear
24 procurement authorities are recommended.

1 (D) A list of space acquisition programs
2 that may be able to use existing alternative ac-
3 quisition pathways.

4 (E) Policies for a new Alternative Space
5 Acquisition System with specific acquisition key
6 decision points and reporting requirements for
7 development, fielding, and sustainment activi-
8 ties that meets the requirements of the adaptive
9 acquisition framework (as described in Depart-
10 ment of Defense Instruction 5000.02, “Oper-
11 ation of the Adaptive Acquisition Framework”);

12 (F) Updated determination authority for
13 procurement of useable end items that are not
14 weapon systems.

15 (G) Policies and a governance structure for
16 a separate United States Space Force budget
17 topline, corporate process, and portfolio man-
18 agement process.

19 (H) An analysis of the risks and benefits
20 of the delegation of the authority of the head of
21 contracting activity authority to the Chief of
22 Space Operations in a manner that would not
23 expand the operations of the United States
24 Space Force.

1 (c) COMPTROLLER GENERAL REVIEW.—Not later
2 than 60 days after the submission of the report required
3 under subsection (b)(3), the Comptroller General of the
4 United States shall review such report and submit to the
5 congressional defense committees an analysis and rec-
6 ommendations based on such report .

7 (d) DEFINITIONS.—In this section:

8 (1) MAJOR DEFENSE ACQUISITION PROGRAM.—
9 The term “major defense acquisition program” has
10 the meaning given in section 2430 of title 10,
11 United States Code.

12 (2) MAJOR SYSTEM.—The term “major system”
13 has the meaning given in section 2302 of title 10,
14 United States Code.

15 (3) MILESTONE DECISION AUTHORITY.—The
16 term “milestone decision authority” has the meaning
17 given in section 2431a of title 10, United States
18 Code.

19 (4) PROGRAM EXECUTIVE OFFICER; PROGRAM
20 MANAGER.—The terms “program executive officer”
21 and “program manager” have the meanings given
22 those terms, respectively, in section 1737 of title 10,
23 United States Code.

1 **Subtitle B—Amendments to Gen-**
2 **eral Contracting Authorities,**
3 **Procedures, and Limitations**

4 **SEC. 811. SUSTAINMENT REFORM FOR THE DEPARTMENT**
5 **OF DEFENSE.**

6 (a) SUSTAINMENT ACTIVITIES IN THE NATIONAL
7 DEFENSE STRATEGY.—

8 (1) IN GENERAL.—Section 113(g)(1)(B) of title
9 10, United States Code, is amended by adding at
10 the end the following new subsection:

11 “(vii) A strategic framework pre-
12 scribed by the Secretary that guides how
13 the Department will prioritize and inte-
14 grate activities relating to sustainment of
15 major defense acquisition programs, core
16 logistics capabilities (as described under
17 section 2464 of this title), and the national
18 technology and industrial base (as defined
19 in section 2500 of this title).”.

20 (2) DUTIES OF THE UNDER SECRETARY OF DE-
21 FENSE FOR ACQUISITION AND SUSTAINMENT.—Sec-
22 tion 133b(b) of title 10, United States Code, is
23 amended—

24 (A) in paragraph (7), by striking “and” at
25 the end;

1 (B) in paragraph (8), by striking the pe-
2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following new
4 paragraph:

5 “(9) advising the Secretary on all aspects of ac-
6 quisition and sustainment relating to—

7 “(A) major defense acquisition programs;

8 “(B) core logistics capabilities (as de-
9 scribed under section 2464 of this title);

10 “(C) the national technology and industrial
11 base (as defined in section 2500 of this title);

12 and

13 “(D) the development of the strategic
14 framework described in section
15 113(g)(1)(B)(vii) of this title.”.

16 (3) INTERIM GUIDANCE.—Not later than Octo-
17 ber 1, 2021, the Secretary of Defense shall publish
18 interim guidance to carry out the requirements of
19 this subsection.

20 (b) REPORT.—Not later than February 1, 2021, the
21 Secretary of Defense shall submit to the congressional de-
22 fense committees a report on the progress towards pub-
23 lishing the interim guidance required under subsection
24 (a)(3).

1 **SEC. 812. MODIFICATIONS TO COMPTROLLER GENERAL AS-**
2 **SESSMENT OF ACQUISITION PROGRAMS AND**
3 **RELATED INITIATIVES.**

4 Section 2229b(b)(2) of title 10, United States Code,
5 is amended by striking “a summary of” and all that fol-
6 lows through “discussion of the” and inserting “a discus-
7 sion of selected organizational, policy, and legislative
8 changes, as determined appropriate by the Comptroller
9 General, and the potential”.

10 **SEC. 813. CONTRACTOR WHISTLEBLOWER PROTECTIONS**
11 **RELATING TO NONDISCLOSURE AGREE-**
12 **MENTS.**

13 (a) DEPARTMENT OF DEFENSE CONTRACTORS.—

14 (1) IN GENERAL.—Section 2409(a) of title 10,
15 United States Code, is amended by adding at the
16 end the following new paragraph:

17 “(4) This section applies to any disclosure made by
18 an employee of a contractor, subcontractor, grantee, or
19 subgrantee or personal services contractor whether or not
20 such employee has signed, or is subject to, a nondisclosure
21 policy, form, or agreement with such contractor, subcon-
22 tractor, grantee, or subgrantee or personal services con-
23 tractor.”.

24 (2) NOTIFICATION OF EMPLOYEES.—Section
25 2409(d) of title 10, United States Code, is amend-
26 ed—

1 (A) by striking “inform” and inserting
2 “submit to the Secretary or Administrator (as
3 applicable) a certification stating that such con-
4 tractor or subcontractor has informed”; and

5 (B) by inserting “(including the applica-
6 bility of such rights and remedies if such an
7 employee has signed, or is subject to, a non-
8 disclosure policy, form, or agreement)” after
9 “under this section”.

10 (3) APPLICATION.—With respect to a nondisclo-
11 sure policy, form, or agreement between a covered
12 contractor and a covered employee that was in effect
13 before the effective date of this Act, paragraph (4)
14 of section 2409(a) of title 10, United States Code,
15 as added by paragraph (1), shall apply if a covered
16 contractor has provided notice to a covered employee
17 of the rights and remedies of the covered employee
18 relating to a nondisclosure policy, form, or agree-
19 ment under section 2409(d) of such title, as amend-
20 ed by paragraph (2).

21 (4) WEBSITE UPDATE.—The Inspector General
22 of the Department of Defense and the Inspector
23 General of the National Aeronautics and Space Ad-
24 ministration shall update any relevant websites to

1 include information about this subsection and the
2 amendments made by this subsection.

3 (5) DEFINITIONS.—In this subsection:

4 (A) COVERED CONTRACTOR.—The term
5 “covered contractor” means a contractor,
6 grantee, or personal services contractor of the
7 Department of Defense or the National Aero-
8 nautics and Space Administration.

9 (B) COVERED EMPLOYEE.—The term
10 “covered employee” means an employee of a
11 covered contractor or a subcontractor or sub-
12 grantee of a covered contractor.

13 (b) OTHER GOVERNMENT CONTRACTORS.—

14 (1) IN GENERAL.—Section 4712(a) of title 41,
15 United States Code, is amended by adding at the
16 end the following new paragraph:

17 “(4) EFFECT OF A NONDISCLOSURE POLICY,
18 FORM, OR AGREEMENT.—This section applies to any
19 disclosure made by an employee of a contractor, sub-
20 contractor, grantee, or subgrantee or personal serv-
21 ices contractor whether or not such employee has
22 signed, or is subject to, a nondisclosure policy, form,
23 or agreement with such contractor, subcontractor,
24 grantee, or subgrantee or personal services con-
25 tractor.”.

1 (2) NOTIFICATION OF EMPLOYEES.—Section
2 4712(d) of title 41, United States Code, is amend-
3 ed—

4 (A) by striking “inform” and inserting
5 “submit to the applicable head of each executive
6 agency a certification stating that such con-
7 tractor or subcontractor has informed”; and

8 (B) by inserting “(including the applica-
9 bility of such rights and remedies if such an
10 employee has signed, or is subject to, a non-
11 disclosure policy, form, or agreement)” after
12 “under this section”.

13 (3) APPLICATION.—With respect to a nondisclo-
14 sure policy, form, or agreement between a covered
15 contractor and a covered employee that was in effect
16 before the effective date of this Act, paragraph (4)
17 of section 4712(a) of title 41, United States Code,
18 as added by paragraph (1), shall apply if a covered
19 contractor has provided notice to a covered employee
20 of the rights and remedies of the covered employee
21 relating to a nondisclosure policy, form, or agree-
22 ment under section 4712(d) of such title, as amend-
23 ed by paragraph (2).

24 (4) WEBSITE UPDATE.—Each Inspector Gen-
25 eral (as defined in section 4712(g) of title 41,

1 United States Code) shall update any relevant
2 websites to include information about this subsection
3 and the amendments made by this subsection.

4 (5) DEFINITIONS.—In this subsection:

5 (A) COVERED CONTRACTOR.—The term
6 “covered contractor” means a contractor,
7 grantee, or personal services contractor for a
8 Federal contract or grant (as defined for pur-
9 poses of division C of title 41).

10 (B) COVERED EMPLOYEE.—The term
11 “covered employee” means an employee of a
12 covered contractor or a subcontractor or sub-
13 grantee of a covered contractor.

14 (c) NOTIFICATION AND REMEDIES.—

15 (1) NOTIFICATION.—A covered contractor shall
16 inform the contracting officer responsible for any
17 contracts of such covered contractor—

18 (A) if a person engaged in the performance
19 of any such contract has been subjected to a re-
20 prisal prohibited by section 2409(a) of title 10,
21 United States Code, or section 4712(a) of title
22 41, United States Code, where such reprisal has
23 been substantiated;

24 (B) any investigation of a complaint relat-
25 ing to any such contract conducted by an In-

1 spector General pursuant to section 2409(b) of
2 title 10, United States Code, or section 4712(b)
3 of title 41, United States Code; and

4 (C) any action taken by a covered con-
5 tractor or a covered employee for any such con-
6 tract to address a substantiated reprisal de-
7 scribed in subparagraph (A).

8 (2) REMEDIES.—In addition to other remedies
9 available, if a covered contractor fails to comply with
10 the requirements of paragraph (1), the relevant head
11 of a Federal agency may—

12 (A) require the covered contractor to pro-
13 hibit a covered employee from performing a
14 contract if such covered employee has violated
15 section 2409(a) of title 10, United States Code,
16 or section 4712(a) of title 41, United States
17 Code;

18 (B) require the covered contractor to ter-
19 minate a subcontract if the subcontractor for
20 such subcontract has violated such sections;

21 (C) suspend payments to a covered con-
22 tractor until such covered contractor has taken
23 appropriate remedial action.

24 (3) DEFINITIONS.—In this subsection:

1 (A) COVERED CONTRACTOR.—The term
2 “covered contractor” means—

3 (i) with respect to a contract of the
4 Department of Defense or the National
5 Aeronautics and Space Administration, a
6 contractor, grantee, or personal services
7 contractor; and

8 (ii) with respect to a Federal contract
9 or grant (as defined for purposes of divi-
10 sion C of title 41), a contractor, grantee,
11 or personal services contractor for such a
12 Federal contract or grant.

13 (B) COVERED EMPLOYEE.—The term
14 “covered employee” means an employee of a
15 covered contractor or a subcontractor or sub-
16 grantee of a covered contractor.

17 (d) TRAINING.—The Administrator of the Office of
18 Federal Procurement Policy shall update any required
19 training for Federal employees responsible for contract
20 oversight relating to—

21 (1) contracting certification requirements;

22 (2) processes for receiving a complaint from a
23 person alleging discrimination as a reprisal for dis-
24 closing information under section 2409(a) of title

1 10, United States Code, or section 4712(a) of title
2 41, United States Code; and

3 (3) prohibitions on contracting with entities
4 that require confidentiality agreements.

5 **SEC. 814. COMPETITION REQUIREMENTS FOR PURCHASES**
6 **FROM FEDERAL PRISON INDUSTRIES.**

7 (a) COMPETITION REQUIREMENTS FOR PURCHASES
8 FROM FEDERAL PRISON INDUSTRIES.—Subsections (a)
9 and (b) of section 2410n of title 10, United States Code,
10 are amended to read as follows:

11 “(a) MARKET RESEARCH.—Before purchasing a
12 product listed in the latest edition of the Federal Prison
13 Industries catalog published under section 4124(d) of title
14 18, the Secretary of Defense shall conduct market re-
15 search to determine whether such product—

16 “(1) is comparable to products available from
17 the private sector; and

18 “(2) best meets the needs of the Department of
19 Defense in terms of price, quality, and time of deliv-
20 ery.

21 “(b) COMPETITION REQUIREMENT.—If the Secretary
22 determines that a Federal Prison Industries product is not
23 comparable to products available from the private sector
24 and does not best meet the needs of the Department of
25 Defense in terms of price, quality, or time of delivery, the

1 Secretary shall use competitive procedures or make an in-
2 dividual purchase under a multiple award contract for the
3 procurement of the product. In conducting such a competi-
4 tion or making such a purchase, the Secretary shall con-
5 sider a timely offer from Federal Prison Industries.”.

6 (b) EFFECTIVE DATE.—The amendment made by
7 subsection (a) shall take effect 60 days after the date of
8 the enactment of this Act.

9 **SEC. 815. DISCLOSURE OF BENEFICIAL OWNERS IN DATA-**
10 **BASE FOR FEDERAL AGENCY CONTRACT AND**
11 **GRANT OFFICERS.**

12 Section 2313(d)(3) of title 41, United States Code,
13 is amended by inserting “, and an identification of any
14 beneficial owner of such corporation,” after “to the cor-
15 poration”.

16 **SEC. 816. INCLUSION OF OPTICAL TRANSMISSION COMPO-**
17 **NENTS IN THE ANALYTICAL FRAMEWORK**
18 **FOR SUPPLY CHAIN RISKS.**

19 Section 2509(b)(2)(A)(ii) of title 10, United States
20 Code, is amended by striking “(other than optical trans-
21 mission components)”.

22 **SEC. 817. AMENDMENT TO DEFINITION OF QUALIFIED AP-**
23 **PRENTICE.**

24 Section 2870(d) of title 10, United States Code, is
25 amended—

1 (1) in paragraph (1), by inserting “or” at the
2 end;

3 (2) in paragraph (2), by striking “; or” at the
4 end and inserting a period; and

5 (3) by striking paragraph (3).

6 **SEC. 818. CONTRACT CLOSEOUT AUTHORITY FOR SERVICES**

7 **CONTRACTS.**

8 Section 836 of the National Defense Authorization
9 Act for Fiscal Year 2017 (10 U.S.C. 2302 note) is amend-
10 ed—

11 (1) by amending subsection (b)(1) to read as
12 follows:

13 “(1) was entered into—

14 “(A) with respect to a contract or group of
15 contracts for services, on a date that is the
16 later of—

17 “(i) at least 7 fiscal years before the
18 current fiscal year; and

19 “(ii) the number of years applicable to
20 the contract or group of contracts in sub-
21 part 4.7 of the Federal Acquisition Regula-
22 tion (as in effect on April 1, 2020);

23 “(B) with respect to a contract or group of
24 contracts not described in subparagraph (A), on

1 a date that is at least 17 fiscal years before the
2 current fiscal year;”;

3 (2) by redesignating subsections (f) and (g) as
4 subsections (g) and (h), respectively; and

5 (3) by inserting after subsection (e) the fol-
6 lowing new subsection:

7 “(f) OVERSIGHT.—The Secretary of Defense, acting
8 through the Director of the Defense Contract Manage-
9 ment Agency, shall establish and maintain a centralized
10 capability with necessary expertise and resources to pro-
11 vide oversight of the closeout of a contract or group of
12 contracts covered by this section.”.

13 **SEC. 819. PLAN TO IMPROVE DEPARTMENT-WIDE MANAGE-**
14 **MENT OF INVESTMENTS IN WEAPON SYS-**
15 **TEMS.**

16 (a) PORTFOLIO MANAGEMENT PLAN.—The Sec-
17 retary of Defense shall direct the Under Secretary of De-
18 fense for Acquisition and Sustainment, in coordination
19 with the Chairman of the Joint Chiefs of Staff, and the
20 Director of Cost Assessment and Program Evaluation, to
21 develop a plan to identify, develop, and acquire databases,
22 analytical and financial tools, and workforce skills to im-
23 prove the Department of Defense-wide assessment, man-
24 agement, and optimization of the investments in weapon

1 systems of the Department, including through consolida-
2 tion of duplicate or similar weapon system programs.

3 (b) PLAN CONTENTS.—The plan developed under
4 subsection (a) shall—

5 (1) describe the databases and analytical and fi-
6 nancial tools in use by the Department of Defense
7 that may be used to support the Department-wide
8 assessment, management, and optimization of the
9 investments in weapon systems of the Department;

10 (2) determine the database and analytical and
11 financial tool requirements that must be met, and
12 the workforce skills necessary, for more effective De-
13 partment-wide reviews, analyses, and management
14 by the Secretary of the investments in weapon sys-
15 tems of the Department;

16 (3) identify the skills described in paragraph
17 (2) that are possessed by the workforce of the De-
18 partment;

19 (4) identify the databases and analytical and fi-
20 nancial tools to be modified, developed, or acquired
21 to improve the Department-wide reviews, analyses,
22 and management of the investments in weapon sys-
23 tems of the Department; and

24 (5) set forth a timeline for implementing the
25 plan, including a timeline for the modification, devel-

1 opment, and acquisition of each database and ana-
2 lytical and financial tool identified under paragraph
3 (4).

4 (c) SUBMISSION TO CONGRESS.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, the Sec-
7 retary of Defense shall submit to Congress the plan
8 developed under subsection (a).

9 (2) FORM.—The plan submitted under para-
10 graph (1) shall be in an unclassified form but may
11 contain a classified annex.

12 **Subtitle C—Industrial Base** 13 **Matters**

14 **SEC. 821. QUARTERLY NATIONAL TECHNOLOGY AND IN-** 15 **DUSTRIAL BASE BRIEFINGS.**

16 (a) IN GENERAL.—Section 2504 of title 10, United
17 States Code, is amended—

18 (1) by striking “The Secretary” and inserting
19 the following:

20 “(a) ANNUAL REPORT.—The Secretary”; and

21 (2) by adding at the end the following new sub-
22 section:

23 “(b) QUARTERLY BRIEFINGS.—(1) The Secretary of
24 Defense shall ensure that the congressional defense com-
25 mittees receive quarterly briefings on the progress of the

1 Department of Defense to address the prioritized list of
2 gaps or vulnerabilities in the national technology and in-
3 dustrial base described in subsection (a)(3)(B) as follows:

4 “(A) One quarterly briefing per year shall be
5 provided by the Secretary of the Army.

6 “(B) One quarterly briefing per year shall be
7 provided by the Secretary of the Navy.

8 “(C) One quarterly briefing per year shall be
9 provided by the Secretary of the Air Force.

10 “(D) One quarterly briefing per year shall be
11 provided by all appropriate heads of the Defense
12 Agencies identified under subsection (a)(3)(B)(ii).

13 “(2) Each briefing under paragraph (1) shall include
14 an update of the progress of addressing such gaps or
15 vulnerabilities by the Secretary concerned or the appro-
16 priate head of a Defense Agency, including an update
17 on—

18 “(A) actions taken to address such gaps or
19 vulnerabilities;

20 “(B) the mitigation strategies necessary to ad-
21 dress such gaps or vulnerabilities; and

22 “(C) the proposed timeline for action to address
23 such gaps or vulnerabilities.”.

24 (b) CONFORMING AND CLERICAL AMENDMENTS.—

1 **SEC. 823. REQUIREMENT THAT CERTAIN SHIP COMPO-**
2 **NENTS BE MANUFACTURED IN THE NA-**
3 **TIONAL TECHNOLOGY AND INDUSTRIAL**
4 **BASE.**

5 (a) **TECHNICAL AMENDMENT.**—The second sub-
6 section (k) of section 2534 of title 10, United States Code
7 (relating to Implementation of Auxiliary Ship Component
8 Limitation), is redesignated as subsection (l).

9 (b) **COMPONENTS FOR AUXILIARY SHIPS.**—Section
10 2534(a) of title 10, United States Code, is amended by
11 adding at the end the following new paragraph:

12 “(6) **COMPONENTS FOR AUXILIARY SHIPS.**—
13 Subject to subsection (l), the following components:

14 “(A) Large medium-speed diesel engines.

15 “(B) Auxiliary equipment, including
16 pumps, for all shipboard services.

17 “(C) Propulsion system components, in-
18 cluding engines, reduction gears, and propellers.

19 “(D) Shipboard cranes.

20 “(E) Spreaders for shipboard cranes.”.

21 (c) **IMPLEMENTATION.**—Subsection (l) of section
22 2534 of title 10, United States Code, as redesignated by
23 subsection (a), is amended—

24 (1) by redesignating the second sentence to ap-
25 pear as flush text at the end;

1 (2) by striking “auxiliary ship after the date”
2 and inserting the following: “auxiliary ship—

3 “(1) with respect to large medium-speed diesel
4 engines described under subparagraph (A) of such
5 subsection, after the date”;

6 (3) in paragraph (1) (as so designated), by
7 striking “Navy.” and inserting “Navy; and”; and

8 (4) by inserting after paragraph (1) (as so des-
9 ignated) the following new paragraph:

10 “(2) with respect to components listed in sub-
11 paragraphs (B) through (E) of such subsection,
12 after the date of the enactment of the National De-
13 fense Authorization Act for Fiscal Year 2021 using
14 funds available for National Defense Sealift Fund
15 programs or Shipbuilding and Conversion, Navy.”.

16 **SEC. 824. PREFERENCE FOR SOURCING RARE EARTH MATE-**
17 **RIALS FROM THE NATIONAL TECHNOLOGY**
18 **AND INDUSTRIAL BASE.**

19 The Secretary of Defense shall, to the maximum ex-
20 tent practicable, acquire materials that are determined to
21 be strategic and critical materials required to meet the de-
22 fense, industrial, and essential civilian needs of the United
23 States in the following order of preference:

24 (1) From sources located within the United
25 States.

1 (2) From sources located within the national
2 technology and industrial base (as defined in section
3 2500 of title 10, United States Code).

4 (3) From other sources as appropriate.

5 **SEC. 825. ENHANCED DOMESTIC CONTENT REQUIREMENT**
6 **FOR MAJOR DEFENSE ACQUISITION PRO-**
7 **GRAMS.**

8 (a) ASSESSMENT REQUIRED.—

9 (1) IN GENERAL.—Not later than one year
10 after the date of the enactment of this Act, the Sec-
11 retary of Defense shall submit to the congressional
12 defense committees a report assessing the domestic
13 source content of any procurement carried out in
14 connection with major defense acquisition programs.

15 (2) INFORMATION REPOSITORY.—The Secretary
16 of Defense shall establish an information repository
17 for the collection and analysis of information related
18 to domestic source content that can be used for con-
19 tinuous data analysis and program management ac-
20 tivities.

21 (b) ENHANCED DOMESTIC CONTENT REQUIRE-
22 MENT.—

23 (1) IN GENERAL.—For purposes of chapter 83
24 of title 41, United States Code, manufactured arti-
25 cles, materials, or supplies procured in connection

1 with a major defense acquisition program shall be
2 deemed to be manufactured substantially all from
3 articles, materials, or supplies mined, produced, or
4 manufactured in the United States, if such compo-
5 nent articles, materials, or supplies—

6 (A) not later than October 1, 2021, com-
7 prise 75 percent of the manufactured articles,
8 materials, or supplies;

9 (B) not later than October 1, 2022, com-
10 prise 80 percent of the manufactured articles,
11 materials, or supplies;

12 (C) not later than October 1, 2023, com-
13 prise 85 percent of the manufactured articles,
14 materials, or supplies;

15 (D) not later than October 1, 2024, com-
16 prise 90 percent of the manufactured articles,
17 materials, or supplies;

18 (E) not later than October 1, 2025, com-
19 prise 95 percent of the manufactured articles,
20 materials, or supplies; and

21 (F) not later than October 1, 2026, com-
22 prise 100 percent of the manufactured articles,
23 materials, or supplies.

24 (2) WAIVER.—Before Milestone A approval (as
25 defined in section 2366a(d) of title 10, United

1 States Code) is granted for a major defense acquisi-
2 tion program, the Secretary of Defense shall deter-
3 mine whether or not to grant a waiver of the re-
4 quirements of paragraph (1).

5 (3) EFFECTIVE DATE.—The domestic content
6 requirement under paragraph (1) applies to con-
7 tracts entered into on or after October 1, 2021.

8 (c) MAJOR DEFENSE ACQUISITION PROGRAM DE-
9 FINED.—In this section, the term “major defense acquisi-
10 tion program” has the meaning given in section 2430 of
11 title 10, United States Code.

12 **SEC. 826. ADDITIONAL REQUIREMENTS PERTAINING TO**
13 **PRINTED CIRCUIT BOARDS.**

14 (a) PURCHASES.—Beginning in fiscal year 2023, the
15 Secretary of Defense shall require that any contractor or
16 subcontractor that provides covered printed circuit boards
17 for use by the Department of Defense to certify that, of
18 the total value of the covered printed circuit boards pro-
19 vided by such contractor or subcontractor pursuant to a
20 contract with the Department of Defense, not less than
21 the percentages set forth in subsection (b) were manufac-
22 tured and assembled within a covered country.

23 (b) IMPLEMENTATION.—In making a certification
24 under subsection (a), a contractor or subcontractor shall
25 use the following percentages:

1 (1) During fiscal years 2023 through 2027, the
2 greater of—

3 (A) 50 percent; or

4 (B) 75 percent, if the Secretary of Defense
5 has determined that suppliers in covered coun-
6 tries are capable of supplying 75 percent of De-
7 partment of Defense requirements for printed
8 circuit boards.

9 (2) During fiscal years 2028 through 2032, the
10 greater of—

11 (A) 75 percent; or

12 (B) 100 percent, if the Secretary of De-
13 fense has determined that suppliers in covered
14 countries are capable of supplying 100 percent
15 of Department of Defense requirements for
16 printed circuit boards.

17 (3) Beginning in fiscal year 2033, 100 percent.

18 (c) REMEDIATION.—

19 (1) IN GENERAL.—In the event that a con-
20 tractor or subcontractor is unable to make the cer-
21 tification required under subsection (a), the Sec-
22 retary may accept covered printed circuit boards
23 from such contractor or subcontractor for up to one
24 year while requiring the contractor to complete a re-
25 mediation plan. Such a plan shall be submitted to

1 the congressional defense committees and shall re-
2 quire the contractor or subcontractor that failed to
3 make the certification required under subsection (a)
4 to—

5 (A) audit its supply chain to identify any
6 areas of security vulnerability and noncompli-
7 ance with section 224 of the National Defense
8 Authorization Act for Fiscal Year 2020 (Public
9 Law 116–92); and

10 (B) meet the requirements of subsection
11 (a) within one year after the initial missed cer-
12 tification deadline.

13 (2) RESTRICTION.—No contractor or subcon-
14 tractor that has supplied covered printed circuit
15 boards while under a remediation plan shall be eligi-
16 ble to enter into another remediation plan under
17 subsection (c) for a period of five years.

18 (d) WAIVER.—The Secretary of Defense may waive
19 the requirement under subsection (a) with respect to a
20 contractor or subcontractor if the Secretary determines
21 that—

22 (1) there are no significant national security
23 concerns regarding counterfeiting, quality, or unau-
24 thorized access created by accepting covered printed
25 circuit boards under such waiver; and

1 (2) the contractor is otherwise in compliance
2 with all relevant cybersecurity provisions relating to
3 members of the defense industrial base, including
4 section 224 of the National Defense Authorization
5 Act for Fiscal Year 2020 (Public Law 116–92).

6 (e) AVAILABILITY EXCEPTION.—Subsection (a) shall
7 not apply to the extent that the Secretary of Defense or
8 the Secretary of the military department concerned deter-
9 mines that covered printed circuit boards of satisfactory
10 quality and sufficient quantity, in the required form, can-
11 not be procured as and when needed from covered coun-
12 tries.

13 (f) DEFINITIONS.—In this section:

14 (1) COVERED COUNTRY.—The term “covered
15 country” means—

16 (A) the United States; or

17 (B) a foreign country whose government
18 has a memorandum of understanding or agree-
19 ment with the United States that—

20 (i) where applicable, complies with the
21 requirements of section 36 of the Arms
22 Export Control Act (22 U.S.C. 2776) and
23 with section 2457 of title 10, United
24 States Code; and

25 (ii) either—

1 (I) requires the United States to
2 purchase supplies from foreign
3 sources for the purposes of offsetting
4 sales made the by United States Gov-
5 ernment or United States firms under
6 approved programs serving defense re-
7 quirements; or

8 (II) under which the United
9 States and such government agree to
10 remove barriers to purchase supplies
11 produced in such foreign country or
12 services performed by sources of such
13 foreign country.

14 (2) COVERED PRINTED CIRCUIT BOARD.—

15 (A) IN GENERAL.—The term “covered
16 printed circuit board” means any printed circuit
17 board that is—

18 (i) a product that is not a commercial
19 product (as defined in section 103 of title
20 41, United States Code); or

21 (ii) a commercial product (as defined
22 in section 103 of title 41, United States
23 Code), other than a commercially available
24 off-the-shelf item (as defined in section

1 104 of title 41, United States Code) not
2 described in subparagraph (B).

3 (B) **COMMERCIALY AVAILABLE OFF-THE-**
4 **SHELF ITEMS DESCRIBED.**—The commercially
5 available off-the-shelf items (as defined in sec-
6 tion 104 of title 41, United States Code) de-
7 scribed in this subparagraph are such items
8 that are acquired under a contract with an
9 award value that is greater than the micro-pur-
10 chase threshold under section 2338 of title 10,
11 United States Code, for use as an integral com-
12 ponent in a system designed for—

13 (i) telecommunications, including data
14 communications and fifth-generation cel-
15 lular communications;

16 (ii) data storage;

17 (iii) medical applications;

18 (iv) networking;

19 (v) computing;

20 (vi) radar;

21 (vii) munitions; or

22 (viii) any other system that the Sec-
23 retary of Defense determines should be
24 covered under this section.

1 (3) SUBCONTRACTOR.—The term “subcon-
2 tractor” includes subcontractors at any tier.

3 **SEC. 827. REPORT ON USE OF DOMESTIC NONAVAILABILITY**
4 **DETERMINATIONS.**

5 Not later than September 30, 2021, and annually
6 thereafter, the Secretary of Defense shall submit a report
7 to congressional defense committees—

8 (1) describing in detail the use of any waiver or
9 exception by the Department of Defense to the re-
10 quirements of chapter 83 of title 41, United States
11 Code, or section 2533a of title 10, United States
12 Code, relating to domestic nonavailability determina-
13 tions;

14 (2) specifying the type of waiver or exception
15 used; and

16 (3) providing an assessment of the impact on
17 the use of such waivers or exceptions due to the
18 COVID–19 pandemic and associated challenges with
19 investments in domestic sources.

20 **SEC. 828. SENSE OF CONGRESS ON THE PROHIBITION ON**
21 **CERTAIN TELECOMMUNICATIONS AND VIDEO**
22 **SURVEILLANCE SERVICES OR EQUIPMENT.**

23 (a) FINDINGS.—Congress finds the following:

24 (1) Prohibiting the use of telecommunications
25 and video surveillance products or services from cer-

1 tain Chinese entities within the Federal Govern-
2 ment's supply chain is essential to our national secu-
3 rity.

4 (2) Section 889 of the John S. McCain Na-
5 tional Defense Authorization Act for Fiscal Year
6 2019 (Public Law 115–232; 132 Stat. 1917; 41
7 U.S.C. note prec. 3901) restricts Federal agencies
8 from procuring, contracting with entities that use, or
9 funding the purchase of certain telecommunications
10 products of Chinese companies determined by Con-
11 gress to pose a substantial threat to the security of
12 our communication infrastructure.

13 (3) Specifically, section 889(a)(1)(B) of such
14 Act, effective August 13, 2020, will prohibit Federal
15 agencies from entering into, extending, or renewing
16 a contract with an entity that uses covered tele-
17 communications and video surveillance equipment or
18 services from designated Chinese companies, includ-
19 ing Huawei and ZTE, in their supply chains.

20 (4) As of July 1, 2020, the Federal Acquisition
21 Regulatory Council has yet to release a draft rule
22 for public comment on the implementation of the
23 prohibitions described in section 889(a)(1)(B) of
24 such Act, leaving Federal agencies and contractors
25 that provide equipment and services to the Federal

1 Government without implementation guidance nec-
2 essary to adequately plan for or comply with the
3 prohibitions.

4 (5) Belated, and then hurried, implementation
5 of this critical prohibition puts at risk the Federal
6 Government's ability to acquire essential goods and
7 services and increases vulnerability in the supply
8 chain through inconsistent implementation.

9 (6) A senior Department of Defense leader tes-
10 tified on June 10, 2020, that, "I am very concerned
11 about being able to implement [the prohibition] in
12 August, as well as totally comply within two years
13 . . . I believe we need more time".

14 (7) Subsequent to the enactment of the John S.
15 McCain National Defense Authorization Act for Fis-
16 cal Year 2019 (Public Law 115–232), Congress es-
17 tablished the Federal Acquisition Security Council
18 (FASC)—comprised of senior officials from the Of-
19 fice of Management and Budget, General Services
20 Administration, Department of Defense, Department
21 of Homeland Security and the intelligence commu-
22 nity—to streamline the Federal Government's sup-
23 ply chain risk management efforts and develop cri-
24 teria and processes for supply chain information
25 sharing among executive agencies.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that—

3 (1) successful implementation of the prohibition
4 on using or procuring certain telecommunications
5 and video surveillance equipment under section 889
6 of the John S. McCain National Defense Authoriza-
7 tion Act for Fiscal Year 2019 (Public Law 115–232;
8 132 Stat. 1917; 41 U.S.C. note prec. 3901) is crit-
9 ical to protecting the supply chain of the Federal
10 Government, and Federal agencies should draw upon
11 the expert resources available (such as the Federal
12 Acquisition Security Council established under sub-
13 chapter III of chapter 13 of title 41, United States
14 Code) to ensure implementation of such prohibition
15 is done in a comprehensive and deliberative manner;
16 and

17 (2) the Federal Acquisition Regulatory Council
18 shall ensure successful implementation of such pro-
19 hibition by providing sufficient time for public com-
20 ment and review of any related rulemaking.

1 **Subtitle D—Small Business Matters**

2 **SEC. 831. TRANSFER OF VERIFICATION OF SMALL BUSI-**
3 **NESS CONCERNS OWNED AND CONTROLLED**
4 **BY VETERANS OR SERVICE-DISABLED VET-**
5 **ERANS TO THE SMALL BUSINESS ADMINIS-**
6 **TRATION.**

7 (a) **TRANSFER DATE.**—For purposes of this section,
8 the term “transfer date” means the date that is 2 years
9 after the date of enactment of this section, except that
10 such date may be extended an unlimited number of times
11 by a period of not more than 6 months if the Adminis-
12 trator of the Small Business Administration and the Sec-
13 retary of Veterans Affairs jointly issue a notice to Con-
14 gress and the Law Revision Counsel of the House of Rep-
15 resentatives containing—

16 (1) a certification that such extension is nec-
17 essary;

18 (2) the rationale for and the length of such ex-
19 tension; and

20 (3) a plan to comply with the requirements of
21 this section within the timeframe of the extension.

22 (b) **AMENDMENT TO AND TRANSFER OF VETERAN-**
23 **OWNED AND SERVICE-DISABLED VETERAN-OWNED BUSI-**
24 **NESS DATABASE.**—

1 (1) AMENDMENT OF VETERAN-OWNED AND
2 SERVICE-DISABLED VETERAN-OWNED BUSINESS
3 DATABASE.—Effective on the transfer date, section
4 8127 of title 38, United States Code, is amended—

5 (A) in subsection (e)—

6 (i) by striking “the Secretary” and in-
7 serting “the Administrator”; and

8 (ii) by striking “subsection (f)” and
9 inserting “section 36 of the Small Business
10 Act”;

11 (B) in subsection (f)—

12 (i) by striking “the Secretary” each
13 place such term appears, other than in the
14 last place such term appears under para-
15 graph (2)(A), and inserting “the Adminis-
16 trator”;

17 (ii) in paragraph (1), by striking
18 “small business concerns owned and con-
19 trolled by veterans with service-connected
20 disabilities” each place such term appears
21 and inserting “small business concerns
22 owned and controlled by service-disabled
23 veterans”;

24 (iii) in paragraph (2)—

1 (I) in subparagraph (A), by strik-
2 ing “to access” and inserting “to ob-
3 tain from the Secretary of Veterans
4 Affairs”; and

5 (II) by striking subparagraph (B)
6 and inserting the following:

7 “(B) For purposes of this subsection—

8 “(i) the Secretary of Veterans Affairs shall—

9 “(I) verify an individual’s status as a vet-
10 eran or a service-disabled veteran; and

11 “(II) establish a system to permit the Ad-
12 ministrator to access, but not alter, such
13 verification; and

14 “(ii) the Administrator shall verify—

15 “(I) the status of a business concern as a
16 small business concern; and

17 “(II) the ownership and control of such
18 business concern.

19 “(C) The Administrator may not certify a concern
20 under subsection (b) or section 36A if the Secretary of
21 Veterans Affairs cannot provide the verification described
22 under subparagraph (B)(i)(I).”;

23 (iv) by striking paragraphs (4) and
24 (7);

1 (v) by redesignating paragraphs (5)
2 and (6) as paragraphs (4) and (5), respec-
3 tively, and redesignating paragraph (8) as
4 paragraph (6);

5 (vi) in paragraph (4), as so redesis-
6 gated, by striking “The Secretary” and in-
7 serting “The Administrator”; and

8 (vii) in paragraph (6), as so redesis-
9 gated—

10 (I) in subparagraph (A)—

11 (aa) by striking “verify the
12 status of the concern as a small
13 business concern or the owner-
14 ship or control of the concern”
15 and inserting “certify the status
16 of the concern as a small busi-
17 ness concern owned and con-
18 trolled by veterans (under section
19 36A) or a small business concern
20 owned and controlled by service-
21 disabled veterans (under section
22 36(g))”; and

23 (bb) by striking
24 “verification” and inserting “cer-
25 tification”;

- 1 (II) in subparagraph (B)—
- 2 (aa) in clause (i), by striking
- 3 “small business concern owned
- 4 and controlled by veterans with
- 5 service-connected disabilities”
- 6 and inserting “small business
- 7 concern owned and controlled by
- 8 service-disabled veterans”; and
- 9 (bb) in clause (ii)—
- 10 (AA) by amending sub-
- 11 clause (I) to read as follows:
- 12 “(I) the Secretary of Veterans Affairs or
- 13 the Administrator; or”; and
- 14 (BB) in subclause (II),
- 15 by striking “the contracting
- 16 officer of the Department”
- 17 and inserting “the applicable
- 18 contracting officer”; and
- 19 (III) by striking subparagraph
- 20 (C);
- 21 (C) by redesignating subsection (k) (relat-
- 22 ing to definitions) as subsection (l);
- 23 (D) by inserting after subsection (j) (relat-
- 24 ing to annual reports) the following:

1 “(k) ANNUAL TRANSFER FOR CERTIFICATION
2 COSTS.—For each fiscal year, the Secretary of Veterans
3 Affairs shall reimburse the Administrator in an amount
4 necessary to cover any cost incurred by the Administrator
5 for certifying small business concerns owned and con-
6 trolled by veterans that do not qualify as small business
7 concerns owned and controlled by service-disabled veterans
8 for the Secretary for purposes of this section and section
9 8128 of this title. The Administrator is authorized to ac-
10 cept such reimbursement. The amount of any such reim-
11 bursement shall be determined jointly by the Secretary
12 and the Administrator and shall be provided from fees col-
13 lected by the Secretary under multiple-award schedule
14 contracts. Any disagreement about the amount shall be
15 resolved by the Director of the Office of Management and
16 Budget.”; and

17 (E) subsection (l) (relating to definitions),
18 as so redesignated, by adding at the end the
19 following:

20 “(4) The term Administrator means the Admin-
21 istrator of the Small Business Administration.”.

22 (2) TRANSFER OF REQUIREMENTS RELATING
23 TO DATABASE TO THE SMALL BUSINESS ACT.—Ef-
24 fective on the transfer date, subsection (f) of section
25 8127 of title 38, United States Code (as amended by

1 paragraph (1)), is transferred to section 36 of the
2 Small Business Act (15 U.S.C. 657f), inserted so as
3 to appear after subsection (e).

4 (3) CONFORMING AMENDMENTS.—The fol-
5 lowing amendments shall take effect on the transfer
6 date:

7 (A) SMALL BUSINESS ACT.—Section
8 3(q)(2)(C)(i)(III) of the Small Business Act (15
9 U.S.C. 632(q)(2)(C)(i)(III)) is amended by
10 striking “section 8127(f) of title 38, United
11 States Code” and inserting “section 36”.

12 (B) TITLE 38.—Section 8128 of title 38,
13 United States Code, is amended by striking
14 “section 8127(f) of this title” and inserting
15 “section 36 of the Small Business Act”.

16 (c) ADDITIONAL REQUIREMENTS FOR DATABASE.—

17 (1) ADMINISTRATION ACCESS TO DATABASE BE-
18 FORE THE TRANSFER DATE.—During the period be-
19 tween the date of the enactment of this section and
20 the transfer date, the Secretary of Veterans Affairs
21 shall provide the Administrator of the Small Busi-
22 ness Administration with access to the contents of
23 the database described under section 8127(f) of title
24 38, United States Code.

1 (2) RULE OF CONSTRUCTION.—Nothing in this
2 section or the amendments made by this section may
3 be construed—

4 (A) as prohibiting the Administrator of the
5 Small Business Administration from combining
6 the contents of the database described under
7 section 8127(f) of title 38, United States Code,
8 with other databases maintained by the Admin-
9 istration; or

10 (B) as requiring the Administrator to use
11 any system or technology related to the data-
12 base described under section 8127(f) of title 38,
13 United States Code, on or after the transfer
14 date to comply with the requirement to main-
15 tain a database under subsection (f) of section
16 36 of the Small Business Act (as transferred
17 pursuant to subsection (b)(2) of this section).

18 (3) RECOGNITION OF THE ISSUANCE OF JOINT
19 REGULATIONS.—The date specified under section
20 1832(e) of the National Defense Authorization Act
21 for Fiscal Year 2017 (15 U.S.C. 632 note) shall be
22 deemed to be October 1, 2018.

23 (d) PROCUREMENT PROGRAM FOR SMALL BUSINESS
24 CONCERNS OWNED AND CONTROLLED BY SERVICE-DIS-
25 ABLED VETERANS.—

1 (1) PROCUREMENT PROGRAM FOR SMALL BUSI-
2 NESS CONCERNS OWNED AND CONTROLLED BY
3 SERVICE-DISABLED VETERANS.—Section 36 of the
4 Small Business Act (15 U.S.C. 657f) is amended—

5 (A) by striking subsections (d) and (e);

6 (B) by redesignating subsections (a), (b),
7 and (c) as subsections (c), (d), and (e) respec-
8 tively;

9 (C) by inserting before subsection (c), as
10 so redesignated, the following:

11 “(a) CONTRACTING OFFICER DEFINED.—For pur-
12 poses of this section, the term ‘contracting officer’ has the
13 meaning given such term in section 2101 of title 41,
14 United States Code.

15 “(b) CERTIFICATION OF SMALL BUSINESS CON-
16 CERNS OWNED AND CONTROLLED BY SERVICE-DISABLED
17 VETERANS.—With respect to a procurement program or
18 preference established under this Act that applies to prime
19 contractors, the Administrator shall—

20 “(1) certify the status of the concern as a
21 ‘small business concern owned and controlled by
22 service-disabled veterans’; and

23 “(2) require the periodic recertification of such
24 status.”;

1 (D) in subsection (d), as so redesignated,
2 by striking “and that the award can be made
3 at a fair market price” and inserting “, that
4 the award can be made at a fair market price,
5 and if each concern is certified by the Adminis-
6 trator as a small business concern owned and
7 controlled by service-disabled veterans”; and

8 (E) by adding at the end the following:

9 “(g) CERTIFICATION REQUIREMENT.—Notwith-
10 standing subsection (c), a contracting officer may only
11 award a sole source contract to a small business concern
12 owned and controlled by service-disabled veterans or a
13 contract on the basis of competition restricted to small
14 business concerns owned and controlled by service-disabled
15 veterans if such a concern is certified by the Administrator
16 as a small business concern owned and controlled by serv-
17 ice-disabled veterans.

18 “(h) ENFORCEMENT; PENALTIES.—

19 “(1) VERIFICATION OF ELIGIBILITY.—In car-
20 rying out this section, the Administrator shall estab-
21 lish procedures relating to—

22 “(A) the filing, investigation, and disposi-
23 tion by the Administration of any challenge to
24 the eligibility of a small business concern to re-
25 ceive assistance under this section (including a

1 challenge, filed by an interested party, relating
2 to the veracity of a certification made or infor-
3 mation provided to the Administration by a
4 small business concern under subsection (b));
5 and

6 “(B) verification by the Administrator of
7 the accuracy of any certification made or infor-
8 mation provided to the Administration by a
9 small business concern under subsection (b).

10 “(2) EXAMINATIONS.—

11 “(A) EXAMINATION OF APPLICANTS.—The
12 procedures established under paragraph (1)
13 shall provide for a program of examinations by
14 the Administrator of any small business concern
15 making a certification or providing information
16 to the Administrator under subsection (b), to
17 determine the veracity of any statements or in-
18 formation provided as part of such certification
19 or otherwise provided under subsection (b).

20 “(B) EXAMINATION OF CERTIFIED CON-
21 CERNES.—The procedures established under
22 paragraph (1) shall provide for the examination
23 of risk-based samples of small business con-
24 cerns certified under subsection (b), or of any
25 small business concern that the Administrator

1 believes poses a particular risk or with respect
2 to which the Administrator receives specific and
3 credible information alleging that the small
4 business concern no longer meets eligibility re-
5 quirements to be certified as a small business
6 concern owned and controlled by service-dis-
7 abled veterans.

8 “(3) PENALTIES.—In addition to the penalties
9 described in section 16(d), any small business con-
10 cern that is determined by the Administrator to have
11 misrepresented the status of that concern as a small
12 business concern owned and controlled by service-
13 disabled veterans for purposes of subsection (b),
14 shall be subject to—

15 “(A) section 1001 of title 18, United
16 States Code;

17 “(B) sections 3729 through 3733 of title
18 31, United States Code; and

19 “(C) section 8127(g) of title 38, United
20 States Code.

21 “(i) PROVISION OF DATA.—Upon the request of the
22 Administrator, the head of any Federal department or
23 agency shall promptly provide to the Administrator such
24 information as the Administrator determines to be nec-
25 essary to carry out subsection (b) or to be able to certify

1 the status of the concern as a small business concern
2 owned and controlled by veterans under section 36A.”.

3 (2) PENALTIES FOR MISREPRESENTATION.—

4 Section 16 of the Small Business Act (15 U.S.C.
5 645) is amended—

6 (A) in subsection (d)(1)—

7 (i) by striking “, a” and inserting “,
8 a ‘small business concern owned and con-
9 trolled by service-disabled veterans’, a
10 ‘small business concern owned and con-
11 trolled by veterans’, a”; and

12 (ii) in paragraph (A), by striking “9,
13 15, or 31” and inserting “8, 9, 15, 31, 36,
14 or 36A”; and

15 (B) in subsection (e), by striking “, a” and
16 inserting “, a ‘small business concern owned
17 and controlled by service-disabled veterans’, a
18 ‘small business concern owned and controlled by
19 veterans’, a”.

20 (e) CERTIFICATION FOR SMALL BUSINESS CON-
21 CERNS OWNED AND CONTROLLED BY VETERANS.—The
22 Small Business Act (15 U.S.C. 631 et seq.) is amended
23 by inserting after section 36 the following new section:

1 **“SEC. 36A. CERTIFICATION OF SMALL BUSINESS CONCERNS**
2 **OWNED AND CONTROLLED BY VETERANS.**

3 “(a) IN GENERAL.—With respect to the program es-
4 tablished under section 8127 of title 38, United States
5 Code, the Administrator shall—

6 “(1) certify the status of the concern as a
7 ‘small business concern owned and controlled by vet-
8 erans’; and

9 “(2) require the periodic recertification of such
10 status.

11 “(b) ENFORCEMENT; PENALTIES.—

12 “(1) VERIFICATION OF ELIGIBILITY.—In car-
13 rying out this section, the Administrator shall estab-
14 lish procedures relating to—

15 “(A) the filing, investigation, and disposi-
16 tion by the Administration of any challenge to
17 the eligibility of a small business concern to re-
18 ceive assistance under this section (including a
19 challenge, filed by an interested party, relating
20 to the veracity of a certification made or infor-
21 mation provided to the Administration by a
22 small business concern under subsection (a));
23 and

24 “(B) verification by the Administrator of
25 the accuracy of any certification made or infor-

1 mation provided to the Administration by a
2 small business concern under subsection (a).

3 “(2) EXAMINATION OF APPLICANTS.—The pro-
4 cedures established under paragraph (1) shall pro-
5 vide for a program of examinations by the Adminis-
6 trator of any small business concern making a cer-
7 tification or providing information to the Adminis-
8 trator under subsection (a), to determine the verac-
9 ity of any statements or information provided as
10 part of such certification or otherwise provided
11 under subsection (a).

12 “(3) PENALTIES.—In addition to the penalties
13 described in section 16(d), any small business con-
14 cern that is determined by the Administrator to have
15 misrepresented the status of that concern as a small
16 business concern owned and controlled by veterans
17 for purposes of subsection (a), shall be subject to—

18 “(A) section 1001 of title 18, United
19 States Code;

20 “(B) sections 3729 through 3733 of title
21 31, United States Code; and

22 “(C) section 8127(g) of title 38, United
23 States Code.”.

1 (f) STATUS OF SELF-CERTIFIED SMALL BUSINESS
2 CONCERNS OWNED AND CONTROLLED BY SERVICE-DIS-
3 ABLED VETERANS.—

4 (1) IN GENERAL.—Notwithstanding any other
5 provision of law, any small business concern that
6 self-certified as a small business concern owned and
7 controlled by service-disabled veterans shall—

8 (A) if the concern files a certification ap-
9 plication with the Administrator of the Small
10 Business Administration before the end of the
11 1-year period beginning on the transfer date,
12 maintain such self-certification until the Admin-
13 istrator makes a determination with respect to
14 such certification; and

15 (B) if the concern does not file such a cer-
16 tification application before the end of the 1-
17 year period beginning on the transfer date, lose,
18 at the end of such 1-year period, any self-cer-
19 tification of the concern as a small business
20 concern owned and controlled by service-dis-
21 abled veterans.

22 (2) NON-APPLICABILITY TO DEPARTMENT OF
23 VETERANS AFFAIRS.—Paragraph (1) shall not apply
24 to participation in contracts (including subcontracts)
25 with the Department of Veterans Affairs.

1 (3) NOTICE.—The Administrator shall notify
2 any small business concern that self-certified as a
3 small business concern owned and controlled by serv-
4 ice-disabled veterans about the requirements of this
5 section, including the transfer date and any exten-
6 sion of such transfer date made pursuant to sub-
7 section (a), and make such notice publicly available,
8 on—

9 (A) the date of the enactment of this sec-
10 tion; and

11 (B) the date on which an extension de-
12 scribed under subsection (a) is approved.

13 (g) TRANSFER OF THE CENTER FOR VERIFICATION
14 AND EVALUATION OF THE DEPARTMENT OF VETERANS
15 AFFAIRS TO THE SMALL BUSINESS ADMINISTRATION.—

16 (1) ABOLISHMENT.—The Center for
17 Verification and Evaluation of the Department of
18 Veterans Affairs defined under section 74.1 of title
19 38, Code of Federal Regulations, is abolished effec-
20 tive on the transfer date.

21 (2) TRANSFER OF FUNCTIONS.—All functions
22 that, immediately before the effective date of this
23 subsection, were functions of the Center for
24 Verification and Evaluation shall—

1 (A) on the date of enactment of this sec-
2 tion, be functions of both the Center for
3 Verification and Evaluation and the Small
4 Business Administration, except that the Small
5 Business Administration shall not have any au-
6 thority to carry out any verification functions of
7 the Center for Verification and Evaluation; and

8 (B) on the transfer date, be functions of
9 the Small Business Administration.

10 (3) TRANSFER OF ASSETS.—So much of the
11 personnel, property, and records employed, used,
12 held, available, or to be made available in connection
13 with a function transferred under this subsection
14 shall be available to the Small Business Administra-
15 tion at such time or times as the President directs
16 for use in connection with the functions transferred.

17 (4) REFERENCES.—Any reference in any other
18 Federal law, Executive order, rule, regulation, or
19 delegation of authority, or any document of or per-
20 taining to a function of the Center for Verification
21 and Evaluation that is transferred under this section
22 is deemed, after the transfer date, to refer to the
23 Small Business Administration.

24 (h) REPORT.—Not later than the end of the 1-year
25 period beginning on the date of the enactment of this sec-

1 tion and every 6 months thereafter until the transfer date,
2 the Administrator of the Small Business Administration
3 and Secretary of Veterans Affairs shall jointly issue a re-
4 port to the Committees on Appropriations, Small Busi-
5 ness, and Veterans' Affairs of the House of Representa-
6 tives and the Committees on Appropriations, Small Busi-
7 ness and Entrepreneurship, and Veterans' Affairs of the
8 Senate on the planning for the transfer of functions and
9 property required under this section and the amendments
10 made by this section on the transfer date. Such report
11 shall include—

12 (1) whether and how the verification database
13 and operations of the Center for Verification and
14 Evaluation of the Department of Veterans Affairs
15 will be incorporated into the existing certification
16 database of the Small Business Administration;

17 (2) projections for the numbers and timing, in
18 terms of fiscal year, of—

19 (A) already verified concerns that will
20 come up for recertification; and

21 (B) self-certified concerns that are ex-
22 pected to apply for certification;

23 (3) an explanation of how outreach to veteran
24 service organizations, the service-disabled veteran-

1 owned and veteran-owned small business community,
2 and other stakeholders will be conducted; and

3 (4) other pertinent information determined by
4 the Administrator and the Secretary.

5 **SEC. 832. EQUITABLE ADJUSTMENTS TO CERTAIN CON-**
6 **STRUCTION CONTRACTS.**

7 (a) IN GENERAL.—The Small Business Act (15
8 U.S.C. 631 et seq.) is amended by inserting after section
9 15 the following new section:

10 **“SEC. 15A. EQUITABLE ADJUSTMENTS TO CONSTRUCTION**
11 **CONTRACTS.**

12 “(a) REQUEST FOR AN EQUITABLE ADJUSTMENT.—
13 A small business concern performing a construction con-
14 tract that was awarded by an agency may submit a re-
15 quest for an equitable adjustment to the contracting offi-
16 cer of such agency if the contracting officer directs a
17 change in the work within the general scope of the con-
18 tract without the agreement of the small business concern.
19 Such request shall—

20 “(1) be timely made pursuant to the terms of
21 the contract; and

22 “(2) comply with Federal regulations regarding
23 equitable adjustments, including specifying addi-
24 tional costs resulting from such change in the work
25 within the general scope of the contract.

1 “(b) AMOUNT.—Upon receipt of a request for equi-
2 table adjustment under subsection (a), the agency shall
3 provide to the small business concern an interim partial
4 payment in an amount that is at least 50 percent of the
5 costs identified in the request for equitable adjustment
6 under subsection (a)(2).

7 “(c) LIMITATION.—Any interim partial payment
8 made under this section shall not be deemed to be an ac-
9 tion to definitize the request for an equitable adjustment.

10 “(d) FLOW-DOWN OF INTERIM PARTIAL PAYMENT
11 AMOUNTS.—A small business concern that requests an eq-
12 uitable adjustment under this section shall pay to a first
13 tier subcontractor or supplier the portion of the interim
14 partial payment received that is attributable to the in-
15 creased costs of performance incurred by the first tier sub-
16 contractor or supplier due to the change in the work with-
17 in the general scope of the contract. A subcontractor or
18 supplier at any tier that receives a portion of an interim
19 partial payment under this section shall pay its subcon-
20 tractor or supplier the appropriate portion of such pay-
21 ment.”.

22 (b) IMPLEMENTATION.—The Administrator of the
23 Small Business Administration shall implement the re-
24 quirements of this section not later than the first day of

1 the first full fiscal year beginning after the date of the
2 enactment of this Act.

3 **SEC. 833. EXEMPTION OF CERTAIN CONTRACTS AWARDED**
4 **TO SMALL BUSINESS CONCERNS FROM CAT-**
5 **EGORY MANAGEMENT REQUIREMENTS.**

6 (a) IN GENERAL.—The Small Business Act is
7 amended—

8 (1) by redesignating section 49 as section 50;
9 and

10 (2) by inserting after section 48 the following
11 new section:

12 **“SEC. 49. EXEMPTION OF CERTAIN CONTRACTS FROM CAT-**
13 **EGORY MANAGEMENT REQUIREMENTS.**

14 “(a) IN GENERAL.—A contract awarded under sec-
15 tion 8(a), 8(m), 31, or 32 that is classified as tier 0—

16 “(1) shall be exempt from the procedural re-
17 quirements of any Federal rule or guidance on cat-
18 egory management or successor strategies for con-
19 tract consolidation; and

20 “(2) may not be included when measuring the
21 attainment of any goal or benchmark established
22 under any Federal rule or guidance on category
23 management or successor strategies for contract
24 consolidation, unless the inclusion of such contract

1 aids in the achievement of such a goal or bench-
2 mark.

3 “(b) DEFINITIONS.—In this section:

4 “(1) CATEGORY MANAGEMENT.—The term ‘cat-
5 egory management’ has the meaning given such
6 term by the Director of the Office of Management
7 and Budget.

8 “(2) TIER 0.—The term ‘tier 0’ has the mean-
9 ing given such term by the Director of the Office of
10 Management and Budget with respect to the Spend
11 Under Management tiered maturity model, or any
12 successor model.”.

13 (b) APPLICATION.—Section 49 of the Small Business
14 Act, as added by subsection (a), shall apply with respect
15 to contracts entered into on or after the date of the enact-
16 ment of this Act.

17 (c) PLAN AND REPORT.—

18 (1) IN GENERAL.—Not later than 120 days
19 after the date of the enactment of this Act, the Di-
20 rector of the Office of Management and Budget
21 shall submit to Congress a report including a plan
22 to increase the participation of small business con-
23 cerns in agency-wide or Government-wide contracts
24 (including best in class designations as defined in
25 section 15(h)(4)(B)). Such plan shall include—

1 (A) strategies to increase the amount and
2 frequency of opportunities for small business
3 concerns to participate in agency-wide or Gov-
4 ernment-wide contracts;

5 (B) strategies to ease or eliminate require-
6 ments that impede such participation of small
7 business concerns; and

8 (C) a specific goal for the number of small
9 business concerns participating in agency-wide
10 or Government-wide contracts and a timeline to
11 achieve such goal.

12 (2) IMPLEMENTATION.—Not later than 60 days
13 after the submission of the report required under
14 paragraph (1), the Director of the Office of Manage-
15 ment and Budget shall implement the plan con-
16 tained in such report.

17 (d) RULEMAKING.—Not later than 90 days after the
18 date of the enactment of this Act, the Federal Acquisition
19 Regulation shall be revised to carry out this Act and the
20 amendment made by this Act.

21 **SEC. 834. REPORT ON ACCELERATED PAYMENTS TO CER-**
22 **TAIN SMALL BUSINESS CONCERNS.**

23 (a) REPORT.—Not later than 3 months after the date
24 of the enactment of this section, the head of each Federal
25 agency shall submit to Congress a report on the timeliness

1 of payments made to a covered prime contractor. Such re-
2 port shall include—

3 (1) the date on which the Federal agency began
4 providing accelerated payments in accordance with
5 section 2307(a)(2) of title 10, United States Code,
6 or paragraphs (10) and (11) of section 3903(a) of
7 title 31, United States Code, as applicable, to a cov-
8 ered prime contractor;

9 (2) of contracts to which such sections apply,
10 the amount and percentage of covered contracts with
11 accelerated payment terms in accordance with such
12 sections; and

13 (3) whether and on what date the agency dis-
14 continued implementation of the Office of Manage-
15 ment and Budget Circular M-11-32 titled “Accel-
16 erating Payments to Small Businesses for Goods
17 and Services” (issued September 14, 2011).

18 (b) DEFINITIONS.—In this section:

19 (1) COVERED PRIME CONTRACTOR.—The term
20 “covered prime contractor” means—

21 (A) a prime contractor (as defined in sec-
22 tion 8701 of title 41) that is a small business
23 concern (as defined in section 3 of the Small
24 Business Act (15 U.S.C. 632)); and

1 (B) a prime contractor that subcontracts
2 with a small business concern.

3 (2) COVERED CONTRACT.—The term “covered
4 contract” means a contract entered into by a cov-
5 ered prime contractor—

6 (A) on or after August 13, 2018, with re-
7 spect to a contract entered into the head of an
8 agency (as defined in section 2302 of title 10,
9 United States Code); or

10 (B) on or after December 20, 2019, with
11 respect to a contract entered into with the head
12 of an agency (as defined in section 3901 of title
13 31, United States Code).

14 (3) FEDERAL AGENCY.—The term “Federal
15 agency” has the meaning given “agency” in section
16 551(a) of title 5, United States Code.

17 **Subtitle E—Other Matters**

18 **SEC. 841. MODIFICATIONS TO SUPERVISION AND AWARD OF** 19 **CERTAIN CONTRACTS.**

20 (a) SUPERVISION OF MILITARY CONSTRUCTION
21 PROJECTS.—Section 2851 of title 10, United States Code,
22 is amended—

23 (1) in subsection (c)(1)—

1 (A) by inserting “or appropriated” after
2 “funds authorized” each place such term ap-
3 pears; and

4 (B) in subparagraph (E), by inserting “,
5 Facilities Sustainment, Restoration, and Mod-
6 ernization (FSRM) project,” after “military
7 construction project”; and

8 (2) in subsection (c)(2)—

9 (A) by inserting “, deadline for bid submis-
10 sions,” after “solicitation date”;

11 (B) by inserting “(including the address of
12 such recipient)” after “contract recipient”; and

13 (C) by adding at the end the following new
14 subparagraphs:

15 “(H) Any subcontracting plan required under
16 paragraph (4) or (5) of section 8(d) of the Small
17 Business Act (15 U.S.C. 637(d)) for the project sub-
18 mitted by the contract recipient to the Secretary of
19 Defense.

20 “(I) A detailed written statement describing
21 and justifying any exception applied or waiver grant-
22 ed under—

23 “(i) chapter 83 of title 41;

24 “(ii) section 2533a of this title; or

25 “(iii) section 2533b of this title.”; and

1 (3) by adding at the end the following new
2 paragraph:

3 “(4) The information required to be published on the
4 Internet website under subsection (c) shall constitute a
5 record for the purposes of Chapter 21, 29, 31, and 33
6 of title 44.”.

7 (b) REQUIREMENTS RELATING TO THE AWARD OF
8 COVERED MILITARY CONSTRUCTION CONTRACTS.—

9 (1) REQUIREMENTS.—Subchapter III of chap-
10 ter 169 of title 10, United States Code, is amended
11 by inserting after section 2851 the following new
12 section:

13 **“§ 2851a. Requirements relating to the award of cov-
14 ered military construction contracts**

15 “(a) PUBLICATION OF CERTAIN INFORMATION RE-
16 LATING TO COVERED MILITARY CONSTRUCTION CON-
17 TRACTS.—

18 “(1) CONTRACTOR REQUIREMENTS.—A con-
19 tractor that has been awarded a covered military
20 construction contract shall—

21 “(A) make publicly available on a website
22 of the General Services Administration or the
23 Small Business Administration, as applicable,
24 any solicitation under that covered military con-

1 construction contract for a subcontract of an esti-
2 mated value of \$250,000 or more; and

3 “(B) submit written notification of the
4 award of the covered military construction con-
5 tract, and of any subcontract awarded under
6 the covered military construction contract, to
7 the relevant agency of a covered State that en-
8 forces workers’ compensation or minimum wage
9 laws in such covered State.

10 “(2) NOTICE.—Upon award of a covered mili-
11 tary construction contract with an estimated value
12 greater than or equal to \$2,000,000, the Secretary
13 concerned shall notify any applicable Member of
14 Congress representing the covered State in which
15 that covered military construction contract is to be
16 performed of such award in a timely manner.

17 “(3) FEDERAL PROCUREMENT DATA SYSTEM.—
18 The Secretary of Defense shall ensure that there is
19 a clear and unique indication of any covered military
20 construction contract with subcontracting work of an
21 estimated value of \$250,000 or more in the Federal
22 Procurement Data System established pursuant to
23 section 1122(a)(4) of title 41 (or any successor sys-
24 tem).

25 “(b) USE OF LOCAL FIRMS AND INDIVIDUALS.—

1 “(1) IN GENERAL.—To the extent practicable,
2 in awarding a covered military construction contract,
3 the Secretary concerned shall give preference to
4 those firms and individuals residing or doing busi-
5 ness primarily in the same State as, or within a 60-
6 mile radius of, the location of the work to be per-
7 formed pursuant to the contract.

8 “(2) JUSTIFICATION REQUIRED.—The Sec-
9 retary concerned shall prepare a written justifica-
10 tion, and make such justification available on the
11 Internet site required under section 2851 of this
12 title, for the award of any covered military construc-
13 tion contract to a firm or individual that is not de-
14 scribed under paragraph (1).

15 “(c) LICENSING.—A contractor and any subcontractors
16 performing a covered military construction contract
17 shall be licensed to perform the work under such contract
18 in the State in which the work will be performed.

19 “(d) MONTHLY REPORT.—Not later than 10 days
20 after the end of each month, the Secretary of Defense
21 shall submit to the congressional defense committees a re-
22 port identifying for that month the following:

23 “(1) Each covered military construction con-
24 tract and each subcontract of a covered military con-

1 construction contract described in subsection (a)(1)(A)
2 awarded during that month.

3 “(2) The location of the work to be performed
4 pursuant to each covered military construction con-
5 tract and subcontract identified pursuant to para-
6 graph (1).

7 “(3) The prime contractor and any subcon-
8 tractor performing each covered military construc-
9 tion contract and subcontract identified pursuant to
10 paragraph (1).

11 “(4) The estimated value of each covered mili-
12 tary construction contract and subcontract identified
13 pursuant to paragraph (1).

14 “(e) EXCLUSION OF CLASSIFIED PROJECTS.—This
15 section does not apply to a classified covered military con-
16 struction project.

17 “(f) DEFINITIONS.—In this section:

18 “(1) COVERED MILITARY CONSTRUCTION CON-
19 TRACT.—The term ‘covered military construction
20 contract’ means a contract for work on a military
21 construction project, military family housing project,
22 or Facilities Sustainment, Restoration, and Mod-
23 ernization (FSRM) project carried out in a covered
24 State.

1 “(2) COVERED STATE.—The term ‘covered
2 State’ means any of the several States, the District
3 of Columbia, the Commonwealth of Puerto Rico,
4 Guam, American Samoa, the United States Virgin
5 Islands, or the Commonwealth of the Northern Mar-
6 iana Islands.

7 “(3) MEMBER OF CONGRESS.—The term ‘Mem-
8 ber of Congress’ has the meaning given the term in
9 section 2106 of title 5.”.

10 (2) CLERICAL AMENDMENT.—The table of sec-
11 tions at the beginning of subchapter III of chapter
12 169 of title 10, United States Code, is amended by
13 inserting after the item relating to section 2851 the
14 following new item:

“2851a. Requirements relating to the award of covered military construction
contracts.”.

15 (3) APPLICABILITY.—Section 2851a of title 10,
16 United States Code, as added by paragraph (1),
17 shall apply with respect to a covered military con-
18 struction contract, as defined in such section, en-
19 tered into on or after the date of the enactment of
20 this Act.

21 (c) SMALL BUSINESS CREDIT FOR LOCAL BUSI-
22 NESSES.—Section 15 of the Small Business Act (15
23 U.S.C. 644) is amended by adding at the end the following
24 new subsection—

1 “(y) SMALL BUSINESS CREDIT FOR LOCAL BUSI-
2 NESSES.—

3 “(1) CREDIT FOR MEETING SUBCONTRACTING
4 GOALS.—If a prime contractor awards a subcontract
5 (at any tier) to a small business concern that has its
6 principal office located in the same State as, or with-
7 in a 60-mile radius of, the location of the work to
8 be performed pursuant to the contract of the prime
9 contractor, the value of the subcontract shall be dou-
10 bled for purposes of determining compliance with the
11 goals for procurement contracts under subsection
12 (g)(1)(A) during such period.

13 “(2) REPORT.—Along with the report required
14 under subsection (h)(1), the head of each Federal
15 agency shall submit to the Administrator, and make
16 publicly available on the scorecard described in sec-
17 tion 868(b) of the National Defense Authorization
18 Act for Fiscal Year 2016 (Public Law 114–92; 129
19 Stat. 933; 15 U.S.C. 644 note), an analysis of the
20 number and dollar amount of subcontracts awarded
21 pursuant to paragraph (1) for each fiscal year of the
22 period described in such paragraph.”.

1 **SEC. 842. AMENDMENTS TO SUBMISSIONS TO CONGRESS**
2 **RELATING TO CERTAIN FOREIGN MILITARY**
3 **SALES.**

4 Section 887(b) of the National Defense Authorization
5 Act for Fiscal Year 2018 (Public Law 115–91; 22 U.S.C.
6 2761 note) is amended—

7 (1) by striking “the Secretary shall” each place
8 it appears and inserting “the Secretary, in consulta-
9 tion with the Secretary of State, shall”;

10 (2) in paragraph (1)—

11 (A) by striking “December 31, 2021” and
12 inserting “December 31, 2024”; and

13 (B) by striking “with a value” and all that
14 follows through the “subsection (a)”; and

15 (3) in paragraph (2), by striking “December
16 31, 2021” and inserting “December 31, 2024”.

17 **SEC. 843. REVISIONS TO REQUIREMENT TO USE FIRM**
18 **FIXED-PRICE CONTRACTS FOR FOREIGN**
19 **MILITARY SALES.**

20 (a) IN GENERAL.—Section 830 of the National De-
21 fense Authorization Act for Fiscal Year 2017 (22 U.S.C.
22 2762 note) is amended—

23 (1) in subsection (a), by inserting “and subject
24 to subsection (e)” after “enactment of this Act”;
25 and

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

3 “(e) APPLICABILITY.—The regulations prescribed
4 pursuant to subsection (a) shall not apply to a foreign
5 military sale for which the foreign country that is the
6 counterparty to such foreign military sale has requested
7 a modification to the defense service or defense article that
8 is the subject of such foreign military sale that would re-
9 quire significant development work.”; and

10 (3) in subsection (c), by adding at the end the
11 following new sentence: “The Secretary may not del-
12 egate the authority to exercise such a waiver below
13 the level of the service acquisition executive (as de-
14 fined in section 101(a)(10) of title 10, United States
15 Code).”.

16 (b) IMPLEMENTATION.—The Secretary of Defense
17 shall—

18 (1) not later than 120 days after the date of
19 the enactment of this Act, issue guidance to carry
20 out the amendments made by this section; and

21 (2) not later than February 1, 2021, revise the
22 Department of Defense Supplement to the Federal
23 Acquisition Regulation to carry out the amendments
24 made by this section.

1 **SEC. 844. SMALL BUSINESS INDUSTRIAL BASE RESILIENCY**
2 **PROGRAM.**

3 (a) ESTABLISHMENT.—The Assistant Secretary of
4 Defense for Industrial Base Policy (established under sec-
5 tion 902 of this Act) shall establish a program to be
6 known as the “Small Business Industrial Base Resiliency
7 Program” under which the Assistant Secretary shall enter
8 into transactions to purchase or to make a commitment
9 to purchase goods or services from small business concerns
10 as described in subsection (b) to respond to the COVID–
11 19 pandemic.

12 (b) USES OF TRANSACTIONS.—A transaction entered
13 into pursuant to the authority under this section shall—

14 (1) support the monitoring and assessment of
15 small business concerns that enter into such a trans-
16 action;

17 (2) address critical issues in the industrial base
18 relating to urgent operational needs in response to
19 the COVID–19 pandemic;

20 (3) support efforts to create, maintain, protect,
21 expand, or restore the industrial base in response to
22 the COVID–19 pandemic; and

23 (4) as applicable, address supply chain
24 vulnerabilities related to the COVID–19 pandemic
25 for small business concerns that enter into such a
26 transaction.

1 (c) DURATION.—The term of a transaction entered
2 into pursuant to the authority under this section shall be
3 two years.

4 (d) LIABILITIES.—With respect to any transaction
5 entered into pursuant to the authority under this section
6 on or after the date of enactment of this Act, if such trans-
7 action imposes any contingent liability upon the United
8 States, such liability shall be recorded as an obligation
9 against amounts made available from the Research and
10 Development, Defense-Wide, Pandemic Preparedness and
11 Resilience National Security Fund under section 1003 in
12 an amount equal to the maximum amount of the contin-
13 gency at the time such transaction is entered into.

14 (e) REPORT.—Not later than March 1, 2021, the As-
15 sistant Secretary of Defense for Industrial Base Policy
16 shall submit to the appropriate committees a report that
17 includes the following:

18 (1) A description of any guidance or policy
19 issued to carry out this section.

20 (2) A description of any relevant assessments
21 prepared to address critical issues in the industrial
22 base relating to urgent operational needs related to
23 the COVID–19 pandemic.

24 (3) A description of any transaction entered
25 into pursuant to the authority under this section,

1 and the impact such transaction has had on the re-
2 sponse of the Department of Defense to the
3 COVID–19 pandemic.

4 (4) A prioritized list of gaps or vulnerabilities
5 in the transactions of the industrial base in which
6 small business concerns participate that are related
7 the COVID–19 pandemic, including—

8 (A) a description of mitigation strategies
9 necessary to address such gaps or
10 vulnerabilities;

11 (B) the identification of the Secretary con-
12 cerned or the head of the Defense Agency re-
13 sponsible for addressing such gaps or
14 vulnerabilities; and

15 (C) a proposed timeline for action to ad-
16 dress such gaps or vulnerabilities.

17 (5) Identification of each transaction designed
18 to sustain specific essential technological and indus-
19 trial capabilities and processes of the industrial base
20 in which small business concerns participate that are
21 related to the COVID–19 pandemic.

22 (6) Any other steps necessary to foster and
23 safeguard the industrial base in which small busi-
24 ness concerns participate due to the impact of the
25 COVID–19 pandemic.

1 (f) FUNDING.—The Assistant Secretary of Defense
2 for Industrial Base Policy shall use amounts authorized
3 to be appropriated for Research and Development, De-
4 fense-Wide, Pandemic Preparedness and Resilience Na-
5 tional Security Fund under section 1003 to carry out the
6 requirements of this section.

7 (g) DEFINITIONS.—In this Act:

8 (1) APPROPRIATE COMMITTEES.—The term
9 “covered committees” means—

10 (A) the Committees on Armed Services of
11 the Senate and the House of Representatives;

12 and

13 (B) the Committee on Small Business and
14 Entrepreneurship of the Senate and the Com-
15 mittee on Small Business of the House of Rep-
16 resentatives.

17 (2) COVID–19 PANDEMIC.—The term
18 “COVID–19 pandemic” means the national emer-
19 gency declared by the President under the National
20 Emergencies Act (50 U.S.C. 1601 et seq.).

21 (3) DEFENSE AGENCY.—The term “Defense
22 Agency” has the meaning given in section 101 of
23 title 10, United States Code.

1 (4) SECRETARY CONCERNED.—The term “Sec-
2 retary concerned” has the meaning given in section
3 101 of title 10, United States Code.

4 (5) SMALL BUSINESS CONCERN.—The term
5 “small business concern” has the meaning given
6 under section 3 of the Small Business Act (15
7 U.S.C. 632)).

8 **SEC. 845. REQUIREMENTS RELATING TO REPORTS AND**
9 **LIMITATIONS ON THE AVAILABILITY OF**
10 **FUNDS.**

11 (a) LIMITATION ON THE AVAILABILITY OF FUNDS
12 RELATING TO THE DEFENSE CIVILIAN TRAINING CORPS
13 PROGRAM.—

14 (1) INITIAL PLAN AND SCHEDULE.—Beginning
15 on October 1, 2020, if the Secretary of Defense has
16 not submitted the plan and schedule to implement
17 the Defense Civilian Training Corps program re-
18 quired under section 860(b)(1) of the National De-
19 fense Authorization Act for Fiscal Year 2020 (Pub-
20 lic Law 116–92; 133 Stat. 1514; 10 U.S.C. 2200g
21 note), not more than 25 percent of the funds speci-
22 fied in paragraph (3) may be obligated or expended
23 until the date on which such plan and schedule has
24 been submitted.

1 (2) EXPANSION PLAN AND SCHEDULE.—Begin-
2 ning on January 1, 2021, if the Secretary of De-
3 fense has not submitted the expansion plan and
4 schedule relating to the Defense Civilian Training
5 Corps program required under section 860(b)(2) of
6 the National Defense Authorization Act for Fiscal
7 Year 2020 (Public Law 116–92; 133 Stat. 1514; 10
8 U.S.C. 2200g note), not more than 50 percent of the
9 funds specified in paragraph (3) may be obligated or
10 expended until the date on which such expansion
11 plan and schedule has been submitted.

12 (3) FUNDS SPECIFIED.—The funds specified in
13 this paragraph are the funds authorized to be appro-
14 priated by this Act or otherwise made available for
15 fiscal year 2021 for the Department of Defense for
16 the following:

17 (A) The immediate office of the Secretary
18 of Defense.

19 (B) The Office of the Under Secretary of
20 Defense for Personnel and Readiness.

21 (C) The Office of the Under Secretary of
22 Defense for Research and Engineering.

23 (D) The Office of the Under Secretary of
24 Defense for Acquisition and Sustainment.

1 (b) REPORT AND LIMITATION ON THE AVAILABILITY
2 OF FUNDS RELATING TO THE EXTRAMURAL ACQUISITION
3 INNOVATION AND RESEARCH ACTIVITIES.—

4 (1) REPORT.—Not later than October 1, 2020,
5 the Under Secretary of Defense for Acquisition and
6 Sustainment shall submit to the congressional de-
7 fense committees a report—

8 (A) on the establishment of the extramural
9 acquisition innovation and research activities
10 required under section 2361a of title 10, United
11 States Code (as added by section 835(a)(1) of
12 the National Defense Authorization Act for Fis-
13 cal Year 2020 (Public Law 116–92; 133 Stat.
14 1494)); and

15 (B) that includes the name of the Director
16 appointed under section 2361a(c) of such title
17 (as added by section 835(a)(1) of the National
18 Defense Authorization Act for Fiscal Year 2020
19 (Public Law 116–92; 133 Stat. 1494)).

20 (2) LIMITATION.—

21 (A) IN GENERAL.—Beginning on October
22 1, 2020, if the Under Secretary of Defense for
23 Acquisition and Sustainment has not submitted
24 the report required under paragraph (1), not
25 more than 25 percent of the funds specified in

1 subparagraph (B) may be obligated or expended
2 until the date on which such report has been
3 submitted.

4 (B) FUNDS SPECIFIED.—The funds speci-
5 fied in this subparagraph are the funds author-
6 ized to be appropriated by this Act or otherwise
7 made available for fiscal year 2021 for the De-
8 partment of Defense for the following:

9 (i) The immediate office of the Sec-
10 retary of Defense.

11 (ii) The Office of the Under Secretary
12 of Defense for Research and Engineering.

13 (iii) The Office of the Under Sec-
14 retary of Defense for Acquisition and
15 Sustainment.

16 (c) REPORT AND LIMITATION ON THE AVAILABILITY
17 OF FUNDS RELATING TO THE ELIMINATING THE GAPS
18 AND VULNERABILITIES IN THE NATIONAL TECHNOLOGY
19 AND INDUSTRIAL BASE.—

20 (1) REPORT.—Not later than October 1, 2020,
21 the Secretary of Defense shall submit to the con-
22 gressional defense committees the national security
23 strategy for national technology and industrial base
24 required by section 2501(a) of title 10, United
25 States Code.

1 (2) LIMITATION.—

2 (A) IN GENERAL.—Beginning on October
3 1, 2020, if the Secretary of Defense has not
4 submitted the report required under paragraph
5 (1), not more than 25 percent of the funds
6 specified in subparagraph (B) may be obligated
7 or expended until the date on which such report
8 has been submitted.

9 (B) FUNDS SPECIFIED.—The funds speci-
10 fied in this subparagraph are the funds author-
11 ized to be appropriated by this Act or otherwise
12 made available for fiscal year 2021 for the De-
13 partment of Defense for the following:

14 (i) The immediate office of the Sec-
15 retary of Defense.

16 (ii) The Office of the Under Secretary
17 of Defense for Acquisition and
18 Sustainment.

19 **SEC. 846. ASSESSMENT OF THE REQUIREMENTS PROC-**
20 **ESSES OF THE MILITARY DEPARTMENTS.**

21 (a) ASSESSMENT.—The Secretary of the military de-
22 partment concerned shall assess the requirements process
23 of the military department and make recommendations to
24 improve the agility and timeliness of such requirements

1 process for acquisition programs of the military depart-
2 ment.

3 (b) REPORT.—

4 (1) IN GENERAL.—Not later than March 31,
5 2021, each Secretary of a military department shall
6 submit to the congressional defense committees a re-
7 port on the assessment conducted pursuant to sub-
8 section (a) and specific plans to update the require-
9 ments processes of the military department con-
10 cerned based on such assessment.

11 (2) ELEMENTS.—Each report shall include an
12 analysis of and recommended improvements for the
13 following elements:

14 (A) If appropriate, information from the
15 report required in section 800(f) of the Na-
16 tional Defense Authorization Act for Fiscal
17 Year 2020 (Public Law 116–92).

18 (B) The alignment of the requirements
19 processes, acquisition system, and budget proc-
20 ess of the military department concerned.

21 (C) The requirements process for each ac-
22 quisition pathway of the adaptive acquisition
23 framework (as described in Department of De-
24 fense Instruction 5000.02, “Operation of the
25 Adaptive Acquisition Framework”), including

1 the time it takes to complete requirements de-
2 velopment and approval process for each path-
3 way.

4 (D) For each acquisition pathway de-
5 scribed in subparagraph (C), the processes for
6 and the extent to which detailed systems engi-
7 neering and requirements trade-off analyses are
8 done before the development of requirements
9 begins for a specific acquisition program to en-
10 sure that risks are understood and accounted
11 for and that both top-level and derived require-
12 ments (development as well as reliability and
13 maintainability) are achievable within cost,
14 schedule, and technology constraints.

15 (E) Organizational roles and responsibil-
16 ities of individuals with responsibilities relating
17 to the requirements process for the military de-
18 partment concerned, including the role, com-
19 position, and metrics used to assess the effec-
20 tiveness of any requirements oversight council
21 of the military department concerned.

22 (F) The composition and sufficiency of in-
23 dividuals who develop requirements for the mili-
24 tary department concerned, including any ac-
25 quisition workforce planning and personnel

1 shortfalls and resources needed to address any
2 such shortfalls.

3 (G) The ability of the requirements process
4 to address the urgent needs of the military de-
5 partment concerned.

6 (H) The capacity to review changes in re-
7 quirements for programs of record.

8 (I) The validation of decisions made from
9 the requirements process and the alignment of
10 each such decision to the national defense strat-
11 egy required under section 113(g) of title 10,
12 United States Code.

13 (J) The use of portfolio management in
14 the requirements process to coordinate decisions
15 and avoid any duplication of requirements
16 across acquisition programs.

17 (K) The implementation of recommenda-
18 tions on the process from the Comptroller Gen-
19 eral of the United States by each military de-
20 partment.

21 (L) Identification and comparison of best
22 practices in the private sector and the public
23 sector for the requirements development and
24 approval process.

1 (M) Other recommendations to improve
2 the process of establishing requirements, includ-
3 ing lessons learned from responding to the
4 COVID-19 pandemic.

5 (N) Any additional matters that the Secre-
6 taries determine appropriate.

7 **SEC. 847. REPORT ON TRANSFER AND CONSOLIDATION OF**
8 **CERTAIN DEFENSE ACQUISITION STATUTES.**

9 Not later than February 21, 2021, the Secretary of
10 Defense shall submit to the congressional defense commit-
11 tees a report containing a comprehensive legislative pro-
12 posal for the transfer and consolidation of statutes within
13 the framework for part V of subtitle A of title 10, United
14 States Code (as enacted by section 801 of the National
15 Defense Authorization Act for Fiscal Year 2019 (Public
16 Law 115-232)), along with conforming amendments to law
17 required by such transfer and consolidation. Such report
18 shall include an assessment of the effect of such transfer
19 and consolidation on related Department of Defense ac-
20 tivities, guidance, and interagency coordination.

1 **TITLE IX—DEPARTMENT OF DE-**
2 **FENSE ORGANIZATION AND**
3 **MANAGEMENT**

4 **Subtitle A—Office of the Secretary**
5 **of Defense and Related Matters**

6 **SEC. 901. REPEAL OF POSITION OF CHIEF MANAGEMENT**
7 **OFFICER.**

8 (a) REPEAL OF POSITION OF CHIEF MANAGEMENT
9 OFFICER.—

10 (1) IN GENERAL.—Section 132a of title 10,
11 United States Code is repealed.

12 (2) CONFORMING AMENDMENTS AND RE-
13 PEALS.—

14 (A) Paragraph (2) of section 131(b) of
15 title 10, United States Code, is repealed.

16 (B) The table of sections at the beginning
17 of chapter 4 of title 10, United States Code, is
18 amended by striking the item relating to section
19 132a.

20 (C) Section 910 of the National Defense
21 Authorization Act for Fiscal Year 2018 (Public
22 Law 115–91; 131 Stat. 1516) is repealed.

23 (3) EFFECTIVE DATE.—The amendments and
24 repeals made by paragraphs (1) and (2) shall take

1 effect 30 days after the date of the enactment of
2 this Act.

3 (b) IMPLEMENTATION.—On the effective date of the
4 amendments and repeals under subsection (a)—

5 (1) any duties and responsibilities that remain
6 assigned to the Chief Management Officer of the
7 Department of Defense shall be transferred to a sin-
8 gle official selected by the Secretary of Defense, ex-
9 cept that such official may not be an individual who
10 served as the Chief Management Officer before such
11 effective date;

12 (2) the personnel, functions, and assets of the
13 Office of the Chief Management Officer shall be
14 transferred to such other organizations and elements
15 of the Department as the Secretary determines ap-
16 propriate; and

17 (3) any reference in Federal law, regulations,
18 guidance, instructions, or other documents of the
19 Federal Government to the Chief Management Offi-
20 cer of the Department of Defense shall be deemed
21 to be a reference to the official selected by the Sec-
22 retary under paragraph (1)).

23 (c) LEGISLATIVE PROPOSAL.—Not later than 180
24 days after the date of the enactment of this Act, the Sec-
25 retary of Defense shall submit to the congressional defense

1 committees a report that includes a comprehensive legisla-
2 tive proposal for additional conforming amendments to
3 law required by the amendments and repeals made by this
4 section.

5 **SEC. 902. ASSISTANT SECRETARY OF DEFENSE FOR INDUS-**
6 **TRIAL BASE POLICY.**

7 (a) IN GENERAL.—

8 (1) ASSISTANT SECRETARIES OF DEFENSE.—
9 Section 138 of title 10, United States Code, is
10 amended—

11 (A) in subsection (a)(1), by striking “13”
12 and inserting “14”; and

13 (B) in subsection (b), by adding at the end
14 the following new paragraph:

15 “(6) One of the Assistant Secretaries is the As-
16 sistant Secretary of Defense for Industrial Base Pol-
17 icy. In addition to any duties and powers prescribed
18 under paragraph (1), the Assistant Secretary of De-
19 fense for Industrial Base Policy shall have the duties
20 described in section 139c of this title.”.

21 (2) ASSISTANT SECRETARY OF DEFENSE FOR
22 INDUSTRIAL BASE POLICY.—Chapter 4 of subtitle A
23 of title 10, United States Code, is amended by in-
24 serting after section 139b the following new section:

1 **“§ 139c. Assistant Secretary of Defense for Industrial**
2 **Base Policy**

3 “(a) IN GENERAL.—The Assistant Secretary of De-
4 fense for Industrial Base Policy shall report to the Under
5 Secretary of Defense for Acquisition and Sustainment.

6 “(b) RESPONSIBILITIES.—The Assistant Secretary of
7 Defense for Industrial Base Policy shall be the head of
8 the Office of Defense Industrial Base Policy and shall
9 serve as the principal advisor to the Under Secretary of
10 Defense for Acquisition and Sustainment in the perform-
11 ance of the Under Secretary’s duties relating to the fol-
12 lowing:

13 “(1) Providing input to strategy reviews on
14 matters related to—

15 “(A) the defense industrial base; and

16 “(B) materials critical to national security
17 (as defined in section 187(e)(1) of this title).

18 “(2) Establishing policies of the Department of
19 Defense for developing and maintaining the defense
20 industrial base of the United States and ensuring a
21 secure supply of materials critical to national secu-
22 rity.

23 “(3) Providing recommendations on budget
24 matters pertaining to the defense industrial base,
25 the supply chain, and the development and retention

1 of skills necessary to support the defense industrial
2 base.

3 “(4) Providing recommendations and acquisi-
4 tion policy guidance on defense supply chain man-
5 agement and supply chain vulnerability throughout
6 the entire defense supply chain, from suppliers of
7 raw materials to producers of major end items.

8 “(5) Establishing the national security objec-
9 tives concerning the national technology and indus-
10 trial base required under section 2501 of this title.

11 “(6) Executing the national defense program
12 for analysis of the national technology and industrial
13 base required under section 2503 of this title.

14 “(7) Performing the national technology and in-
15 dustrial base periodic defense capability assessments
16 required under section 2505 of this title.

17 “(8) Establishing the technology and industrial
18 base policy guidance required under section 2506 of
19 this title.

20 “(9) Providing policy and oversight of matters
21 related to materials critical to national security to
22 ensure a secure supply of such materials to the De-
23 partment of Defense.

24 “(10) Carrying out the activities of the Depart-
25 ment of Defense relating to the Defense Production

1 Act Committee established under section 722 of the
2 Defense Production Act of 1950 (50 U.S.C. App.
3 2171).

4 “(11) Consistent with section 2(b) of the De-
5 fense Production Act of 1950 (50 U.S.C. App.
6 2062(b)), executing other applicable authorities pro-
7 vided under the Defense Production Act of 1950 (50
8 U.S.C. App. 2061 et seq.), including authorities
9 under titles I and III of such Act.

10 “(12) Establishing Department of Defense poli-
11 cies related to international defense technology secu-
12 rity and export control issues.

13 “(13) Establishing policies related to industrial
14 independent research and development programs
15 under section 2372 of this title.

16 “(14) Coordinating with the Director of Small
17 Business Programs on all matters related to indus-
18 trial base policy of the Department of Defense.

19 “(15) Ensuring reliable sources of materials
20 critical to national security, such as specialty metals,
21 armor plate, and rare earth elements.

22 “(16) Establishing policies of the Department
23 of Defense for continued reliable resource availability
24 from secure sources for the defense industrial base
25 of the United States.

1 “(17) Establishing policies related to a procure-
2 ment technical assistance program funded under this
3 chapter 142 of this title.

4 “(18) Such other duties as are assigned by the
5 Under Secretary.

6 “(c) RULES OF CONSTRUCTION RELATING TO DE-
7 FENSE PRODUCTION ACT.—Nothing in this section shall
8 be construed to modify the authorities or responsibilities
9 of any officer or employee of the United States under the
10 Defense Production Act of 1950 (50 U.S.C. 4501 et seq.),
11 including those authorities and responsibilities specified in
12 Department of Defense Directive 4400.01E (or any suc-
13 cessor directive). In addition, nothing in subsection (b)(9)
14 shall be construed to limit the authority or modify the poli-
15 cies of the Committee on Foreign Investment in the
16 United States established under section 721(k) of such
17 Act (50 U.S.C. 4565(k)).”.

18 (3) CLERICAL AMENDMENT.—The table of con-
19 tents for chapter 4 of subtitle A of title 10, United
20 States Code, is amended by inserting after the item
21 relating to section 139b the following new item:

 “139e. Assistant Secretary of Defense for Industrial Base Policy.”.

22 (b) CONTINUATION OF SERVICE.—The Deputy As-
23 sistant Secretary of Defense for Industrial Policy shall be
24 the individual serving as the Assistant Secretary of De-
25 fense for Industrial Base Policy (as established under sec-

1 tion 139c(a) of title 10, United States Code, as added by
2 subsection (a)) until the President has appointed an indi-
3 vidual to serve as Assistant Secretary of Defense for In-
4 dustrial Base Policy pursuant to section 138 of title 10,
5 United States Code.

6 (c) TRANSFER OF OFFICE OF INDUSTRIAL POLICY
7 TO OFFICE OF DEFENSE INDUSTRIAL BASE POLICY.—

8 (1) TRANSFER OF FUNCTIONS.—Not later than
9 180 days after the date of the enactment of this Act,
10 all functions that, immediately before such date of
11 enactment, were functions of the Office of Industrial
12 Policy of the Department of Defense shall be trans-
13 ferred to the Office of Defense Industrial Base Pol-
14 icy.

15 (2) TRANSFER OF ASSETS.—So much of the
16 personnel, property, records, and unexpended bal-
17 ances of appropriations, allocations, and other funds
18 employed, used, held, available, or to be made avail-
19 able in connection with a function transferred under
20 paragraph (1) shall be available to the Office of De-
21 fense Industrial Base Policy at such time or times
22 as the President directs for use in connection with
23 the functions transferred.

1 (3) **TERMINATION.**—The Office of Industrial
2 Policy of the Department of Defense shall terminate
3 on the earlier of—

4 (A) the effective date of the transfers
5 under paragraph (1); or

6 (B) 180 days after the date of the enact-
7 ment of this Act.

8 **Subtitle B—Other Department of**
9 **Defense Organization and Man-**
10 **agement Matters**

11 **SEC. 911. LIMITATION ON REDUCTION OF CIVILIAN WORK-**
12 **FORCE.**

13 Section 129a(b) of title 10, United States Code, is
14 amended by adding at the end the following: “The Sec-
15 retary may not reduce the civilian workforce programmed
16 full-time equivalent levels unless the Secretary conducts
17 an appropriate analysis of the impacts of such reductions
18 on workload, military force structure, lethality, readiness,
19 operational effectiveness, stress on the military force, and
20 fully burdened costs.”

21 **SEC. 912. CHIEF DIVERSITY OFFICERS.**

22 (a) **DEPARTMENT OF DEFENSE.**—

23 (1) **IN GENERAL.**—Chapter 4 of title 10, United
24 States Code, is amended by adding at the end the
25 following new section:

1 **“§ 146. Chief Diversity Officer**

2 “(a) CHIEF DIVERSITY OFFICER.—(1) There is a
3 Chief Diversity Officer of the Department of Defense, ap-
4 pointed from civilian life by the President, by and with
5 the advice and consent of the Senate.

6 “(2) The Chief Diversity Officer shall be appointed
7 from among persons who have an extensive management
8 or business background and experience with diversity and
9 inclusion. A person may not be appointed as Chief Diver-
10 sity Officer within seven years after relief from active duty
11 as a commissioned officer of a regular component of an
12 armed force.

13 “(b) POWERS AND DUTIES.—The Chief Diversity Of-
14 ficer—

15 “(1) is responsible for policy, oversight, guid-
16 ance, and coordination for all matters of the Depart-
17 ment of Defense related to diversity and inclusion;

18 “(2) exercises authority to direct the Secre-
19 taries of the military departments and the heads of
20 all other elements of the Department with regard to
21 matters for which the Chief Diversity Officer has re-
22 sponsibility under this section;

23 “(3) exercises authority, direction, and control
24 over the Office of People Analytics, or any successor
25 organization;

1 “(4) shall establish and maintain a Department
2 of Defense strategic plan that publicly states a di-
3 versity definition, vision, and goals for the Depart-
4 ment of Defense;

5 “(5) shall define a set of strategic metrics that
6 are directly linked to key organizational priorities
7 and goals, actionable, and actively used to imple-
8 ment the strategic plan;

9 “(6) shall establish training in diversity dynam-
10 ics and training in practices for leading diverse
11 groups effectively;

12 “(7) shall establish and maintain a strategic
13 plan for outreach to, and recruiting from, untapped
14 locations and underrepresented demographic groups;

15 “(8) shall conduct regular, rigorous evaluations
16 and assessments of diversity within the Department
17 of Defense; and

18 “(9) shall perform such additional duties and
19 exercise such powers as the Secretary of Defense
20 may prescribe.

21 “(c) PRECEDENCE IN THE DEPARTMENT OF DE-
22 FENSE.—(1) The Chief Diversity Officer shall report di-
23 rectly to the Secretary of Defense in the performance of
24 duties under this section.

1 “(2) The Chief Diversity Officer takes precedence in
2 the Department of Defense after the Chief Management
3 Officer.”.

4 (2) TECHNICAL AND CONFORMING AMEND-
5 MENTS.—

6 (A) The table of sections at the beginning
7 of such chapter is amended by adding at the
8 end the following new item:

“146. Chief Diversity Officer.”.

9 (B) Section 136(b) of such title is amend-
10 ed by inserting “the Chief Diversity Officer
11 and” after “control of the Secretary of De-
12 fense,”.

13 (b) DEPARTMENT OF THE ARMY.—

14 (1) IN GENERAL.—Chapter 703 of title 10,
15 United States Code, is amended by adding at the
16 end the following new section:

17 **“§ 7025. Chief Diversity Officer**

18 “(a) CHIEF DIVERSITY OFFICER.—(1) There is a
19 Chief Diversity Officer of the Department of the Army,
20 appointed from civilian life by the President, by and with
21 the advice and consent of the Senate.

22 “(2) The Chief Diversity Officer shall be appointed
23 from among persons who have an extensive management
24 or business background and experience with diversity and
25 inclusion.

1 “(b) POWERS AND DUTIES.—The Chief Diversity Of-
2 ficer—

3 “(1) is responsible for policy, oversight, guid-
4 ance, and coordination for all matters of the Depart-
5 ment of the Army related to diversity and inclusion;

6 “(2) exercises authority to direct the heads of
7 all other elements of the Department with regard to
8 matters for which the Chief Diversity Officer has re-
9 sponsibility under this section;

10 “(3) shall establish training in diversity dynam-
11 ics and training in practices for leading diverse
12 groups effectively;

13 “(4) shall conduct regular, rigorous evaluations
14 and assessments of diversity within the Department
15 of the Army; and

16 “(5) shall perform such additional duties and
17 exercise such powers as the Secretary of the Army
18 may prescribe.”.

19 (2) TECHNICAL AND CONFORMING AMEND-
20 MENTS.—

21 (A) The table of sections at the beginning
22 of such chapter is amended by adding at the
23 end the following new item:

“7025. Chief Diversity Officer.”.

24 (B) Section 7014(b) of such title is amend-
25 ed by—

1 (i) by redesignating paragraphs (2)
2 through (8) as paragraphs (3) through (9),
3 respectively; and

4 (ii) by inserting after paragraph (1),
5 the following new paragraph (2):

6 “(2) The Chief Diversity Officer.”.

7 (C) Section 7014(c)(1) of such title is
8 amended by adding at the end the following
9 new subparagraph (H):

10 “(H) Diversity and inclusion.”.

11 (c) DEPARTMENT OF THE NAVY.—

12 (1) IN GENERAL.—Chapter 803 of title 10,
13 United States Code, is amended by adding at the
14 end the following new section:

15 **“§ 8029. Chief Diversity Officer**

16 “(a) CHIEF DIVERSITY OFFICER.—(1) There is a
17 Chief Diversity Officer of the Department of the Navy,
18 appointed from civilian life by the President, by and with
19 the advice and consent of the Senate.

20 “(2) The Chief Diversity Officer shall be appointed
21 from among persons who have an extensive management
22 or business background and experience with diversity and
23 inclusion.

24 “(b) POWERS AND DUTIES.—The Chief Diversity Of-
25 ficer—

1 “(1) is responsible for policy, oversight, guid-
2 ance, and coordination for all matters of the Depart-
3 ment of the Navy related to diversity and inclusion;

4 “(2) exercises authority to direct the heads of
5 all other elements of the Department with regard to
6 matters for which the Chief Diversity Officer has re-
7 sponsibility under this section;

8 “(3) shall establish training in diversity dynam-
9 ics and training in practices for leading diverse
10 groups effectively;

11 “(4) shall conduct regular, rigorous evaluations
12 and assessments of diversity within the Department
13 of the Navy; and

14 “(5) shall perform such additional duties and
15 exercise such powers as the Secretary of the Navy
16 may prescribe.”.

17 (2) TECHNICAL AND CONFORMING AMEND-
18 MENTS.—

19 (A) The table of sections at the beginning
20 of chapter 803 of title 10, United States Code,
21 is amended by adding at the end the following
22 new item:

 “8029. Chief Diversity Officer.”.

23 (B) Section 8014(b) of such title is amend-
24 ed by—

1 (i) by redesignating paragraphs (2)
2 through (8) as paragraphs (3) through (9),
3 respectively; and

4 (ii) by inserting after paragraph (1),
5 the following new paragraph (2):

6 “(2) The Chief Diversity Officer.”.

7 (C) Section 8014(c)(1) of such title is
8 amended by adding at the end the following
9 new subparagraph (H):

10 “(H) Diversity and inclusion.”.

11 (d) DEPARTMENT OF THE AIR FORCE.—

12 (1) IN GENERAL.—Chapter 903 of title 10,
13 United States Code, is amended by adding at the
14 end the following new section:

15 **“§ 9025. Chief Diversity Officer**

16 “(a) CHIEF DIVERSITY OFFICER.—(1) There is a
17 Chief Diversity Officer of the Department of the Air
18 Force, appointed from civilian life by the President, by
19 and with the advice and consent of the Senate.

20 “(2) The Chief Diversity Officer shall be appointed
21 from among persons who have an extensive management
22 or business background and experience with diversity and
23 inclusion.

24 “(b) POWERS AND DUTIES.—The Chief Diversity Of-
25 ficer—

1 “(1) is responsible for policy, oversight, guid-
2 ance, and coordination for all matters of the Depart-
3 ment of the Air Force related to diversity and inclu-
4 sion;

5 “(2) exercises authority to direct the heads of
6 all other elements of the Department with regard to
7 matters for which the Chief Diversity Officer has re-
8 sponsibility under this section;

9 “(3) shall establish training in diversity dynam-
10 ics and training in practices for leading diverse
11 groups effectively;

12 “(4) shall conduct regular, rigorous evaluations
13 and assessments of diversity within the Department
14 of the Air Force; and

15 “(5) shall perform such additional duties and
16 exercise such powers as the Secretary of the Air
17 Force may prescribe.”.

18 (2) TECHNICAL AND CONFORMING AMEND-
19 MENTS.—

20 (A) The table of sections at the beginning
21 of such chapter is amended by adding at the
22 end the following new item:

 “9025. Chief Diversity Officer.”.

23 (B) Section 9014(b) of such title is amend-
24 ed by—

1 (i) by redesignating paragraphs (2)
2 through (8) as paragraphs (3) through (9),
3 respectively; and

4 (ii) by inserting after paragraph (1),
5 the following new paragraph (2):

6 “(2) The Chief Diversity Officer.”.

7 (C) Section 9014(c)(1) of such title is
8 amended by adding at the end the following
9 new subparagraph (H):

10 “(H) Diversity and inclusion.”.

11 (e) COAST GUARD.—

12 (1) IN GENERAL.—Chapter 3 of title 14, United
13 States Code, is amended by adding at the end the
14 following new section:

15 **“§ 321. Chief Diversity Officer**

16 “(a) ESTABLISHMENT.—(1) There is a Chief Diver-
17 sity Officer of the Coast Guard, appointed from civilian
18 life by the President, by and with the advice and consent
19 of the Senate.

20 “(2) The Chief Diversity Officer shall be appointed
21 from among persons who have an extensive management
22 or business background and experience with diversity and
23 inclusion.

24 “(b) POWERS AND DUTIES.—The Chief Diversity Of-
25 ficer—

1 “(1) is responsible for policy, oversight, guid-
2 ance, and coordination for all matters of the Coast
3 Guard related to diversity and inclusion;

4 “(2) exercises authority to direct the heads of
5 all other elements of the Coast Guard with regard
6 to matters for which the Chief Diversity Officer has
7 responsibility under this section;

8 “(3) shall establish training in diversity dynam-
9 ics and training in practices for leading diverse
10 groups effectively;

11 “(4) shall conduct regular, rigorous evaluations
12 and assessments of diversity within the Coast
13 Guard; and

14 “(5) shall perform such additional duties and
15 exercise such powers as the Commandant may pre-
16 scribe.

17 “(c) PRECEDENCE.—The Chief Diversity Officer
18 shall report directly to the Commandant in the perform-
19 ance of duties under this section.”.

20 (2) TECHNICAL AND CONFORMING AMEND-
21 MENTS.—The table of sections at the beginning of
22 such chapter is amended by adding at the end the
23 following new item:

 “321. Chief Diversity Officer.”.

24 (f) EFFECTIVE DATE.—The amendments made by
25 this section shall take effect on February 1, 2021.

1 **SEC. 913. ESTABLISHMENT OF DEPUTY ASSISTANT SECRE-**
2 **TARIES FOR SUSTAINMENT.**

3 (a) DEPARTMENT OF THE ARMY.—

4 (1) IN GENERAL.—Chapter 703 of title 10,
5 United States Code, as amended by section 912(b)
6 of this Act, is further amended by adding at the end
7 the following new section:

8 **“§ 7026. Deputy Assistant Secretary of the Army for**
9 **Sustainment**

10 “(a) APPOINTMENT.—There is a Deputy Assistant
11 Secretary of the Army for Sustainment, who shall be ap-
12 pointed by the Secretary of the Army.

13 “(b) RESPONSIBILITIES.—The Deputy Assistant Sec-
14 retary of the Army for Sustainment shall have the fol-
15 lowing responsibilities with respect to major weapon sys-
16 tems acquired for the Department of the Army:

17 “(1) Reviewing and providing oversight of the
18 sustainment baseline cost estimates required by sec-
19 tion 2366d of this title.

20 “(2) Participating in any review of a life-cycle
21 sustainment plan conducted pursuant to section
22 2366d of this title.

23 “(3) Ensuring that cost modeling, performance
24 metrics, and data analytics are used—

25 “(A) to inform and update life-cycle
26 sustainment plans;

1 “(B) to develop, with respect to the major
2 weapon system to which such plan relates, the
3 budget of the President for the fiscal year as
4 submitted to Congress pursuant to section 1105
5 of title 31; and

6 “(C) to inform the Secretary of the Army
7 when assumptions made in the development of
8 a sustainment baseline cost estimate are no
9 longer valid or when new opportunities arise to
10 reduce costs or improve efficiency.

11 “(4) Making recommendations to the senior ac-
12 quisition executive of the Army regarding the most
13 cost-effective sustainment strategy to incorporate
14 into each life-cycle sustainment plan.

15 “(5) Balancing the range of sustainment activi-
16 ties for each major weapon system to achieve the op-
17 timal balance of affordability, viable military depots
18 and shipyards, and contracted product support ar-
19 rangements.

20 “(6) Advise the Secretary of the Army regard-
21 ing the overall alignment of the sustainment activi-
22 ties, the operations of the sustainment supply chain,
23 and strategic readiness.

24 “(c) DEFINITIONS.—The terms ‘life-cycle
25 sustainment plan’, ‘major weapon system’ , and

1 ‘sustainment baseline cost estimate’ have the meanings
2 given in section 2366d of this title.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-
4 tions at the beginning of chapter 703 of title 10,
5 United States Code, is amended by adding at the
6 end the following new item:

“7026. Deputy Assistant Secretary of the Army for Sustainment.”.

7 (b) DEPARTMENT OF THE NAVY.—

8 (1) IN GENERAL.—Chapter 803 of title 10,
9 United States Code, as amended by section 912(c)
10 of this Act, is further amended by adding at the end
11 the following new section:

12 **“§ 8029a. Deputy Assistant Secretary of the Navy for**
13 **Sustainment**

14 “(a) APPOINTMENT.—There is a Deputy Assistant
15 Secretary of the Navy for Sustainment, who shall be ap-
16 pointed by the Secretary of the Navy.

17 “(b) RESPONSIBILITIES.—The Deputy Assistant Sec-
18 retary of the Navy for Sustainment shall have the fol-
19 lowing responsibilities with respect to major weapon sys-
20 tems acquired for the Department of the Navy:

21 “(1) Reviewing and providing oversight of the
22 sustainment baseline cost estimates required by sec-
23 tion 2366d of this title.

1 “(2) Participating in any review of a life-cycle
2 sustainment plan conducted pursuant to section
3 2366d of this title.

4 “(3) Ensuring that cost modeling, performance
5 metrics, and data analytics are used—

6 “(A) to inform and update life-cycle
7 sustainment plans;

8 “(B) to develop, with respect to the major
9 weapon system to which such plan relates, the
10 budget of the President for the fiscal year as
11 submitted to Congress pursuant to section 1105
12 of title 31; and

13 “(C) to inform the Secretary of the Navy
14 when assumptions made in the development of
15 a sustainment baseline cost estimate are no
16 longer valid or when new opportunities arise to
17 reduce costs or improve efficiency.

18 “(4) Making recommendations to the senior ac-
19 quisition executive of the Navy regarding the most
20 cost-effective sustainment strategy to incorporate
21 into each life-cycle sustainment plan.

22 “(5) Balancing the range of sustainment activi-
23 ties for each major weapon system to achieve the op-
24 timal balance of affordability, viable military depots

1 and shipyards, and contracted product support ar-
2 rangements.

3 “(6) Advise the Secretary of the Navy regard-
4 ing the overall alignment of the sustainment activi-
5 ties, the operations of the sustainment supply chain,
6 and strategic readiness.

7 “(c) DEFINITIONS.—The terms ‘life-cycle
8 sustainment plan’, ‘major weapon system’, and
9 ‘sustainment baseline cost estimate’ have the meanings
10 given in section 2366d of this title.”.

11 (2) CLERICAL AMENDMENT.—The table of sec-
12 tions at the beginning of chapter 803 of title 10,
13 United States Code, is amended by adding at the
14 end the following new item:

“8029a. Deputy Assistant Secretary of the Navy for Sustainment.”.

15 (c) DEPARTMENT OF THE AIR FORCE.—

16 (1) IN GENERAL.—Chapter 903 of title 10,
17 United States Code, as amended by section 912(d)
18 of this Act, is further amended by adding at the end
19 the following new section:

20 **“§ 9026. Deputy Assistant Secretary of the Air Force**
21 **for Sustainment**

22 “(a) APPOINTMENT.—There is a Deputy Assistant
23 Secretary of the Air Force for Sustainment, who shall be
24 appointed by the Secretary of the Air Force.

1 “(b) RESPONSIBILITIES.—The Deputy Assistant Sec-
2 retary of the Air Force for Sustainment shall have the
3 following responsibilities with respect to major weapon
4 systems acquired for the Department of the Air Force:

5 “(1) Reviewing and providing oversight of the
6 sustainment baseline cost estimates required by sec-
7 tion 2366d of this title.

8 “(2) Participating in any review of a life-cycle
9 sustainment plan conducted pursuant to section
10 2366d of this title.

11 “(3) Ensuring that cost modeling, performance
12 metrics, and data analytics are used—

13 “(A) to inform and update life-cycle
14 sustainment plans;

15 “(B) to develop, with respect to the major
16 weapon system to which such plan relates, the
17 budget of the President for the fiscal year as
18 submitted to Congress pursuant to section 1105
19 of title 31; and

20 “(C) to inform the Secretary of the Air
21 Force when assumptions made in the develop-
22 ment of a sustainment baseline cost estimate
23 are no longer valid or when new opportunities
24 arise to reduce costs or improve efficiency.

1 (1) IN GENERAL.—Chapter 141 of title 10,
2 United States Code, is amended by inserting after
3 section 2391 the following new section:

4 **“§ 2391a. Office of Defense Community Cooperation**
5 **and Economic Adjustment**

6 “(a) ESTABLISHMENT.—There is in the Office of the
7 Secretary of Defense an Office of Defense Community Co-
8 operation and Economic Adjustment (in this section re-
9 ferred to as the ‘Office’).

10 “(b) HEAD OF OFFICE.—There is a Director of the
11 Office who shall be the head of the Office. The Director
12 shall be appointed by the Secretary of Defense.

13 “(c) DUTIES.—The Office shall—

14 “(1) serve as the office in the Department of
15 Defense with primary responsibility for—

16 “(A) providing assistance to States, coun-
17 ties, municipalities, regions, and other commu-
18 nities to foster cooperation with military instal-
19 lations to enhance the military mission, achieve
20 facility and infrastructure savings and reduced
21 operating costs, address encroachment and
22 compatible land use issues, support military
23 families, and increase military, civilian, and in-
24 dustrial readiness and resiliency; and

1 “(B) providing adjustment and diversifica-
2 tion assistance to State and local governments
3 under section 2391(b) to achieve the objectives
4 described in subparagraph (A);

5 “(2) coordinate the provision of such assistance
6 with other organizations and elements of the De-
7 partment;

8 “(3) provide support to the Economic Adjust-
9 ment Committee established under Executive Order
10 12788 (57 Fed. Reg. 2213; 10 U.S.C. 2391 note) or
11 any successor to such Committee; and

12 “(4) carry out such other activities as the Sec-
13 retary of Defense determines appropriate.”.

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 2391
17 the following new item:

 “2391a. Office of Defense Community Cooperation and Economic Adjustment.”.

18 (b) TRANSFERS.—Not later than 180 days after the
19 date of the enactment of this Act, the Secretary of Defense
20 shall transfer the functions, personnel, and assets of the
21 Office of Economic Adjustment of the Department of De-
22 fense to the Office of Defense Community Cooperation
23 and Economic Adjustment established under section
24 2391a of title 10, United States Code (as added by sub-
25 section (a)).

1 (c) ADMINISTRATION OF CERTAIN PROGRAMS.—Be-
2 ginning on the effective date of the transfers under sub-
3 section (b), any program, project, or other activity admin-
4 istered by the Office of Economic Adjustment of the De-
5 partment of Defense as of the date of the enactment of
6 this Act shall be administered by the Office of Defense
7 Community Cooperation and Economic Adjustment estab-
8 lished under section 2391a of title 10, United States Code
9 (as added by subsection (a)).

10 **SEC. 915. INPUT FROM CHIEF OF NATIONAL GUARD BU-**
11 **REAU TO THE JOINT REQUIREMENTS OVER-**
12 **SIGHT COUNCIL.**

13 Section 181(d) of title 10, United States Code, is
14 amended by adding at the end the following new para-
15 graph:

16 “(4) INPUT FROM CHIEF OF NATIONAL GUARD
17 BUREAU.—The Council shall seek, and strongly con-
18 sider, the views of the Chief of National Guard Bu-
19 reau regarding non-Federalized National Guard ca-
20 pabilities in support of homeland defense and civil
21 support missions.”.

22 **SEC. 916. REDESIGNATION OF THE JOINT FORCES STAFF**
23 **COLLEGE.**

24 (a) IN GENERAL.—Title 10, United States Code, is
25 amended by striking “Joint Forces Staff College” each

1 place it appears and inserting “Joint Forces War Col-
2 lege”.

3 (b) REFERENCES.—Any reference in Federal law,
4 regulations, guidance, instructions, or other documents of
5 the Federal Government to the Joint Forces Staff College
6 shall be deemed to be a reference to the Joint Forces War
7 College.

8 **Subtitle C—Space Matters**

9 **SEC. 921. ASSISTANT SECRETARY OF DEFENSE FOR SPACE** 10 **AND STRATEGIC DETERRENCE POLICY.**

11 (a) ASSISTANT SECRETARIES OF DEFENSE.—Para-
12 graph (5) of section 138(b) of title 10, United States
13 Code, is amended to read as follows:

14 “(5) One of the Assistant Secretaries is the Assistant
15 Secretary of Defense for Space and Strategic Deterrence
16 Policy. The principal duty of the Assistant Secretary shall
17 be the overall supervision of policy of the Department of
18 Defense for space, nuclear deterrence, and missile de-
19 fense.”.

20 (b) SPACE FORCE ACQUISITION COUNCIL.—Section
21 9021(b)(3) of title 10, United States Code, is amended
22 by striking “Assistant Secretary of Defense for Space Pol-
23 icy” and inserting “Assistant Secretary of Defense for
24 Space and Strategic Deterrence Policy”.

1 (c) ELEMENTS OF OFFICE.—Section 955(b) of the
2 National Defense Authorization Act for Fiscal Year 2020
3 (Public Law 116–92; 133 Stat. 1565) is amended by strik-
4 ing “Assistant Secretary of Defense for Space Policy” and
5 inserting “Assistant Secretary of Defense for Space and
6 Strategic Deterrence Policy”.

7 **SEC. 922. OFFICE OF THE CHIEF OF SPACE OPERATIONS.**

8 (a) IN GENERAL.—Chapter 908 of title 10, United
9 States Code, is amended by striking section 9083 and in-
10 serting the following new sections:

11 **“§ 9083. Office of the Chief of Space Operations: func-**
12 **tion; composition**

13 “(a) FUNCTION.—There is in the executive part of
14 the Department of the Air Force an Office of the Chief
15 of Space Operations to assist the Secretary of the Air
16 Force in carrying out the responsibilities of the Secretary.

17 “(b) COMPOSITION.—The Office of the Chief of
18 Space Operations is composed of the following:

19 “(1) The Chief of Space Operations.

20 “(2) Other members of the Space Force and
21 Air Force assigned or detailed to the Office of the
22 Chief of Space Operations.

23 “(3) Civilian employees in the Department of
24 the Air Force assigned or detailed to the Office of
25 the Chief of Space Operations.

1 “(2) investigate and report upon the efficiency
2 of the Space Force and its preparation to support
3 military operations by commanders of the combatant
4 commands;

5 “(3) prepare detailed instructions for the execu-
6 tion of approved plans and supervise the execution
7 of those plans and instructions;

8 “(4) as directed by the Secretary of the Air
9 Force or the Chief of Space Operations, coordinate
10 the action of organizations of the Space Force; and

11 “(5) perform such other duties, not otherwise
12 assigned by law, as may be prescribed by the Sec-
13 retary of the Air Force.”.

14 (b) TABLE OF SECTIONS AMENDMENT.—The table of
15 sections at the beginning of chapter 908 of such title is
16 amended by striking the item related to section 9083 and
17 adding at the end the following new items:

“9083. Office of the Chief of Space Operations: function; composition

“9084. Office of the Chief of Space Operations: general duties”.

18 (c) EFFECTIVE DATE.—The amendments made by
19 this section shall take effect on the date on which the Sec-
20 retary of the Air Force and the Chief of Space Operations
21 jointly submit to the congressional defense committees a
22 report detailing the functions that the headquarters staff
23 of the Department of the Air Force will continue to per-
24 form in support of the Space Force.

1 (d) NO AUTHORIZATION OF ADDITIONAL MILITARY
2 BILLETS.—The Secretary shall establish the Office of the
3 Chief of Space Operations under section 9083 of title 10,
4 United States Code, as added by subsection (a), using
5 military personnel otherwise authorized. Nothing in this
6 section or the amendments made by this section shall be
7 construed to authorize additional military billets for the
8 purposes of, or in connection with, the establishment of
9 the Office of the Chief of Space Operations.

10 **SEC. 923. SPACE FORCE MEDAL.**

11 (a) SPACE FORCE MEDAL.—Chapter 937 of title 10,
12 United States Code, is amended by inserting after section
13 9280 the following new section:

14 **“§ 9280a. Space Force Medal: award; limitations**

15 “(a) The President may award a decoration called the
16 ‘Space Force Medal’, of appropriate design with accom-
17 panying ribbon, to any person who, while serving in any
18 capacity with the Space Force, distinguishes himself or
19 herself by heroism not involving actual conflict with an
20 enemy.

21 “(b) Not more than one Space Force Medal may be
22 awarded to a person. However, for each succeeding act
23 that would otherwise justify award of such a medal, the
24 President may award a suitable bar or other device to be
25 worn as the President directs.”.

1 (b) TABLE OF SECTIONS AMENDMENT.—The table of
2 sections at the beginning of such chapter is amended by
3 inserting after the item relating to section 9280 the fol-
4 lowing new item:

“9280a. Space Force Medal: award; limitations.”.

5 **SEC. 924. CLARIFICATION OF PROCUREMENT OF COMMER-**
6 **CIAL SATELLITE COMMUNICATIONS SERV-**
7 **ICES.**

8 (a) IN GENERAL.—Chapter 963 of title 10, United
9 States Code, is amended by inserting before section 9532
10 the following new section:

11 **“§ 9531. Procurement of commercial satellite commu-**
12 **nications services**

13 “The Chief of Space Operations shall be responsible
14 for the procurement of commercial satellite communica-
15 tions services for the Department of Defense.”.

16 (b) TABLE OF SECTIONS AMENDMENT.—The table of
17 sections at the beginning of chapter 963 of such title is
18 amended by inserting before the item relating to section
19 9532 the following new item:

“9531. Procurement of commercial satellite communications services.”.

20 **SEC. 925. TEMPORARY EXEMPTION FROM AUTHORIZED**
21 **DAILY AVERAGE OF MEMBERS IN PAY**
22 **GRADES E-8 AND E-9.**

23 Section 517 of title 10, United States Code, shall not
24 apply to the Space Force until October 1, 2023.

1 **SEC. 926. ONE-TIME UNIFORM ALLOWANCE FOR MEMBERS**
2 **TRANSFERRED TO THE SPACE FORCE.**

3 (a) **IN GENERAL.**—The Secretary of the Air Force
4 may provide an officer or enlisted member who transfers
5 from the Army, Navy, Air Force, or Marine Corps to the
6 Space Force an allowance of not more than \$400 as reim-
7 bursement for the purchase of required uniforms and
8 equipment.

9 (b) **RELATIONSHIP TO OTHER ALLOWANCES.**—The
10 allowance under this section is in addition to any allow-
11 ance available under any other provision of law.

12 (c) **SOURCE OF FUNDS.**—Funds for allowances pro-
13 vided under subsection (a) in a fiscal year may be derived
14 only from amounts authorized to be appropriated for mili-
15 tary personnel for such fiscal year.

16 (d) **APPLICABILITY.**—The authority for an allowance
17 under this section shall apply with respect to any member
18 of the Army, Navy, Air Force, or Marine Corps who trans-
19 fers to the Space Force on or after December 20, 2019,
20 and on or before September 30, 2023.

21 **TITLE X—GENERAL PROVISIONS**
22 **Subtitle A—Financial Matters**

23 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

24 (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.**—

25 (1) **AUTHORITY.**—Upon determination by the
26 Secretary of Defense that such action is necessary in

1 the national interest, the Secretary may transfer
2 amounts of authorizations made available to the De-
3 partment of Defense in this division for fiscal year
4 2021 between any such authorizations for that fiscal
5 year (or any subdivisions thereof). Amounts of au-
6 thorizations so transferred shall be merged with and
7 be available for the same purposes as the authoriza-
8 tion to which transferred.

9 (2) LIMITATION.—Except as provided in para-
10 graph (3), the total amount of authorizations that
11 the Secretary may transfer under the authority of
12 this section may not exceed \$4,000,000,000.

13 (3) EXCEPTION FOR TRANSFERS BETWEEN
14 MILITARY PERSONNEL AUTHORIZATIONS.—A trans-
15 fer of funds between military personnel authoriza-
16 tions under title IV shall not be counted toward the
17 dollar limitation in paragraph (2).

18 (b) LIMITATIONS.—The authority provided by sub-
19 section (a) to transfer authorizations—

20 (1) may only be used to provide authority for
21 items that have a higher priority than the items
22 from which authority is transferred; and

23 (2) may not be used to provide authority for an
24 item that has been denied authorization by Con-
25 gress.

1 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A
2 transfer made from one account to another under the au-
3 thority of this section shall be deemed to increase the
4 amount authorized for the account to which the amount
5 is transferred by an amount equal to the amount trans-
6 ferred.

7 (d) NOTICE TO CONGRESS.—The Secretary shall
8 promptly notify Congress of each transfer made under
9 subsection (a).

10 (e) CERTIFICATION REQUIREMENT.—The authority
11 to transfer any authorization under this section may not
12 be used until the Secretary of Defense and the head of
13 each entity affected by such transfer submits to the con-
14 gressional defense committees certification in writing
15 that—

16 (1) the amount transferred will be used for
17 higher priority items, based on unforeseen military
18 requirements, than the items from which authority is
19 transferred; and

20 (2) the amount transferred will not be used for
21 any item for which funds have been denied author-
22 ization by Congress.

23 **SEC. 1002. DETERMINATION OF BUDGETARY EFFECTS.**

24 The budgetary effects of this Act, for the purpose of
25 complying with the Statutory Pay-As-You-Go Act of 2010,

1 shall be determined by reference to the latest statement
2 titled “Budgetary Effects of PAYGO Legislation” for this
3 Act, submitted for printing in the Congressional Record
4 by the Chairman of the House Budget Committee, pro-
5 vided that such statement has been submitted prior to the
6 vote on passage.

7 **SEC. 1003. PANDEMIC PREPAREDNESS AND RESILIENCE**
8 **NATIONAL SECURITY FUND.**

9 (a) **FUND PURPOSES.**—Amounts authorized to be ap-
10 propriated for Research and Development, Defense-Wide,
11 Pandemic Preparedness and Resilience National Security
12 Fund shall be available for obligation and expenditure only
13 for the purposes of pandemic preparedness. Such amounts
14 may not be used for a purpose or program unless the pur-
15 pose or program is authorized by law.

16 (b) **TRANSFERS.**—

17 (1) **IN GENERAL.**—Amounts referred to in sub-
18 section (a) may be transferred as follows:

19 (A) To Procurement, Defense-wide and
20 Research, Development, Test, and Evaluation,
21 Defense-wide, not more than an aggregate of
22 \$200,000,000 to carry out the Small Business
23 Industrial Base Resilience Program established
24 by section 844 of this Act.

1 (B) To Research, Development, Test, and
2 Evaluation, Defense-wide, line 9, Biomedical
3 Technology, not more than \$50,000,000 for re-
4 search that aims to rapidly produce medical
5 countermeasures against novel threats, at popu-
6 lation scale and approved for use in people.

7 (C) To the following, not more than an ag-
8 gregate of \$750,000,000 to support research
9 and development efforts directly related to bio-
10 preparedness and pandemic preparedness and
11 resilience:

12 (i) Research, Development, Test, and
13 Evaluation, Army.

14 (ii) Research, Development, Test, and
15 Evaluation, Navy.

16 (iii) Research, Development, Test, and
17 Evaluation, Air Force.

18 (iv) Research, Development, Test, and
19 Evaluation, Defense-wide.

20 (v) Defense Health Program.

21 (D) To Research, development, test, and
22 evaluation, Defense-wide, Line 16, Chemical
23 and Biological Defense Program, not more than
24 \$27,000,000 for research and development to

1 detect and model treatments for nuclear, chem-
2 ical, and biological exposure.

3 (E) To research, development, test, and
4 evaluation, Defense-wide, line 44, Chemical and
5 Biological Defense Program – Advanced Devel-
6 opment, not more than \$30,000,000 for the de-
7 velopment of decontamination technologies for
8 civilian pandemic preparedness.

9 (F) To research, development, test, and
10 evaluation, Defense-wide, line 49, Manufac-
11 turing Science and Technology Program, not
12 more than \$35,000,000 for support for the de-
13 velopment of advanced manufacturing tech-
14 niques and technologies that enable the United
15 States defense industrial base to rapidly
16 produce needed materials for novel biological
17 threats.

18 (2) LIMITATION.—Amounts referred to in sub-
19 section (a) may not be transferred for—

20 (A) Drug Interdiction and Counter-Drug
21 Activities; or

22 (B) military construction (as defined in
23 section 2801(a) of title 10, United States
24 Code), including the purposes described in sec-
25 tion 2802(b) of such title, or military family

1 (D) in the second sentence, by striking
2 “display” and all that follows and inserting
3 “displays shall include each of the following:”
4 and

5 (E) by adding at the end the following new
6 paragraphs:

7 “(1) Details at the appropriation and line item
8 level, including any amount for service-common sup-
9 port, acquisition support, training, operations, pay
10 and allowances, base operations sustainment, and
11 any other common services and support.

12 “(2) An identification of any change in the level
13 or type of service-common support and enabling ca-
14 pabilities provided by each of the military services or
15 Defense Agencies to special operations forces for the
16 fiscal year covered by the budget justification display
17 when compared to the preceding fiscal year, includ-
18 ing the rationale for any such change and any miti-
19 gating actions.

20 “(3) An assessment of the specific effects that
21 the budget justification display for the fiscal year
22 covered by the display and any anticipated future
23 manpower and force structure changes are likely to
24 have on the ability of each of the military services

1 to provide service-common support and enabling ca-
2 pabilities to special operations forces.

3 “(4) Any other matters the Secretary of De-
4 fense or the Secretary of a military department de-
5 termines are relevant.”;

6 (2) by redesignating subsection (b) as sub-
7 section (c); and

8 (3) by inserting after subsection (a) the fol-
9 lowing new subsection (b):

10 “(b) CONSOLIDATED BUDGET JUSTIFICATION DIS-
11 PLAY.—The Secretary of Defense shall include, in the
12 budget materials submitted to Congress under section
13 1105 of title 31, for fiscal year 2022 and any subsequent
14 fiscal year, a consolidated budget justification display con-
15 taining the same information as is required in the budget
16 justification displays required under subsection (a). Such
17 consolidated budget justification display may be provided
18 as a summary by appropriation for each military depart-
19 ment and a summary by appropriation for all Defense
20 Agencies.”.

1 **Subtitle B—Counterdrug Activities**

2 **SEC. 1011. SUPPORT FOR COUNTERDRUG ACTIVITIES AND** 3 **ACTIVITIES TO COUNTER TRANSNATIONAL** 4 **ORGANIZED CRIME AFFECTING FLOW OF** 5 **DRUGS INTO THE UNITED STATES.**

6 Section 284(e) of title 10, United States Code, is
7 amended—

8 (1) by striking paragraph (2), and inserting the
9 following new paragraph (2):

10 “(2) **SECRETARY OF STATE CONCURRENCE.**—

11 The Secretary may only provide support for a pur-
12 pose described in this subsection with the concur-
13 rence of the Secretary of State.”; and

14 (2) by adding at the end the following new
15 paragraph:

16 “(3) **PRIORITY.**—In providing support for a
17 purpose described in this subsection, the Secretary
18 shall give priority to support requested for the pur-
19 pose of affecting the flow of drugs into the United
20 States.”.

1 **SEC. 1012. CONGRESSIONAL NOTIFICATION WITH RESPECT**
2 **TO DEPARTMENT OF DEFENSE SUPPORT**
3 **PROVIDED TO OTHER UNITED STATES AGEN-**
4 **CIES FOR COUNTERDRUG ACTIVITIES AND**
5 **ACTIVITIES TO COUNTER TRANSNATIONAL**
6 **ORGANIZED CRIME.**

7 Section 284(h) of title 10, United States Code, is
8 amended—

9 (1) in paragraph (1)—

10 (A) by redesignating subparagraphs (A)
11 and (B) as subparagraphs (B) and (C), respec-
12 tively; and

13 (B) by inserting before subparagraph (B),
14 as so redesignated, the following new subpara-
15 graph (A):

16 “(A) In case of support for a purpose de-
17 scribed in subsection (b)—

18 “(i) an identification of the recipient
19 of the support;

20 “(ii) a description of the support pro-
21 vided;

22 “(iii) a description of the sources and
23 amounts of funds used to provide such
24 support; and

1 “(iv) a description of the amount of
2 funds obligated to provide such support.”;
3 and

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

6 “(3) APPROPRIATE COMMITTEES OF CON-
7 GRESS.—For purposes of any notice submitted
8 under this subsection with respect to support de-
9 scribed in paragraph (1)(A), the appropriate com-
10 mittees of Congress are—

11 “(A) the Committees on Armed Services of
12 the Senate and House of Representatives; and

13 “(B) any committee with jurisdiction over
14 the department or agency that receives the sup-
15 port covered by the notice.”.

16 **Subtitle C—Naval Vessels**

17 **SEC. 1021. LIMITATION ON AVAILABILITY OF CERTAIN** 18 **FUNDS WITHOUT NAVAL VESSELS PLAN AND** 19 **CERTIFICATION.**

20 Section 231(e) of title 10, United States Code, is
21 amended—

22 (1) in paragraph (1)—

23 (A) by striking “Secretary of the Navy”
24 and inserting “Secretary of Defense”; and

1 (B) by striking “50 percent” and inserting
2 “25 percent”; and

3 (2) in paragraph (2)—

4 (A) by striking “Secretary of the Navy”
5 and inserting “Secretary of Defense”; and

6 (B) by striking “operation and mainte-
7 nance, Navy” and inserting “operation and
8 maintenance, Defense-wide”.

9 **SEC. 1022. LIMITATIONS ON USE OF FUNDS IN THE NA-**
10 **TIONAL DEFENSE SEALIFT FUND FOR PUR-**
11 **CHASE OF FOREIGN CONSTRUCTED VESSELS.**

12 Section 2218(f)(3) of title 10, United States Code,
13 is amended—

14 (1) in subparagraph (C), by striking “seven”
15 and inserting “nine”; and

16 (2) in subparagraph (E), by striking “two” and
17 inserting “four”.

18 **SEC. 1023. USE OF NATIONAL SEA-BASED DETERRENCE**
19 **FUND FOR INCREMENTALLY FUNDED CON-**
20 **TRACTS TO PROVIDE FULL FUNDING FOR CO-**
21 **LUMBIA CLASS SUBMARINES.**

22 Section 2218a(h)(1) of title 10, United States Code,
23 is amended by striking “and properly phased installment
24 payments” and inserting “, properly phased installment

1 payments, and full funding for the first two Columbia
2 class submarines”.

3 **SEC. 1024. PREFERENCE FOR UNITED STATES VESSELS IN**
4 **TRANSPORTING SUPPLIES BY SEA.**

5 (a) PREFERENCE FOR UNITED STATES VESSELS IN
6 TRANSPORTING SUPPLIES BY SEA.—

7 (1) IN GENERAL.—Section 2631 of title 10,
8 United States Code, is amended to read as follows:

9 **“§ 2631. Preference for United States vessels in trans-**
10 **porting supplies by sea**

11 “(a) IN GENERAL.—Supplies bought for the Army,
12 Navy, Air Force, or Marine Corps, or for a Defense Agen-
13 cy, or otherwise transported by the Department of De-
14 fense, may only be transported by sea in—

15 “(1) a vessel belonging to the United States; or

16 “(2) a vessel of the United States (as such term
17 is defined in section 116 of title 46).

18 “(b) WAIVER AND NOTIFICATION.—(1) The Sec-
19 retary of Defense may waive the requirement under sub-
20 section (a) if such a vessel is—

21 “(A) not available at a fair and reasonable rate
22 for commercial vessels of the United States; or

23 “(B) otherwise not available.

24 “(2) At least once each fiscal year, the Secretary of
25 Defense shall submit, in writing, to the appropriate con-

1 gressional committees a notice of any waiver granted
2 under this subsection and the reasons for such waiver.

3 “(c) REQUIREMENTS FOR REFLAGGING OR REPAIR
4 WORK.—(1) In each request for proposals to enter into
5 a time-charter contract for the use of a vessel for the
6 transportation of supplies under this section, the Sec-
7 retary of Defense shall require that—

8 “(A) any reflagging or repair work on a vessel
9 for which a proposal is submitted in response to the
10 request for proposals be performed in the United
11 States (including any territory of the United States);
12 and

13 “(B) any corrective and preventive maintenance
14 or repair work on a vessel under contract pursuant
15 to this section relevant to the purpose of such con-
16 tract be performed in the United States (including
17 any territory of the United States) for the duration
18 of the contract, to the greatest extent practicable.

19 “(2) The Secretary of Defense may waive a require-
20 ment under paragraph (1) if the Secretary determines that
21 such waiver is critical to the national security of the
22 United States. The Secretary shall immediately submit, in
23 writing, to the appropriate congressional committees a no-
24 tice of any waiver granted under this paragraph and the
25 reasons for such waiver.

1 “(3) In this subsection:

2 “(A) The term ‘reflagging or repair work’
3 means work performed on a vessel—

4 “(i) to enable the vessel to meet applicable
5 standards to become a vessel of the United
6 States; or

7 “(ii) to convert the vessel to a more useful
8 military configuration.

9 “(B) The term ‘corrective and preventive main-
10 tenance or repair’ means—

11 “(i) maintenance or repair actions per-
12 formed as a result of a failure in order to re-
13 turn or restore equipment to acceptable per-
14 formance levels; and

15 “(ii) scheduled maintenance or repair ac-
16 tions to prevent or discover functional failures.

17 “(d) COMPLIANCE.—The Secretary of Defense shall
18 ensure that contracting officers of the Department of De-
19 fense award contracts under this section to responsible
20 offerors and monitor and ensure compliance with the re-
21 quirements of this section. The Secretary shall—

22 “(1) ensure that timely, accurate, and complete
23 information on contractor performance under this
24 section is included in any contractor past perform-
25 ance database used by an executive agency; and

1 “(2) exercise appropriate contractual rights and
2 remedies against contractors who fail to comply with
3 this section, or subchapter I of chapter 553 of title
4 46 as determined by the Secretary of Transportation
5 under such subchapter, including by—

6 “(A) determining that a contractor is ineli-
7 gible for an award of such a contract; or

8 “(B) terminating such a contract or sus-
9 pension or debarment of the contractor for such
10 contract.

11 “(e) APPROPRIATE CONGRESSIONAL COMMITTEES
12 DEFINED.—In this section, the term ‘appropriate congres-
13 sional committees’ means—

14 “(1) the Committees on Armed Services of the
15 Senate and the House of Representatives;

16 “(2) the Committee on Transportation and In-
17 frastructure of the House of Representatives; and

18 “(3) the Committee on Commerce, Science, and
19 Transportation of the Senate.”.

20 (2) CLERICAL AMENDMENT.—The table of con-
21 tents for chapter 157 of title 10, United States
22 Code, is amended by amending the item relating to
23 section 2361 to read as follows:

“2361. Preference for United States vessels in transporting supplies by sea.”.

24 (b) AMENDMENTS TO TITLE 46, UNITED STATES
25 CODE.—

1 (1) TRANSFER OF PROVISION RELATING TO
2 PRIORITY LOADING FOR COAL.—

3 (A) IN GENERAL.—Section 55301 of title
4 46, United States Code, is redesignated as sec-
5 tion 55123 of such title, transferred to appear
6 after section 55122 of such title, and amended
7 so that the enumerator, section heading, type-
8 face, and typestyle conform to those appearing
9 in other sections in such title.

10 (B) CONFORMING AMENDMENTS.—

11 (i) The analysis for subchapter I of
12 chapter 553 of title 46, United States
13 Code, is amended by striking the item re-
14 lating to section 55301.

15 (ii) The analysis for chapter 551 of
16 title 46, United States Code, is amended
17 by inserting after the item relating to sec-
18 tion 55122 the following new item:

“55123. Priority loading for coal.”.

19 (2) AMENDMENT TO SUBCHAPTER HEADING.—
20 The heading of subchapter I of chapter 553 of title
21 46, United States Code, is amended to read as fol-
22 lows:

“SUBCHAPTER I—GOVERNMENT IMPELLED TRANSPORTATION”.

1 **SEC. 1025. RESTRICTIONS ON OVERHAUL, REPAIR, ETC. OF**
2 **NAVAL VESSELS IN FOREIGN SHIPYARDS.**

3 (a) EXCEPTION FOR DAMAGE REPAIR DUE TO HOS-
4 TILE ACTIONS OR INTERVENTIONS.—Section 8680(a) of
5 title 10, United States Code, is amended—

6 (1) in paragraph (1), by striking “, other than
7 in the case of voyage repairs”; and

8 (2) by adding at the end the following new
9 paragraph:

10 “(3) Notwithstanding paragraph (1), a naval vessel
11 described in paragraph (1) may be repaired in a shipyard
12 outside the United States or Guam if the repairs are—

13 “(A) voyage repairs; or

14 “(B) necessary to correct damage sustained due
15 to hostile actions or interventions.”.

16 (b) LIMITED AUTHORITY TO USE FOREIGN WORK-
17 ERS.—Section 8680(a)(2)(B)(i) of title 10, United States
18 Code, is amended—

19 (1) by inserting “(I)” after “(i)”; and

20 (2) by adding at the end the following new sub-
21 clauses:

22 “(II) Notwithstanding subclause (I), foreign workers
23 may be used to perform corrective and preventive mainte-

24 nance or repair on a vessel as described in subparagraph

25 (A) only if the Secretary of the Navy determines that trav-

26 el by United States Government personnel or United

1 States contractor personnel to perform the corrective or
2 preventive maintenance or repair is not advisable for
3 health or safety reasons. The Secretary of the Navy may
4 not delegate the authority to make a determination under
5 this subclause.

6 “(III) Not later than 30 days after making a deter-
7 mination under subclause (II), the Secretary of the Navy
8 shall submit to the congressional defense committees writ-
9 ten notification of the determination. The notification
10 shall include the reasons why travel by United States per-
11 sonnel is not advisable for health or safety reasons, the
12 location where the corrective and preventive maintenance
13 or repair will be performed, and the approximate duration
14 of the corrective and preventive maintenance or repair.”.

15 (c) TECHNICAL CORRECTION.—Section
16 8680(a)(2)(C)(ii) of title 10, United States Code, is
17 amended by striking the period after “means—”.

18 **SEC. 1026. BIENNIAL REPORT ON SHIPBUILDER TRAINING**

19 **AND THE DEFENSE INDUSTRIAL BASE.**

20 (a) IN GENERAL.—Chapter 863 of title 10, United
21 States Code, is amended by adding at the end the fol-
22 lowing new section:

1 **“§ 8692. Biannual report on shipbuilder training and**
2 **the defense industrial base**

3 “ Not later than February 1 of each even-numbered
4 year until 2026, the Secretary of Defense, in coordination
5 with the Secretary of Labor, shall submit to the Com-
6 mittee on Armed Services and the Committee on Health,
7 Education, Labor, and Pensions of the Senate and the
8 Committee on Armed Services and the Committee on Edu-
9 cation and Labor of the House of Representatives a report
10 on shipbuilder training and hiring requirements necessary
11 to achieve the Navy’s 30-year shipbuilding plan and to
12 maintain the shipbuilding readiness of the defense indus-
13 trial base. Each such report shall include each of the fol-
14 lowing:

15 “(1) An analysis and estimate of the time and
16 investment required for new shipbuilders to gain
17 proficiency in particular shipbuilding occupational
18 specialties, including detailed information about the
19 occupational specialty requirements necessary for
20 construction of naval surface ship and submarine
21 classes to be included in the Navy’s 30-year ship-
22 building plan.

23 “(2) An analysis of the age demographics and
24 occupational experience level (measured in years of
25 experience) of the shipbuilding defense industrial
26 workforce.

1 pended to retire or prepare for the retirement, transfer,
2 or placement in storage any ships designated as LCS-3
3 or LCS-4 until the date on which the Secretary of the
4 Navy submits the certification required under subsection
5 (b).

6 (b) CERTIFICATION.—Upon the completion of all
7 operational tests on each of the mission modules designed
8 for the Littoral Combat Ship, the Secretary of the Navy
9 shall submit to the congressional defense committees cer-
10 tification of such completion.

11 **SEC. 1028. REPORT ON IMPLEMENTATION OF COM-**
12 **MANDANT'S PLANNING GUIDANCE.**

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 the congressional defense committees a re-
16 port on the implementation of the Commandant's Plan-
17 ning Guidance. Such report shall include a detailed de-
18 scription of each of the following:

19 (1) The specific number and type of manned
20 littoral ships required to execute such Guidance.

21 (2) The role of long-range unmanned surface
22 vessels in the execution of such Guidance.

23 (3) How platforms referred to in paragraphs
24 (1) and (2) account for and interact with ground-

1 based missiles fielded by teams of Marines deployed
2 throughout the Indo-Pacific region.

3 (4) The integrated naval command and control
4 architecture required to support the platforms re-
5 ferred to in paragraphs (1) and (2);

6 (5) The projected cost and any additional re-
7 sources required to deliver the platforms referred to
8 in paragraph (1) and (2) by not later than five years
9 after the date of the enactment of this Act.

10 (b) FORM OF REPORT.—The report required under
11 this section shall be submitted in unclassified form, but
12 may contain a classified annex. The unclassified report
13 shall be made publicly available.

14 **SEC. 1029. LIMITATION ON NAVAL FORCE STRUCTURE**
15 **CHANGES.**

16 None of the funds authorized to be appropriated by
17 this Act or otherwise made available for fiscal year 2021
18 for the Navy may be obligated or expended to retire, or
19 to prepare for the retirement, transfer, or placement in
20 storage of, any Department of the Navy ship until the date
21 that is 30 days after the date on which Secretary of De-
22 fense submits to the congressional defense committees the
23 2020 Naval Integrated Force Structure Assessment.

1 **Subtitle D—Counterterrorism**

2 **SEC. 1031. PROHIBITION ON USE OF FUNDS FOR TRANSFER** 3 **OR RELEASE OF INDIVIDUALS DETAINED AT** 4 **UNITED STATES NAVAL STATION, GUANTA-** 5 **NAMO BAY, CUBA, TO CERTAIN COUNTRIES.**

6 No amounts authorized to be appropriated or other-
7 wise made available for the Department of Defense may
8 be used during the period beginning on the date of the
9 enactment of this Act and ending on December 31, 2021,
10 to transfer, release, or assist in the transfer or release of
11 any individual detained in the custody or under the control
12 of the Department of Defense at United States Naval Sta-
13 tion, Guantanamo Bay, Cuba, to the custody or control
14 of any country, or any entity within such country, as fol-
15 lows:

- 16 (1) Libya.
- 17 (2) Somalia.
- 18 (3) Syria.
- 19 (4) Yemen.

20 **Subtitle E—Miscellaneous** 21 **Authorities and Limitations**

22 **SEC. 1041. SUPPORT OF SPECIAL OPERATIONS TO COMBAT** 23 **TERRORISM.**

24 Section 127e of title 10, United States Code, is
25 amended—

1 (1) by striking subsection (c) and inserting the
2 following new subsection (c):

3 “(c) PROCEDURES.—

4 “(1) IN GENERAL.—The authority in this sec-
5 tion shall be exercised in accordance with such pro-
6 cedures as the Secretary shall establish for purposes
7 of this section. The Secretary shall notify the con-
8 gressional defense committees of any material
9 change to such procedures.

10 “(2) ELEMENTS.—The procedures required
11 under paragraph (1) shall establish, at a minimum,
12 each of the following:

13 “(A) Policy, strategy, or other guidance for
14 the execution of, and constraints within, activi-
15 ties conducted under this section.

16 “(B) The processes through which activi-
17 ties conducted under this section are to be de-
18 veloped, validated, and coordinated, as appro-
19 priate, with relevant Federal entities.

20 “(C) The processes through which legal re-
21 views and determinations are made to comply
22 with this section and ensure that the exercise of
23 authority under this section is consistent with
24 the national security of the United States.

1 “(3) NOTICE TO CONGRESS.—The Secretary
2 shall provide to the congressional defense commit-
3 tees a notice of the procedures established pursuant
4 to this section before any exercise of the authority
5 in this section, and shall notify such committees of
6 any material change of the procedures.”;

7 (2) in subsection (d)—

8 (A) in the subsection heading, by inserting
9 “OF INITIATION OF SUPPORT OF AN APPROVED
10 MILITARY OPERATION” after “NOTIFICATION”;
11 and

12 (B) in paragraph (1), by striking “15” and
13 inserting “30”;

14 (3) by redesignating subsections (e) through (h)
15 as subsections (f) through (i), respectively;

16 (4) by inserting after subsection (d) the fol-
17 lowing new subsection (e):

18 “(e) NOTIFICATION OF MODIFICATION OR TERMI-
19 NATION OF SUPPORT OF AN APPROVED MILITARY OPER-
20 ATION.—

21 “(1) IN GENERAL.—Except as provided in para-
22 graph (2), the Secretary shall provide to the con-
23 gressional defense committees notice in writing by
24 not later than—

1 “(A) 15 days before exercising the author-
2 ity under this section to modify the support of
3 an approved military operation;

4 “(B) 30 days before exercising the author-
5 ity under this section to terminate the support
6 of an approved military operation; or

7 “(C) as applicable, 30 days before exer-
8 cising any other authority under which the Sec-
9 retary engages or plans to engage with foreign
10 forces, irregular forces, groups, or individuals.

11 “(2) EXTRAORDINARY CIRCUMSTANCES.—If the
12 Secretary finds the existence of extraordinary cir-
13 cumstances affecting the national security of the
14 United States, the Secretary shall provide the notice
15 required under paragraph (1) not later than 48
16 hours before exercising authority referred to in sub-
17 paragraph (A) or (B) of such paragraph.

18 “(3) ELEMENTS.—Notice provided under para-
19 graph (1) with respect to the modification or termi-
20 nation of support shall includes each of the following
21 elements:

22 “(A) A description of the reasons for the
23 modification or termination.

1 “(B) A description of the potential effects
2 of the modification or termination of support on
3 the forces providing the support.

4 “(C) A plan for the modification or termi-
5 nation of the support, including the consider-
6 ation of the transition of such support from one
7 fiscal authority to another.

8 “(D) A list of any relevant entities of the
9 United States Government that are or will be
10 involved in the modification or termination of
11 such support, including any planned transition
12 of such support from one Government entity to
13 another.”;

14 (5) in subsection (i)(3), as redesignated by
15 paragraph (3)—

16 (A) by redesignating subparagraphs (G)
17 and (H) as subparagraphs (H) and (I), respec-
18 tively; and

19 (B) by inserting after subparagraph (F)
20 the following new subparagraph (G):

21 “(G) If there is a plan to modify or termi-
22 nate the support to military operations to com-
23 bat terrorism in any way, a detailed description
24 of the plan, including—

1 “(i) a description of the reasons for
2 the modification or termination;

3 “(ii) the potential effects of the modi-
4 fication or termination of support on the
5 forces providing the support;

6 “(iii) a detailed plan for the modifica-
7 tion or termination of the support; and

8 “(iv) a list of any relevant Govern-
9 ment entities that are or will be involved in
10 the modification or termination of such
11 support, including any planned transition
12 of such support from one Government enti-
13 ty to another.”; and

14 (6) by adding at the end the following new sub-
15 section:

16 “(j) MODIFICATION DEFINED.—In this section, the
17 term ‘modification’, with respect to support provided for
18 an approved military operation, means—

19 “(1) an increase or decrease in funding of more
20 than \$750,000 or change greater than 40 percent of
21 the material resources provided;

22 “(2) an increase or decrease in the amount or
23 type of equipment that significantly alters the use of
24 or risk to foreign forces, irregular forces, groups, or
25 United States special operations forces; or

1 “(3) a change in the legal or operational au-
2 thorities.”.

3 **SEC. 1042. PROHIBITION ON RETIREMENT OF NUCLEAR**
4 **POWERED AIRCRAFT CARRIERS BEFORE**
5 **FIRST REFUELING.**

6 Section 8062 of title 10, United States Code, is
7 amended by adding at the end the following new sub-
8 section:

9 “(f) A nuclear powered aircraft carrier may not be
10 retired before its first refueling.”.

11 **SEC. 1043. REQUIRED MINIMUM INVENTORY OF TACTICAL**
12 **AIRLIFT AIRCRAFT.**

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

16 “(k) The Secretary of the Air Force shall maintain
17 a total inventory of tactical airlift aircraft of not less than
18 292 aircraft.”.

19 **SEC. 1044. MODIFICATION AND TECHNICAL CORRECTION**
20 **TO DEPARTMENT OF DEFENSE AUTHORITY**
21 **TO PROVIDE ASSISTANCE ALONG THE**
22 **SOUTHERN LAND BORDER OF THE UNITED**
23 **STATES.**

24 (a) **AUTHORITY.**—Subsection (a) of section 1059 of
25 the National Defense Authorization Act for Fiscal Year

1 2016 (Public Law 114–92; 129 Stat. 986; 10 U.S.C. 271
2 note prec.) is amended to read as follows:

3 “(a) AUTHORITY.—

4 “(1) PROVISION OF ASSISTANCE.—

5 “(A) IN GENERAL.—The Secretary of De-
6 fense may provide assistance to United States
7 Customs and Border Protection for purposes of
8 increasing ongoing efforts to secure the south-
9 ern land border of the United States in accord-
10 ance with the requirements of this section.

11 “(B) REQUIREMENTS.—If the Secretary
12 provides assistance under subparagraph (A),
13 the Secretary shall ensure that—

14 “(i) the provision of the assistance
15 will not negatively affect military training,
16 operations, readiness, or other military re-
17 quirements; and

18 “(ii) the tasks associated with the
19 support provided align with the mission or
20 occupational specialty of any members of
21 the Armed Forces, including members of
22 the reserve components, or units of the
23 Armed Forces, including the reserve com-
24 ponents, that are deployed.

1 “(2) NOTIFICATION REQUIREMENT.—Not later
2 than 5 days after the date on which the Secretary
3 decides to provide assistance under paragraph (1),
4 the Secretary shall submit to the Committee on
5 Armed Services of the Senate and the Committee on
6 Armed Services and the Committee on Homeland
7 Security of the House of Representatives notice of
8 such decision.”.

9 (b) REPORTING REQUIREMENTS.—Subsection (f) of
10 such section is amended to read as follows:

11 “(f) REPORTS.—

12 “(1) REPORT REQUIRED.—Any time assistance
13 is provided under subsection (a), not later than 30
14 days after the date on which such assistance is first
15 provided, and every three months thereafter during
16 the period while such assistance is provided, the Sec-
17 retary of Defense, in coordination with the Secretary
18 of Homeland Security, shall submit to the Com-
19 mittee on Armed Services and the Committee on
20 Homeland Security and Governmental Affairs of the
21 Senate and the Committee on Armed Services and
22 the Committee on Homeland Security of the House
23 of Representatives a report that includes, for both
24 the period covered by the report and the total period
25 of the deployment, each of the following:

1 “(A) A description of the assistance pro-
2 vided.

3 “(B) A description of the Armed Forces,
4 including the reserve components, deployed as
5 part of such assistance, including an identifica-
6 tion of—

7 “(i) the members of the Armed
8 Forces, including members of the reserve
9 components, deployed, including specific
10 information about unit designation, size of
11 unit, and whether any personnel in the
12 unit deployed under section 12302 of title
13 10, United States Code;

14 “(ii) the readiness rating for each of
15 the units deployed, including specific infor-
16 mation about any impacts to planned
17 training exercises for any such unit;

18 “(iii) the projected length of the de-
19 ployment and any special pay and incen-
20 tives for which deployed personnel may
21 qualify during the deployment;

22 “(iv) any specific pre-deployment
23 training provided for such members of the
24 Armed Forces, including members of the
25 reserve components;

1 “(v) the specific missions and tasks,
2 by location, that are assigned to the mem-
3 bers of the Armed Forces, including mem-
4 bers of the reserve components, who are so
5 deployed;

6 “(vi) the life support conditions and
7 associated costs;

8 “(vii) the locations where units so de-
9 ployed are conducting their assigned mis-
10 sion, together with a map showing such lo-
11 cations;

12 “(viii) a description of the rules and
13 additional guidance applicable to the de-
14 ployment, including the standing rules for
15 the use of force for deployed personnel and
16 the issuance of any weapons and ammuni-
17 tion; and

18 “(ix) the plan to transition the func-
19 tions performed by the members of the
20 Armed Forces, including members of the
21 reserve components, to the Department of
22 Homeland Security and Customs Border
23 Protection.

24 “(C) The sources and amounts of funds
25 expended—

1 “(i) during the period covered by the
2 report; and

3 “(ii) during the total period for which
4 such support has been provided.

5 “(D) The amount of funds obligated—

6 “(i) during the period covered by the
7 report; and

8 “(ii) during the total period for which
9 such support has been provided.

10 “(E) An assessment of the efficacy and
11 cost-effectiveness of such assistance in support
12 of the objectives and strategy of the Secretary
13 of Homeland Security to address the challenges
14 on the southern land border of the United
15 States and recommendations, if any, to enhance
16 the effectiveness of such assistance.

17 “(2) FORM OF REPORT.—Each report sub-
18 mitted under this subsection shall be submitted in
19 unclassified form and without any designation relat-
20 ing to dissemination control, but may include a clas-
21 sified annex.”.

22 (c) CLASSIFICATION.—The Law Revision Counsel is
23 directed to place this section in a note following section
24 284 of title 10, United States Code.

1 **SEC. 1045. BATTLEFIELD AIRBORNE COMMUNICATIONS**
2 **NODE CERTIFICATION REQUIREMENT.**

3 (a) **LIMITATION.**—The Secretary of the Air Force
4 may take no action that would prevent the Air Force from
5 maintaining or operating the fleets of EQ-4 aircraft in the
6 configurations and capabilities in effect on the date of the
7 enactment of this Act, or in improved configurations and
8 capabilities, before the date on which each of the three
9 individual certifications described in subsection (b) have
10 been submitted to the congressional defense committees.

11 (b) **CERTIFICATIONS REQUIRED.**—The certifications
12 described in this subsection are the following;

13 (1) The written certification of the Chairman of
14 the Joint Requirements Oversight Council that the
15 replacement capability for the EQ-4 aircraft will—

16 (A) be fielded at the same time or before
17 the divestment of the EQ-4 aircraft;

18 (B) result in equal or greater capability
19 available to the commanders of the combatant
20 commanders; and

21 (C) not result in less airborne capacity or
22 on-station time available to the commanders of
23 the combatant commands.

24 (2) The written certification of the Commander
25 of United States Central Command that the replace-
26 ment capability for the EQ-4 aircraft will not result

1 in less airborne capacity or on-station time available
2 for mission taskings that the EQ-4 provides, as of
3 the date of the enactment of this Act, in the United
4 States Central Command area of responsibility.

5 (3) The written certification of the Under Sec-
6 retary of Defense for Acquisition and Sustainment
7 that the validated operating and sustainment costs
8 of the capability developed or fielded to replace an
9 equivalent capacity the EQ-4 aircraft provides is less
10 than the validated operating and sustainment costs
11 for the EQ-4 aircraft on a comparable flight-hour
12 cost basis.

13 (c) CALCULATION OF FLIGHT-HOUR COST BASIS.—
14 For purposes of calculating the flight-hour cost basis
15 under subsection (b)(3), the Under Secretary shall include
16 all costs for—

- 17 (1) Unit level manpower;
- 18 (2) Unit operations;
- 19 (3) maintenance;
- 20 (4) sustaining support; and
- 21 (5) system improvements.

22 **SEC. 1046. REQUIREMENTS RELATING TO NEWEST GENERA-**
23 **TIONS OF PERSONAL PROTECTIVE EQUIP-**
24 **MENT.**

25 (a) REPORTS.—

1 (1) REPORTS REQUIRED.—Not later than Janu-
2 ary 31, 2021, each Secretary of a military depart-
3 ment shall submit to the congressional defense com-
4 mittees a report on the development and fielding of
5 the newest generations of personal protective equip-
6 ment to the Armed Forces under the jurisdiction of
7 such Secretary.

8 (2) ELEMENTS.—Each report under paragraph
9 (1) shall include, for each Armed Force covered by
10 such report, the following:

11 (A) A description and assessment of the
12 development and fielding of the newest genera-
13 tions of personal protective equipment and aux-
14 iliary personal protective equipment to members
15 of such Armed Force, including the following:

16 (i) The number (aggregated by total
17 number and by sex) of members of such
18 Armed Force issued the Army Soldiers
19 Protective System and the Modular Scal-
20 able Vest Generation II body armor as of
21 December 31, 2020.

22 (ii) The number (aggregated by total
23 number and by sex) of members of such
24 Armed Force issued Marine Corps Plate

1 Carrier Generation III (PC Gen III) body
2 armor as of that date.

3 (iii) The number (aggregated by total
4 number and by sex) of members of such
5 Armed Force fitted with legacy personal
6 protective equipment as of that date.

7 (B) A description and assessment of the
8 barriers, if any, to the development and fielding
9 of such generations of equipment to such mem-
10 bers.

11 (C) A description and assessment of chal-
12 lenges in the development and fielding of such
13 generations of equipment to such members, in-
14 cluding cost overruns, contractor delays, and
15 other challenges.

16 (b) SYSTEM FOR TRACKING DATA ON INJURIES.—

17 (1) SYSTEM REQUIRED.—

18 (A) IN GENERAL.—The Director of the
19 Defense Health Agency (DHA) shall develop
20 and maintain a system for tracking data on in-
21 juries among members of the Armed Forces in
22 and during the use of newest generation per-
23 sonal protective equipment.

24 (B) SCOPE OF SYSTEM.—The system re-
25 quired by this subsection may, at the election of

1 the Director, be new for purposes of this sub-
2 section or within or a modification of an appro-
3 priate existing system (such as the Defense Oc-
4 cupational And Environmental Health Readiness
5 System (DOEHRS)).

6 (2) REPORT.—Not later than January 31,
7 2025, the Director shall submit to Congress a report
8 on the prevalence among members of the Armed
9 Forces of preventable injuries attributable to ill-fit-
10 ting or malfunctioning personal protective equip-
11 ment.

12 (c) INCLUSION IN ANNUAL PERIODIC HEALTH AS-
13 SESSMENTS.—The annual Periodic Health Assessment
14 (PHA) of members of the Armed Forces undertaken after
15 the date of the enactment of this Act shall include one
16 or more questions on whether members incurred an injury
17 in connection with ill-fitting or malfunctioning personal
18 protective equipment during the period covered by such
19 assessment, including the nature of such injury.

20 **SEC. 1047. PROHIBITION ON USE OF FUNDS FOR RETIRE-**
21 **MENT OF A-10 AIRCRAFT.**

22 (a) PROHIBITION.—Notwithstanding sections 134
23 and 135 of the National Defense Authorization Act for
24 Fiscal Year 2017 (Public Law 114–328), except as pro-
25 vided in subsection (b), none of the funds authorized to

1 be appropriated by this Act or otherwise made available
2 for fiscal year 2021 for the Air Force may be obligated
3 or expended to retire, prepare to retire, or place in storage
4 or on backup aircraft inventory status any A-10 aircraft.

5 (b) EXCEPTION.—The limitation under subsection
6 (a) shall not apply to any individual A-10 aircraft that
7 the Secretary of the Air Force determines, on a case-by-
8 case basis, to be no longer mission capable because of a
9 mishap or other damage or because the aircraft is uneco-
10 nomical to repair.

11 **SEC. 1048. MANDATORY CRITERIA FOR STRATEGIC BASING**
12 **DECISIONS.**

13 (a) IN GENERAL.—The Secretary of the Air Force
14 shall modify Air Force Instruction 10–503 (pertaining to
15 the strategic basing process) to ensure that the process
16 for the selection of a location in the United States for the
17 strategic basing of an aircraft includes the following:

18 (1) A comparative analysis of the overall com-
19 munity support for the mission among the candidate
20 locations, as indicated by the formal comments re-
21 ceived during the public comment period for the en-
22 vironmental impact statement relating to the basing
23 decision and, in a case in which the Secretary selects
24 a final location with less community support com-
25 pared to other locations as indicated by such anal-

1 ysis, an explanation of the operational considerations
2 that formed the basis for such selection.

3 (2) An analysis of joint and all-domain training
4 capabilities at each candidate location, separate from
5 and in addition to the mission criteria developed for
6 the basing action.

7 (3) A comparative analysis of the airspace and
8 training areas available at each candidate location,
9 separate from and in addition to the mission criteria
10 developed for the basing action.

11 (b) REPORT REQUIRED.—Not later than 14 days
12 after the date on which the Secretary of Defense publicly
13 announces the preferred and reasonable alternative loca-
14 tions for the basing of an aircraft as described in sub-
15 section (a), the Secretary shall submit to the congressional
16 defense committees a report that includes—

17 (1) an assessment of each candidate location
18 that was considered as part of the basing process,
19 including, with respect to each such location, an
20 analysis of each of the factors specified in para-
21 graphs (1) through (3) of such subsection; and

22 (2) an explanation of how each candidate loca-
23 tion was scored against such factors, including the
24 weight assigned to each factor.

1 **SEC. 1049. LIMITATION ON USE OF FUNDS PENDING PUBLIC**
2 **AVAILABILITY OF TOP-LINE NUMBERS OF DE-**
3 **PLOYED MEMBERS OF THE ARMED FORCES.**

4 (a) **LIMITATION.**—Of the amounts authorized to be
5 appropriated by this Act or otherwise made available for
6 fiscal year 2020 for Operation and Maintenance, Defense-
7 wide, Office of the Secretary of Defense, for Travel of Per-
8 sons, not more than 75 percent may be obligated or ex-
9 pended until the date on which the Secretary of Defense
10 makes publicly available the top-line numbers of deployed
11 members of the Armed Forces described in subsection (b).

12 (b) **TOP-LINE NUMBERS DESCRIBED.**— The top-line
13 numbers of deployed members of the Armed Forces re-
14 ferred to in subsection (a)—

15 (1) are the numbers required to be made pub-
16 licly available under section 595 of the John S.
17 McCain National Defense Authorization Act for Fis-
18 cal Year 2019 (Public Law 115–232; 10 U.S.C.
19 122a note);

20 (2) shall include all such numbers for fiscal
21 year 2017 and each subsequent fiscal year; and

22 (3) shall include the number of personnel on
23 temporary duty and the number of personnel de-
24 ployed in support of contingency operations.

25 (c) **SENSITIVE MILITARY OPERATION.**—The require-
26 ment under subsection (a) to make the top-line numbers

1 of deployed members of the Armed Forces publicly avail-
2 able is not satisfied if the Secretary, in exercising the
3 waiver authority under subsection (b) of section 595 of
4 the John S. McCain National Defense Authorization Act
5 for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.
6 122a note) does not submit the notice and reasons for the
7 waiver determination to Committees of Armed Services of
8 the House of Representatives and the Senate as required
9 under paragraph (2) of such subsection.

10 **SEC. 1050. LIMITATION ON PHYSICAL MOVE, INTEGRATION,**
11 **REASSIGNMENT, OR SHIFT IN RESPONSIB-**
12 **ILITY OF MARINE FORCES NORTHERN COM-**
13 **MAND.**

14 (a) **LIMITATION.**—The Secretary of Defense may not
15 take any action to execute the physical move, integration,
16 reassignment, or shift in responsibility of the Marine
17 Forces Northern Command before the date that is 60 days
18 after the date on which the Secretary submits the report
19 described in subsection (b).

20 (b) **REPORT.**—If the Secretary of Defense plans to
21 take any action to physically move, integrate, reassign, or
22 shift the responsibility of Marine Forces Northern Com-
23 mand, the Secretary shall submit to the congressional de-
24 fense committees a report on such proposed action that
25 includes each of the following:

1 (1) An analysis of how the proposed action
2 would be beneficial to military readiness.

3 (2) A description of how the proposed action
4 would align with the national defense strategy and
5 the supporting strategies for each of the military de-
6 partments.

7 (3) A description of the proposed organizational
8 structure change associated with the action and how
9 will it affect the relationship between Marine Forces
10 Northern Command and administrative control re-
11 sponsibilities, operational control responsibilities,
12 and tactical control responsibilities.

13 (4) The projected cost associated with the pro-
14 posed action and any projected long-term cost sav-
15 ings.

16 (5) A detailed description of any requirements
17 for new infrastructure or relocation of equipment
18 and assets associated with the proposed action.

19 (6) A description of how the proposed action
20 would facilitate total force integration and Marine
21 Corps general officer progression, including with re-
22 spect to the reserve components.

23 (c) WAIVER.—The Secretary may waive the limita-
24 tion under subsection (a) if the Secretary determines such

1 a waiver is necessary by reason of hostilities or the immi-
2 nent threat of hostilities.

3 (d) **APPLICABILITY.**—This section shall apply with
4 respect to any action to execute the physical move, inte-
5 gration, reassignment, or shift in responsibility of the Ma-
6 rine Forces Northern Command that is initiated on or
7 after the date of the enactment of this Act. In the case
8 of such an action that was initiated but not completed be-
9 fore the date of the enactment of this Act, no additional
10 effort may be made to complete such action before the
11 date that is 60 days after the date on which the Secretary
12 submits the report described in subsection (b).

13 **SEC. 1051. CONDITIONS FOR PERMANENTLY BASING**
14 **UNITED STATES EQUIPMENT OR ADDITIONAL**
15 **FORCES IN HOST COUNTRIES WITH AT-RISK**
16 **VENDORS IN 5G OR 6G NETWORKS.**

17 (a) **IN GENERAL.**—Prior to basing a major weapon
18 system or additional permanently assigned forces com-
19 parable to or larger than a battalion, squadron, or naval
20 combatant for permanent basing to a host country with
21 at-risk 5th generation (5G) or sixth generation (6G) wire-
22 less network equipment, software, and services, including
23 supply chain vulnerabilities identified by the Federal Ac-
24 quisition Security Council, where United States military
25 personnel and their families will be directly connected or

1 subscribers to networks that include such at-risk equip-
2 ment, software, and services in their official duties or in
3 the conduct of personal affairs, the Secretary of Defense
4 shall provide a notification to the congressional defense
5 committees that includes a description of—

6 (1) steps being taken by the host country to
7 mitigate any potential risks to the weapon systems,
8 military units, or personnel, and the Department of
9 Defense's assessment of those efforts;

10 (2) steps being taken by the United States Gov-
11 ernment, separately or in collaboration with the host
12 country, to mitigate any potential risks to the weap-
13 on systems, permanently deployed forces, or per-
14 sonnel;

15 (3) any defense mutual agreements between the
16 host country and the United States intended to allay
17 the costs of risk mitigation posed by the at-risk in-
18 frastructure; and

19 (4) any other matters the Secretary determines
20 to be relevant.

21 (b) APPLICABILITY.—The conditions in subsection
22 (a) apply to the permanent long-term stationing of equip-
23 ment and permanently assigned forces, and do not apply
24 to short-term deployments or rotational presence to mili-
25 tary installations outside the United States in connection

1 with exercises, dynamic force employment, contingency op-
2 erations, or combat operations.

3 (c) REPORT.—Not later than one year 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 contains an assessment of—

7 (1) the risk to personnel, equipment, and oper-
8 ations of the Department of Defense in host coun-
9 tries posed by the current or intended use by such
10 countries of 5G or 6G telecommunications architec-
11 ture provided by at-risk vendors; and

12 (2) measures required to mitigate the risk de-
13 scribed in paragraph (1), including the merit and
14 feasibility of the relocation of certain personnel or
15 equipment of the Department to another location
16 without the presence of 5G or 6G telecommuni-
17 cations architecture provided by at-risk vendors.

18 (d) FORM.—The report required by subsection (c)
19 shall be submitted in a classified form with an unclassified
20 summary.

21 (e) MAJOR WEAPON SYSTEM DEFINED.—In this sec-
22 tion, the term “major weapon system” has the meaning
23 given that term in section 2379(f) of title 10, United
24 States Code.

1 **TITLE XI—CIVILIAN PERSONNEL**
2 **MATTERS**

3 **Subtitle A—General Provisions**

4 **SEC. 1101. FAMILY AND MEDICAL LEAVE AMENDMENTS.**

5 (a) IN GENERAL.—

6 (1) PAID PARENTAL LEAVE FOR EMPLOYEES OF
7 DISTRICT OF COLUMBIA COURTS AND DISTRICT OF
8 COLUMBIA PUBLIC DEFENDER SERVICE.—

9 (A) DISTRICT OF COLUMBIA COURTS.—

10 Section 11–1726, District of Columbia Official
11 Code, is amended by adding at the end the fol-
12 lowing new subsection:

13 “(d) In carrying out the Family and Medical Leave
14 Act of 1993 (29 U.S.C. 2601 et seq.) with respect to non-
15 judicial employees of the District of Columbia courts, the
16 Joint Committee on Judicial Administration shall, not-
17 withstanding any provision of such Act, establish a paid
18 parental leave program for the leave described in subpara-
19 graphs (A) and (B) of section 102(a)(1) of such Act (29
20 U.S.C. 2612(a)(1)) (relating to leave provided in connec-
21 tion with the birth of a child or the placement of a child
22 for adoption or foster care). In developing the terms and
23 conditions for this program, the Joint Committee may be
24 guided by the terms and conditions applicable to the provi-
25 sion of paid parental leave for employees of the Federal

1 Government under chapter 63 of title 5, United States
2 Code, and any corresponding regulations.”.

3 (B) DISTRICT OF COLUMBIA PUBLIC DE-
4 FENDER SERVICE.—Section 305 of the District
5 of Columbia Court Reform and Criminal Proce-
6 dure Act of 1970 (sec. 2–1605, D.C. Official
7 Code) is amended by adding at the end the fol-
8 lowing new subsection:

9 “(d) In carrying out the Family and Medical Leave
10 Act of 1993 (29 U.S.C. 2601 et seq.) with respect to em-
11 ployees of the Service, the Director shall, notwithstanding
12 any provision of such Act, establish a paid parental leave
13 program for the leave described in subparagraphs (A) and
14 (B) of section 102(a)(1) of such Act (29 U.S.C.
15 2612(a)(1)) (relating to leave provided in connection with
16 the birth of a child or the placement of a child for adoption
17 or foster care). In developing the terms and conditions for
18 this program, the Director may be guided by the terms
19 and conditions applicable to the provision of paid parental
20 leave for employees of the Federal Government under
21 chapter 63 of title 5, United States Code, and any cor-
22 responding regulations.”.

23 (2) CLARIFICATION OF USE OF OTHER LEAVE
24 IN ADDITION TO 12 WEEKS AS FAMILY AND MEDICAL
25 LEAVE.—

1 (A) TITLE 5.—Section 6382(a) of title 5,
2 United States Code, as amended by section
3 7602 of the National Defense Authorization Act
4 for Fiscal Year 2020 (Public Law 116–92), is
5 amended—

6 (i) in paragraph (1), in the matter
7 preceding subparagraph (A), by inserting
8 “(or, in the case of leave that includes
9 leave under subparagraph (A) or (B) of
10 this paragraph, 12 administrative work-
11 weeks of leave plus any additional period
12 of leave used under subsection
13 (d)(2)(B)(ii))” after “12 administrative
14 workweeks of leave”; and

15 (ii) in paragraph (4), by inserting
16 “(or 26 administrative workweeks of leave
17 plus any additional period of leave used
18 under subsection (d)(2)(B)(ii))” after “26
19 administrative workweeks of leave”.

20 (B) CONGRESSIONAL EMPLOYEES.—Sec-
21 tion 202(a)(1) of the Congressional Account-
22 ability Act of 1995 (2 U.S.C. 1312(a)(1)), as
23 amended by section 7603 of the National De-
24 fense Authorization Act for Fiscal Year 2020
25 (Public Law 116–92), is amended—

1 (i) in the second sentence, by insert-
2 ing “and in the case of leave that includes
3 leave for such an event, the period of leave
4 to which a covered employee is entitled
5 under section 102(a)(1) of such Act shall
6 be 12 administrative workweeks of leave
7 plus any additional period of leave used
8 under subsection (d)(2)(B) of this section”
9 before the period; and

10 (ii) by striking the third sentence and
11 inserting the following: “For purposes of
12 applying section 102(a)(4) of such Act, in
13 the case of leave that includes leave under
14 subparagraph (A) or (B) of section
15 102(a)(1) of such Act, a covered employee
16 is entitled, under paragraphs (1) and (3)
17 of section 102(a) of such Act, to a com-
18 bined total of 26 workweeks of leave plus
19 any additional period of leave used under
20 subsection (d)(2)(B) of this section.”.

21 (C) OTHER EMPLOYEES COVERED UNDER
22 THE FAMILY AND MEDICAL LEAVE ACT OF
23 1993.—Section 102(a) of the Family and Med-
24 ical Leave Act of 1993 (29 U.S.C. 2611(a)) is
25 amended by adding at the end the following:

1 “(6) SPECIAL RULES ON PERIOD OF LEAVE.—

2 With respect to an employee of the Government Ac-
3 countability Office and an employee of the Library
4 of Congress—

5 “(A) in the case of leave that includes
6 leave under subparagraph (A) or (B) of para-
7 graph (1), the employee shall be entitled to 12
8 administrative workweeks of leave plus any ad-
9 ditional period of leave used under subsection
10 (d)(3)(B)(ii) of this section or section
11 202(d)(2)(B) of the Congressional Account-
12 ability Act of 1995 (2 U.S.C. 1312(d)(2)(B)),
13 as the case may be; and

14 “(B) for purposes of paragraph (4), the
15 employee is entitled, under paragraphs (1) and
16 (3), to a combined total of 26 workweeks of
17 leave plus, if applicable, any additional period
18 of leave used under subsection (d)(3)(B)(ii) of
19 this section or section 202(d)(2)(B) of the Con-
20 gressional Accountability Act of 1995 (2 U.S.C.
21 1312(d)(2)(B)), as the case may be.”.

22 (3) APPLICABILITY.—The amendments made
23 by this subsection shall not be effective with respect
24 to any birth or placement occurring before October
25 1, 2020.

1 (b) PAID PARENTAL LEAVE FOR PRESIDENTIAL EM-
2 PLOYEES.—

3 (1) AMENDMENTS TO CHAPTER 5 OF TITLE 3,
4 UNITED STATES CODE.—Section 412 of title 3,
5 United States Code, is amended—

6 (A) in subsection (a)(1), by adding at the
7 end the following: “In applying section 102 of
8 such Act with respect to leave for an event de-
9 scribed in subsection (a)(1)(A) or (B) of such
10 section to covered employees, subsection (c) of
11 this section shall apply and in the case of leave
12 that includes leave for such an event, the period
13 of leave to which a covered employee is entitled
14 under section 102(a)(1) of such Act shall be 12
15 administrative workweeks of leave plus any ad-
16 ditional period of leave used under subsection
17 (c)(2)(B) of this section. For purposes of apply-
18 ing section 102(a)(4) of such Act, in the case
19 of leave that includes leave under subparagraph
20 (A) or (B) of section 102(a)(1) of such Act, a
21 covered employee is entitled, under paragraphs
22 (1) and (3) of section 102(a) of such Act, to a
23 combined total of 26 workweeks of leave plus
24 any additional period of leave used under sub-
25 section (c)(2)(B) of this section.”;

1 (B) by redesignating subsections (c) and
2 (d) as subsections (d) and (e), respectively;

3 (C) by inserting after subsection (b) the
4 following:

5 “(c) SPECIAL RULE FOR PAID PARENTAL LEAVE.—

6 “(1) SUBSTITUTION OF PAID LEAVE.—A cov-
7 ered employee may elect to substitute for any leave
8 without pay under subparagraph (A) or (B) of sec-
9 tion 102(a)(1) of the Family and Medical Leave Act
10 of 1993 (29 U.S.C. 2612(a)(1)) any paid leave
11 which is available to such employee for that purpose.

12 “(2) AMOUNT OF PAID LEAVE.—The paid leave
13 that is available to a covered employee for purposes
14 of paragraph (1) is—

15 “(A) the number of weeks of paid parental
16 leave in connection with the birth or placement
17 involved that corresponds to the number of ad-
18 ministrative workweeks of paid parental leave
19 available to employees under section
20 6382(d)(2)(B)(i) of title 5, United States Code;
21 and

22 “(B) during the 12-month period referred
23 to in section 102(a)(1) of the Family and Med-
24 ical Leave Act of 1993 (29 U.S.C. 2612(a)(1))
25 and in addition to the administrative workweeks

1 described in subparagraph (A), any additional
2 paid vacation, personal, family, medical, or sick
3 leave provided by the employing office to such
4 employee.

5 “(3) LIMITATION.—Nothing in this section or
6 section 102(d)(2)(A) of the Family and Medical
7 Leave Act of 1993 (29 U.S.C. 2612(d)(2)(A)) shall
8 be considered to require or permit an employing of-
9 fice to require that an employee first use all or any
10 portion of the leave described in paragraph (2)(B)
11 before being allowed to use the paid parental leave
12 described in paragraph (2)(A).

13 “(4) ADDITIONAL RULES.—Paid parental leave
14 under paragraph (2)(A)—

15 “(A) shall be payable from any appropria-
16 tion or fund available for salaries or expenses
17 for positions within the employing office;

18 “(B) if not used by the covered employee
19 before the end of the 12-month period (as re-
20 ferred to in section 102(a)(1) of the Family and
21 Medical Leave Act of 1993 (29 U.S.C.
22 2612(a)(1))) to which it relates, shall not accu-
23 mulate for any subsequent use; and

24 “(C) shall apply without regard to the limi-
25 tations in subparagraph (E), (F), or (G) of sec-

1 tion 6382(d)(2) of title 5, United States Code,
2 or section 104(c)(2) of the Family and Medical
3 Leave Act of 1993 (29 U.S.C. 2614(c)(2)).”;
4 and

5 (D) in subsection (e)(1), as so redesign-
6 ated, by striking “subsection (c)” and insert-
7 ing “subsection (d)”.

8 (2) APPLICABILITY.—The amendments made
9 by this subsection shall not be effective with respect
10 to any birth or placement occurring before October
11 1, 2020.

12 (c) FAA AND TSA.—

13 (1) FAA.—

14 (A) IN GENERAL.—Paragraph (3) of sec-
15 tion 102(d) of the Family and Medical Leave
16 Act of 1993 (29 U.S.C. 2612(d)(3)), as added
17 by section 7604 of the National Defense Au-
18 thorization Act for Fiscal Year 2020 (Public
19 Law 116–92), is amended—

20 (i) in the paragraph heading, by in-
21 serting “AND FEDERAL AVIATION ADMINIS-
22 TRATION” after “GAO”;

23 (ii) in subparagraphs (A) and (B), by
24 striking “the Government Accountability
25 Office” in each instance and inserting “the

1 Government Accountability Office or the
2 Federal Aviation Administration”; and

3 (iii) in subparagraph (D)(i), by strik-
4 ing “the Government Accountability Of-
5 fice” and inserting “the Government Ac-
6 countability Office or the Federal Aviation
7 Administration (as the case may be)”.

8 (B) APPLICABILITY.—The amendments
9 made by subparagraph (A) shall not be effective
10 with respect to any birth or placement occur-
11 ring before October 1, 2020.

12 (2) CORRECTIONS FOR TSA SCREENERS.—Sec-
13 tion 7606 of the National Defense Authorization Act
14 for Fiscal Year 2020 (Public Law 116–92) is
15 amended—

16 (A) by striking “Section 111(d)(2)” and
17 inserting the following:

18 “(a) IN GENERAL.—Section 111(d)(2)”;

19 (B) by adding at the end the following:

20 “(b) EFFECTIVE DATE; APPLICATION.—

21 “(1) IN GENERAL.—The amendment made by
22 subsection (a) shall not be effective with respect to
23 any event for which leave may be taken under sub-
24 chapter V of chapter 63 of title 5, United States
25 Code, occurring before October 1, 2020.

1 “(2) APPLICATION TO SERVICE REQUIREMENT
2 FOR ELIGIBILITY.—For purposes of applying the pe-
3 riod of service requirement under subparagraph (B)
4 of section 6381(1) to an individual appointed under
5 section 111(d)(1) of the Aviation and Transpor-
6 tation Security Act (49 U.S.C. 44935 note), the
7 amendment made by subsection (a) of this section
8 shall apply with respect to any period of service by
9 the individual under such an appointment, including
10 service before the effective date of such amend-
11 ment.”.

12 (d) TITLE 38 EMPLOYEES.—

13 (1) IN GENERAL.—Section 7425 of title 38,
14 United States Code, is amended—

15 (A) in subsection (b), by striking “Not-
16 withstanding” and inserting “Except as pro-
17 vided in subsection (c), and notwithstanding”;
18 and

19 (B) by adding at the end the following:

20 “(c) Notwithstanding any other provision of this sub-
21 chapter, the Administration shall provide to individuals
22 appointed to any position described in section 7421(b) who
23 are employed by the Administration family and medical
24 leave in the same manner, to the maximum extent prac-
25 ticable, as family and medical leave is provided under sub-

1 chapter V of chapter 63 of title 5 to employees, as defined
2 in section 6381(1) of such title.”.

3 (2) APPLICABILITY.—The amendments made
4 by paragraph (1) shall not be effective with respect
5 to any event for which leave may be taken under
6 subchapter V of chapter 63 of title 5, United States
7 Code, occurring before October 1, 2020.

8 (e) ARTICLE I JUDGES.—

9 (1) BANKRUPTCY JUDGES.—Section 153(d) of
10 title 28, United States Code, is amended—

11 (A) by striking “A bankruptcy judge” and
12 inserting “(1) Except as provided in paragraph
13 (2), a bankruptcy judge”; and

14 (B) by adding at the end the following:

15 “(2) The provisions of subchapter V of chapter 63
16 of title 5 shall apply to a bankruptcy judge as if the bank-
17 ruptcy judge were an employee (within the meaning of
18 subparagraph (A) of section 6381(1) of such title).”.

19 (2) MAGISTRATE JUDGES.—Section 631(k) of
20 title 28, United States Code, is amended—

21 (A) by striking “A United States mag-
22 istrate judge” and inserting “(1) Except as pro-
23 vided in paragraph (2), a United States mag-
24 istrate judge”; and

25 (B) by adding at the end the following:

1 “(2) The provisions of subchapter V of chapter 63
2 of title 5 shall apply to a United States magistrate judge
3 as if the United States magistrate judge were an employee
4 (within the meaning of subparagraph (A) of section
5 6381(1) of such title).”.

6 (3) APPLICABILITY.—The amendments made
7 by this subsection shall not be effective with respect
8 to any birth or placement occurring before October
9 1, 2020.

10 (f) TECHNICAL CORRECTIONS.—

11 (1) Section 7605 of the National Defense Au-
12 thorization Act for Fiscal Year 2020 (Public Law
13 116–92) is amended by striking “on active duty”
14 each place it appears and inserting “on covered ac-
15 tive duty”.

16 (2) Subparagraph (E) of section 6382(d)(2) of
17 title 5, United States Code, as added by section
18 7602 of the National Defense Authorization Act for
19 Fiscal Year 2020 (Public Law 116–92), is amended
20 by striking “the requirement to complete” and all
21 that follows and inserting “the service requirement
22 under subparagraph (B) of section 6381(1).”.

23 (3) Section 202(d)(2)(B) of the Congressional
24 Accountability Act of 1995 (2 U.S.C.
25 1312(d)(2)(B)), as amended by section 7603 of the

1 National Defense Authorization Act for Fiscal Year
2 2020 (Public Law 116–92), is amended by inserting
3 “accrued” before “sick leave”.

4 (g) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect as if enacted immediately
6 after the enactment of the National Defense Authorization
7 Act for Fiscal Year 2020 (Public Law 116–92).

8 **SEC. 1102. LIMITATION ON AUTHORITY TO EXCLUDE EM-**
9 **PLOYEES FROM CHAPTER 71 OF TITLE 5.**

10 None of the funds authorized to be appropriated by
11 this Act or otherwise made available for fiscal year 2021
12 for the Department of Defense may be used to carry out
13 the authority provided under section 7103(b) of title 5,
14 United States Code, to exclude the Department of Defense
15 or any agency or subdivision thereof from coverage under
16 chapter 71 of such title.

17 **SEC. 1103. AUTHORITY TO PROVIDE TRAVEL AND TRANS-**
18 **PORTATION ALLOWANCES IN CONNECTION**
19 **WITH TRANSFER CEREMONIES OF DEPART-**
20 **MENT OF DEFENSE AND COAST GUARD CIVIL-**
21 **IAN EMPLOYEES WHO DIE OVERSEAS.**

22 (a) TRAVEL AND TRANSPORTATION ALLOWANCES.—

23 (1) IN GENERAL.—Subchapter II of chapter 75
24 of title 10, United States Code, is amended by add-
25 ing at the end the following new section:

1 **“§ 1492. Authority to provide travel and transpor-**
2 **tation allowances in connection with**
3 **transfer ceremonies of department of de-**
4 **fense and coast guard civilian employees**
5 **who die overseas**

6 “The Secretary of the military department concerned,
7 the agency head of a Defense Agency or Department of
8 Defense Field Activity, or the Secretary of Homeland Se-
9 curity, as appropriate, may provide round trip travel and
10 transportation allowances in connection with ceremonies
11 for the transfer of a Department of Defense or Coast
12 Guard civilian employee who dies while located or serving
13 overseas to eligible relatives and provide for the accom-
14 paniment of such persons to the same extent as the Sec-
15 retary of Defense may provide such travel and transpor-
16 tation allowances and accompaniment services to such per-
17 sons with respect to a deceased service member under
18 chapter 8 of title 37.”.

19 (2) CLERICAL AMENDMENT.—The table of con-
20 tents at the beginning of such subchapter is amend-
21 ed by adding at the end the following new item:

“1492. Authority to provide travel and transportation allowances in connection
with transfer ceremonies of department of defense and coast
guard civilian employees who die overseas.”.

22 (b) TECHNICAL AMENDMENTS.—Section 481f(d) of
23 title 37, United States Code, is amended—

1 (1) in the subsection heading, by striking
2 “TRANSPORTATION TO” and inserting “TRAVEL AND
3 TRANSPORTATION ALLOWANCES IN CONNECTION
4 WITH”; and

5 (2) in paragraph (1) in the matter preceding
6 subparagraph (A), by striking “transportation to”
7 and inserting “travel and transportation allowances
8 in connection with”.

9 **SEC. 1104. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
10 **ANNUAL LIMITATION ON PREMIUM PAY AND**
11 **AGGREGATE LIMITATION ON PAY FOR FED-**
12 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
13 **SEAS.**

14 Subsection (a) of section 1101 of the Duncan Hunter
15 National Defense Authorization Act for Fiscal Year 2009
16 (Public Law 110–417; 122 Stat. 4615), as most recently
17 amended by section 1105 of the National Defense Author-
18 ization Act for Fiscal Year 2020 (Public Law 116–92),
19 is further amended by striking “through 2020” and in-
20 serting “through 2021”.

1 **SEC. 1105. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
2 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
3 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
4 **FICIAL DUTY IN A COMBAT ZONE.**

5 Paragraph (2) of section 1603(a) of the Emergency
6 Supplemental Appropriations Act for Defense, the Global
7 War on Terror, and Hurricane Recovery, 2006 (Public
8 Law 109–234; 120 Stat. 443), as added by section 1102
9 of the Duncan Hunter National Defense Authorization
10 Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat.
11 4616) and as most recently amended by section 1104 of
12 the National Defense Authorization Act for Fiscal Year
13 2020 (Public Law 116–92), is further amended by strik-
14 ing “2021” and inserting “2022”.

15 **SEC. 1106. LIMITING THE NUMBER OF LOCAL WAGE AREAS**
16 **DEFINED WITHIN A PAY LOCALITY.**

17 (a) **LOCAL WAGE AREA LIMITATION.**—Section
18 5343(a) of title 5, United States Code, is amended—

19 (1) in paragraph (1)(B)(i), by striking “(but
20 such” and all that follows through “are employed”;

21 (2) in paragraph (4), by striking “and” after
22 the semicolon;

23 (3) in paragraph (5), by striking the period at
24 the end and inserting “; and”; and

25 (4) by adding at the end of the following:

1 “(6) the Office of Personnel Management may
2 define not more than 1 local wage area within a pay
3 locality, except that this paragraph shall not apply
4 to the pay locality designated as ‘Rest of United
5 States’.”.

6 (b) PAY LOCALITY DEFINED.—Section 5342(a) of
7 title 5, United States Code, is amended—

8 (1) in paragraph (2)(C), by striking “and” at
9 the end;

10 (2) in paragraph (3), by striking the period at
11 the end and inserting “; and”; and

12 (3) by adding at the end the following:

13 “(4) ‘pay locality’ has the meaning given that
14 term under section 5302(5).”.

15 (c) REGULATIONS.—The Director of the Office of
16 Personnel Management shall prescribe any regulations
17 necessary to carry out this section and the amendments
18 made by this section, including regulations to ensure that
19 this section and the amendments made by this section
20 shall not have the effect of reducing any rate of basic pay
21 payable to any individual who is serving as a prevailing
22 rate employee (as defined under section 5342(a)(2) of title
23 5, United States Code).

1 (d) EFFECTIVE DATE.—This section and the amend-
2 ments made by this section shall apply with respect to fis-
3 cal year 2022 and each fiscal year thereafter.

4 **SEC. 1107. CIVILIAN FACULTY AT THE DEFENSE SECURITY**
5 **COOPERATION UNIVERSITY AND INSTITUTE**
6 **OF SECURITY GOVERNANCE.**

7 Section 1595(c) of title 10, United States Code, is
8 amended by adding at the end the following:

9 “(6) The Defense Security Cooperation Univer-
10 sity.

11 “(7) The Defense Institute for Security Govern-
12 ance.”.

13 **SEC. 1108. EXPANSION OF AUTHORITY FOR APPOINTMENT**
14 **OF RECENTLY-RETIRED MEMBERS OF THE**
15 **ARMED FORCES TO POSITIONS AT CERTAIN**
16 **INDUSTRIAL BASE FACILITIES.**

17 (a) IN GENERAL.—Subsection (b) of section 3326 of
18 title 5, United States Code, is amended—

19 (1) in paragraph (1), by striking “or” at the
20 end;

21 (2) in paragraph (2), by striking the period at
22 the end and inserting “; or”; and

23 (3) by adding at the end the following:

24 “(3) the proposed appointment is to a position
25 in the competitive service—

1 Work Schedule demonstration project for the Navy Region
2 Mid-Atlantic Fire and Emergency Services. Such dem-
3 onstration project shall provide, with respect to each Serv-
4 ices employee, that—

5 (1) assignments to tours of duty are scheduled
6 in advance over periods of not less than two weeks;

7 (2) tours of duty are scheduled using a regu-
8 larly recurring pattern of 48-hour shifts followed by
9 48 or 72 consecutive non-work hours, as determined
10 by mutual agreement between the Navy Region Mid-
11 Atlantic and the exclusive employee representative at
12 each Navy Region Mid-Atlantic Installation, in such
13 a manner that each employee is regularly scheduled
14 for 144-hours in any two-week period;

15 (3) for any such employee that is a fire fighter
16 working an alternative work schedule, such employee
17 shall earn overtime compensation in a manner con-
18 sistent with other applicable law and regulation;

19 (4) no right shall be established to any form of
20 premium pay, including night, Sunday, holiday, or
21 hazard duty pay; and

22 (5) leave accrual and use shall be consistent
23 with other applicable law and regulation.

24 (b) REPORT.—Not later than 180 days following the
25 end of such demonstration project, the Commander, Navy

1 Region Mid-Atlantic, shall submit a report to the Commit-
2 tees on Armed Services of the House of Representatives
3 and the Senate detailing—

4 (1) any financial savings or expenses directly
5 and inseparably linked to the demonstration project;

6 (2) any intangible quality of life and morale im-
7 provements achieved by the demonstration project;
8 and

9 (3) any adverse impact of the demonstration
10 project occurring solely as the result of the transi-
11 tion to the demonstration project.

12 **SEC. 1110. SPECIAL RULES FOR CERTAIN MONTHLY WORK-**
13 **ERS' COMPENSATION PAYMENTS AND OTHER**
14 **PAYMENTS FOR FEDERAL GOVERNMENT**
15 **PERSONNEL UNDER CHIEF OF MISSION AU-**
16 **THORITY.**

17 Section 901 of title IX of division J of the Further
18 Consolidated Appropriations Act, 2020 (Public Law 116–
19 94; 22 U.S.C. 2680b) is amended—

20 (1) in subsection (a), by inserting “or the head
21 of any other Federal agency” after “The Secretary
22 of State”;

23 (2) in subsection (e)(2)—

24 (A) by striking “the Department of State”
25 and inserting “the Federal Government”; and

1 (B) by inserting after “subsection (f)” the
2 following: “, but does not include an individual
3 receiving compensation under section 19A of
4 the Central Intelligence Agency Act of 1949 (50
5 U.S.C. 3519b)”;

6 (3) in subsection (h)(2), by striking the first
7 sentence and inserting the following: “Nothing in
8 this section shall limit, modify, or otherwise super-
9 sede chapter 81 of title 5, United States Code, the
10 Defense Base Act (42 U.S.C. 1651 et seq.), or sec-
11 tion 19A of the Central Intelligence Agency Act of
12 1949 (50 U.S.C. 3519b).”.

13 **Subtitle B—Elijah E. Cummings**
14 **Federal Employee Antidiscrimi-**
15 **nation Act of 2020**

16 **SEC. 1121. SHORT TITLE.**

17 This subtitle may be cited as the “Elijah E. Cum-
18 mings Federal Employee Antidiscrimination Act of 2020”.

19 **SEC. 1122. SENSE OF CONGRESS.**

20 Section 102 of the Notification and Federal Em-
21 ployee Antidiscrimination and Retaliation Act of 2002 (5
22 U.S.C. 2301 note) is amended—

23 (1) by striking paragraph (4) and inserting the
24 following:

1 “(4) accountability in the enforcement of the
2 rights of Federal employees is furthered when Fed-
3 eral agencies agree to take appropriate disciplinary
4 action against Federal employees who are found to
5 have intentionally committed discriminatory (includ-
6 ing retaliatory) acts;” and

7 (2) in paragraph (5)(A)—

8 (A) by striking “nor is accountability” and
9 inserting “accountability is not”; and

10 (B) by inserting “for what, by law, the
11 agency is responsible” after “under this Act”.

12 **SEC. 1123. NOTIFICATION OF VIOLATION.**

13 Section 202 of the Notification and Federal Em-
14 ployee Antidiscrimination and Retaliation Act of 2002 (5
15 U.S.C. 2301 note) is amended by adding at the end the
16 following:

17 “(d) NOTIFICATION OF FINAL AGENCY ACTION.—

18 “(1) IN GENERAL.—Not later than 90 days
19 after the date on which an event described in para-
20 graph (2) occurs with respect to a finding of dis-
21 crimination (including retaliation), the head of the
22 Federal agency subject to the finding shall provide
23 notice—

1 “(A) on the public internet website of the
2 agency, in a clear and prominent location linked
3 directly from the home page of that website;

4 “(B) stating that a finding of discrimina-
5 tion (including retaliation) has been made; and

6 “(C) which shall remain posted for not less
7 than 1 year.

8 “(2) EVENTS DESCRIBED.—An event described
9 in this paragraph is any of the following:

10 “(A) All appeals of a final action by a Fed-
11 eral agency involving a finding of discrimination
12 (including retaliation) prohibited by a provision
13 of law covered by paragraph (1) or (2) of sec-
14 tion 201(a) have been exhausted.

15 “(B) All appeals of a final decision by the
16 Equal Employment Opportunity Commission
17 involving a finding of discrimination (including
18 if the finding included a finding of retaliation)
19 prohibited by a provision of law covered by
20 paragraph (1) or (2) of section 201(a) have
21 been exhausted.

22 “(C) A court of jurisdiction issues a final
23 judgment involving a finding of discrimination
24 (including retaliation) prohibited by a provision

1 of law covered by paragraph (1) or (2) of sec-
2 tion 201(a).

3 “(3) CONTENTS.—A notification provided under
4 paragraph (1) with respect to a finding of discrimi-
5 nation (including retaliation) shall—

6 “(A) identify the date on which the finding
7 was made, the date on which each discrimina-
8 tory act occurred, and the law violated by each
9 such discriminatory act; and

10 “(B) advise Federal employees of the
11 rights and protections available under the provi-
12 sions of law covered by paragraphs (1) and (2)
13 of section 201(a).”.

14 **SEC. 1124. REPORTING REQUIREMENTS.**

15 (a) ELECTRONIC FORMAT REQUIREMENT.—

16 (1) IN GENERAL.—Section 203(a) of the Notifi-
17 cation and Federal Employee Antidiscrimination and
18 Retaliation Act of 2002 (5 U.S.C. 2301 note) is
19 amended in the matter preceding paragraph (1)—

20 (A) by inserting “Homeland Security and”
21 before “Governmental Affairs”;

22 (B) by striking “on Government Reform”
23 and inserting “on Oversight and Reform”; and

24 (C) by inserting “(in an electronic format
25 prescribed by the Director of the Office of Per-

1 sonnel Management),” after “an annual re-
2 port”.

3 (2) EFFECTIVE DATE.—The amendment made
4 by paragraph (1)(C) shall take effect on the date
5 that is 1 year after the date of enactment of this
6 Act.

7 (3) TRANSITION PERIOD.—Notwithstanding the
8 requirements of section 203(a) of the Notification
9 and Federal Employee Antidiscrimination and Retal-
10 iation Act of 2002 (5 U.S.C. 2301 note), the report
11 required under such section 203(a) may be sub-
12 mitted in an electronic format, as prescribed by the
13 Director of the Office of Personnel Management,
14 during the period beginning on the date of enact-
15 ment of this Act and ending on the effective date in
16 paragraph (2).

17 (b) REPORTING REQUIREMENT FOR DISCIPLINARY
18 ACTION.—Section 203 of the Notification and Federal
19 Employee Antidiscrimination and Retaliation Act of 2002
20 (5 U.S.C. 2301 note) is amended by adding at the end
21 the following:

22 “(c) DISCIPLINARY ACTION REPORT.—Not later
23 than 120 days after the date on which a Federal agency
24 takes final action, or a Federal agency receives a final de-
25 cision issued by the Equal Employment Opportunity Com-

1 mission, involving a finding of discrimination (including
2 retaliation) in violation of a provision of law covered by
3 paragraph (1) or (2) of section 201(a), as applicable, the
4 applicable Federal agency shall submit to the Commission
5 a report stating—

6 “(1) whether disciplinary action has been pro-
7 posed against a Federal employee as a result of the
8 violation; and

9 “(2) the reasons for any disciplinary action pro-
10 posed under paragraph (1).”.

11 **SEC. 1125. DATA TO BE POSTED BY EMPLOYING FEDERAL**
12 **AGENCIES.**

13 Section 301(b) of the Notification and Federal Em-
14 ployee Antidiscrimination and Retaliation Act of 2002 (5
15 U.S.C. 2301 note) is amended—

16 (1) in paragraph (9)—

17 (A) in subparagraph (A), by striking
18 “and” at the end;

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

22 (C) by adding at the end the following:

23 “(C) with respect to each finding described
24 in subparagraph (A)—

25 “(i) the date of the finding,

1 “(ii) the affected Federal agency,
2 “(iii) the law violated, and
3 “(iv) whether a decision has been
4 made regarding disciplinary action as a re-
5 sult of the finding.”; and

6 (2) by adding at the end the following:

7 “(11) Data regarding each class action com-
8 plaint filed against the agency alleging discrimina-
9 tion (including retaliation), including—

10 “(A) information regarding the date on
11 which each complaint was filed,

12 “(B) a general summary of the allegations
13 alleged in the complaint,

14 “(C) an estimate of the total number of
15 plaintiffs joined in the complaint, if known,

16 “(D) the current status of the complaint,
17 including whether the class has been certified,
18 and

19 “(E) the case numbers for the civil actions
20 in which discrimination (including retaliation)
21 has been found.”.

22 **SEC. 1126. DATA TO BE POSTED BY THE EQUAL EMPLOY-**
23 **MENT OPPORTUNITY COMMISSION.**

24 Section 302(b) of the Notification and Federal Em-
25 ployee Antidiscrimination and Retaliation Act of 2002 (5

1 U.S.C. 2301 note) is amended by striking “(10)” and in-
2 serting “(11)”.

3 **SEC. 1127. NOTIFICATION AND FEDERAL EMPLOYEE ANTI-**
4 **DISCRIMINATION AND RETALIATION ACT OF**
5 **2002 AMENDMENTS.**

6 (a) NOTIFICATION REQUIREMENTS.—Title II of the
7 Notification and Federal Employee Antidiscrimination
8 and Retaliation Act of 2002 (5 U.S.C. 2301 note) is
9 amended by adding at the end the following:

10 **“SEC. 207. COMPLAINT TRACKING.**

11 “Not later than 1 year after the date of enactment
12 of the Elijah E. Cummings Federal Employee Anti-
13 discrimination Act of 2020, each Federal agency shall es-
14 tablish a system to track each complaint of discrimination
15 arising under section 2302(b)(1) of title 5, United States
16 Code, and adjudicated through the Equal Employment
17 Opportunity process from the filing of a complaint with
18 the Federal agency to resolution of the complaint, includ-
19 ing whether a decision has been made regarding discipli-
20 nary action as the result of a finding of discrimination.

21 **“SEC. 208. NOTATION IN PERSONNEL RECORD.**

22 “If a Federal agency takes an adverse action covered
23 under section 7512 of title 5, United States Code, against
24 a Federal employee for an act of discrimination (including
25 retaliation) prohibited by a provision of law covered by

1 paragraph (1) or (2) of section 201(a), the agency shall,
2 after all appeals relating to that action have been ex-
3 hausted, include a notation of the adverse action and the
4 reason for the action in the personnel record of the em-
5 ployee.”.

6 (b) PROCESSING AND REFERRAL.—The Notification
7 and Federal Employee Antidiscrimination and Retaliation
8 Act of 2002 (5 U.S.C. 2301 note) is amended by adding
9 at the end the following:

10 **“TITLE IV—PROCESSING AND**
11 **REFERRAL**

12 **“SEC. 401. PROCESSING AND RESOLUTION OF COMPLAINTS.**

13 “Each Federal agency shall—

14 “(1) be responsible for the fair and impartial
15 processing and resolution of complaints of employ-
16 ment discrimination (including retaliation) prohib-
17 ited by a provision of law covered by paragraph (1)
18 or (2) of section 201(a); and

19 “(2) establish a model Equal Employment Op-
20 portunity Program that—

21 “(A) is not under the control, either struc-
22 turally or practically, of the agency’s Office of
23 Human Capital or Office of the General Coun-
24 sel (or the equivalent);

1 “(B) is devoid of internal conflicts of inter-
2 est and ensures fairness and inclusiveness with-
3 in the agency; and

4 “(C) ensures the efficient and fair resolu-
5 tion of complaints alleging discrimination (in-
6 cluding retaliation).

7 **“SEC. 402. NO LIMITATION ON ADVICE OR COUNSEL.**

8 “Nothing in this title shall prevent a Federal agency
9 or a subcomponent of a Federal agency, or the Depart-
10 ment of Justice, from providing advice or counsel to em-
11 ployees of that agency (or subcomponent, as applicable)
12 in the resolution of a complaint.

13 **“SEC. 403. HEAD OF PROGRAM SUPERVISED BY HEAD OF**
14 **AGENCY.**

15 “‘The head of each Federal agency’s Equal Employ-
16 ment Opportunity Program shall report directly to the
17 head of the agency.

18 **“SEC. 404. REFERRALS OF FINDINGS OF DISCRIMINATION.**

19 “(a) EEOC FINDINGS OF DISCRIMINATION.—

20 “(1) IN GENERAL.—Not later than 30 days
21 after the date on which the Equal Employment Op-
22 portunity Commission (referred to in this section as
23 the ‘Commission’) receives, or should have received,
24 a Federal agency report required under section
25 203(c), the Commission may refer the matter to

1 which the report relates to the Office of Special
2 Counsel if the Commission determines that the Fed-
3 eral agency did not take appropriate action with re-
4 spect to the finding that is the subject of the report.

5 “(2) NOTIFICATIONS.—The Commission shall—

6 “(A) notify the applicable Federal agency
7 if the Commission refers a matter to the Office
8 of Special Counsel under paragraph (1); and

9 “(B) with respect to a fiscal year, include
10 in the Annual Report of the Federal Workforce
11 of the Commission covering that fiscal year—

12 “(i) the number of referrals made
13 under paragraph (1) during that fiscal
14 year; and

15 “(ii) a brief summary of each referral
16 described in clause (i).

17 “(b) REFERRALS TO SPECIAL COUNSEL.—The Office
18 of Special Counsel shall accept and review a referral from
19 the Commission under subsection (a)(1) for purposes of
20 pursuing disciplinary action under the authority of the Of-
21 fice against a Federal employee who commits an act of
22 discrimination (including retaliation).

23 “(c) NOTIFICATION.—The Office of Special Counsel
24 shall notify the Commission and the applicable Federal
25 agency in a case in which—

1 “(1) the Office of Special Counsel pursues dis-
2 ciplinary action under subsection (b); and

3 “(2) the Federal agency imposes some form of
4 disciplinary action against a Federal employee who
5 commits an act of discrimination (including retalia-
6 tion).

7 “(d) SPECIAL COUNSEL APPROVAL.—A Federal
8 agency may not take disciplinary action against a Federal
9 employee for an alleged act of discrimination (including
10 retaliation) referred by the Commission under this section,
11 except in accordance with the requirements of section
12 1214(f) of title 5, United States Code.”.

13 (c) CONFORMING AMENDMENTS.—The table of con-
14 tents in section 1(b) of the Notification and Federal Em-
15 ployee Antidiscrimination and Retaliation Act of 2002 (5
16 U.S.C. 2301 note) is amended—

17 (1) by inserting after the item relating to sec-
18 tion 206 the following:

“Sec. 207. Complaint tracking.

“Sec. 208. Notation in personnel record.”; and

19 (2) by adding at the end the following:

“TITLE IV—PROCESSING AND REFERRAL

“Sec. 401. Processing and resolution of complaints.

“Sec. 402. No limitation on advice or counsel.

“Sec. 403. Head of Program supervised by head of agency.

“Sec. 404. Referrals of findings of discrimination.”.

1 **SEC. 1128. NONDISCLOSURE AGREEMENT LIMITATION.**

2 Section 2302(b)(13) of title 5, United States Code,
3 is amended—

4 (1) by striking “agreement does not” and in-
5 serting the following: “agreement—

6 “(A) does not”;

7 (2) in subparagraph (A), as so designated, by
8 inserting “or the Office of Special Counsel” after
9 “Inspector General”; and

10 (3) by adding at the end the following:

11 “(B) prohibits or restricts an employee or
12 applicant for employment from disclosing to
13 Congress, the Special Counsel, the Inspector
14 General of an agency, or any other agency com-
15 ponent responsible for internal investigation or
16 review any information that relates to any viola-
17 tion of any law, rule, or regulation, or mis-
18 management, a gross waste of funds, an abuse
19 of authority, or a substantial and specific dan-
20 ger to public health or safety, or any other
21 whistleblower protection; or”.

1 **TITLE XII—MATTERS RELATING**
2 **TO FOREIGN NATIONS**
3 **Subtitle A—Assistance and**
4 **Training**

5 **SEC. 1201. MODIFICATION AND EXTENSION OF SUPPORT OF**
6 **SPECIAL OPERATIONS FOR IRREGULAR WAR-**
7 **FARE.**

8 (a) **AUTHORITY.**—Subsection (a) of section 1202 of
9 the National Defense Authorization Act for Fiscal Year
10 2018 (Public Law 115–91; 131 Stat. 1639) is amended—

11 (1) by striking “\$10,000,000” and inserting
12 “\$15,000,000”; and

13 (2) by striking “2023” and inserting “2025”.

14 (b) **NOTIFICATION.**—Subsection (d)(2) of such sec-
15 tion is amended—

16 (1) by redesignating subparagraph (E) as sub-
17 paragraph (G);

18 (2) by inserting after subparagraph (D) the fol-
19 lowing:

20 “(E) A description of steps taken to ensure
21 the support is consistent with other United
22 States diplomatic and security interests, includ-
23 ing issues related to local political dynamics,
24 civil-military relations, and human rights.

1 “(F) A description of steps taken to ensure
2 that the recipients of the support have not and
3 will not engage in human rights violations or
4 violations of the Geneva Conventions of 1949,
5 including vetting, training, and support for ade-
6 quately investigating allegations of violations
7 and removing support in case of credible re-
8 ports of violations.”; and

9 (3) in clause (i) of subparagraph (G), as reded-
10 ignated, to read as follows:

11 “(i) An introduction of United States
12 Armed Forces (including as such term is
13 defined in section 8(c) of the War Powers
14 Resolution (50 U.S.C. 1547(c))) into hos-
15 tilities, or into situations where hostilities
16 are clearly indicated by the circumstances,
17 without specific statutory authorization
18 within the meaning of section 5(b) of such
19 Resolution (50 U.S.C. 1544(b)).”.

20 (c) CONSTRUCTION OF AUTHORITY.—Subsection
21 (f)(2) of such section is amended by striking “of section
22 5(b)”.

23 (d) CLARIFICATION.—Such section, as so amended,
24 is further amended—

1 (1) by redesignating subsections (g), (h), and
2 (i) as subsections (h), (i), and (j), respectively; and
3 (2) by inserting after subsection (f) the fol-
4 lowing:

5 “(g) CLARIFICATION.—The provision of support to
6 foreign forces, irregular forces, groups, or individuals pur-
7 suant to subsection (a) constitutes support to a unit of
8 a foreign security force for purposes of section 362 of title
9 10, United States Code.”.

10 **SEC. 1202. DEPARTMENT OF DEFENSE PARTICIPATION IN**
11 **EUROPEAN PROGRAM ON MULTILATERAL EX-**
12 **CHANGE OF SURFACE TRANSPORTATION**
13 **SERVICES.**

14 (a) IN GENERAL.—Subchapter II of chapter 138 of
15 title 10, United States Code, is amended by adding at the
16 end the following:

17 **“§ 2350o. Participation in European Program on Mul-**
18 **tilateral Exchange of Surface Transpor-**
19 **tation Services**

20 “(a) PARTICIPATION AUTHORIZED.—(1) The Sec-
21 retary of Defense may, with the concurrence of the Sec-
22 retary of State, authorize the participation of the United
23 States in the Surface Exchange of Services program (in
24 this section referred to as the ‘SEOS program’) of the
25 Movement Coordination Centre Europe.

1 “(2) Participation in the SEOS program under para-
2 graph (1) may include—

3 “(A) the reciprocal exchange or transfer of sur-
4 face transportation on a reimbursable basis or by re-
5 placement-in-kind; or

6 “(B) the exchange of surface transportation
7 services of equal value.

8 “(b) WRITTEN ARRANGEMENTS OR AGREEMENTS.—

9 (1) The participation of the United States in the SEOS
10 program under subsection (a) shall be in accordance with
11 a written arrangement or agreement entered into by the
12 Secretary of Defense, with the concurrence of the Sec-
13 retary of State, and the Movement Coordination Centre
14 Europe.

15 “(2) If facilities, equipment, or funds of the Depart-
16 ment of Defense are used to support the SEOS program,
17 the written arrangement or agreement entered into under
18 paragraph (1) shall specify the details of any equitable
19 cost sharing or other funding arrangement.

20 “(3) Any written arrangement or agreement entered
21 into under paragraph (1) shall require that any accrued
22 credits and liabilities resulting from an unequal exchange
23 or transfer of surface transportation services shall be liq-
24 uidated, not less than once every five years, through the
25 SEOS program.

1 “(c) IMPLEMENTATION.—In carrying out any ar-
2 rangement or agreement entered into under subsection
3 (b)(1), the Secretary of Defense may—

4 “(1) from funds available to the Department of
5 Defense for operation and maintenance, pay the eq-
6 uitable share of the United States for the operating
7 expenses of the Movement Coordination Centre Eu-
8 rope and the SEOS program; and

9 “(2) assign members of the armed forces or ci-
10 vilian personnel of the Department of Defense, from
11 among members and personnel within billets author-
12 ized for the United States European Command, to
13 duty at the Movement Coordination Centre Europe
14 as necessary to fulfill the obligations of the United
15 States under that arrangement or agreement.

16 “(d) CREDITING OF RECEIPTS.—Any amount re-
17 ceived by the United States as part of the SEOS program
18 shall be credited, at the option of the Secretary of Defense,
19 to—

20 “(1) the appropriation, fund, or account used in
21 incurring the obligation for which such amount is re-
22 ceived; or

23 “(2) an appropriate appropriation, fund, or ac-
24 count currently available for the purposes for which
25 the expenditures were made.

1 “(e) EXPIRATION.—The authority provided by this
2 section to participate in the SEOS program shall expire
3 five years after the date on which the Secretary of Defense
4 first enters into a written arrangement or agreement
5 under subsection (b). The Secretary shall publish notice
6 of such date on a public website of the Department of De-
7 fense.

8 “(f) LIMITATION ON STATUTORY CONSTRUCTION.—
9 Nothing in this section may be construed to authorize the
10 use of foreign sealift in violation of section 2631 of this
11 title.”.

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

“2350o. Participation in European program on multilateral exchange of surface
transportation services.”.

15 **SEC. 1203. EXTENSION OF AUTHORITY TO TRANSFER EX-**
16 **CESS HIGH MOBILITY MULTIPURPOSE**
17 **WHEELED VEHICLES TO FOREIGN COUN-**
18 **TRIES.**

19 Section 1276 of the National Defense Authorization
20 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
21 1699) is amended—

22 (1) in subsection (b)(2)—

23 (A) in subparagraph(A), by adding at the
24 end the following: “Such description may in-

1 clude, if applicable, a description of the priority
2 United States security or defense cooperation
3 interest with the recipient country that is ful-
4 filled by the waiver.”; and

5 (B) by striking subparagraph (B) and in-
6 serting the following:

7 “(B) An explanation of why it is in the na-
8 tional interests of the United States to make
9 the transfer notwithstanding the requirements
10 of subsection (a)(1).”; and

11 (2) in subsection (c)(2), by striking “three” and
12 inserting “five”.

13 **SEC. 1204. MODIFICATION AND EXTENSION OF UPDATE OF**
14 **DEPARTMENT OF DEFENSE FREEDOM OF**
15 **NAVIGATION REPORT.**

16 (a) IN GENERAL.—Subsection (a) of section 1275 of
17 the National Defense Authorization Act for Fiscal Year
18 2017 (Public Law 114–328; 130 Stat. 2540) is amend-
19 ed—

20 (1) by striking “an annual basis” and inserting
21 “a biannual basis”; and

22 (2) by striking “the previous year” and insert-
23 ing “the previous 6 months”.

24 (b) ELEMENTS.—Subsection (b) of such section is
25 amended—

1 (1) in the matter preceding paragraph (1), by
2 striking “the year” and inserting “the period”;

3 (2) in paragraph (1), by inserting “the number
4 of maritime and overflight challenges to each such
5 claim and” before “the country”;

6 (3) in paragraph (5), by inserting “have been
7 protested by the United States but” before “have
8 not been challenged”; and

9 (4) by adding at the end the following:

10 “(6) A summary of each excessive maritime
11 claim challenged jointly with international partners
12 and allies.”.

13 (c) FORM.—Subsection (c) of such section is amend-
14 ed by adding at the end before the period the following:
15 “and made publicly available”.

16 (d) SUNSET.—Subsection (d) of such section is
17 amended by striking “December 31, 2021” and inserting
18 “December 31, 2025”.

19 (e) CONFORMING AMENDMENT.—The heading of
20 such section is amended by striking “**ANNUAL**” and in-
21 serting “**BIANNUAL**”.

22 **SEC. 1205. EXTENSION OF REPORT ON WORKFORCE DEVEL-**
23 **OPMENT.**

24 Section 1250(b)(1) of the National Defense Author-
25 ization Act for Fiscal Year 2017 (Public Law 114–328;

1 130 Stat. 2529) is amended by striking “through 2021”
2 and inserting “through 2026”.

3 **Subtitle B—Matters Relating to**
4 **Afghanistan and Pakistan**

5 **SEC. 1211. EXTENSION AND MODIFICATION OF AUTHORITY**
6 **FOR REIMBURSEMENT OF CERTAIN COALI-**
7 **TION NATIONS FOR SUPPORT PROVIDED TO**
8 **UNITED STATES MILITARY OPERATIONS.**

9 (a) EXTENSION.—Subsection (a) of section 1233 of
10 the National Defense Authorization Act for Fiscal Year
11 2008 (Public Law 110–181; 122 Stat. 393) is amended
12 by striking “October 1, 2019, and ending on December
13 31, 2020” and inserting “October 1, 2020, and ending
14 on December 31, 2021”.

15 (b) MODIFICATION TO LIMITATION.—Subsection
16 (d)(1) of such section is amended—

17 (1) by striking “October 1, 2019, and ending
18 on December 31, 2020” and inserting “October 1,
19 2020, and ending on December 31, 2021”; and

20 (2) by striking “\$450,000,000” and inserting
21 “\$180,000,000”.

1 **SEC. 1212. EXTENSION OF THE AFGHAN SPECIAL IMMI-**
2 **GRANT VISA PROGRAM.**

3 (a) IN GENERAL.—Section 602(b)(3)(F) of the Af-
4 ghan Allies Protection Act of 2009 (8 U.S.C. 1101 note)
5 is amended—

6 (1) in the heading, by striking “2020” and in-
7 serting “2021”;

8 (2) in clause (i), by striking “December 31,
9 2021” and inserting “December 31, 2022”; and

10 (3) in clause (ii), the striking “December 31,
11 2021” inserting “December 31, 2022”.

12 (b) REPORT EXTENSION.—Section 602(b)(13) of
13 such Act (8 U.S.C. 1101 note) is amended by striking
14 “January 31, 2021” and inserting “January 31, 2023”.

15 **SEC. 1213. LIMITATION ON USE OF FUNDS TO REDUCE DE-**
16 **PLOYMENT TO AFGHANISTAN.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) it is in the national security interests of the
20 United States to deny terrorists safe haven in Af-
21 ghanistan, protect the United States homeland, up-
22 hold the United States partnership with the Govern-
23 ment of Afghanistan and cooperation with the Af-
24 ghan National Defense and Security Forces, and
25 protect the hard-fought rights of women, girls, and
26 other vulnerable populations in Afghanistan;

1 (2) a rapid military drawdown and a lack of
2 United States commitment to the security and sta-
3 bility of Afghanistan would undermine diplomatic ef-
4 forts for peace;

5 (3) the current agreement between the United
6 States and the Taliban does not provide for the ap-
7 propriate protections for vulnerable populations,
8 does not create conditions for the rejection of vio-
9 lence and prevention of terrorist safe havens, and
10 does not represent a realistic diplomatic solution,
11 based on verifiable facts and conditions on the
12 ground, that provides for long-term stability; and

13 (4) the Administration has a constitutional obli-
14 gation to provide Congress with timely and com-
15 prehensive information on the status of security op-
16 erations and diplomatic efforts in a form that can be
17 transparently communicated to the American people.

18 (b) LIMITATION.—Until the date on which the Sec-
19 retary of Defense, in concurrence with each covered offi-
20 cial, submits the report described in subsection (c) to the
21 appropriate congressional committees, none of the
22 amounts authorized to be appropriated for fiscal year
23 2020 or 2021 for the Department of Defense may be obli-
24 gated or expended for any activity having either of the
25 following effects:

1 (1) Reducing the total number of Armed Forces
2 deployed to Afghanistan below the lesser of—

3 (A) 8,000, or

4 (B) the total number of the Armed Forces
5 deployed as of the date of the enactment of this
6 Act.

7 (2) Reducing the total number of Armed Forces
8 deployed to Afghanistan below 4,000.

9 (c) REPORT.—The report described in this subsection
10 shall include each of the following:

11 (1) A certification that the intended withdrawal
12 of the United States Armed Forces in Afghani-
13 stan—

14 (A) will not compromise or otherwise nega-
15 tively affect the ongoing United States counter-
16 terrorism mission against the Islamic State, al-
17 Qaeda, and associated forces;

18 (B) will not unduly increase the risk to
19 United States personnel in Afghanistan;

20 (C) will not increase the risk for the ex-
21 pansion of existing or formation of new ter-
22 rorist safe havens inside Afghanistan;

23 (D) will be undertaken with the consulta-
24 tion and coordination of allies supporting the

1 United States- and North Atlantic Treaty Or-
2 ganization-led missions; and

3 (E) is in the best interest of United States
4 national security and in furtherance of United
5 States policy toward Afghanistan for achieving
6 an enduring diplomatic solution.

7 (2) An analysis of the impact that the intended
8 withdrawal of United States Armed Forces from Af-
9 ghanistan would have on each of the following:

10 (A) The threat posed by the Taliban and
11 terrorist organizations, including by each cov-
12 ered terrorist organization, to—

- 13 (i) the United States homeland;
14 (ii) United States interests abroad;
15 (iii) allied countries of the North At-
16 lantic Treaty Organization;
17 (iv) the Government of Afghanistan;
18 and
19 (v) regional peace and security.

20 (B) The status of the human and civil
21 rights (including access to voting, education,
22 justice, and economic opportunities) of women,
23 girls, people with disabilities, religious and eth-
24 nic minorities, and other vulnerable populations
25 in Afghanistan.

1 (C) Transparent, credible, and inclusive
2 political processes in Afghanistan.

3 (D) The capacity of the Afghan National
4 Defense and Security Forces to effectively—

5 (i) prevent or defend against attacks
6 by the Taliban or by terrorist organiza-
7 tions (including by each covered terrorist
8 organization) on civilian populations;

9 (ii) prevent the takeover of one or
10 more provincial capitals by the Taliban or
11 by associated organizations;

12 (iii) conduct counterterrorism oper-
13 ations necessary to deny safe harbor to ter-
14 rorist organizations, including each covered
15 terrorist organization; and

16 (iv) maintain institutional order and
17 discipline.

18 (E) The influence of malign state actors on
19 the sovereignty of Afghanistan and the strategic
20 national security interests of the United States
21 in the region.

22 (F) Any other matter the Secretary of De-
23 fense, in concurrence with each covered official,
24 determines appropriate.

1 (3) An assessment of the manner and extent to
2 which—

3 (A) state actors have provided any incen-
4 tives to the Taliban, their affiliates, or other
5 foreign terrorist organizations for attacks
6 against United States, coalition, or Afghan se-
7 curity forces or civilians in Afghanistan in the
8 last 2 years, including the details of any attacks
9 believed to have been connected with such in-
10 centives;

11 (B) the Taliban has publicly renounced al-
12 Qaeda;

13 (C) the Taliban has made any efforts to
14 break with al-Qaeda since February 29, 2020,
15 and a description of these efforts;

16 (D) any senior al-Qaeda leaders, including
17 Ayman al-Zawahiri, or any leaders of al-Qaeda
18 in the Indian Subcontinent, have been present
19 in Afghanistan since February 29, 2020, and if
20 so, the names of the leaders, the dates they
21 were present in Afghanistan, and their other lo-
22 cations since February 29, 2020;

23 (E) any members of al-Qaeda, al-Qaeda in
24 the Indian Subcontinent, al-Qaeda-affiliated

1 groups, or any covered terrorist organization
2 have, since February 29, 2020—

3 (i) fought alongside, trained alongside,
4 otherwise operated alongside, or sheltered
5 with the Taliban in Afghanistan;

6 (ii) conducted attacks inside Afghani-
7 stan, and, if so, the dates and locations of
8 such attacks;

9 (iii) operated training camps or re-
10 lated facilities inside Afghanistan, and, if
11 so, the locations of those camps or facili-
12 ties;

13 (iv) traveled from Afghanistan to
14 Pakistan or Iran, or from Pakistan or Iran
15 to Afghanistan;

16 (v) continued to have ties to any
17 Taliban leaders or members located in
18 Pakistan; or

19 (vi) continued to work with the
20 Haqqani Network;

21 (F) any of the prisoners released by the
22 Government of Afghanistan as a result of the
23 February 29, 2020, agreement between the
24 United States and Taliban—

1 (i) are members of, or have ties to,
2 any covered terrorist organizations or any
3 other organization designated by the
4 United States as a foreign terrorist organi-
5 zation pursuant to section 219 of the Im-
6 migration and Nationality Act (8 U.S.C.
7 1189) and, if so, the names of such former
8 prisoners and the reasons for their deten-
9 tion inside Afghanistan; or

10 (ii) are suspected of taking part in at-
11 tacks against American service members or
12 civilians or attacks that caused American
13 casualties and, if so, the names of the pris-
14 oners, the date and location of such at-
15 tacks, and the number of American casual-
16 ties attributed to such attacks;

17 (G) any of the prisoners the Taliban has
18 requested for release, but who have not yet been
19 released as of the date of the enactment of this
20 Act, are members of, or have ties to, any cov-
21 ered terrorist organizations or any other organi-
22 zation designated by the United States as a for-
23 eign terrorist organization pursuant to section
24 219 of the Immigration and Nationality Act (8
25 U.S.C. 1189) and, if so, the names of the pris-

1 oners and the organizations to which they are
2 affiliated; and

3 (H) senior Taliban leaders, including mem-
4 bers of the Haqqani Network, who are located
5 in Pakistan continue to exercise control over the
6 insurgency in Afghanistan.

7 (4) The number of attacks that the Taliban has
8 carried out in Afghanistan since February 29, 2020,
9 including the location and date of each attack as
10 well as casualties related to each attack.

11 (d) FORM.—The report described in subsection (c)
12 shall be submitted in unclassified form without any des-
13 ignation relating to dissemination control, but may contain
14 a classified annex that is accompanied by an unclassified
15 summary of the annex.

16 (e) WAIVER.—The Secretary of Defense may waive
17 the limitation under subsection (b) if, in consultation with
18 the Chairman of the Joint Chiefs of Staff and the Com-
19 mander of United States Forces, Afghanistan, the Sec-
20 retary—

21 (1) determines that the waiver is—

22 (A) necessary due to an imminent and ex-
23 traordinary threat to members of the United
24 States Armed Forces in the Afghanistan; or

1 (B) vital to the national security interests
2 of the United States; and

3 (2) submits to the appropriate congressional
4 committees a detailed, written justification for such
5 waiver, not later than 10 days after the effective
6 date of the waiver; and

7 (3) in the case of a determination described in
8 paragraph (1)(A), includes in such justification each
9 of the following:

10 (A) A detailed description of the change in
11 threat assessment leading to the determination.

12 (B) An explanation for the reasons for
13 which existing force protection mechanisms
14 were not sufficient to reasonably ensure the
15 safety of members of the Armed Forces.

16 (C) The steps that have been taken to en-
17 sure that United States equipment does not fall
18 into enemy hands.

19 (D) A description of the coordination with
20 allied countries of the North Atlantic Treaty
21 Organization and with other allies and partners
22 with respect to the withdrawal.

23 (E) A description of the coordination with
24 the Department of State to ensure the safety of

1 American citizens in Afghanistan in light of and
2 subsequent to the withdrawal.

3 (f) DEFINITIONS.—In this section:

4 (1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—The term “appropriate congressional com-
6 mittees” means—

7 (A) the Committee on Armed Services of
8 the House of Representatives and the Com-
9 mittee on Armed Services of the Senate;

10 (B) the Committee on Foreign Affairs of
11 the House of Representatives and the Com-
12 mittee on Foreign Relations of the Senate; and

13 (C) the Permanent Select Committee on
14 Intelligence of the House of Representatives
15 and the Select Committee on Intelligence of the
16 Senate.

17 (2) COVERED OFFICIAL.—The term “covered
18 official” means—

19 (A) the Secretary of State;

20 (B) the Director of National Intelligence;

21 (C) the Chairman of the Joint Chiefs of
22 Staff;

23 (D) the Commander of United States Cen-
24 tral Command;

1 (E) the Commander of United States
2 Forces, Afghanistan; and

3 (F) the United States Permanent Rep-
4 resentative to the North Atlantic Treaty Orga-
5 nization.

6 (3) COVERED TERRORIST ORGANIZATION.—The
7 term “covered terrorist organization” means any of
8 the following:

9 (A) al-Qaeda and affiliates, including al-
10 Qaeda in the Indian Subcontinent.

11 (B) The Islamic State and affiliates.

12 (C) Tehrik-e Taliban Pakistan.

13 (D) The Haqqani Network.

14 (E) Islamic Movement of Uzbekistan.

15 (F) Eastern Turkistan Islamic Movement.

16 (G) Ansralluh.

17 (H) Lashkar-e-Tayyiba (including under
18 the alias Jamaat-ud-Dawa).

19 (I) Jaish-e-Mohammed.

20 (J) Harakat ul-Jihad-Islami.

21 (K) Harakat ul-Mujahidin.

22 (L) Jaysh al-Adl.

23 (M) Lashkar-i-Jhangvi.

24 (N) Mullah Nasir Group.

25 (O) Hafiz Gul Bahadar Group.

1 (P) Lashkar-i-Islam.

2 (Q) Islamic Jihad Union Group.

3 (R) Jamaat-ud-Dawa al Quran.

4 (S) Ansarul Islam.

5 **SEC. 1214. REPORT ON OPERATION FREEDOM SENTINEL.**

6 (a) IN GENERAL.—Not later than 90 days after the
7 date of the enactment of this Act, and as part of the mate-
8 rials relating to Operation Freedom Sentinel submitted to
9 Congress by the Secretary of Defense in support of the
10 budget of the President for the following two fiscal years,
11 the Secretary shall submit to the Committee on Armed
12 Services of the House of Representatives and the Com-
13 mittee on Armed Services of the Senate a report on Oper-
14 ation Freedom Sentinel.

15 (b) MATTERS TO BE INCLUDED.—The report re-
16 quired by subsection (a) shall include a list and description
17 of activities, exercises, and funding amounts carried out
18 under the operation, including—

19 (1) specific direct war costs;

20 (2) activities that occur in Afghanistan;

21 (3) activities that occur outside of Afghanistan,
22 including training and costs relating to personnel;

23 (4) activities that provide funding to any of the
24 services that is part of the operation's budget re-
25 quest; and

1 (5) activities related to transportation, logistics,
2 and other support.

3 **Subtitle C—Matters Relating to**
4 **Syria, Iraq, and Iran**

5 **SEC. 1221. EXTENSION AND MODIFICATION OF AUTHORITY**
6 **TO PROVIDE ASSISTANCE TO COUNTER THE**
7 **ISLAMIC STATE OF IRAQ AND SYRIA.**

8 (a) **IN GENERAL.**—Subsection (a) of section 1236 of
9 the Carl Levin and Howard P. “Buck” McKeon National
10 Defense Authorization Act for Fiscal Year 2015 (Public
11 Law 113–291; 128 Stat. 3558) is amended by striking
12 “December 31, 2020” and inserting “December 31,
13 2021”.

14 (b) **FUNDING.**—Subsection (g) of such section is
15 amended—

16 (1) by striking “fiscal year 2020” and inserting
17 “fiscal year 2021”; and

18 (2) by striking “\$645,000,000” and inserting
19 “\$500,000,000”.

20 (c) **WAIVER AUTHORITY; SCOPE.**—Subsection (j)(3)
21 of such section is amended—

22 (1) by striking “congressional defense commit-
23 tees” each place it appears and inserting “appro-
24 priate congressional committees”; and

25 (2) by adding at the end the following:

1 “(C) APPROPRIATE CONGRESSIONAL COM-
2 MITTEES DEFINED.—In this paragraph, the
3 term ‘appropriate congressional committees’
4 means—

5 “(i) the Committee on Armed Services
6 and the Committee on Foreign Affairs of
7 the House of Representatives; and

8 “(ii) the Committee on Armed Serv-
9 ices and the Committee on Foreign Rela-
10 tions of the Senate.”.

11 (d) ANNUAL REPORT.—Such section is amended by
12 adding at the end the following:

13 “(o) ANNUAL REPORT.—Not later than 90 days after
14 the date of the enactment of this subsection, and annually
15 thereafter for two years, the Secretary of Defense shall
16 submit to the Committee on Armed Services of the House
17 of Representatives and the Committee on Armed Services
18 of the Senate a report that includes—

19 “(1) a detailed description of the weapons and
20 equipment purchased using the Counter-ISIS Train
21 and Equip Fund in the previous fiscal year; and

22 “(2) a detailed description of the incremental
23 costs for operations and maintenance for Operation
24 Inherent Resolve in the previous fiscal year.”.

25 (e) BUDGET DISPLAY SUBMISSION.—

1 (1) IN GENERAL.—The Secretary of Defense
2 shall include in the budget materials submitted by
3 the Secretary in support of the budget of the Presi-
4 dent (as submitted to Congress pursuant to section
5 1105 of title 31, United States Code) for each of fis-
6 cal years 2022 and 2023 a detailed budget display
7 for funds requested for the Department of Defense
8 for such fiscal year for Operation Inherent Resolve.

9 (2) MATTERS TO BE INCLUDED.—The detailed
10 budget display required under paragraph (1) shall
11 include the following:

12 (A) With respect to procurement ac-
13 counts—

14 (i) amounts displayed by account,
15 budget activity, line number, line item, and
16 line item title; and

17 (ii) a description of the requirements
18 for each such amount.

19 (B) With respect to research, development,
20 test, and evaluation accounts—

21 (i) amounts displayed by account,
22 budget activity, line number, program ele-
23 ment, and program element title; and

24 (ii) a description of the requirements
25 for each such amount.

1 (C) With respect to operation and mainte-
2 nance accounts—

3 (i) amounts displayed by account title,
4 budget activity title, line number, and sub-
5 activity group title; and

6 (ii) a description of the specific man-
7 ner in which each such amount would be
8 used.

9 (D) With respect to military personnel ac-
10 counts—

11 (i) amounts displayed by account,
12 budget activity, budget subactivity, and
13 budget subactivity title; and

14 (ii) a description of the requirements
15 for each such amount.

16 (E) With respect to each project under
17 military construction accounts (including with
18 respect to unspecified minor military construc-
19 tion and amounts for planning and design), the
20 country, location, project title, and project
21 amount for each fiscal year.

22 **SEC. 1222. EXTENSION OF AUTHORITY TO PROVIDE ASSIST-**
23 **ANCE TO THE VETTED SYRIAN OPPOSITION.**

24 (a) IN GENERAL.—Subsection (a) of section 1209 of
25 the Carl Levin and Howard P. “Buck” McKeon National

1 Defense Authorization Act for Fiscal Year 2015 (Public
2 Law 113–291; 128 Stat. 3451) is amended by striking
3 “December 31, 2020” and inserting “December 31,
4 2021”.

5 (b) NOTICE BEFORE PROVISION OF ASSISTANCE.—
6 Subsection (b)(2)(A) of such section is amended by strik-
7 ing “fiscal year 2019 or fiscal year 2020” and inserting
8 “fiscal year 2019, fiscal year 2020, or fiscal year 2021”.

9 (c) CERTIFICATION.—Not later than 30 days after
10 the date of the enactment of this Act, the Secretary of
11 Defense shall certify to the Committee on Armed Services
12 and the Committee on Foreign Affairs of the House of
13 Representatives and the Committee on Armed Services
14 and the Committee on Foreign Relations of the Senate
15 that no United States military forces are being used or
16 have been used for the extraction, transport, transfer, or
17 sale of oil from Syria.

18 **SEC. 1223. EXTENSION OF AUTHORITY TO SUPPORT OPER-**
19 **ATIONS AND ACTIVITIES OF THE OFFICE OF**
20 **SECURITY COOPERATION IN IRAQ.**

21 Section 1215 of the National Defense Authorization
22 Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amend-
23 ed—

1 (1) in subsections (c) and (d), by striking “fis-
2 cal year 2020” each place it appears and inserting
3 “each of fiscal years 2020 and 2021”; and

4 (2) in subsection (h), by striking “Of the
5 amount made available for fiscal year 2020 to carry
6 out section 1215 of the National Defense Authoriza-
7 tion Act for Fiscal Year 2012, not more than
8 \$20,000,000” and inserting “Of the amounts made
9 available for fiscal years 2020 and 2021 to carry out
10 this section, not more than \$20,000,000 for each
11 such fiscal year”.

12 **SEC. 1224. PROHIBITION ON PROVISION OF WEAPONS AND**
13 **OTHER FORMS OF SUPPORT TO CERTAIN OR-**
14 **GANIZATIONS.**

15 None of the funds authorized to be appropriated by
16 this Act or otherwise made available for the Department
17 of Defense for fiscal year 2021 may be used to knowingly
18 provide weapons or any other form of support to Al Qaeda,
19 the Islamic State of Iraq and Syria (ISIS), Jabhat Fateh
20 al Sham, Hamas, Hizballah, Palestine Islamic Jihad, al-
21 Shabaab, Islamic Revolutionary Guard Corps, or any indi-
22 vidual or group affiliated with any such organization.

23 **SEC. 1225. CONSOLIDATED BUDGET DISPLAY AND REPORT**
24 **ON OPERATION SPARTAN SHIELD.**

25 (a) BUDGET DISPLAY SUBMISSION.—

1 (1) IN GENERAL.—The Secretary of Defense
2 shall include in the budget materials submitted by
3 the Secretary in support of the budget of the Presi-
4 dent (as submitted to Congress pursuant to section
5 1105 of title 31, United States Code) for each of fis-
6 cal years 2022 and 2023 a detailed budget display
7 for funds requested for the Department of Defense
8 for such fiscal year for Operation Spartan Shield
9 and Iran deterrence-related programs and activities
10 of the Department of Defense in the United States
11 Central Command area of operation.

12 (2) MATTERS TO BE INCLUDED.—The detailed
13 budget display required under paragraph (1) shall
14 include the following:

15 (A) With respect to procurement ac-
16 counts—

17 (i) amounts displayed by account,
18 budget activity, line number, line item, and
19 line item title; and

20 (ii) a description of the requirements
21 for each such amount.

22 (B) With respect to research, development,
23 test, and evaluation accounts—

1 (i) amounts displayed by account,
2 budget activity, line number, program ele-
3 ment, and program element title; and

4 (ii) a description of the requirements
5 for each such amount.

6 (C) With respect to operation and mainte-
7 nance accounts—

8 (i) amounts displayed by account title,
9 budget activity title, line number, and sub-
10 activity group title; and

11 (ii) a description of the specific man-
12 ner in which each such amount would be
13 used.

14 (D) With respect to military personnel ac-
15 counts—

16 (i) amounts displayed by account,
17 budget activity, budget subactivity, and
18 budget subactivity title; and

19 (ii) a description of the requirements
20 for each such amount.

21 (E) With respect to each project under
22 military construction accounts (including with
23 respect to unspecified minor military construc-
24 tion and amounts for planning and design), the

1 country, location, project title, and project
2 amount for each fiscal year.

3 (b) REPORT.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, and an-
6 nually thereafter in conjunction with the submission
7 of the budget of President (as submitted to Congress
8 pursuant to section 1105 of title 31, United States
9 Code) for each of fiscal years 2022 and 2023, the
10 Secretary of Defense shall submit to the Committee
11 on Armed Services of the House of Representatives
12 and the Committee on Armed Services of the Senate
13 a report on Operation Spartan Shield.

14 (2) MATTERS TO BE INCLUDED.—The report
15 required by paragraph (1) should include—

16 (A)(i) for the first report, a history of the
17 operation and its objectives; and

18 (ii) for each subsequent report, a descrip-
19 tion of the operation and its objectives during
20 the prior year;

21 (B) a list and description of significant ac-
22 tivities and exercises carried out under the op-
23 eration during the prior year;

24 (C) a description of the purpose and goals
25 of such activities and exercises and an assess-

1 ment of the degree to which stated goals were
2 achieved during the prior year;

3 (D) a description of criteria used to judge
4 the effectiveness of joint exercises to build part-
5 ner capacity under the operation during the
6 prior year;

7 (E) an identification of incremental and
8 estimated total costs of the operation during
9 the prior year, including a separate identifica-
10 tion of incremental costs of increased force
11 presence in the United States Central Com-
12 mand area of responsibility to counter Iran
13 since May 2019; and

14 (F) any other matters the Secretary deter-
15 mines appropriate.

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

19 **SEC. 1226. SENSE OF CONGRESS ON PESHMERGA FORCES**
20 **AS A PARTNER IN OPERATION INHERENT RE-**
21 **SOLVE.**

22 It is the sense of Congress that—

23 (1) the Peshmerga of the Kurdistan Region of
24 Iraq have made, and continue to make, significant
25 contributions to the security of Northern Iraq, by

1 defending nearly 650 miles of critical terrain, to de-
2 grade, dismantle, and ultimately defeat the Islamic
3 State of Iraq and Syria (ISIS) in Iraq as a partner
4 in Operation Inherent Resolve;

5 (2) although ISIS has been severely degraded,
6 their ideology and combatants still linger and pose
7 a threat of resurgence if regional security is not sus-
8 tained;

9 (3) a strong Peshmerga and Kurdistan Re-
10 gional Government is critical to maintaining a stable
11 and tolerant Iraq in which all faiths, sects, and
12 ethnicities are afforded equal protection under the
13 law and full integration into the Government and so-
14 ciety of Iraq;

15 (4) continued security assistance, as appro-
16 priate, to the Ministry of Peshmerga Affairs of the
17 Kurdistan Region of Iraq in support of counter-ISIS
18 operations, in coordination with the Government of
19 Iraq, is critical to United States national security in-
20 terests; and

21 (5) continued United States support to the
22 Peshmerga, coupled with security sector reform in
23 the region, will enable them to more effectively part-
24 ner with other elements of the Iraqi Security Forces,
25 the United States, and other coalition members to

1 consolidate gains, hold territory, and protect infra-
2 structure from ISIS and its affiliates in an effort to
3 deal a lasting defeat to ISIS and prevent its reemer-
4 gence in Iraq.

5 **Subtitle D—Matters Relating to**
6 **Russia**

7 **SEC. 1231. PROHIBITION ON AVAILABILITY OF FUNDS RE-**
8 **LATING TO SOVEREIGNTY OF THE RUSSIAN**
9 **FEDERATION OVER CRIMEA.**

10 (a) PROHIBITION.—None of the funds authorized to
11 be appropriated by this Act or otherwise made available
12 for fiscal year 2021 for the Department of Defense may
13 be obligated or expended to implement any activity that
14 recognizes the sovereignty of the Russian Federation over
15 Crimea.

16 (b) WAIVER.—The Secretary of Defense, with the
17 concurrence of the Secretary of State, may waive the re-
18 striction on the obligation or expenditure of funds required
19 by subsection (a) if the Secretary of Defense—

20 (1) determines that to do so is in the national
21 security interest of the United States; and

22 (2) submits a notification of the waiver, at the
23 time the waiver is invoked, to the Committee on
24 Armed Services and the Committee on Foreign Af-
25 fairs of the House of Representatives and the Com-

1 subsection (f)(5)” and inserting “Of the funds
2 available for fiscal year 2021 pursuant to sub-
3 section (f)(6)”;

4 (2) in subsection (f), by adding at the end the
5 following:

6 “(6) For fiscal year 2021, \$250,000,000.”; and

7 (3) in subsection (h), by striking “December
8 31, 2022” and inserting “December 31, 2023”.

9 (b) EXTENSION OF REPORTS ON MILITARY ASSIST-
10 ANCE TO UKRAINE.—Section 1275(e) of the Carl Levin
11 and Howard P. “Buck” McKeon National Defense Au-
12 thorization Act for Fiscal Year 2015 (Public Law 113–
13 291; 128 Stat. 3592) is amended by striking “January
14 31, 2021” and inserting “December 31, 2023”.

15 **SEC. 1234. UNITED STATES PARTICIPATION IN THE OPEN**
16 **SKIES TREATY.**

17 (a) NOTIFICATION REQUIRED.—

18 (1) IN GENERAL.—Upon withdrawal of the
19 United States from the Open Skies Treaty pursuant
20 to Article XV of the Treaty, the Secretary of De-
21 fense and the Secretary of State shall jointly submit
22 to the appropriate congressional committees—

23 (A) a notification that the United States
24 has concluded agreements with other state par-
25 ties to the Treaty that host United States mili-

1 tary forces and assets to ensure that after such
2 withdrawal the United States will be provided
3 sufficient notice by such state parties of re-
4 quests for observation flights over the terri-
5 tories of such state parties under the Treaty; or

6 (B) if the United States has not concluded
7 the agreements described in subparagraph (A),
8 a description of how the United States will con-
9 sistently and reliably be provided with sufficient
10 warning of observation flights described in sub-
11 paragraph (A) by other means, including a de-
12 scription of assets and personnel and policy im-
13 plications of using such other means.

14 (2) SUBMISSION OF AGREEMENTS.—Upon with-
15 drawal of the United States from the Open Skies
16 Treaty pursuant to Article XV of the Treaty, the
17 Secretary of Defense and the Secretary of State
18 shall jointly submit to the appropriate congressional
19 committees copies of the agreements described in
20 paragraph (1)(A).

21 (b) REPORT.—

22 (1) IN GENERAL.—Not later than 90 days after
23 the date of the enactment of this Act, the Secretary
24 of Defense and the Secretary of State, in coordina-
25 tion with the Director of National Intelligence and

1 the Under Secretary of Defense for Intelligence and
2 Security, shall jointly submit to the appropriate con-
3 gressional committees a report on the effects of a
4 potential withdrawal of the United States from the
5 Open Skies Treaty.

6 (2) MATTERS TO BE INCLUDED.—The report
7 required by paragraph (1) shall include the fol-
8 lowing:

9 (A) A description of how the United States
10 will replace benefits of cooperation with United
11 States allies under the Treaty.

12 (B) A description of—

13 (i) how the United States will obtain
14 unclassified, publicly-releasable imagery it
15 currently receives under the Treaty;

16 (ii) if national technical means are
17 used as a replacement to obtain such im-
18 agery—

19 (I) how the requirements satis-
20 fied by collection under the Treaty
21 will be prioritized within the National
22 Intelligence Priorities Framework;

23 (II) a plan to mitigate any gaps
24 in collection; and

1 (III) requirements and timelines
2 for declassification of data for public
3 release; and

4 (iii) if commercial imagery is used as
5 a replacement to obtain such imagery—

6 (I) contractual actions and asso-
7 ciated timelines needed to purchase
8 such imagery;

9 (II) costs to purchase commercial
10 imagery equivalent to that which is
11 obtained under the Treaty; and

12 (III) estimates of costs to share
13 that data with other state parties to
14 the Treaty that are United States
15 partners.

16 (C) A description of how the United States
17 will replace intelligence information, other than
18 imagery, obtained under the Treaty.

19 (D) A description of how the United States
20 will ensure continued dialogue with Russia in a
21 manner similar to formal communications as
22 confidence-building measures to reinforce stra-
23 tegic stability required under the Treaty.

24 (E) All unedited responses to the question-
25 naire provided to United States allies by the

1 United States in 2019 and all official state-
2 ments provided to the United States by United
3 States allies in 2019 or 2020 relating to United
4 States withdrawal from the Treaty.

5 (F) An assessment of the impact of such
6 withdrawal on—

7 (i) United States leadership in the
8 North Atlantic Treaty Organization
9 (NATO); and

10 (ii) cohesion and cooperation among
11 NATO member states.

12 (G) A description of options to continue
13 confidence-building measures under the Treaty
14 with other state parties to the Treaty that are
15 United States allies.

16 (H) An assessment of the Defense Intel-
17 ligence Agency of the impact on national secu-
18 rity of such withdrawal.

19 (I) An assessment of how the United
20 States will influence decisions regarding certifi-
21 cations of new sensors, primarily synthetic ap-
22 erture radar sensors, under the Treaty that
23 could pose additional risk to deployed United
24 States military forces and assets.

1 (3) FORM.—The report required by paragraph
2 (1) shall be submitted in unclassified form but may
3 contain a classified annex.

4 (c) DEFINITIONS.—In this section:

5 (1) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means—

8 (A) the congressional defense committees;

9 (B) the Committee on Foreign Affairs and
10 the Permanent Select Committee on Intelligence
11 of the House of Representatives; and

12 (C) the Committee on Foreign Relations
13 and the Select Committee on Intelligence of the
14 Senate.

15 (2) OBSERVATION FLIGHT.—The term “obser-
16 vation flight” has the meaning given such term in
17 Article II of the Open Skies Treaty.

18 (3) OPEN SKIES TREATY; TREATY.—The term
19 “Open Skies Treaty” or “Treaty” means the Treaty
20 on Open Skies, done at Helsinki March 24, 1992,
21 and entered into force January 1, 2002.

1 **Subtitle E—Matters Relating to**
2 **Europe and NATO**

3 **SEC. 1241. LIMITATIONS ON USE OF FUNDS TO REDUCE**
4 **THE TOTAL NUMBER OF MEMBERS OF THE**
5 **ARMED FORCES SERVING ON ACTIVE DUTY**
6 **WHO ARE STATIONED IN GERMANY, TO RE-**
7 **DUCE THE TOTAL NUMBER OF MEMBERS OF**
8 **THE ARMED FORCES STATIONED IN EUROPE,**
9 **AND TO DIVEST MILITARY INFRASTRUCTURE**
10 **IN EUROPE.**

11 (a) LIMITATION ON USE OF FUNDS TO REDUCE THE
12 TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES
13 SERVING ON ACTIVE DUTY WHO ARE STATIONED IN
14 GERMANY.—None of the funds authorized to be appro-
15 priated or otherwise made available to the Department of
16 Defense may be used during the period beginning on the
17 date of the enactment of this Act and ending on December
18 31, 2021, to take any action to reduce the total number
19 of members of the Armed Forces serving on active duty
20 who are stationed in Germany below the levels present on
21 June 10, 2020, until 180 days after the date on which
22 the Secretary of Defense and the Chairman of the Joint
23 Chiefs of Staff have separately submitted to the congress-
24 sional defense committees the following:

25 (1) A certification that—

1 (A) such a reduction is in the national se-
2 curity interest of the United States and will not
3 significantly undermine the security of the
4 United States or its allies in the region, includ-
5 ing a justification explaining the analysis be-
6 hind the certification; and

7 (B) the Secretary has appropriately con-
8 sulted with United States allies and partners in
9 Europe, including all members of the North At-
10 lantic Treaty Organization (NATO), regarding
11 such a reduction.

12 (2) A detailed analysis of the impact such a re-
13 duction would have on the security of United States
14 allies and partners in Europe and on interoperability
15 and joint activities with such allies and partners, in-
16 cluding major military exercises.

17 (3) A detailed analysis of the impact such a re-
18 duction would have on the ability to deter Russian
19 aggression and ensure the territorial integrity of
20 United States allies and partners in Europe.

21 (4) A detailed analysis of the impact such a re-
22 duction would have on the ability to counter Russian
23 malign activity.

1 (5) A detailed analysis of where the members of
2 the Armed Forces will be moved and stationed as a
3 consequence of such a reduction.

4 (6) A detailed plan for how such a reduction
5 would be implemented.

6 (7) A detailed analysis of the cost implications
7 of such a reduction, to include the cost associated
8 with new facilities to be constructed at the location
9 to which the members of the Armed Forces are to
10 be moved and stationed.

11 (8) A detailed analysis of the impact such a re-
12 duction would have on United States service mem-
13 bers and their families stationed in Europe.

14 (9) A detailed analysis of the impact such a re-
15 duction would have on Joint Force Planning.

16 (10) A detailed explanation of the impact such
17 a reduction would have on implementation of the
18 National Defense Strategy and a certification that
19 the reduction would not negatively affect implemen-
20 tation of the National Defense Strategy.

21 (b) LIMITATION ON USE OF FUNDS TO REDUCE THE
22 TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES
23 STATIONED IN EUROPE.—None of the funds authorized
24 to be appropriated or otherwise made available for the De-
25 partment of Defense may be used during the period begin-

1 ning on the date of the enactment of this Act and ending
2 on December 31, 2021, to reduce the total number of
3 members of the Armed Forces serving on active duty who
4 are stationed in Europe below the levels present on June
5 10, 2020, until 180 days after the date on which the Sec-
6 retary of Defense and the Chairman of the Joint Chiefs
7 of Staff have separately submitted to the congressional de-
8 fense committees the following:

9 (1) A certification that—

10 (A) such a reduction is in the national se-
11 curity interest of the United States and will not
12 significantly undermine the security of the
13 United States or its allies in the region, includ-
14 ing a justification explaining the analysis be-
15 hind the certification.

16 (B) the Secretary has appropriately con-
17 sulted with United States allies and partners in
18 Europe, including all members of NATO, re-
19 garding such a reduction.

20 (2) A detailed analysis of the impact such a re-
21 duction would have on the security of United States
22 allies and partners in Europe and on interoperability
23 and joint activities with such allies and partners, in-
24 cluding major military exercises.

1 (3) A detailed analysis of the impact such a re-
2 duction would have on the ability to deter Russian
3 aggression and ensure the territorial integrity of
4 United States allies and partners in Europe.

5 (4) A detailed analysis of the impact such a re-
6 duction would have on the ability to counter Russian
7 malign activity.

8 (5) A detailed analysis of where the forces will
9 be moved and stationed as a consequence of such a
10 reduction.

11 (6) A detailed plan for how such a reduction
12 would be implemented.

13 (7) A detailed analysis of the cost implications
14 of such a reduction, to include the cost associated
15 with new facilities to be constructed at the location
16 to which the members of the Armed Forces are to
17 be moved and stationed.

18 (8) A detailed analysis of the impact such a re-
19 duction would have on service members and their
20 families stationed in Europe.

21 (9) A detailed analysis of the impact such a re-
22 duction would have on Joint Force Planning.

23 (10) A detailed explanation of the impact such
24 a reduction would have on implementation of the
25 National Defense Strategy and a certification that

1 the reduction would not negatively affect implemen-
2 tation of the National Defense Strategy.

3 (c) LIMITATION TO DIVEST MILITARY INFRASTRUC-
4 TURE IN EUROPE.—

5 (1) IN GENERAL.—The Secretary of Defense
6 may not take any action to divest any infrastructure
7 or real property in Europe under the operational
8 control of the Department of Defense unless, prior
9 to taking such action, the Secretary certifies to the
10 congressional defense committees that no military
11 requirement for future use of the infrastructure or
12 real property is foreseeable.

13 (2) SUNSET.—This subsection shall terminate
14 on the date that is 5 years after the date of the en-
15 actment of this Act.

16 **SEC. 1242. SENSE OF CONGRESS ON SUPPORT FOR COORDI-**
17 **NATED ACTION TO ENSURE THE SECURITY**
18 **OF BALTIC ALLIES.**

19 It is the sense of Congress that—

20 (1) the continued security of the Baltic states
21 of Estonia, Latvia, and Lithuania is critical to
22 achieving United States national security interests
23 and defense objectives against the acute and formi-
24 dable threat posed by Russia;

1 (2) the United States and the Baltic states are
2 leaders in the mission of defending independence
3 and democracy from aggression and in promoting
4 stability and security within the North Atlantic
5 Treaty Organization (NATO), with non-NATO part-
6 ners, and with other international organizations such
7 as the European Union;

8 (3) the Baltic states are model NATO allies in
9 terms of burden sharing and capital investment in
10 materiel critical to United States and allied security,
11 investment of over 2 percent of their gross domestic
12 product on defense expenditure, allocating over 20
13 percent of their defense budgets on capital mod-
14 ernization, matching security assistance from the
15 United States, frequently deploying their forces
16 around the world in support of allied and United
17 States objectives, and sharing diplomatic, technical,
18 military, and analytical expertise on defense and se-
19 curity matters;

20 (4) the United States should continue to
21 strengthen bilateral and multilateral defense by,
22 with, and through allied nations, particularly those
23 which possess expertise and dexterity but do not
24 enjoy the benefits of national economies of scale;

1 (5) the United States should pursue consistent
2 efforts focused on defense and security assistance,
3 coordination, and planning designed to ensure the
4 continued security of the Baltic states and on deter-
5 ring current and future challenges to the national
6 sovereignty of United States allies and partners in
7 the Baltic region; and

8 (6) such an initiative should include an innova-
9 tive and comprehensive conflict deterrence strategy
10 for the Baltic region encompassing the unique geog-
11 raphy of the Baltic states, modern and diffuse
12 threats to their land, sea, and air spaces, and nec-
13 essary improvements to their defense posture, in-
14 cluding command-and-control infrastructure, intel-
15 ligence, surveillance, and reconnaissance capabilities,
16 communications equipment and networks, and spe-
17 cial forces.

18 **SEC. 1243. SENSE OF CONGRESS ON SUPPORT FOR ESTO-**
19 **NIA, LATVIA, AND LITHUANIA.**

20 (a) FINDINGS.—Congress finds the following:

21 (1) The Baltic countries of Estonia, Latvia, and
22 Lithuania are highly valued allies of the United
23 States, and they have repeatedly demonstrated their
24 commitment to advancing our mutual interests as
25 well as those of the NATO Alliance.

1 (2) Operation Atlantic Resolve is a series of ex-
2 ercises and coordinating efforts demonstrating the
3 United States' commitment to its European partners
4 and allies, including the Baltic countries of Estonia,
5 Latvia, and Lithuania, with the shared goal of peace
6 and stability in the region. Operation Atlantic Re-
7 solve strengthens communication and understanding,
8 and is an important effort to deter Russian aggres-
9 sion in the region.

10 (3) Through Operation Atlantic Resolve, the
11 European Deterrence Initiative undertakes exercises,
12 training, and rotational presence necessary to reas-
13 sure and integrate our allies, including the Baltic
14 countries, into a common defense framework.

15 (4) All three Baltic countries contributed to the
16 NATO-led International Security Assistance Force
17 in Afghanistan, sending troops and operating with
18 few caveats. The Baltic countries continue to commit
19 resources and troops to the Resolute Support Mis-
20 sion in Afghanistan.

21 (b) SENSE OF CONGRESS.—Congress—

22 (1) reaffirms its support for the principle of col-
23 lective defense in Article 5 of the North Atlantic
24 Treaty for our NATO allies, including Estonia, Lat-
25 via, and Lithuania;

1 (2) supports the sovereignty, independence, ter-
2 ritorial integrity, and inviolability of Estonia, Latvia,
3 and Lithuania as well as their internationally recog-
4 nized borders, and expresses concerns over increas-
5 ingly aggressive military maneuvering by the Rus-
6 sian Federation near their borders and airspace;

7 (3) expresses concern over and condemns sub-
8 versive and destabilizing activities by the Russian
9 Federation within the Baltic countries; and

10 (4) encourages the Administration to further
11 enhance defense cooperation efforts with Estonia,
12 Latvia, and Lithuania and supports the efforts of
13 their Governments to provide for the defense of their
14 people and sovereign territory.

15 **SEC. 1244. SENSE OF CONGRESS ON SUPPORT FOR GEOR-**

16 **GIA.**

17 (a) FINDINGS.—Congress finds the following:

18 (1) Georgia is a valued friend of the United
19 States and has repeatedly demonstrated its commit-
20 ment to advancing the mutual interests of both
21 countries, including the deployment of Georgian
22 forces as part of the former International Security
23 Assistance Force (ISAF) and the current Resolute
24 Support Mission led by the North Atlantic Treaty

1 Organization (NATO) in Afghanistan and the Multi-
2 National Force in Iraq.

3 (2) The European Deterrence Initiative builds
4 the partnership capacity of Georgia so it can work
5 more closely with the United States and NATO, as
6 well as provide for its own defense.

7 (3) In addition to the European Deterrence Ini-
8 tiative, Georgia's participation in the NATO initia-
9 tive Partnership for Peace is paramount to inter-
10 operability with the United States and NATO, and
11 establishing a more peaceful environment in the re-
12 gion.

13 (4) Despite the losses suffered, as a NATO
14 partner, Georgia is committed to the Resolute Sup-
15 port Mission in Afghanistan with the fifth-largest
16 contingent on the ground.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that the United States should—

19 (1) reaffirm support for an enduring strategic
20 partnership between the United States and Georgia;

21 (2) support Georgia's sovereignty and territorial
22 integrity within its internationally-recognized bor-
23 ders, and does not recognize the independence of the
24 Abkhazia and South Ossetia regions currently occu-
25 pied by the Russian Federation;

1 (3) continue support for multi-domain security
2 assistance for Georgia in the form of lethal and non-
3 lethal measures to build resiliency, bolster deterrence
4 against Russian aggression, and promote stability in
5 the region, by—

6 (A) strengthening defensive capabilities
7 and promote readiness; and

8 (B) improving interoperability with NATO
9 forces; and

10 (4) further enhance security cooperation and
11 engagement with Georgia and other Black Sea re-
12 gional partners.

13 **SEC. 1245. SENSE OF CONGRESS ON BURDEN SHARING BY**
14 **PARTNERS AND ALLIES.**

15 (a) **FINDINGS.**—Congress makes the following find-
16 ings:

17 (1) The United States' alliances and other crit-
18 ical defense partnerships are a cornerstone of De-
19 partment of Defense (DOD) efforts to deter aggres-
20 sion from our adversaries, counter violent extre-
21 mism, and preserve United States national security
22 interests in the face of challenges to those interests
23 by Russia, China and other actors.

24 (2) The North Atlantic Treaty Organization
25 (NATO) is the most successful military alliance in

1 history, having deterred war between major state
2 powers for more than 70 years.

3 (3) Collective security and the responsibility of
4 each member of the security of the other members
5 as well as the alliance as a whole is a pillar of the
6 NATO alliance.

7 (4) NATO members other than the United
8 States collectively expend over \$300,000,000,000 in
9 defense investments annually and maintain military
10 forces totaling an estimated 1,900,000 service mem-
11 bers, bolstering the alliance's collective capacity to
12 counter shared threats.

13 (5) At the NATO Wales Summit in 2014,
14 NATO members pledged to strive to increase their
15 own defense spending to 2 percent of their respective
16 gross domestic products and to spend at least 20
17 percent of their defense budgets on equipment by
18 2024 as part of their burden sharing commitments.

19 (6) Since 2014, there has been a steady in-
20 crease in allied defense spending, with 22 member
21 countries meeting defense spending targets in 2018
22 and having submitted plans to meet the targets by
23 2024.

24 (7) In addition to individual defense spending
25 contributions, NATO allies and partners also con-

1 tribute to NATO and United States operations
2 around the world, including the Resolute Support
3 Mission in Afghanistan and the Global Coalition to
4 Defeat the Islamic State in Iraq and Syria (ISIS).

5 (8) South Korea hosts a baseline of 28,500
6 United States forces including the Eighth Army and
7 Seventh Air Force.

8 (9) South Korea maintains Aegis Ballistic Mis-
9 sile Defense and Patriot Batteries that contribute to
10 regional Ballistic Missile Defense, is a participant in
11 the Enforcement Coordination Center, and is a sig-
12 nificant contributor to United Nations peacekeeping
13 operations.

14 (10) South Korea is an active consumer of
15 United States Foreign Military Sales (FMS) with
16 approximately \$30,500,000,000 in active FMS cases
17 and makes significant financial contributions to sup-
18 port forward deployed United States forces in South
19 Korea, including contributions of \$924,000,000
20 under the Special Measures Agreement in 2019 and
21 over 90 percent of the cost of developing Camp
22 Humphreys.

23 (11) Japan hosts 54,000 United States forces
24 including the Seventh Fleet, the only forward-de-
25 ployed United States aircraft carrier, and the United

1 States Marine Corps' III Marine Expeditionary
2 Force.

3 (12) Japan maintains Aegis Ballistic Missile
4 Defense and Patriot Batteries that contribute to re-
5 gional Ballistic Missile Defense, conducts bilateral
6 presence operations and mutual asset protection
7 missions with United States forces, and is a capacity
8 building contributor to United Nations peacekeeping
9 operations.

10 (13) Japan is an active consumer of United
11 States FMS with approximately \$28,400,000,000 in
12 active FMS cases and makes significant financial
13 contributions to enable optimized United States mili-
14 tary posture, including contributions of approxi-
15 mately \$2,000,000,000 annually under the Special
16 Measures Agreement, \$187,000,000 annually under
17 the Japan Facilities Improvement Program,
18 \$12,100,000,000 for the Futenma Replacement Fa-
19 cility, \$4,800,000,000 for Marine Corps Air Station
20 Iwakuni, and \$3,100,000,000 for construction on
21 Guam to support the movement of United States
22 Marines from Okinawa.

23 (b) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that—

1 (1) the United States Government should focus
2 on United States national security requirements for
3 investment in forward presence, joint exercises, in-
4 vestments, and commitments that contribute to the
5 security of the United States and collective security,
6 and cease efforts that solely focus on the financial
7 contributions of United States allies and partners
8 when negotiating joint security arrangements;

9 (2) the United States must continue to
10 strengthen its alliances and security partnerships
11 with like-minded democracies around the world to
12 deter aggression from authoritarian competitors and
13 promote peace and respect for democratic values and
14 human rights around the world;

15 (3) United States partners and allies should
16 continue to increase their military capacity and en-
17 hance their ability to contribute to global peace and
18 security;

19 (4) NATO allies should continue working to-
20 ward their 2014 Wales Defense Investment Pledge
21 commitments;

22 (5) the United States should maintain forward-
23 deployed United States forces in order to better en-
24 sure United States national security and global sta-
25 bility; and

1 (6) alliances and partnerships are the corner-
2 stone of United States national security and critical
3 to countering the threat posed by malign actors to
4 the post-World War II liberal international order.

5 **SEC. 1246. SENSE OF CONGRESS ON NATO'S RESPONSE TO**
6 **THE COVID-19 PANDEMIC.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) The North Atlantic Treaty Organization
9 (NATO) has been working with allies and partners
10 to provide support to the civilian response to the
11 Coronavirus Disease 2019 (commonly referred to as
12 “COVID-19”) pandemic, including logistics and
13 planning, field hospitals, and transport, while main-
14 taining NATO's operational readiness and con-
15 tinuing to carry out critical NATO missions.

16 (2) Since the beginning of the pandemic, NATO
17 allies and partners have completed more than 350
18 airlift flights, supplying hundreds of tons of critical
19 supplies globally, have built nearly 100 field hos-
20 pitals and dedicated more than half a million troops
21 to support the civilian response to the pandemic.

22 (3) NATO's Euro-Atlantic Disaster Response
23 Coordination Centre has been operating 24 hours,
24 seven days a week to coordinate requests for sup-
25 plies and resources.

1 (4) The NATO Support and Procurement
2 Agency's Strategic Airlift Capability and Strategic
3 Airlift International Solution programs have char-
4 tered flights to transport medical supplies between
5 partners and allies.

6 (5) NATO established Rapid Air Mobility to
7 speed up military air transport of medical supplies
8 and resources to allies and partners experiencing a
9 shortage of medical supplies and personal protective
10 equipment.

11 (6) In June 2020, NATO Defense Ministers
12 agreed to future steps to prepare for a potential sec-
13 ond wave of the COVID-19 pandemic, including a
14 new operation plan, establishing a stockpile of med-
15 ical equipment and supplies, and a new fund to ac-
16 quire medical supplies and services.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) NATO's response to the COVID-19 pan-
20 demic is an excellent example of the democratic alli-
21 ance's capacity tackling overwhelming logistical chal-
22 lenges through close collaboration;

23 (2) the United States should remain committed
24 to strengthening NATO's operational response to
25 the pandemic; and

1 (3) the United States should fulfill its commit-
2 ments made at the 2020 NATO Defense Ministerial
3 and continue to bolster the work of the Euro-Atlan-
4 tic Disaster Response Coordination Centre, the
5 NATO Support and Procurement Agency's Strategic
6 Airlift Capability and Strategic Airlift International
7 Solution programs, and other efforts to utilize
8 NATO's capabilities to support the civilian pandemic
9 response.

10 **Subtitle F—Matters Relating to the** 11 **Indo-Pacific Region**

12 **SEC. 1251. INDO-PACIFIC REASSURANCE INITIATIVE.**

13 (a) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that—

15 (1) a stable, peaceful, and secure Indo-Pacific
16 region is vital to United States economic and na-
17 tional security;

18 (2) revisionist states, rogue states, violent ex-
19 tremist organizations, and natural and manmade
20 disasters are persistent challenges to regional sta-
21 bility and security;

22 (3) maintaining stability and upholding a rules-
23 based order requires a holistic United States strat-
24 egy that—

1 (A) synchronizes all elements of national
2 power;

3 (B) is inclusive of United States allies and
4 partner countries; and

5 (C) ensures a persistent, predictable
6 United States presence to reinforce regional de-
7 fense;

8 (4) enhancing regional defense requires robust
9 efforts to increase capability, readiness, and respon-
10 siveness to deter and mitigate destabilizing activities;

11 (5) the Department of Defense should pursue
12 an integrated program of activities to—

13 (A) reassure United States allies and part-
14 ner countries in the Indo-Pacific region;

15 (B) appropriately prioritize activities and
16 resources to implement the National Defense
17 Strategy; and

18 (C) enhance the ability of Congress to pro-
19 vide oversight of and support to Department of
20 Defense efforts;

21 (6) an integrated, coherent, and strategic pro-
22 gram of activities in the Indo-Pacific region, similar
23 to the European Deterrence Initiative (originally the
24 European Reassurance Initiative), will enhance
25 United States presence and positioning, allow for ad-

1 ditional exercises, improve infrastructure and logis-
2 tics, and build allied and partner capacity to deter
3 aggression, strengthen ally and partner interoper-
4 ability, and demonstrate United States commitment
5 to Indo-Pacific countries;

6 (7) an integrated, coherent, and strategic pro-
7 gram of activities in the Indo-Pacific region will also
8 assist in resourcing budgetary priorities and enhanc-
9 ing transparency and oversight of programs and ac-
10 tivities to better enable a coordinated and strategic
11 plan for Department of Defense programs;

12 (8) not less than \$3,578,360,000 of base fund-
13 ing should be allocated to fully support such pro-
14 gram of activities in fiscal year 2021; and

15 (9) the Department of Defense should ensure
16 adequate, consistent planning is conducted for fu-
17 ture funding and build upon the activities identified
18 in fiscal year 2021 in future budget requests, as ap-
19 propriate.

20 (b) INDO-PACIFIC REASSURANCE INITIATIVE.—The
21 Secretary of Defense shall carry out a program of
22 prioritized activities to reassure United States allies and
23 partner countries in the Indo-Pacific region that shall be
24 known as the “Indo-Pacific Reassurance Initiative” (in
25 this section referred to as the “Initiative”).

1 (c) OBJECTIVES.—The objectives of the Initiative
2 shall include reassuring United States allies and partner
3 countries in the Indo-Pacific region by—

4 (1) optimizing the presence of United States
5 Armed Forces in the region;

6 (2) strengthening and maintaining bilateral and
7 multilateral military exercises and training with such
8 countries;

9 (3) improving infrastructure in the region to
10 enhance the responsiveness of United States Armed
11 Forces;

12 (4) enhancing the prepositioning of equipment
13 and materiel in the region; and

14 (5) building the defense and security capabili-
15 ties, capacity, and cooperation of such countries.

16 (d) PLAN RELATING TO TRANSPARENCY FOR THE
17 INDO-PACIFIC REASSURANCE INITIATIVE.—

18 (1) PLAN REQUIRED.—

19 (A) IN GENERAL.—Not later than Feb-
20 ruary 1, 2022, and annually thereafter, the Sec-
21 retary of Defense, in consultation with the
22 Commander of the United States Indo-Pacific
23 Command, shall submit to the congressional de-
24 fense committees a future years plan on activi-
25 ties and resources of the Initiative.

1 (B) APPLICABILITY.—The plan shall apply
2 to the Initiative with respect to the first fiscal
3 year beginning after the date of submission of
4 the plan and at least the four succeeding fiscal
5 years.

6 (2) MATTERS TO BE INCLUDED.—The plan re-
7 quired under paragraph (1) shall include each of the
8 following:

9 (A) A summary of progress made towards
10 achieving the objectives of the Initiative.

11 (B) An assessment of resource require-
12 ments to achieve such objectives.

13 (C) An assessment of capabilities require-
14 ments to achieve such objectives.

15 (D) An assessment of logistics require-
16 ments, including force enablers, equipment,
17 supplies, storage, and maintenance require-
18 ments, to achieve such objectives.

19 (E) An identification of the intended force
20 structure and posture of the assigned and allo-
21 cated forces within the area of responsibility of
22 the United States Indo-Pacific Command for
23 the last fiscal year of the plan and the manner
24 in which such force structure and posture sup-
25 port such objectives.

1 (F) An identification and assessment of re-
2 quired infrastructure and military construction
3 investments to achieve such objectives, includ-
4 ing potential infrastructure investments pro-
5 posed by host countries, new construction or
6 modernization of existing sites that would be
7 funded by the United States, and a master plan
8 that includes the following:

9 (i) A list of specific locations, orga-
10 nized by country, in which the Commander
11 of the United States Indo-Pacific Com-
12 mand anticipates requiring infrastructure
13 investments to support an enduring or
14 periodic military presence in the region.

15 (ii) A list of specific infrastructure in-
16 vestments required at each location identi-
17 fied under clause (i), to include the project
18 title and estimated cost of each project.

19 (iii) A brief explanation for how each
20 location identified under clause (i) and in-
21 frastructure investments identified under
22 clause (ii) support a validated requirement
23 or component of the overall strategy in the
24 region.

1 (iv) A discussion of any gaps in the
2 current infrastructure authorities that
3 would preclude implementation of the in-
4 frastructure investments identified under
5 clause (ii).

6 (v) A description of the type and size
7 of military force elements that would main-
8 tain an enduring presence or operate peri-
9 odically from each location identified under
10 clause (i).

11 (vi) A summary of kinetic and non-ki-
12 netic vulnerabilities for current locations
13 and each location identified in clause (i), to
14 include—

15 (I) the level of risk associated
16 with each vulnerability; and

17 (II) the proposed mitigations and
18 projected costs to address each such
19 vulnerability, to include—

20 (aa) hardening and other re-
21 silience measures;

22 (bb) active and passive
23 counter-Intelligence, Surveillance,
24 and Reconnaissance;

1 (cc) active and passive
2 counter Positioning, Navigation,
3 and Timing;

4 (dd) air and missile defense
5 capabilities;

6 (ee) enhanced logistics and
7 sea lines of communication secu-
8 rity; and

9 (ff) other issues identified by
10 the Commander of the United
11 States Indo-Pacific Command.

12 (G) An assessment of logistics require-
13 ments, including force enablers, equipment,
14 supplies, storage, fuel storage and distribution,
15 and maintenance requirements, to achieve such
16 objectives.

17 (H) An analysis of the challenges to the
18 ability of the United States to deploy significant
19 forces from the continental United States to the
20 Indo-Pacific theater in the event of a major
21 contingency, and a description of the plans of
22 the Department of Defense, including military
23 exercises, to address such challenges.

1 (I) An assessment and plan for security co-
2 operation investments to enhance such objec-
3 tives.

4 (J) A plan to resource United States force
5 posture and capabilities, including—

6 (i) the infrastructure capacity of exist-
7 ing locations and their ability to accommo-
8 date additional United States forces in the
9 Indo-Pacific region;

10 (ii) the potential new locations for ad-
11 ditional United States Armed Forces in the
12 Indo-Pacific region, including an assess-
13 ment of infrastructure and military con-
14 struction resources necessary to accommo-
15 date such forces;

16 (iii) a detailed timeline to achieve de-
17 sired posture requirements;

18 (iv) a detailed assessment of the re-
19 sources necessary to achieve the require-
20 ments of the plan, including specific cost
21 estimates for each project under the Initia-
22 tive to support optimized presence, exer-
23 cises and training, enhanced
24 prepositioning, improved infrastructure,
25 and building partnership capacity; and

1 (v) a detailed timeline to achieve the
2 force posture and capabilities, including
3 force requirements.

4 (K) A detailed explanation of any signifi-
5 cant modifications of the requirements or re-
6 sources, as compared to plans previously sub-
7 mitted under paragraph (1).

8 (L) Any other matters the Secretary of
9 Defense determines should be included.

10 (3) FORM.—The plan required under paragraph
11 (1) shall be submitted in unclassified form, but may
12 include a classified annex.

13 (e) BUDGET SUBMISSION INFORMATION.—For fiscal
14 year 2022 and each fiscal year thereafter, the Secretary
15 of Defense shall include in the budget justification mate-
16 rials submitted to Congress in support of the Department
17 of Defense budget for that fiscal year (as submitted with
18 the budget of the President under section 1105(a) of title
19 31, United States Code)—

20 (1) the amounts, by budget function and as a
21 separate item, requested for the Department of De-
22 fense for such fiscal year for all programs and activi-
23 ties under the Initiative; and

24 (2) a detailed budget display for the Initiative,
25 including—

1 (A) with respect to procurement ac-
2 counts—

3 (i) amounts displayed by account,
4 budget activity, line number, line item, and
5 line item title; and

6 (ii) a description of the requirements
7 for each such amounts;

8 (B) with respect to research, development,
9 test, and evaluation accounts—

10 (i) amounts displayed by account,
11 budget activity, line number, program ele-
12 ment, and program element title; and

13 (ii) a description of the requirements
14 for each such amount;

15 (C) with respect to operation and mainte-
16 nance accounts—

17 (i) amounts displayed by account title,
18 budget activity title, line number, and sub-
19 activity group title; and

20 (ii) a description of how such amounts
21 will specifically be used;

22 (D) with respect to military personnel ac-
23 counts—

1 (i) amounts displayed by account,
2 budget activity, budget subactivity, and
3 budget subactivity title; and

4 (ii) a description of the requirements
5 for each such amount; and

6 (E) with respect to each project under
7 military construction accounts (including with
8 respect to unspecified minor military construc-
9 tion and amounts for planning and design), the
10 country, location, project title, and project
11 amount for each fiscal year.

12 (f) END OF FISCAL YEAR REPORT.—Not later than
13 November 20, 2022, and annually thereafter, the Sec-
14 retary of Defense shall submit to the congressional defense
15 committees a report that contains—

16 (1) a detailed summary of funds obligated for
17 the Initiative during the preceding fiscal year; and

18 (2) a detailed comparison of funds obligated for
19 the Initiative during the preceding fiscal year to the
20 amount of funds requested for the Initiative for such
21 fiscal year in the materials submitted to Congress by
22 the Secretary in support of the budget of the Presi-
23 dent for that fiscal year as required by subsection
24 (e), including with respect to each of the accounts
25 described in subparagraphs (A), (B), (C), (D), and

1 (E) of subsection (e)(2) and the information re-
2 quired under each such subparagraph.

3 (g) BRIEFINGS REQUIRED.—Not later than March 1,
4 2023, and annually thereafter, the Secretary of Defense
5 shall provide to the congressional defense committees a
6 briefing on the status of all matters covered by the report
7 required by section (f).

8 (h) RELATIONSHIP TO BUDGET.—Nothing in this
9 section shall be construed to affect section 1105(a) of title
10 31, United States Code.

11 (i) CONFORMING REPEAL.—Section 1251 of the Na-
12 tional Defense Authorization Act for Fiscal Year 2018
13 (Public Law 115–91; 131 Stat. 1676) is repealed.

14 **SEC. 1252. LIMITATION ON USE OF FUNDS TO REDUCE THE**
15 **TOTAL NUMBER OF MEMBERS OF THE**
16 **ARMED FORCES SERVING ON ACTIVE DUTY**
17 **WHO ARE DEPLOYED TO SOUTH KOREA.**

18 None of the funds authorized to be appropriated by
19 this Act may be used to reduce the total number of mem-
20 bers of the Armed Forces serving on active duty who are
21 deployed to South Korea below 28,500 until 180 days
22 after the date on which the Secretary of Defense certifies
23 to the congressional defense committees the following:

24 (1) Such a reduction is in the national security
25 interest of the United States and will not signifi-

1 cantly undermine the security of United States allies
2 in the region.

3 (2) Such a reduction is commensurate with a
4 reduction in the threat posed to the United States
5 and its allies in the region by the Democratic Peo-
6 ple’s Republic of Korea.

7 (3) Following such a reduction, the Republic of
8 Korea would be capable of deterring a conflict on
9 the Korean Peninsula.

10 (4) The Secretary has appropriately consulted
11 with allies of the United States, including South
12 Korea and Japan, regarding such a reduction.

13 **SEC. 1253. IMPLEMENTATION OF GAO RECOMMENDATIONS**
14 **ON PREPAREDNESS OF UNITED STATES**
15 **FORCES TO COUNTER NORTH KOREAN CHEM-**
16 **ICAL AND BIOLOGICAL WEAPONS.**

17 (a) PLAN REQUIRED.—

18 (1) IN GENERAL.—The Secretary of Defense
19 shall develop a plan to address the recommendations
20 in the U.S. Government Accountability Office’s re-
21 port entitled “Preparedness of U.S. Forces to
22 Counter North Korean Chemical and Biological
23 Weapons” (GAO-20-79C).

24 (2) ELEMENTS.—The plan required under
25 paragraph (1) shall, with respect to each rec-

1 ommendation in the report described in paragraph
2 (1) that the Secretary of Defense has implemented
3 or intends to implement, include—

4 (A) a summary of actions that have been
5 or will be taken to implement the recommenda-
6 tion; and

7 (B) a schedule, with specific milestones,
8 for completing implementation of the rec-
9 ommendation.

10 (b) SUBMITTAL TO CONGRESS.—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 the plan required under subsection (a).

14 (c) DEADLINE FOR IMPLEMENTATION.—

15 (1) IN GENERAL.—Except as provided in para-
16 graph (2), not later than 18 months after the date
17 of the enactment of this Act, the Secretary of De-
18 fense shall carry out activities to implement the plan
19 developed under subsection (a).

20 (2) EXCEPTION FOR IMPLEMENTATION OF CER-
21 TAIN RECOMMENDATIONS.—

22 (A) DELAYED IMPLEMENTATION.—The
23 Secretary of Defense may initiate implementa-
24 tion of a recommendation in the report de-
25 scribed in subsection (a)(1) after the date speci-

1 fied in paragraph (1) if the Secretary provides
2 the congressional defense committees with a
3 specific justification for the delay in implemen-
4 tation of such recommendation on or before
5 such date.

6 (B) NONIMPLEMENTATION.—The Sec-
7 retary of Defense may decide not to implement
8 a recommendation in the report described in
9 subsection (a)(1) if the Secretary provides to
10 the congressional defense committees, on or be-
11 fore the date specified in paragraph (1)—

12 (i) a specific justification for the deci-
13 sion not to implement the recommendation;
14 and

15 (ii) a summary of alternative actions
16 the Secretary plans to take to address the
17 conditions underlying the recommendation.

18 **SEC. 1254. PUBLIC REPORTING OF CHINESE MILITARY**
19 **COMPANIES OPERATING IN THE UNITED**
20 **STATES.**

21 (a) DETERMINATION OF OPERATIONS.—Not later
22 than 1 year after the date of the enactment of this Act,
23 and on an ongoing basis thereafter, the Secretary of De-
24 fense shall identify each entity the Secretary determines,
25 based on the most recent information available, is—

1 (1)(A) directly or indirectly owned, controlled,
2 or beneficially owned by, or in an official or unoffi-
3 cial capacity acting as an agent of or on behalf of,
4 the People's Liberation Army or any of its affiliates;
5 or

6 (B) identified as a military-civil fusion contrib-
7 utor to the Chinese defense industrial base;

8 (2) engaged in providing commercial services,
9 manufacturing, producing, or exporting; and

10 (3) operating directly or indirectly in the
11 United States, including any of its territories and
12 possessions.

13 (b) SUBMISSION; PUBLICATION.—

14 (1) SUBMISSION.—Not later than 1 year after
15 the date of the enactment of this Act, and every 2
16 years thereafter, the Secretary shall submit to the
17 Committees on Armed Services of the House of Rep-
18 resentatives and the Senate an updated list of each
19 entity determined to be a Chinese military company
20 pursuant to subsection (a), in classified and unclas-
21 sified forms.

22 (2) PUBLICATION.—Concurrent with the sub-
23 mission of a list under paragraph (1), the Secretary
24 shall publish the unclassified portion of such list in
25 the Federal Register.

1 (c) CONSULTATION.—The Secretary may consult
2 with the head of any appropriate Federal department or
3 agency in making the determinations required under sub-
4 section (a) and shall transmit a copy of each list submitted
5 under subsection (b)(1) to the heads of each appropriate
6 Federal department and agency.

7 (d) DEFINITIONS.—

8 (1) MILITARY-CIVIL FUSION CONTRIBUTOR.—In
9 this section, the term “military-civil fusion contrib-
10 utor” includes—

11 (A) entities receiving assistance from the
12 Government of China through science and tech-
13 nology efforts initiated under the Chinese mili-
14 tary industrial planning apparatus;

15 (B) entities affiliated with the Chinese
16 Ministry of Industry and Information Tech-
17 nology, including entities connected through
18 Ministry schools, research partnerships, and
19 state-aided science and technology projects;

20 (C) entities receiving assistance from the
21 Government of China or operational direction
22 or policy guidance from the State Administra-
23 tion for Science, Technology and Industry for
24 National Defense;

1 (D) entities recognized and awarded with
2 receipt of an innovation prize for science and
3 technology by such State Administration;

4 (E) any other entity or subsidiary defined
5 as a “defense enterprise” by the Chinese State
6 Council; and

7 (F) entities residing in or affiliated with a
8 military-civil fusion enterprise zone or receiving
9 assistance from the Government of China
10 through such enterprise zone.

11 (2) PEOPLE’S LIBERATION ARMY.—The term
12 “People’s Liberation Army” means the land, naval,
13 and air military services, the police, and the intel-
14 ligence services of the Government of China, and
15 any member of any such service or of such police.

16 **SEC. 1255. INDEPENDENT STUDY ON THE DEFENSE INDUS-**
17 **TRIAL BASE OF THE PEOPLE’S REPUBLIC OF**
18 **CHINA.**

19 (a) IN GENERAL.—Not later than 30 days after the
20 date of the enactment of this Act, the Secretary of Defense
21 shall seek to enter into a contract with a federally funded
22 research and development center to conduct a study on
23 the defense industrial base of the People’s Republic of
24 China.

1 (b) ELEMENTS OF STUDY.—The study required
2 under subsection (a) shall assess the resiliency and capac-
3 ity of China’s defense industrial base to support its objec-
4 tives in competition and conflict, including with respect
5 to the following:

6 (1) The manufacturing capacity and physical
7 plant capacity of the defense industrial base, includ-
8 ing its ability to modernize to meet future needs.

9 (2) Gaps in national-security-related domestic
10 manufacturing capabilities, including non-existent,
11 extinct, threatened, and single-point-of-failure capa-
12 bilities.

13 (3) Supply chains with single points of failure
14 or limited resiliency, especially suppliers at third-tier
15 and lower.

16 (4) Energy consumption and vulnerabilities.

17 (5) Domestic education and manufacturing
18 workforce skills.

19 (6) Exclusive or dominant supply of military
20 and civilian materiel, raw materials, or other goods
21 (or components thereof) essential to China’s national
22 security by the United States or United States allies
23 and partners.

1 (7) The ability to meet the likely repair and
2 new construction demands of the People's Liberation
3 Army in the event of a protracted conflict.

4 (8) The availability of substitutes or alternative
5 sources for goods identified pursuant to paragraph
6 (6).

7 (9) Recommendations for legislative, regulatory,
8 and policy changes and other actions by the Presi-
9 dent and the heads of Federal agencies as appro-
10 prium based upon a reasoned assessment that the
11 benefits outweigh the costs (broadly defined to in-
12 clude any economic, strategic, and national security
13 benefits or costs) over the short, medium, and long-
14 term to erode, in the event of a conflict, the ability
15 of China's defense industrial base to support the na-
16 tional objectives of China.

17 (c) SUBMISSION TO DEPARTMENT OF DEFENSE.—
18 Not later than 210 days after the date of the enactment
19 of this Act, the federally funded research and development
20 center shall submit to the Secretary a report containing
21 the study conducted under subsection (a).

22 (d) SUBMISSION TO CONGRESS.—Not later than 240
23 days after the date of the enactment of this Act, the Sec-
24 retary shall submit to the congressional defense commit-
25 tees the report submitted to the Secretary under sub-

1 section (c), without change but with any comments of the
2 Secretary with respect to the report.

3 **SEC. 1256. REPORT ON CHINA'S ONE BELT, ONE ROAD INI-**
4 **TIATIVE IN AFRICA.**

5 (a) IN GENERAL.—Not later than one year after the
6 date of the enactment of this Act, the Secretary of De-
7 fense, in coordination with the Secretary of State and the
8 Director of National Intelligence, shall submit to the ap-
9 propriate congressional committees a report on the mili-
10 tary and defense implications of China's One Belt, One
11 Road Initiative in Africa and a strategy to address im-
12 pacts on United States military and defense interests in
13 Africa.

14 (b) MATTERS TO BE INCLUDED.—The report re-
15 quired by subsection (a) shall include the following:

16 (1) An assessment of Chinese dual-use invest-
17 ments in Africa, including a description of which in-
18 vestments that are of greatest concern to United
19 States military or defense interests.

20 (2) A description of such investments that are
21 associated with People's Liberation Army coopera-
22 tion with African countries.

23 (3) An assessment of the potential military, in-
24 telligence, and logistical threats facing United
25 States' key regional military infrastructure, supply

1 chains, and staging grounds due to such invest-
2 ments.

3 (4) An identification of Department of Defense
4 measures taken to mitigate the risk posed to United
5 States forces and defense interests by such invest-
6 ments.

7 (5) A strategy to address ongoing military and
8 defense implications posed by the expansion of such
9 investments.

10 (c) DEFINITIONS.—In this section:

11 (1) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES.—The term “appropriate congressional com-
13 mittees” means—

14 (A) the Committee on Armed Services, the
15 Committee on Foreign Affairs, and the Perma-
16 nent Select Committee on Intelligence of the
17 House of Representatives; and

18 (B) the Committee on Armed Services, the
19 Committee on Foreign Relations, and Select
20 Committee on Intelligence of the Senate.

21 (2) CHINESE DUAL-USE INVESTMENTS IN AFRI-
22 CA.—The term “Chinese dual-use investments in Af-
23 rica” means investments made by the Government of
24 the People’s Republic of China, the Chinese Com-
25 munist Party, or companies owned or controlled by

1 such Government or Party in the infrastructure of
2 African countries or related projects for both com-
3 mercial and military or proliferation purposes.

4 (d) FORM.—The report required by subsection (a)
5 shall—

6 (1) be submitted in unclassified form but may
7 contain a classified annex; and

8 (2) be made available to the public on the
9 website of the Department of Defense.

10 **SEC. 1257. SENSE OF CONGRESS ON ENHANCEMENT OF THE**
11 **UNITED STATES-TAIWAN DEFENSE RELA-**
12 **TIONSHIP.**

13 It is the sense of Congress that—

14 (1) Taiwan is a vital partner of the United
15 States and is critical to a free and open Indo-Pacific
16 region;

17 (2) the Taiwan Relations Act (22 U.S.C. 3301
18 et seq.) and the “Six Assurances” are both corner-
19 stones of United States relations with Taiwan;

20 (3) the United States should continue to
21 strengthen defense and security cooperation with
22 Taiwan to support the development of capable,
23 ready, and modern defense forces necessary for Tai-
24 wan to maintain a sufficient self-defense capability;

1 (4) consistent with the Taiwan Relations Act,
2 the United States should strongly support the acqui-
3 sition by Taiwan of defense articles and services
4 through foreign military sales, direct commercial
5 sales, and industrial cooperation, with an emphasis
6 on anti-ship, coastal defense, anti-armor, air defense,
7 defensive naval mining, and resilient command and
8 control capabilities that support the asymmetric de-
9 fense strategy of Taiwan;

10 (5) the President and Congress should deter-
11 mine the nature and quantity of such defense arti-
12 cles and services based solely upon their judgment of
13 the needs of Taiwan, as required by the Taiwan Re-
14 lations Act and in accordance with procedures estab-
15 lished by law;

16 (6) the United States should continue efforts to
17 improve the predictability of United States arms
18 sales to Taiwan by ensuring timely review of and re-
19 sponse to requests of Taiwan for defense articles
20 and services;

21 (7) the Secretary of Defense should promote
22 policies concerning exchanges that enhance the secu-
23 rity of Taiwan, including—

24 (A) opportunities with Taiwan for practical
25 training and military exercises that—

1 (i) enable Taiwan to maintain a suffi-
2 cient self-defense capability, as described
3 in section 3(a) of the Taiwan Relations Act
4 (22 U.S.C. 3302(a)); and

5 (ii) emphasize capabilities consistent
6 with the asymmetric defense strategy of
7 Taiwan;

8 (B) exchanges between senior defense offi-
9 cials and general officers of the United States
10 and Taiwan, consistent with the Taiwan Travel
11 Act (Public Law 115–135), especially for the
12 purpose of enhancing cooperation on defense
13 planning and improving the interoperability of
14 United States and Taiwan forces; and

15 (C) opportunities for exchanges between
16 junior officers and senior enlisted personnel of
17 the United States and Taiwan;

18 (8) the Secretary of Defense should consider ex-
19 panded air and naval engagements and training with
20 Taiwan to enhance regional security;

21 (9) the United States and Taiwan should ex-
22 pand cooperation in humanitarian assistance and
23 disaster relief including conducting port calls in Tai-
24 wan with the United States Naval Ship Comfort and
25 United States Naval Ship Mercy;

1 (10) the Secretary of Defense should consider
2 options, including exercising ship visits and port
3 calls, as appropriate, to expand the scale and scope
4 of humanitarian assistance and disaster response co-
5 operation with Taiwan and other regional partners
6 so as to improve disaster response planning and pre-
7 paredness;

8 (11) the Secretary of Defense should continue
9 regular transits of United States Navy vessels
10 through the Taiwan Strait and encourage allies and
11 partners to follow suit in conducting such transits to
12 demonstrate the commitment of the United States
13 and its allies and partners to fly, sail, and operate
14 anywhere international law allows;

15 (12) the violation of international law by the
16 Government of China with respect to the Joint Dec-
17 laration of the Government of the United Kingdom
18 of Great Britain and Northern Ireland and the Gov-
19 ernment of the People's Republic of China on the
20 Question of Hong Kong, done at Beijing December
21 19, 1984, is gravely concerning and erodes inter-
22 national confidence in China's willingness to honor
23 its international commitments, including not to
24 change the status quo with respect to Taiwan by
25 force;

1 (13) the increasingly coercive and aggressive
2 behavior of China towards Taiwan, including grow-
3 ing military maneuvers targeting Taiwan, is contrary
4 to the expectation of the peaceful resolution of the
5 future of Taiwan; and

6 (14) the United States and Taiwan should ex-
7 pand consultation and cooperation on combating the
8 Coronavirus Disease 2019 (“COVID-19”) and seek
9 to share the best practices and cooperate on a range
10 of activities under this partnership.

11 **SEC. 1258. REPORT ON SUPPLY CHAIN SECURITY COOPERA-**
12 **TION WITH TAIWAN.**

13 Not later than 180 days after the date of the enact-
14 ment of this Act, the Secretary of Defense, in coordination
15 with the head of each appropriate Federal department and
16 agency, shall submit to the congressional defense commit-
17 tees a report on the following:

18 (1) The feasibility of establishing a high-level,
19 interagency United States-Taiwan working group for
20 coordinating cooperation related to supply chain se-
21 curity.

22 (2) A discussion of the Department of De-
23 fense’s current and future plans to engage with Tai-
24 wan with respect to activities ensuring supply chain
25 security.

1 (3) A discussion of obstacles encountered in
2 forming, executing, or implementing agreements
3 with Taiwan for conducting activities to ensure sup-
4 ply chain security.

5 (4) Any other matters the Secretary of Defense
6 determines should be included.

7 **SEC. 1259. REPORT ON UNITED STATES-TAIWAN MEDICAL**
8 **SECURITY PARTNERSHIP.**

9 Not later than 180 days after the date of the enact-
10 ment of this Act, the Secretary of Defense, in coordination
11 with the Secretary of Health and Human Services, shall
12 submit to the congressional defense committees a report
13 on the following:

14 (1) The goals, objectives, and feasibility of de-
15 veloping a United States-Taiwan medical security
16 partnership on issues related to pandemic prepared-
17 ness and control.

18 (2) A discussion of current and future plans to
19 engage with Taiwan in medical security activities.

20 (3) An evaluation of cooperation on a range of
21 activities under the partnership to include—

22 (A) research and production of vaccines
23 and medicines;

24 (B) joint conferences with scientists and
25 experts;

1 (C) collaboration relating to and exchanges
2 of medical supplies and equipment; and

3 (D) the use of hospital ships such as the
4 United States Naval Ship Comfort and United
5 States Naval Ship Mercy.

6 (4) Any other matters the Secretary of Defense
7 determines appropriate.

8 **Subtitle G—Other Matters**

9 **SEC. 1261. PROVISION OF GOODS AND SERVICES TO KWAJA-** 10 **LEIN ATOLL.**

11 (a) AUTHORITY FOR PROVISION OF GOODS AND
12 SERVICES.—Chapter 767 of title 10, United States Code,
13 is amended by adding at the end the following new section:

14 **“§ 7596. Provision of goods and services to Kwajalein** 15 **Atoll**

16 “(a) AUTHORITY.—

17 “(1) IN GENERAL.—The Secretary of the Army
18 may, subject to the concurrence of the Secretary of
19 State as provided in paragraph (2), use any amounts
20 appropriated to the Department of the Army to pro-
21 vide goods and services, including inter-atoll trans-
22 portation, to the Government of the Republic of the
23 Marshall Islands and to other eligible patrons at
24 Kwajalein Atoll, under regulations and at rates to be

1 prescribed by the Secretary of the Army in accord-
2 ance with this section.

3 “(2) EFFECT ON COMPACT.—The Secretary of
4 State may not concur to the provision of goods and
5 services under paragraph (1) if the Secretary deter-
6 mines that such provision would be inconsistent with
7 the Compact of Free Association between the Gov-
8 ernment of the United States of America and the
9 Government of the Republic of the Marshall Islands
10 (as set forth in title II of the Compact of Free Asso-
11 ciation Act of 1985 (48 U.S.C. 1901 et seq.)) or
12 with any subsidiary agreement or implementing ar-
13 rangement with respect to such Compact.

14 “(b) REIMBURSEMENT.—

15 “(1) AUTHORITY TO COLLECT REIMBURSE-
16 MENT.—The Secretary of the Army may collect re-
17 imbursement from the Government of the Republic
18 of the Marshall Islands or eligible patrons for the
19 provision of goods and services under this section in
20 an amount that does not exceed the costs to the
21 United States of providing such goods or services.

22 “(2) MAXIMUM REIMBURSEMENT.—The total
23 amount collected in a fiscal year pursuant to the au-
24 thority under paragraph (1) may not exceed
25 \$7,000,000.”.

1 (b) CLERICAL AMENDMENTS.—The table of contents
2 for chapter 767 of title 10, United States Code, is amend-
3 ed by adding at the end the following new item:

“Sec. 7595. Provision of goods and services to Kwajalein Atoll.”.

4 **SEC. 1262. ANNUAL BRIEFINGS ON CERTAIN FOREIGN MILI-**
5 **TARY BASES OF ADVERSARIES.**

6 (a) IN GENERAL.—Chapter 3 of title 10, United
7 States Code, is amended by adding at the end the fol-
8 lowing new section:

9 **“§ 1301. Annual briefings on certain foreign military**
10 **bases of adversaries.**

11 “(a) REQUIREMENT.—Not later than February 15 of
12 each year, the Chairman of the Joint Chiefs of Staff and
13 the Secretary of Defense, acting through the Under Sec-
14 retary of Defense for Intelligence and Security, shall pro-
15 vide to the congressional defense committees, the Com-
16 mittee on Foreign Affairs of the House of Representatives,
17 and the Committee on Foreign Relations of the Senate
18 a briefing on—

19 “(1) covered foreign military bases and the re-
20 lated capabilities of that foreign military; and

21 “(2) the effects of such bases and capabilities
22 on—

23 “(A) the military installations of the
24 United States located outside the United
25 States; and

1 “(B) current and future deployments and
2 operations of the armed forces of the United
3 States.

4 “(b) ELEMENTS.—Each briefing under subsection
5 (a) shall include the following:

6 “(1) An assessment of covered foreign military
7 bases, including such bases established by China,
8 Russia, and Iran, and any updates to such assess-
9 ment provided in a previous briefing under such sub-
10 section.

11 “(2) Information regarding known plans for
12 any future covered foreign military base.

13 “(3) An assessment of the capabilities, includ-
14 ing those pertaining to anti-access and area denial,
15 provided by covered foreign military bases to that
16 foreign military, including an assessment of how
17 such capabilities could be used against the armed
18 forces of the United States in the country and the
19 geographic combatant command in which such base
20 is located.

21 “(4) A description of known ongoing activities
22 and capabilities at covered foreign military bases,
23 and how such activities and capabilities advance the
24 foreign policy and national security priorities of the
25 relevant foreign countries.

1 (2) FAIT ACCOMPLI.—The term “fait accompli”
2 means the strategy of a strategic competitor de-
3 signed to allow such strategic competitor to use mili-
4 tary force to seize control of a covered defense part-
5 ner before the United States Armed Forces are able
6 to respond effectively.

7 (3) STRATEGIC COMPETITOR.—The term “stra-
8 tegic competitor” means a country labeled as a stra-
9 tegic competitor in the “Summary of the 2018 Na-
10 tional Defense Strategy of the United States of
11 America: Sharpening the American Military’s Com-
12 petitive Edge” issued by the Department of Defense
13 pursuant to section 113 of title 10, United States
14 Code.

15 (b) REPORT ON PROGRESS OF THE DEPARTMENT OF
16 DEFENSE WITH RESPECT TO DENYING A FAIT ACCOMPLI
17 BY A STRATEGIC COMPETITOR AGAINST A COVERED DE-
18 FENSE PARTNER.—

19 (1) IN GENERAL.—Not later than April 30 each
20 year, beginning in 2021 and ending in 2026, the
21 Secretary of Defense shall submit to the congress-
22 sional defense committees a report on the progress
23 of the Department of Defense with respect to im-
24 proving the ability of the United States Armed
25 Forces to conduct combined joint operations to deny

1 the ability of a strategic competitor to execute a fait
2 accompli against a covered defense partner.

3 (2) MATTERS TO BE INCLUDED.—Each report
4 under paragraph (1) shall include the following:

5 (A) An explanation of the objectives for
6 the United States Armed Forces that would be
7 necessary to deny the fait accompli by a stra-
8 tegic competitor against a covered defense part-
9 ner.

10 (B) An identification of joint warfighting
11 capabilities and current efforts to organize,
12 train, and equip the United States Armed
13 Forces in support of the objectives referred to
14 in paragraph (1), including—

15 (i) an assessment of whether the pro-
16 grams included in the most recent future-
17 years defense program submitted to Con-
18 gress under section 221 of title 10, United
19 States Code, are sufficient to enable the
20 United States Armed Forces to conduct
21 joint combined operations to achieve such
22 objectives;

23 (ii) a description of additional invest-
24 ments or force posture adjustments re-
25 quired to maintain or improve the ability

1 of the United States Armed Forces to con-
2 duct joint combined operations to achieve
3 such objectives;

4 (iii) a description of the manner in
5 which the Secretary of Defense intends to
6 develop and integrate Army, Navy, Air
7 Force, Marine Corps, and Space Force
8 operational concepts to maintain or im-
9 prove the ability of the United States
10 Armed Forces to conduct joint combined
11 operations to achieve such objectives; and

12 (iv) an assessment of the manner in
13 which different options for pre-delegating
14 authorities may improve the ability of the
15 United States Armed Forces to conduct
16 joint combined operations to achieve such
17 objectives.

18 (C) An assessment of options for deterring
19 limited use of nuclear weapons by a strategic
20 competitor in the Indo-Pacific region without
21 undermining the ability of the United States
22 Armed Forces to maintain deterrence against
23 other strategic competitors and adversaries.

24 (D) An assessment of a strategic compet-
25 itor theory of victory for invading and unifying

1 a covered defense partner with such a strategic
2 competitor by military force.

3 (E) A description of the military objectives
4 a strategic competitor would need to achieve in
5 a covered defense partner campaign.

6 (F) A description of the military missions
7 a strategic competitor would need to execute a
8 covered defense partner invasion campaign, in-
9 cluding—

- 10 (i) blockade and bombing operations;
11 (ii) amphibious landing operations;
12 and
13 (iii) combat operations.

14 (G) An assessment of competing demands
15 on a strategic competitor's resources and how
16 such demands impact such a strategic competi-
17 tor's ability to achieve its objectives in a cov-
18 ered defense partner campaign.

19 (H) An assessment of a covered defense
20 partner's self-defense capability and a summary
21 of defense articles and services that are re-
22 quired to enhance such capability.

23 (I) An assessment of the capabilities of
24 partner and allied countries to conduct com-

1 bined operations with the United States Armed
2 Forces in a regional contingency.

3 (3) FORM.—Each report under paragraph (1)
4 shall be submitted in classified form but may include
5 an unclassified executive summary.

6 **SEC. 1264. MODIFICATION TO REQUIREMENTS OF THE INI-**
7 **TIATIVE TO SUPPORT PROTECTION OF NA-**
8 **TIONAL SECURITY ACADEMIC RESEARCHERS**
9 **FROM UNDUE INFLUENCE AND OTHER SECU-**
10 **RITY THREATS.**

11 (a) ENHANCED INFORMATION SHARING.—Subsection
12 (d)(1) section 1286 of the John S. McCain National De-
13 fense Authorization Act for Fiscal Year 2019 (10 U.S.C.
14 2358 note) is amended by striking “(other than basic re-
15 search)”.

16 (b) PUBLICATION OF UPDATED LIST.—Subsection
17 (e) of such section is amended by adding at the end the
18 following new paragraph:

19 “(4) PUBLICATION OF UPDATED LIST.—

20 “(A) IN GENERAL.—Not later than Janu-
21 ary 1, 2021, and annually thereafter, the Sec-
22 retary shall submit to the congressional defense
23 committees the most recently updated list de-
24 scribed in subsection (c)(8) in unclassified form
25 (but with a classified annex as applicable) and

1 make the unclassified portion of each such list
2 publicly available on an internet website in a
3 searchable format.

4 “(B) INTERVENING PUBLICATION.—The
5 Secretary may submit and publish an updated
6 list described in subparagraph (A) more fre-
7 quently than required by such subparagraph if
8 the Secretary determines necessary.”.

9 **SEC. 1265. REPORT ON DIRECTED USE OF FISHING FLEETS.**

10 Not later than 180 days after the date of the enact-
11 ment of this Act, the Commander of the Office of Naval
12 Intelligence shall submit to the congressional defense com-
13 mittees, the Committee on Foreign Affairs of the House
14 of Representatives, and the Committee on Foreign Rela-
15 tions of the Senate an unclassified report on the use of
16 distant-water fishing fleets by foreign governments as ex-
17 tensions of such countries’ official maritime security
18 forces, including the manner and extent to which such
19 fishing fleets are leveraged in support of naval operations
20 and foreign policy more generally. The report shall also
21 consider the threats, on a country-by-country basis, posed
22 by such use of distant-water fishing fleets to—

23 (1) fishing or other vessels of the United States
24 and partner countries;

1 (2) United States and partner naval and coast
2 guard operations; and

3 (3) other interests of the United States and
4 partner countries.

5 **SEC. 1266. EXPANDING THE STATE PARTNERSHIP PRO-**
6 **GRAM IN AFRICA.**

7 The Secretary of Defense, in coordination with the
8 Chief of the National Guard Bureau, shall seek to build
9 partner capacity and interoperability in the United States
10 Africa Command area of responsibility through increased
11 partnerships with countries on the African continent, mili-
12 tary-to-military engagements, and traditional activities of
13 the combatant commands.

14 **SEC. 1267. REPORT RELATING TO REDUCTION IN THE**
15 **TOTAL NUMBER OF UNITED STATES ARMED**
16 **FORCES DEPLOYED TO UNITED STATES AFRI-**
17 **CA COMMAND AREA OF RESPONSIBILITY.**

18 (a) REDUCTION DESCRIBED.—

19 (1) IN GENERAL.—If the Department of De-
20 fense reduces the number of United States Armed
21 Forces deployed to the United States Africa Com-
22 mand area of responsibility (in this section referred
23 to as “AFRICOM AOR”) (other than United States
24 Armed Forces described in paragraph (2)) to a num-
25 ber that is below 80 percent of the number deployed

1 as of the day before the date of the enactment of
2 this Act, the Secretary of Defense, in consultation
3 with the Secretary of State and the Director of Na-
4 tional Intelligence, shall, not later than 90 days after
5 date of such a reduction, submit to the appropriate
6 congressional committees a report described in sub-
7 section (b).

8 (2) UNITED STATES ARMED FORCES DE-
9 SCRIBED.—United States Armed Forces described in
10 this paragraph are United States Armed Forces that
11 are deployed to AFRICOM AOR but are not under
12 the direct authority of the Commander of United
13 States Africa Command, including—

14 (A) forces deployed in conjunction with
15 other Commands;

16 (B) forces participating in joint exercises;

17 (C) forces identified for pre-planned activi-
18 ties;

19 (D) forces used to assist in emergency sit-
20 uations; and

21 (E) forces designated or assigned for diplo-
22 matic or embassy security.

23 (b) REPORT.—

1 (1) IN GENERAL.—A report described in this
2 subsection is a report that includes each of the fol-
3 lowing:

4 (A) A strategic plan to—

5 (i) degrade each of the violent extrem-
6 ist organizations described in paragraph
7 (2) within the AFRICOM AOR, to include
8 an assessment of the extent to which such
9 violent extremist organizations pose a di-
10 rect threat to the United States; and

11 (ii) counter the military influence of
12 China and Russia within the AFRICOM
13 AOR.

14 (B) The average number of United States
15 Armed Forces that are under the direct author-
16 ity of the Commander of United States Africa
17 Command and deployed to AFRICOM AOR
18 and the amount of associated expenditures, to
19 be listed by month for each of the fiscal years
20 2019 and 2020 and disaggregated by mission
21 and country, to include those forces deployed to
22 secure United States embassies.

23 (C) The average number of United States
24 Armed Forces that are planned to be under the
25 direct authority of the Commander of United

1 States Africa Command and deployed to
2 AFRICOM AOR and the amount of projected
3 associated expenditures, to be listed by month
4 for fiscal years 2021 and 2022 and
5 disaggregated by mission and country, to in-
6 clude those forces deployed to secure United
7 States embassies.

8 (D) The effect that a reduction described
9 in subsection (a) would have on military and in-
10 telligence efforts to combat each of the violent
11 extremist organizations described in paragraph
12 (2), including a statement of the current objec-
13 tives of the Secretary of Defense with respect to
14 such efforts.

15 (E) A description of any consultation or
16 coordination with the Department of State or
17 the United States Agency for International De-
18 velopment with respect to such a reduction and
19 the effect that such a reduction would have on
20 diplomatic, developmental, or humanitarian ef-
21 forts in Africa, including statements of the cur-
22 rent objectives of the Secretary of State and the
23 Administrator of the United States Agency for
24 International Development with respect to such
25 efforts.

1 (F) The strength, regenerative capacity,
2 and intent of such violent extremist organiza-
3 tions in the AFRICOM AOR, including—

4 (i) an assessment of the number of
5 fighters in the Sahel, the Horn of Africa,
6 and West Africa who are members of such
7 violent extremist organizations;

8 (ii) the threat such violent extremist
9 organizations pose to host nations and
10 United States allies and partners, and the
11 extent to which such violent extremist or-
12 ganizations pose a direct threat to the
13 United States; and

14 (iii) the likely reaction of such violent
15 extremist organizations to the withdrawal
16 of United States Armed Forces.

17 (G) The strategic risks involved with coun-
18 tering such violent extremist organizations fol-
19 lowing such a reduction.

20 (H) The operational risks involved with
21 conducting United States led or enabled oper-
22 ations in Africa against such violent extremist
23 organizations following such a reduction.

24 (I) For any region of the AFRICOM AOR
25 in which United States Armed Forces currently

1 are present or conduct activities, the effect such
2 a reduction would have on power and influence
3 of China and Russia in such region.

4 (J) Any consultation or coordination with
5 United States allies and partners concerning
6 such a reduction.

7 (K) An assessment of the response from
8 the governments and military forces of France,
9 the United Kingdom, and Canada to such a re-
10 duction.

11 (2) VIOLENT EXTREMIST ORGANIZATIONS DE-
12 SCRIBED.—The violent extremist organizations de-
13 scribed in this paragraph are adversarial groups and
14 forces in the AFRICOM AOR, as determined by the
15 Secretary of Defense.

16 (c) ADDITIONAL REPORTING REQUIREMENT.—Not
17 later than 60 days after the date of the enactment of this
18 Act, the Secretary of Defense shall submit to the appro-
19 priate congressional committees a report that includes the
20 information required by subsection (b)(1)(B).

21 (d) FORM.—The reports required by subsections (b)
22 and (c) shall be submitted in unclassified form, but may
23 contain a classified annex.

1 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

4 (1) the congressional defense committees (which
5 has the meaning given the term in section
6 101(a)(16) of title 10, United States Code);

7 (2) the Committee on Foreign Affairs and the
8 Permanent Select Committee on Intelligence of the
9 House of Representatives; and

10 (3) the Committee on Foreign Relations and
11 the Select Committee on Intelligence of the Senate.

12 **SEC. 1268. REPORT ON ENHANCING PARTNERSHIPS BE-**
13 **TWEEN THE UNITED STATES AND AFRICAN**
14 **COUNTRIES.**

15 (a) REPORT REQUIRED.—

16 (1) IN GENERAL.—Not later than June 1,
17 2021, the Secretary of Defense, in coordination with
18 the Secretary of State, shall submit to the appro-
19 priate congressional committees a report on the ac-
20 tivities and resources required to enhance security
21 and economic partnerships between the United
22 States and African countries.

23 (2) ELEMENTS.—The report required under
24 paragraph (1) shall include the following:

1 (A) An assessment of the infrastructure
2 accessible to the Department of Defense on the
3 continent of Africa.

4 (B) An identification of the ability of the
5 Department to conduct freedom of movement
6 on the continent, including identifying the ac-
7 tivities of partners, allies, and other Federal de-
8 partments and agencies that are facilitated by
9 the Department's ability to conduct freedom of
10 movement.

11 (C) Recommendations to meet the require-
12 ments identified in subparagraph (B), includ-
13 ing—

14 (i) dual-use infrastructure projects;

15 (ii) military construction;

16 (iii) the acquisition of additional mo-
17 bility capability by African countries or the
18 United States Armed Forces, including
19 strategic air lift, tactical air lift, or sealift
20 capability; or

21 (iv) any other option as determined by
22 the Secretary.

23 (D) Recommendations to expand and
24 strengthen partner and ally capability, including
25 traditional activities of the combatant com-

1 mands, train and equip opportunities, partner-
2 ships with the National Guard and the United
3 States Coast Guard, and multilateral contribu-
4 tions.

5 (E) Recommendations for enhancing joint
6 exercises and training.

7 (F) An analysis of the security, economic,
8 and stability benefits of the recommendations
9 identified under subparagraphs (C) through
10 (E).

11 (G)(i) A plan to fully resource United
12 States force posture, capabilities, and stability
13 operations, including—

14 (I) a detailed assessment of the
15 resources required to address the ele-
16 ments described in subparagraphs (B)
17 through (E), including specific cost
18 estimates for recommended invest-
19 ments or projects; and

20 (II) a detailed timeline to achieve
21 the recommendations described in
22 subparagraphs (B) through (D).

23 (ii) The specific cost estimates re-
24 quired by clause (i)(I) shall, to the max-

1 imum extent practicable, include the fol-
2 lowing:

3 (I) With respect to procurement
4 accounts—

5 (aa) amounts displayed by
6 account, budget activity, line
7 number, line item, and line item
8 title; and

9 (bb) a description of the re-
10 quirements for each such
11 amount.

12 (II) With respect to research, de-
13 velopment, test, and evaluation ac-
14 counts—

15 (aa) amounts displayed by
16 account, budget activity, line
17 number, program element, and
18 program element title; and

19 (bb) a description of the re-
20 quirements for each such
21 amount.

22 (III) With respect to operation
23 and maintenance accounts—

24 (aa) amounts displayed by
25 account title, budget activity

1 title, line number, and subactivity
2 group title; and

3 (bb) a description of the
4 specific manner in which each
5 such amount would be used.

6 (IV) With respect to military per-
7 sonnel accounts—

8 (aa) amounts displayed by
9 account, budget activity, budget
10 subactivity, and budget sub-
11 activity title; and

12 (bb) a description of the re-
13 quirements for each such
14 amount.

15 (V) With respect to each project
16 under military construction accounts
17 (including unspecified minor military
18 construction and amounts for plan-
19 ning and design), the country, loca-
20 tion, project title, and project amount
21 for each fiscal year.

22 (VI) With respect to any expendi-
23 ture or proposed appropriation not de-
24 scribed in clause (i) through (iv), a
25 level of detail equivalent or greater

1 than the level of detail provided in the
2 future-years defense program sub-
3 mitted pursuant to section 221(a) of
4 title 10, United States Code.

5 (3) CONSIDERATIONS.—In preparing the report
6 required under paragraph (1), the Secretary shall
7 consider—

8 (A) the economic development and stability
9 of African countries;

10 (B) the strategic and economic value of the
11 relationships between the United States and Af-
12 rican countries;

13 (C) the military, intelligence, diplomatic,
14 developmental, and humanitarian efforts of
15 China and Russia on the African continent; and

16 (D) the ability of the United States, allies,
17 and partners to combat violent extremist orga-
18 nizations operating in Africa.

19 (4) FORM.—The report required under para-
20 graph (1) may be submitted in classified form, but
21 shall include an unclassified summary.

22 (b) INTERIM BRIEFING REQUIRED.—Not later than
23 April 15, 2021, the Secretary of Defense (acting through
24 the Under Secretary of Defense for Policy, the Under Sec-
25 retary of Defense (Comptroller), and the Director of Cost

1 Assessment and Program Evaluation) and the Chairman
2 of the Joint Chiefs of Staff shall provide to the congres-
3 sional defense committees a joint interim briefing, and any
4 written comments the Secretary of Defense and the Chair-
5 man of the Joint Chiefs of Staff consider necessary, with
6 respect to their assessments of the report anticipated to
7 be submitted under subsection (a).

8 (c) DEFINITIONS.—In this section:

9 (1) DUAL-USE INFRASTRUCTURE PROJECTS.—

10 The term “dual-use infrastructure projects” means
11 projects that may be used for either military or civil-
12 ian purposes.

13 (2) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES.—The term “appropriate congressional com-
15 mittees” means—

16 (A) the congressional defense committees;
17 and

18 (B) the Committee on Foreign Relations of
19 the Senate and the Committee on Foreign Af-
20 fairs of the House of Representatives.

21 **SEC. 1269. SENSE OF CONGRESS WITH RESPECT TO QATAR.**

22 It is the sense of Congress that—

23 (1) the United States and the country of Qatar
24 have built a strong, enduring, and forward-looking
25 strategic partnership based on long-standing and

1 mutually beneficial cooperation, including through
2 security, defense, and economic ties;

3 (2) robust security cooperation between the
4 United States and Qatar is crucial to promoting
5 peace and stability in the Middle East region;

6 (3) Qatar plays a unique role as host of the for-
7 ward headquarters for the United States Central
8 Command, and that partnership facilitates United
9 States coalition operations countering terrorism;

10 (4) Qatar is a major security cooperation part-
11 ner of the United States, as recognized in the 2018
12 Strategic Dialogue and the 2019 Memorandum of
13 Understanding to expand Al Udeid Air Base to im-
14 prove and expand accommodation for United States
15 military personnel;

16 (5) the United States values Qatar's provision
17 of access to its military facilities and its manage-
18 ment and financial assistance in expanding the Al
19 Udeid Air Base, which supports the continued secu-
20 rity presence of the United States in the Middle
21 East region; and

22 (6) the United States should—

23 (A) continue to strengthen the relationship
24 between the United States and Qatar, including
25 through security and economic cooperation; and

1 (B) seek a resolution to the dispute be-
2 tween partner countries of the Arabian Gulf,
3 which would promote peace and stability in the
4 Middle East region.

5 **SEC. 1270. SENSE OF CONGRESS ON UNITED STATES MILI-**
6 **TARY SUPPORT FOR AND PARTICIPATION IN**
7 **THE MULTINATIONAL FORCE AND OBSERV-**
8 **ERS.**

9 It is the sense of Congress that—

10 (1) the mission of the Multinational Force and
11 Observers (MFO) is to supervise implementation of
12 the security provisions of the Egypt-Israel Peace
13 Treaty, signed at Washington on March 26, 1979,
14 and employ best efforts to prevent any violation of
15 its terms;

16 (2) the MFO was established by the Protocol to
17 the Egypt-Israel Peace Treaty, signed on August 3,
18 1981, and remains a critical institution for regional
19 peace and stability; and

20 (3) as a signatory to the Egypt-Israel Peace
21 Treaty and subsequent Protocol, the United States
22 strongly supports and encourages continued United
23 States military support for and participation in the
24 MFO.

1 **SEC. 1271. PROHIBITION ON SUPPORT FOR MILITARY PAR-**
2 **TICIPATION AGAINST THE HOUTHIS.**

3 (a) PROHIBITION RELATING TO SUPPORT.—None of
4 the funds authorized to be appropriated or otherwise made
5 available by this Act may be made available to provide
6 United States logistical support to the Saudi-led coal-
7 ition’s operations against the Houthis in Yemen for coal-
8 ition strikes, specifically by providing maintenance or
9 transferring spare parts to coalition members flying war-
10 planes engaged in anti-Houthi bombings for coalition
11 strikes.

12 (b) PROHIBITION RELATING TO MILITARY PARTICI-
13 PATION.—None of the funds authorized to be appropriated
14 or otherwise made available by this Act may be made
15 available for any civilian or military personnel of the De-
16 partment of Defense or contractors of the Department to
17 command, coordinate, participate in the movement of, or
18 accompany the regular or irregular military forces of the
19 Saudi and United Arab Emirates-led coalition forces en-
20 gaged in hostilities against the Houthis in Yemen or in
21 situations in which there exists an imminent threat that
22 such coalition forces become engaged in such hostilities,
23 unless and until the President has obtained specific statu-
24 tory authorization, in accordance with section 8(a) of the
25 War Powers Resolution (50 U.S.C. 1547(a)).

1 (c) **RULE OF CONSTRUCTION.**—The prohibitions
2 under this section may not be construed to apply with re-
3 spect to United States Armed Forces engaged in oper-
4 ations directed at al-Qaeda or associated forces.

5 **SEC. 1272. RULE OF CONSTRUCTION RELATING TO USE OF**
6 **MILITARY FORCE.**

7 Nothing in this Act or any amendment made by this
8 Act may be construed to authorize the use of military
9 force.

10 **TITLE XIII—COOPERATIVE**
11 **THREAT REDUCTION**

12 **SEC. 1301. FUNDING ALLOCATIONS; SPECIFICATION OF CO-**
13 **OPERATIVE THREAT REDUCTION FUNDS.**

14 (a) **FUNDING ALLOCATION.**—Of the \$373,690,000
15 authorized to be appropriated to the Department of De-
16 fense for fiscal year 2021 in section 301 and made avail-
17 able by the funding table in division D for the Department
18 of Defense Cooperative Threat Reduction Program estab-
19 lished under section 1321 of the Department of Defense
20 Cooperative Threat Reduction Act (50 U.S.C. 3711), the
21 following amounts may be obligated for the purposes spec-
22 ified:

23 (1) For strategic offensive arms elimination,
24 \$2,924,000.

1 (2) For chemical weapons destruction,
2 \$12,856,000.

3 (3) For global nuclear security, \$33,919,000.

4 (4) For cooperative biological engagement,
5 \$216,200,000.

6 (5) For proliferation prevention, \$79,869,000.

7 (6) For activities designated as Other Assess-
8 ments/Administrative Costs, \$27,922,000.

9 (b) SPECIFICATION OF COOPERATIVE THREAT RE-
10 DUCTION FUNDS.—Funds appropriated pursuant to the
11 authorization of appropriations in section 301 and made
12 available by the funding table in division D for the Depart-
13 ment of Defense Cooperative Threat Reduction Program
14 shall be available for obligation for fiscal years 2021,
15 2022, and 2023.

16 **TITLE XIV—OTHER**
17 **AUTHORIZATIONS**
18 **Subtitle A—Military Programs**

19 **SEC. 1401. WORKING CAPITAL FUNDS.**

20 Funds are hereby authorized to be appropriated for
21 fiscal year 2021 for the use of the Armed Forces and other
22 activities and agencies of the Department of Defense for
23 providing capital for working capital and revolving funds,
24 as specified in the funding table in section 4501.

1 **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
2 **TION, DEFENSE.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
4 are hereby authorized to be appropriated for the Depart-
5 ment of Defense for fiscal year 2021 for expenses, not oth-
6 erwise provided for, for Chemical Agents and Munitions
7 Destruction, Defense, as specified in the funding table in
8 section 4501.

9 (b) USE.—Amounts authorized to be appropriated
10 under subsection (a) are authorized for—

11 (1) the destruction of lethal chemical agents
12 and munitions in accordance with section 1412 of
13 the Department of Defense Authorization Act, 1986
14 (50 U.S.C. 1521); and

15 (2) the destruction of chemical warfare materiel
16 of the United States that is not covered by section
17 1412 of such Act.

18 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**
19 **TIVITIES, DEFENSE-WIDE.**

20 Funds are hereby authorized to be appropriated for
21 the Department of Defense for fiscal year 2021 for ex-
22 penses, not otherwise provided for, for Drug Interdiction
23 and Counter-Drug Activities, Defense-wide, as specified in
24 the funding table in section 4501.

1 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

2 Funds are hereby authorized to be appropriated for
3 the Department of Defense for fiscal year 2021 for ex-
4 penses, not otherwise provided for, for the Office of the
5 Inspector General of the Department of Defense, as speci-
6 fied in the funding table in section 4501.

7 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

8 Funds are hereby authorized to be appropriated for
9 fiscal year 2021 for the Defense Health Program for use
10 of the Armed Forces and other activities and agencies of
11 the Department of Defense for providing for the health
12 of eligible beneficiaries, as specified in the funding table
13 in section 4501.

14 **SEC. 1406. NATIONAL DEFENSE SEALIFT FUND.**

15 Funds are hereby authorized to be appropriated for
16 fiscal year 2021 for the National Defense Sealift Fund,
17 as specified in the funding tables in section 4501.

18 **Subtitle B—Other Matters**

19 **SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**
20 **DEPARTMENT OF DEFENSE-DEPARTMENT OF**
21 **VETERANS AFFAIRS MEDICAL FACILITY DEM-**
22 **ONSTRATION FUND FOR CAPTAIN JAMES A.**
23 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

24 (a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the
25 funds authorized to be appropriated by section 1405 and
26 available for the Defense Health Program for operation

1 and maintenance, \$137,000,000 may be transferred by the
2 Secretary of Defense to the Joint Department of Defense—
3 Department of Veterans Affairs Medical Facility Dem-
4 onstration Fund established by subsection (a)(1) of sec-
5 tion 1704 of the National Defense Authorization Act for
6 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).
7 For purposes of subsection (a)(2) of such section 1704,
8 any funds so transferred shall be treated as amounts au-
9 thorized and appropriated specifically for the purpose of
10 such a transfer.

11 (b) USE OF TRANSFERRED FUNDS.—For the pur-
12 poses of subsection (b) of such section 1704, facility oper-
13 ations for which funds transferred under subsection (a)
14 may be used are operations of the Captain James A.
15 Lovell Federal Health Care Center, consisting of the
16 North Chicago Veterans Affairs Medical Center, the Navy
17 Ambulatory Care Center, and supporting facilities des-
18 igned as a combined Federal medical facility under an
19 operational agreement covered by section 706 of the Dun-
20 can Hunter National Defense Authorization Act for Fiscal
21 Year 2009 (Public Law 110–417; 122 Stat. 4500).

22 **SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR**
23 **ARMED FORCES RETIREMENT HOME.**

24 There is hereby authorized to be appropriated for fis-
25 cal year 2021 from the Armed Forces Retirement Home

1 Trust Fund the sum of \$70,300,000 for the operation of
2 the Armed Forces Retirement Home.

3 **TITLE XV—AUTHORIZATION OF**
4 **ADDITIONAL APPROPRIA-**
5 **TIONS FOR OVERSEAS CON-**
6 **TINGENCY OPERATIONS**

7 **Subtitle A—Authorization of**
8 **Appropriations**

9 **SEC. 1501. PURPOSE.**

10 The purpose of this title is to authorize appropria-
11 tions for the Department of Defense for fiscal year 2021
12 to provide additional funds for overseas contingency oper-
13 ations being carried out by the Armed Forces.

14 **SEC. 1502. PROCUREMENT.**

15 Funds are hereby authorized to be appropriated for
16 fiscal year 2021 for procurement accounts for the Army,
17 the Navy and the Marine Corps, the Air Force, and De-
18 fense-wide activities, as specified in the funding table in
19 section 4102.

20 **SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
21 **TION.**

22 Funds are hereby authorized to be appropriated for
23 fiscal year 2021 for the use of the Department of Defense
24 for research, development, test, and evaluation, as speci-
25 fied in the funding table in section 4202.

1 **SEC. 1504. OPERATION AND MAINTENANCE.**

2 Funds are hereby authorized to be appropriated for
3 fiscal year 2021 for the use of the Armed Forces and other
4 activities and agencies of the Department of Defense for
5 expenses, not otherwise provided for, for operation and
6 maintenance, as specified in the funding table in section
7 4302.

8 **SEC. 1505. MILITARY PERSONNEL.**

9 Funds are hereby authorized to be appropriated for
10 fiscal year 2021 for the use of the Armed Forces and other
11 activities and agencies of the Department of Defense for
12 expenses, not otherwise provided for, military personnel
13 accounts, as specified in the funding table in section 4402.

14 **SEC. 1506. WORKING CAPITAL FUNDS.**

15 Funds are hereby authorized to be appropriated for
16 fiscal year 2021 for the use of the Armed Forces and other
17 activities and agencies of the Department of Defense for
18 providing capital for working capital and revolving funds,
19 as specified in the funding table in section 4502.

20 **SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG AC-**
21 **TIVITIES, DEFENSE-WIDE.**

22 Funds are hereby authorized to be appropriated for
23 the Department of Defense for fiscal year 2021 for ex-
24 penses, not otherwise provided for, for Drug Interdiction
25 and Counter-Drug Activities, Defense-wide, as specified in
26 the funding table in section 4502.

1 **SEC. 1508. DEFENSE INSPECTOR GENERAL.**

2 Funds are hereby authorized to be appropriated for
3 the Department of Defense for fiscal year 2021 for ex-
4 penses, not otherwise provided for, for the Office of the
5 Inspector General of the Department of Defense, as speci-
6 fied in the funding table in section 4502.

7 **SEC. 1509. DEFENSE HEALTH PROGRAM.**

8 Funds are hereby authorized to be appropriated for
9 the Department of Defense for fiscal year 2021 for ex-
10 penses, not otherwise provided for, for the Defense Health
11 Program, as specified in the funding table in section 4502.

12 **Subtitle B—Financial Matters**

13 **SEC. 1511. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

14 The amounts authorized to be appropriated by this
15 title are in addition to amounts otherwise authorized to
16 be appropriated by this Act.

17 **SEC. 1512. SPECIAL TRANSFER AUTHORITY.**

18 (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.—**

19 (1) **AUTHORITY.—**Upon determination by the
20 Secretary of Defense that such action is necessary in
21 the national interest, the Secretary may transfer
22 amounts of authorizations made available to the De-
23 partment of Defense in this title for fiscal year 2021
24 between any such authorizations for that fiscal year
25 (or any subdivisions thereof). Amounts of authoriza-
26 tions so transferred shall be merged with and be

1 available for the same purposes as the authorization
2 to which transferred.

3 (2) LIMITATION.—The total amount of author-
4 izations that the Secretary may transfer under the
5 authority of this subsection may not exceed
6 \$2,500,000,000.

7 (b) TERMS AND CONDITIONS.—

8 (1) IN GENERAL.—Transfers under this section
9 shall be subject to the same terms and conditions as
10 transfers under section 1001.

11 (2) ADDITIONAL LIMITATION ON TRANSFERS
12 FROM THE NATIONAL GUARD AND RESERVE EQUIP-
13 MENT.—The authority provided by subsection (a)
14 may not be used to transfer any amount from Na-
15 tional Guard and Reserve Equipment.

16 (c) ADDITIONAL AUTHORITY.—The transfer author-
17 ity provided by this section is in addition to the transfer
18 authority provided under section 1001.

19 **Subtitle C—Other Matters**

20 **SEC. 1521. AFGHANISTAN SECURITY FORCES FUND.**

21 (a) CONTINUATION OF PRIOR AUTHORITIES AND NO-
22 TICE AND REPORTING REQUIREMENTS.—Funds available
23 to the Department of Defense for the Afghanistan Secu-
24 rity Forces Fund for fiscal year 2021 shall be subject to
25 the conditions contained in—

1 (1) subsections (b) through (f) of section 1513
2 of the National Defense Authorization Act for Fiscal
3 Year 2008 (Public Law 110–181; 122 Stat. 428);
4 and

5 (2) section 1521(d)(1) of the National Defense
6 Authorization Act for Fiscal Year 2017 (Public Law
7 114–328; 130 Stat. 2577) (as amended by sub-
8 section (b)).

9 (b) EXTENSION OF PRIOR NOTICE AND REPORTING
10 REQUIREMENTS.—Section 1521(d)(1) of the National De-
11 fense Authorization Act for Fiscal Year 2017 (Public Law
12 114–328; 130 Stat. 2577) is amended by striking
13 “through January 31, 2021” and inserting “through Jan-
14 uary 31, 2023”.

15 (c) EQUIPMENT DISPOSITION.—

16 (1) ACCEPTANCE OF CERTAIN EQUIPMENT.—
17 Subject to paragraph (2), the Secretary of Defense
18 may accept equipment that is procured using
19 amounts authorized to be appropriated for the Af-
20 ghanistan Security Forces Fund by this Act and is
21 intended for transfer to the security forces of the
22 Ministry of Defense and the Ministry of the Interior
23 of the Government of Afghanistan, but is not accept-
24 ed by such security forces.

1 (2) CONDITIONS ON ACCEPTANCE OF EQUIP-
2 MENT.—Before accepting any equipment under the
3 authority provided by paragraph (1), the Com-
4 mander of United States forces in Afghanistan shall
5 make a determination that such equipment was pro-
6 cured for the purpose of meeting requirements of the
7 security forces of the Ministry of Defense and the
8 Ministry of the Interior of the Government of Af-
9 ghanistan, as agreed to by both the Government of
10 Afghanistan and the Government of the United
11 States, but is no longer required by such security
12 forces or was damaged before transfer to such secu-
13 rity forces.

14 (3) ELEMENTS OF DETERMINATION.—In mak-
15 ing a determination under paragraph (2) regarding
16 equipment, the Commander of United States forces
17 in Afghanistan shall consider alternatives to the ac-
18 ceptance of such equipment by the Secretary. An ex-
19 planation of each determination, including the basis
20 for the determination and the alternatives consid-
21 ered, shall be included in the relevant quarterly re-
22 port required under paragraph (5).

23 (4) TREATMENT AS DEPARTMENT OF DEFENSE
24 STOCKS.—Equipment accepted under the authority
25 provided by paragraph (1) may be treated as stocks

1 of the Department of Defense upon notification to
2 the congressional defense committees of such treat-
3 ment.

4 (5) QUARTERLY REPORTS ON EQUIPMENT DIS-
5 POSITION.—

6 (A) IN GENERAL.—Not later than 90 days
7 after the date of the enactment of this Act and
8 every 90-day period thereafter during which the
9 authority provided by paragraph (1) is exer-
10 cised, the Secretary shall submit to the congress-
11 sional defense committees a report describing
12 the equipment accepted during the period cov-
13 ered by such report under the following:

14 (i) This subsection.

15 (ii) Section 1521(b) of the National
16 Defense Authorization Act for Fiscal Year
17 2017 (Public Law 114–328; 130 Stat.
18 2575).

19 (iii) Section 1531(b) of the National
20 Defense Authorization Act for Fiscal Year
21 2016 (Public Law 114–92; 129 Stat.
22 1088).

23 (iv) Section 1532(b) of the Carl Levin
24 and Howard P. “Buck” McKeon National
25 Defense Authorization Act for Fiscal Year

1 2015 (Public Law 113–291; 128 Stat.
2 3613).

3 (v) Section 1531(d) of the National
4 Defense Authorization Act for Fiscal Year
5 2014 (Public Law 113–66; 127 Stat. 938;
6 10 U.S.C. 2302 note).

7 (B) ELEMENTS.—Each report under sub-
8 paragraph (A) shall include a list of all equip-
9 ment that was accepted during the period cov-
10 ered by such report and treated as stocks of the
11 Department of Defense and copies of the deter-
12 minations made under paragraph (2), as re-
13 quired by paragraph (3).

14 (d) SECURITY OF AFGHAN WOMEN.—

15 (1) IN GENERAL.—Of the funds available to the
16 Department of Defense for the Afghan Security
17 Forces Fund for fiscal year 2021, it is the goal that
18 \$29,100,000, but in no event less than \$10,000,000,
19 shall be used for the recruitment, integration, reten-
20 tion, training, and treatment of women in the Af-
21 ghan National Defense and Security Forces.

22 (2) TYPES OF PROGRAMS AND ACTIVITIES.—
23 Such programs and activities may include—

1 (A) efforts to recruit and retain women
2 into the Afghan National Defense and Security
3 Forces, including the special operations forces;

4 (B) programs and activities of the Direc-
5 torate of Human Rights and Gender Integra-
6 tion of the Ministry of Defense of Afghanistan
7 and the Office of Human Rights, Gender and
8 Child Rights of the Ministry of Interior of Af-
9 ghanistan;

10 (C) development and dissemination of gen-
11 der and human rights educational and training
12 materials and programs within the Ministry of
13 Defense and the Ministry of Interior of Afghan-
14 istan;

15 (D) efforts to address harassment and vio-
16 lence against women within the Afghan Na-
17 tional Defense and Security Forces;

18 (E) improvements to infrastructure that
19 address the requirements of women serving in
20 the Afghan National Defense and Security
21 Forces, including appropriate equipment for fe-
22 male security and police forces, and transpor-
23 tation for policewomen to their station;

24 (F) support for Afghanistan National Po-
25 lice Family Response Units;

1 (G) security provisions for high-profile fe-
2 male police and military officers;

3 (H) programs to promote conflict preven-
4 tion, management, and resolution through the
5 meaningful participation of Afghan women in
6 the Afghan National Defense and Security
7 Forces, by exposing Afghan women and girls to
8 the activities of and careers available with such
9 forces, encouraging their interest in such ca-
10 reers, or developing their interest and skills nec-
11 essary for service in such forces; and

12 (I) enhancements to Afghan National De-
13 fense and Security Forces recruitment pro-
14 grams for targeted advertising with the goal of
15 increasing the number of female recruits.

16 (e) ASSESSMENT OF AFGHANISTAN PROGRESS ON
17 OBJECTIVES.—

18 (1) ASSESSMENT REQUIRED.—Not later than
19 180 days after the date of the enactment of this Act,
20 the Secretary of Defense shall, in consultation with
21 the Secretary of State, submit to the Committee on
22 Armed Services and the Committee on Foreign Af-
23 fairs of the House of Representatives and the Com-
24 mittee on Armed Services and the Committee on

1 Foreign Relations of the Senate an assessment de-
2 scribing—

3 (A) the progress of the Government of the
4 Islamic Republic of Afghanistan toward meeting
5 shared security objectives; and

6 (B) the efforts of the Government of the
7 Islamic Republic of Afghanistan to manage, em-
8 ploy, and sustain the equipment and inventory
9 provided under subsection (a).

10 (2) MATTERS TO BE INCLUDED.—In conducting
11 the assessment required by paragraph (1), the Sec-
12 retary of Defense shall include each of the following:

13 (A) The extent to which the Government of
14 Afghanistan has a strategy for, and has taken
15 steps toward, increased accountability and the
16 reduction of corruption within the Ministry of
17 Defense and the Ministry of Interior of Afghan-
18 istan.

19 (B) The extent to which the capability and
20 capacity of the Afghan National Defense and
21 Security Forces have improved as a result of
22 Afghanistan Security Forces Fund investment,
23 including through training, and an articulation
24 of the metrics used to assess such improve-
25 ments.

1 (C) The extent to which the Afghan Na-
2 tional Defense and Security Forces have been
3 able to increase pressure on the Taliban, al-
4 Qaeda, the Haqqani network, the Islamic State
5 of Iraq and Syria-Khorasan, and other terrorist
6 organizations, including by re-taking territory,
7 defending territory, and disrupting attacks.

8 (D) The distribution practices of the Af-
9 ghan National Defense and Security Forces and
10 whether the Government of Afghanistan is en-
11 suring that supplies, equipment, and weaponry
12 supplied by the United States are appropriately
13 distributed to, and employed by, security forces
14 charged with fighting the Taliban and other
15 terrorist organizations.

16 (E) A description of—

17 (i) the policy governing the use of Ac-
18 quisition and Cross Servicing Agreements
19 (ACSA) in Afghanistan;

20 (ii) each ACSA transaction by type,
21 amount, and recipient for calendar year
22 2020; and

23 (iii) for any transactions from the
24 United States to Afghan military forces,
25 an explanation for why such transaction

1 was not carried out under the authorities
2 of the Afghanistan Security Forces Fund.

3 (F) The extent to which the Government
4 of Afghanistan has designated the appropriate
5 staff, prioritized the development of relevant
6 processes, and provided or requested the alloca-
7 tion of resources necessary to support a peace
8 and reconciliation process in Afghanistan.

9 (G) A description of the ability of the Min-
10 istry of Defense and the Ministry of Interior of
11 Afghanistan to manage and account for pre-
12 viously divested equipment, including a descrip-
13 tion of any vulnerabilities or weaknesses of the
14 internal controls of such Ministry of Defense
15 and Ministry of Interior and any plan in place
16 to address shortfalls.

17 (H) A description of any significant irreg-
18 ularities in the divestment of equipment to the
19 Afghan National Defense and Security Forces
20 during the period beginning on May 1, 2020,
21 and ending on May 1, 2021, including any
22 major losses of such equipment or any inability
23 on the part of the Afghan National Defense and
24 Security Forces to account for equipment so
25 procured.

1 (I) A description of the sustainment and
2 maintenance costs required during the 5-year
3 period beginning on the date of the enactment
4 of this Act, for major weapons platforms pre-
5 viously divested, and a description of the plan
6 for the Afghan National Defense and Security
7 Forces to maintain such platforms in the fu-
8 ture.

9 (J) The extent to which the Government of
10 Afghanistan is adhering to conditions for receiv-
11 ing assistance established in annual financial
12 commitment letters or any other bilateral agree-
13 ments with the United States.

14 (K) The extent to which the Government
15 of Afghanistan has made progress in achieving
16 security sector benchmarks as outlined by the
17 United States-Afghan Compact (commonly
18 known as the “Kabul Compact”) and a descrip-
19 tion of any other documents, plans, or agree-
20 ments used by the United States to measure se-
21 curity sector progress.

22 (L) The extent to which the Government of
23 Afghanistan or the Secretary has developed a
24 plan to integrate former Taliban fighters into
25 the Ministries of Defense or Interior.

1 (M) Such other factors as the Secretaries
2 consider appropriate.

3 (3) FORM.—The assessment required by para-
4 graph (1) shall be submitted in unclassified form,
5 but may include a classified annex.

6 (4) WITHHOLDING OF ASSISTANCE FOR INSUF-
7 FICIENT PROGRESS.—

8 (A) IN GENERAL.—If the Secretary of De-
9 fense determines, in coordination with the Sec-
10 retary of State and pursuant to the assessment
11 under paragraph (1), that the Government of
12 Afghanistan has made insufficient progress in
13 the areas described in paragraph (2), the Sec-
14 retary of Defense shall—

15 (i) withhold \$401,500,000, to be de-
16 rived from amounts made available for as-
17 sistance for the Afghan National Defense
18 and Security Forces, from expenditure or
19 obligation until the date on which the Sec-
20 retary certifies to the congressional defense
21 committees that the Government of Af-
22 ghanistan has made sufficient progress;
23 and

1 (ii) notify the congressional defense
2 committees not later than 30 days before
3 withholding such funds.

4 (B) WAIVER.—If the Secretary of Defense
5 determines that withholding such assistance
6 would impede the national security objectives of
7 the United States by prohibiting, restricting,
8 delaying, or otherwise limiting the provision of
9 assistance, the Secretary may waive the with-
10 holding requirement under subparagraph (A) if
11 the Secretary, in coordination with the Sec-
12 retary of State, certifies such determination to
13 the congressional defense committees not later
14 than 30 days before the effective date of the
15 waiver.

16 (f) ADDITIONAL REPORTING REQUIREMENTS.—The
17 Secretary of Defense shall include in the materials sub-
18 mitted in support of the budget for fiscal year 2022 that
19 is submitted by the President under section 1105(a) of
20 title 31, United States Code, each of the following:

21 (1) The amount of funding provided in fiscal
22 year 2020 through the Afghanistan Security Forces
23 Fund to the Government of Afghanistan in the form
24 of direct government-to-government assistance or on-
25 budget assistance for the purposes of supporting any

1 entity of such government, including the Afghan Na-
2 tional Defense and Security Forces, the Afghan Min-
3 istry of Interior, or the Afghan Ministry of Defense.

4 (2) The amount of funding provided and antici-
5 pated to be provided, as of the date of the submis-
6 sion of the materials, in fiscal year 2021 through
7 such Fund in such form.

8 (3) To the extent the amount described in para-
9 graph (2) exceeds the amount described in para-
10 graph (1), an explanation as to the reason why the
11 such amount is greater and the specific entities and
12 purposes that were supported by such increase.

13 **TITLE XVI—STRATEGIC PRO-**
14 **GRAMS, CYBER, AND INTEL-**
15 **LIGENCE MATTERS**

16 **Subtitle A—Space Activities**

17 **SEC. 1601. NATIONAL SECURITY SPACE LAUNCH PROGRAM.**

18 (a) PHASE TWO ACQUISITION STRATEGY.—In car-
19 rying out the phase two acquisition strategy, the Secretary
20 of the Air Force—

21 (1) may not change the mission performance re-
22 quirements;

23 (2) may not change the acquisition schedule;

24 (3) may not award phase two contracts after
25 September 30, 2024;

1 (4) shall award phase two contracts to not more
2 than two National Security Space Launch providers;

3 (5) shall ensure that launch services are pro-
4 cured only from National Security Space Launch
5 providers that meet the requirements for the phase
6 two contracts;

7 (6) not later than 180 days after the date on
8 which phase two contracts are awarded, shall termi-
9 nate launch service agreement contracts awarded
10 under such phase two acquisition strategy to each
11 National Security Space Launch provider that is not
12 a down-selected National Security Launch provider;
13 and

14 (7) may not increase the total amount of fund-
15 ing included in the initial launch service agreements
16 with down-selected National Security Launch pro-
17 viders.

18 (b) REUSABILITY.—

19 (1) CERTIFICATION.—Not later than 18 months
20 after the date on which the Secretary determines the
21 down-selected National Security Space Launch pro-
22 viders, the Secretary shall certify to the appropriate
23 congressional committees that the Secretary has
24 completed all non-recurring design validation of pre-
25 viously flown launch hardware for National Security

1 Space Launch providers offering such hardware for
2 use in phase two contracts or in future national se-
3 curity space missions.

4 (2) REPORT.—Not later than 180 days after
5 the date on which the Secretary determines the
6 down-selected National Security Space Launch pro-
7 viders, the Secretary shall submit to the appropriate
8 congressional committees a report on the progress of
9 the Secretary with respect to completing all non-re-
10 curring design validation of previously flown launch
11 hardware described in paragraph (1), including—

12 (A) a justification for any deviation from
13 the new entrant certification guide; and

14 (B) a description of such progress with re-
15 spect to National Security Space Launch pro-
16 viders that are not down-selected National Se-
17 curity Space Launch providers, if applicable.

18 (c) FUNDING FOR CERTIFICATION, INFRASTRUC-
19 TURE, AND TECHNOLOGY DEVELOPMENT.—

20 (1) AUTHORITY.—Pursuant to section 2371b of
21 title 10, United States Code, not later than Sep-
22 tember 30, 2021, the Secretary of the Air Force
23 shall enter into three agreements described in para-
24 graph (3) with National Security Space Launch pro-
25 viders—

1 (A) to maintain competition in order to
2 maximize the likelihood of at least three Na-
3 tional Security Space Launch providers com-
4 peting for phase three contracts; and

5 (B) to support innovation for national se-
6 curity launches under phase three contracts.

7 (2) COMPETITIVE PROCEDURES.—The Sec-
8 retary shall carry out paragraph (1) by conducting
9 a full and open competition among all National Se-
10 curity Space Launch providers that may submit bids
11 for a phase three contract.

12 (3) AGREEMENTS.—An agreement described in
13 this paragraph is an agreement that provides a Na-
14 tional Security Space Launch provider with not
15 more than \$150,000,000 for the provider to conduct
16 either or both of the following activities:

17 (A) Meet the certification and infrastruc-
18 ture requirements that are—

19 (i) unique to national security space
20 missions; and

21 (ii) necessary for a phase three con-
22 tract.

23 (B) Develop transformational technologies
24 in support of the national security space launch
25 capability for phase three contracts (such as

1 technologies regarding launch, maneuver, and
2 transport capabilities for enhanced resiliency
3 and security technologies, as identified in the
4 National Security Launch Architecture study of
5 the Space and Missile Systems Center of the
6 Space Force).

7 (4) REPORT.—Not later than 30 days after the
8 date on which the Secretary enters into an agree-
9 ment under paragraph (1), the Secretary shall sub-
10 mit to the appropriate congressional committees a
11 report explaining how the Secretary determined the
12 certification and infrastructure requirements and the
13 transformational technologies covered under para-
14 graph (3).

15 (d) BRIEFING.—Not later than December 31, 2020,
16 the Secretary shall provide to the congressional defense
17 committees a briefing on the progress made by the Sec-
18 retary in ensuring that full and open competition exists
19 for phase three contracts, including—

20 (1) a description of progress made to establish
21 the requirements for phase three contracts, including
22 such requirements that the Secretary determines
23 cannot be met by the commercial market;

1 (2) whether the Secretary determines that addi-
2 tional development funding will be necessary for
3 such phase;

4 (3) a description of the estimated costs for the
5 development described in subparagraphs (A) and (B)
6 of subsection (c)(3); and

7 (4) how the Secretary will—

8 (A) ensure full and open competition for
9 technology development for phase three con-
10 tracts; and

11 (B) maintain competition.

12 (e) **RULE OF CONSTRUCTION.**—Nothing in this sec-
13 tion may be construed to delay the award of phase two
14 contracts.

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

16 (1) The term “appropriate congressional com-
17 mittees” means—

18 (A) the congressional defense committees;

19 and

20 (B) the Permanent Select Committee on
21 Intelligence of the House of Representatives
22 and the Select Committee on Intelligence of the
23 Senate.

24 (2) The term “down-selected National Security
25 Launch provider” means a National Security Space

1 Launch provider that the Secretary of the Air Force
2 selected to be awarded phase two contracts.

3 (3) The term “phase three contract” means a
4 contract awarded using competitive procedures for
5 launch services under the National Security Space
6 Launch program after fiscal year 2024.

7 (4) The term “phase two acquisition strategy”
8 means the process by which the Secretary of the Air
9 Force enters into phase two contracts during fiscal
10 year 2020, orders launch missions during fiscal
11 years 2020 through 2024, and carries out such
12 launches under the National Security Space Launch
13 program.

14 (5) The term “phase two contract” means a
15 contract awarded during fiscal year 2020 using com-
16 petitive procedures for launch missions ordered
17 under the National Security Space Launch program
18 during fiscal years 2020 through 2024.

19 **SEC. 1602. REQUIREMENT TO BUY CERTAIN SATELLITE**
20 **COMPONENT FROM NATIONAL TECHNOLOGY**
21 **AND INDUSTRIAL BASE.**

22 Section 2534(a) of title 10, United States Code, is
23 amended by adding at the end the following new para-
24 graph:

1 “(7) STAR TRACKER.—A star tracker used in a
2 satellite weighing more than 400 pounds whose prin-
3 ciple purpose is to support the national security, de-
4 fense, or intelligence needs of the United States
5 Government.”.

6 **SEC. 1603. COMMERCIAL SPACE DOMAIN AWARENESS CA-**
7 **PABILITIES.**

8 (a) PROCUREMENT.—Not later than 90 days after
9 the date of the enactment of this Act, the Secretary of
10 the Air Force shall procure commercial space domain
11 awareness services by awarding at least two contracts for
12 such services.

13 (b) LIMITATION.—Of the funds authorized to be ap-
14 propriated by this Act or otherwise made available for fis-
15 cal year 2021 for the enterprise space battle management
16 command and control, not more than 75 percent may be
17 obligated or expended until the date on which the Sec-
18 retary of Defense, without delegation, certifies to the con-
19 gressional committees that the Secretary of the Air Force
20 has awarded the contracts under subsection (a).

21 (c) REPORT.—Not later than January 31, 2021, the
22 Chief of Space Operations, in coordination with the Sec-
23 retary of the Air Force, shall submit to the congressional
24 defense committees a report detailing the commercial
25 space domain awareness services, data, and analytics of

1 objects in low-earth orbit that have been purchased during
2 the two-year period preceding the date of the report. The
3 report shall be submitted in unclassified form.

4 (d) **COMMERCIAL SPACE DOMAIN AWARENESS SERV-**
5 **ICES DEFINED.**—In this section, the term “commercial
6 space domain awareness services” means space domain
7 awareness data, processing software, and analytics derived
8 from best-in-breed commercial capabilities to address
9 warfighter requirements in low-earth orbit and fill gaps
10 in current space domain capabilities of the Space Force,
11 including commercial capabilities to—

12 (1) provide conjunction and maneuver alerts;

13 (2) monitor breakup and launch events; and

14 (2) detect and track objects smaller than 10
15 centimeters in size.

16 **SEC. 1604. RESPONSIVE SATELLITE INFRASTRUCTURE.**

17 (a) **IN GENERAL.**—The Secretary of Defense shall es-
18 tablish a domestic responsive satellite manufacturing ca-
19 pability for Department of Defense space operations to be
20 used—

21 (1) for the development of components, sys-
22 tems, structures, and payloads necessary to reconsti-
23 tute a national security space asset that has been
24 destroyed, failed, or otherwise determined to be in-
25 capable of performing mission requirements; and

1 (2) to rapidly acquire and field necessary space-
2 based capabilities needed to maintain continuity of
3 national security space missions and limit capability
4 disruption to the warfighter.

5 (b) PLAN FOR RESPONSIVE SATELLITE INFRASTRUC-
6 TURE.—The Secretary of Defense, in consultation with
7 the Secretary of the Air Force, the Chief of Space Oper-
8 ations, and the Commander of United States Space Com-
9 mand, shall develop an operational plan and acquisition
10 strategy for responsive satellite infrastructure to swiftly
11 identify need, develop capability, and launch a responsive
12 satellite to fill a critical capability gap in the event of de-
13 struction or failure of a space asset or otherwise deter-
14 mined need.

15 (c) MATTERS INCLUDED.—The plan outlined under
16 subsection (b) shall include the following:

17 (1) A process for determining whether the re-
18 constitution of a space asset is necessary.

19 (2) The timeframe in which a developed sat-
20 ellite is determined to be “responsive”.

21 (3) A plan to leverage domestic commercial en-
22 tities in the “new space” supply chain that have al-
23 ready demonstrated rapid satellite product develop-
24 ment and delivery capability to meet new “mission
25 responsiveness” requirements being passed down by

1 Department of Defense prime satellite contractors
2 in—

3 (A) power systems and solar arrays;

4 (B) payloads and integration features; and

5 (C) buses and structures.

6 (4) An assessment of acquisition requirements
7 and standards necessary for commercial entities to
8 meet Department of Defense validation of supply
9 chains, processes, and technologies while operating
10 under rapid development cycles needed to maintain
11 a responsive timeframe as determined by paragraph
12 (2).

13 (5) Such other matters as the Secretary con-
14 siders appropriate.

15 (d) REPORT REQUIRED.—Not later than 180 days
16 after the date of the enactment of this Act, the Secretary
17 of Defense shall submit to Congress a report detailing the
18 plan under subsection (b).

19 **SEC. 1605. POLICY TO ENSURE LAUNCH OF SMALL-CLASS**
20 **PAYLOADS.**

21 (a) IN GENERAL.—The Secretary of Defense shall es-
22 tablish a small launch and satellite policy to ensure re-
23 sponsive and reliable access to space through the proc-
24 essing and launch of Department of Defense small-class
25 payloads.

1 (b) POLICY.—The policy under subsection (a) shall
2 include, at a minimum, providing resources and policy
3 guidance to sustain—

4 (1) the availability of small-class payload launch
5 service providers using launch vehicles capable of de-
6 livering into space small payloads designated by the
7 Secretary of Defense as a national security payload;

8 (2) a robust small-class payload space launch
9 infrastructure and industrial base;

10 (3) the availability of rapid, responsive, and re-
11 liable space launches for national security space pro-
12 grams to—

13 (A) improve the responsiveness and flexi-
14 bility of a national security space system;

15 (B) lower the costs of launching a national
16 security space system; and

17 (C) maintain risks of mission success at
18 acceptable levels;

19 (4) a minimum number of dedicated launches
20 each year; and

21 (5) full and open competition including small
22 launch providers and rideshare opportunities.

23 (c) ACQUISITION STRATEGY.—The Secretary shall
24 develop and carry out a five-year phased acquisition strat-

1 egy, including near and long term, for the small launch
2 and satellite policy under subsection (a).

3 (d) ELEMENTS.—The acquisition strategy under sub-
4 section (c) shall—

5 (1) provide the necessary—

6 (A) stability in budgeting and acquisition
7 of capabilities;

8 (B) flexibility to the Federal Government;
9 and

10 (C) procedures for fair competition; and

11 (2) specifically take into account, as appro-
12 priate per competition, the effect of—

13 (A) contracts or agreements for launch
14 services or launch capability entered into by the
15 Department of Defense with small-class payload
16 space launch providers;

17 (B) the requirements of the Department of
18 Defense, including with respect to launch capa-
19 bilities and pricing data, that are met by such
20 providers;

21 (C) the cost of integrating a satellite onto
22 a launch vehicle;

23 (D) launch performance history (at least
24 three successful launches of the same launch ve-
25 hicle design) and maturity;

1 (E) ability of a launch provider to provide
2 the option of dedicated and rideshare launch ca-
3 pabilities; and

4 (F) any other matters the Secretary con-
5 siders appropriate.

6 (e) REPORT.—Not later than 180 days after the date
7 of the enactment of this Act, the Secretary shall submit
8 to the congressional defense committees a report describ-
9 ing a plan for the policy under subsection (a), including
10 with respect to the cost of launches and an assessment
11 of mission risk.

12 **SEC. 1606. TACTICALLY RESPONSIVE SPACE LAUNCH OPER-**
13 **ATIONS.**

14 The Secretary of the Air Force shall implement a
15 tactically responsive space launch program—

16 (1) to provide long-term continuity for tactically
17 responsive space launch operations across the fu-
18 ture-years defense program submitted to Congress
19 under section 221 of title 10, United States Code;

20 (2) to accelerate the development of—

21 (A) responsive launch concepts of oper-
22 ations;

23 (B) tactics;

24 (C) training; and

25 (D) procedures;

1 (3) to develop appropriate processes for
2 tactically responsive space launch, including—

3 (A) mission assurance processes; and

4 (B) command and control, tracking, telem-
5 etry, and communications; and

6 (4) to identify basing capabilities necessary to
7 enable tactically responsive space launch, including
8 mobile launch range infrastructure.

9 **SEC. 1607. LIMITATION ON AVAILABILITY OF FUNDS FOR**
10 **PROTOTYPE PROGRAM FOR MULTI-GLOBAL**
11 **NAVIGATION SATELLITE SYSTEM RECEIVER**
12 **DEVELOPMENT.**

13 Of the funds authorized to be appropriated by this
14 Act or otherwise made available for fiscal year 2021 for
15 increment 2 of the acquisition of military Global Posi-
16 tioning System user equipment terminals, not more than
17 80 percent may be obligated or expended until the date
18 on which the Secretary of Defense—

19 (1) certifies to the congressional defense com-
20 mittees that the Secretary of the Air Force is car-
21 rying out the program required under section 1607
22 of the National Defense Authorization Act for Fiscal
23 Year 2020 (Public Law 116–92; 133 Stat. 1724);
24 and

1 (2) provides to the Committees on Armed Serv-
2 ices of the House of Representatives and the Senate
3 a briefing on how the Secretary is implementing
4 such program, including with respect to addressing
5 each element specified in subsection (b) of such sec-
6 tion.

7 **SEC. 1608. LIMITATION ON AWARDING CONTRACTS TO EN-**
8 **TITIES OPERATING COMMERCIAL TERRES-**
9 **TRIAL COMMUNICATION NETWORKS THAT**
10 **CAUSE INTERFERENCE WITH THE GLOBAL**
11 **POSITIONING SYSTEM.**

12 The Secretary of Defense may not enter into a con-
13 tract, or extend or renew a contract, with an entity that
14 engages in commercial terrestrial operations using the
15 1525–1559 megahertz band or the 1626.5–1660.5 mega-
16 hertz band unless the Secretary has certified to the con-
17 gressional defense committees that such operations do not
18 cause harmful interference to a Global Positioning System
19 device of the Department of Defense.

20 **SEC. 1609. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
21 **CERTAIN PURPOSES RELATING TO THE**
22 **GLOBAL POSITIONING SYSTEM.**

23 (a) FINDINGS.—Congress finds the following:

24 (1) On April 19, 2020, the Federal Commu-
25 nications Commission issued an order and authoriza-

1 tion granting Ligado Networks LLC the authority to
2 operate a nationwide terrestrial communications net-
3 work using the 1526–1536 megahertz band, the
4 1627.5–1637.5 megahertz band, or the 1646.5–
5 1656.5 megahertz band.

6 (2) In an attempt to address interference to the
7 Global Positioning System operating near those
8 bands, Ligado Networks LLC has committed to as-
9 suming the costs mitigating any interference caused
10 by their network.

11 (3) In the approval order, the Federal Commu-
12 nications Commission directed that “Ligado takes
13 all necessary mitigation measures to prevent or re-
14 mediate any potential harmful interference to U.S.
15 Government devices, including devices used by the
16 military, that are identified both pre- and post-de-
17 ployment of Ligado’s network.”.

18 (4) In a letter to the Committee on Armed
19 Services of the House of Representatives dated May
20 21, 2020, Ligado Networks LLC reaffirmed the
21 commitment to bear the costs to the Department of
22 Defense, stating that the “FCC directed Ligado to
23 provide protections to GPS devices using its spec-
24 trum by imposing stringent coordination, coopera-
25 tion, and replacement obligations on Ligado, so that

1 Ligado bears the burden” and “Make no mistake:
2 the obligation is ours, and the burden falls solely on
3 our company.”.

4 (b) PROHIBITION.—Except as provided by subsection
5 (c), none of the funds authorized to be appropriated by
6 this Act or otherwise made available for fiscal year 2021
7 or any subsequent fiscal year for the Department of De-
8 fense may be obligated or expended to retrofit any Global
9 Positioning System device or system, or network that uses
10 the Global Positioning System, in order to mitigate inter-
11 ference from commercial terrestrial operations using the
12 1526–1536 megahertz band, the 1627.5–1637.5 mega-
13 hertz band, or the 1646.5–1656.5 megahertz band.

14 (c) ACTIONS NOT PROHIBITED.—The prohibition in
15 subsection (a) shall not apply to any action taken by the
16 Secretary of Defense relating to—

17 (1) conducting technical or information ex-
18 changes with the entity that operates the commercial
19 terrestrial operations in the megahertz bands speci-
20 fied in such subsection;

21 (2) seeking compensation for interference from
22 such entity; or

23 (3) Global Positioning System receiver upgrades
24 needed to address other resiliency requirements.

1 **SEC. 1610. REPORT ON RESILIENT PROTECTED COMMU-**
2 **NICATIONS SATELLITES.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) The national command, control, and com-
5 munications system of the Department of Defense is
6 essential to the national security of the United
7 States.

8 (2) The Department of Defense requires the
9 space segments of such system to be resilient and
10 survivable to address advanced threats from Russia
11 and China.

12 (3) The next-generation overhead persistent in-
13 frared missile warning satellites are being upgraded
14 with enhanced resiliency features to make them
15 much less vulnerable to attack and will begin launch
16 in 2025.

17 (4) Because missile warning satellites rely on
18 protected communications satellites to relay warn-
19 ings and response orders, the next-generation over-
20 head persistent infrared missile warning satellites
21 will require protected communications satellites with
22 enhanced resiliency features, however, the current
23 plan of the Space Force is to provide those capabili-
24 ties with the evolved strategic satellite communica-
25 tions program that will not be available until 2032
26 or later.

1 (5) As a result, the Chief of Space Operations
2 should implement an accelerated plan to achieve
3 more resilient protected communications satellites
4 without delay.

5 (b) REPORT.—Not later than 60 days after the date
6 of the enactment of this Act, the Chief of Space Oper-
7 ations shall submit to the congressional defense commit-
8 tees a report on how the Space Force will address the need
9 for resilient protected communications satellites during
10 the years 2025 through 2032.

11 **Subtitle B—Defense Intelligence**
12 **and Intelligence-Related Activities**

13 **SEC. 1611. VALIDATION OF CAPABILITY REQUIREMENTS OF**
14 **NATIONAL GEOSPATIAL-INTELLIGENCE**
15 **AGENCY.**

16 Section 442 of title 10, United States Code, is
17 amended by adding at the end the following new sub-
18 section:

19 “(f) VALIDATION.—The National Geospatial-Intel-
20 ligence Agency shall assist the Joint Chiefs of Staff, com-
21 batant commands, and the military departments in estab-
22 lishing, coordinating, consolidating, and validating map-
23 ping, charting, geodetic data, and safety of navigation ca-
24 pability requirements through a formal process governed
25 by the Joint Staff. Consistent with validated requirements,

1 the National Geospatial-Intelligence Agency shall provide
2 aeronautical and nautical charts that are safe for naviga-
3 tion, maps, books, datasets, models, and geodetic prod-
4 ucts.”.

5 **SEC. 1612. SAFETY OF NAVIGATION MISSION OF THE NA-**
6 **TIONAL GEOSPATIAL-INTELLIGENCE AGEN-**
7 **CY.**

8 (a) MISSION OF NATIONAL GEOSPATIAL-INTEL-
9 LIGENCE AGENCY.—Section 442 of title 10, United States
10 Code, as amended by section 1611, is further amended—

11 (1) in subsection (b)—

12 (A) by striking “means of navigating ves-
13 sels of the Navy and the merchant marine” and
14 inserting “the means for safe navigation”; and

15 (B) by striking “and inexpensive nautical
16 charts” and all that follows and inserting
17 “geospatial information for use by the depart-
18 ments and agencies of the United States, the
19 merchant marine, and navigators generally.”;
20 and

21 (2) in subsection (c)—

22 (A) by striking “shall prepare and” and in-
23 sserting “shall acquire, prepare, and”;

24 (B) by striking “charts” and inserting
25 “safe-for-navigation charts and datasets”; and

1 (C) by striking “geodetic” and inserting
2 “geomatics”.

3 (b) MAPS, CHARTS, AND BOOKS.—

4 (1) IN GENERAL.—Section 451 of title 10,
5 United States Code, is amended—

6 (A) in the heading, by striking “**and**
7 **books**” and inserting “**books, and**
8 **datasets**”;

9 (B) in paragraph (1), by striking “maps,
10 charts, and nautical books” and inserting “nau-
11 tical and aeronautical charts, topographic and
12 geomatics maps, books, models, and datasets”;
13 and

14 (C) by amending paragraph (2) to read as
15 follows:

16 “(2) acquire (by purchase, lease, license, or bar-
17 ter) all necessary rights, including copyrights and
18 other intellectual property rights, required to pre-
19 pare, publish, and furnish to navigators the products
20 described in paragraph (1).”.

21 (2) TABLE OF SECTIONS AMENDMENT.—The
22 table of sections at the beginning of subchapter II
23 of chapter 22 of title 10, United States Code, is
24 amended by striking the item relating to section 451
25 and inserting the following new item:

“451. Maps, charts, books, and datasets.”.

1 (c) CIVIL ACTIONS BARRED.—Section 456 of title 10,
2 United States Code, is amended by striking subsections
3 (a) and (b) and inserting the following:

4 “No civil action may be brought against the United
5 States on the basis of the content of geospatial informa-
6 tion prepared or disseminated by the National Geospatial-
7 Intelligence Agency.”.

8 (d) DEFINITIONS.—Section 467 of title 10, United
9 States Code, is amended—

10 (1) in paragraph (4)—

11 (A) in the matter preceding subparagraph
12 (A), by inserting “or about” after “boundaries
13 on”;

14 (B) in subparagraph (A), by striking “sta-
15 tistical”; and

16 (C) in subparagraph (B)—

17 (i) by striking “geodetic” and insert-
18 ing “geomatics”; and

19 (ii) by inserting “and services” after
20 “products”; and

21 (2) in paragraph (5), by inserting “or about”
22 after “activities on”.

1 **SEC. 1613. NATIONAL ACADEMIES CLIMATE SECURITY**
2 **ROUNDTABLE.**

3 (a) **IN GENERAL.**—The Under Secretary of Defense
4 for Intelligence and Security, in coordination with the Di-
5 rector of National Intelligence, shall enter into a joint
6 agreement with the Academies to create a new “National
7 Academies Climate Security Roundtable” (in this section
8 referred to as the “roundtable”).

9 (b) **PARTICIPANTS.**—The roundtable shall include—

10 (1) the members of the Climate Security Advi-
11 sory Council established under section 120 of the
12 National Security Act of 1947 (50 U.S.C. 3060);

13 (2) senior representatives and practitioners
14 from Federal science agencies, elements of the intel-
15 ligence community, and the Department of Defense,
16 who are not members of the Council; and

17 (3) key stakeholders in the United States sci-
18 entific enterprise, including institutions of higher
19 education, Federal research laboratories (including
20 the national security laboratories), industry, and
21 nonprofit research organizations.

22 (c) **PURPOSE.**—The purpose of the roundtable is—

23 (1) to support the duties and responsibilities of
24 the Climate Security Advisory Council under section
25 120(c) of the National Security Act of 1947 (50
26 U.S.C. 3060(c));

1 (2) to develop best practices for the exchange of
2 data, knowledge, and expertise among elements of
3 the intelligence community, elements of the Federal
4 Government that are not elements of the intelligence
5 community, and non-Federal researchers;

6 (3) to facilitate dialogue and collaboration
7 about relevant collection and analytic priorities
8 among participants of the roundtable with respect to
9 climate security;

10 (4) to identify relevant gaps in the exchange of
11 data, knowledge, or expertise among participants of
12 the roundtable with respect to climate security, and
13 consider viable solutions to address such gaps; and

14 (5) to provide any other assistance, resources,
15 or capabilities that the Director of National Intel-
16 ligence or the Under Secretary determines necessary
17 with respect to the Council carrying out the duties
18 and responsibilities of the Council under such sec-
19 tion 120(c).

20 (d) MEETINGS.—The roundtable shall meet at least
21 quarterly, in coordination with the meetings of the Climate
22 Security Advisory Council under section 120(c)(1) of the
23 National Security Act of 1947 (50 U.S.C. 3060(c)(1)).

24 (e) REPORTS AND BRIEFINGS.—The joint agreement
25 under subsection (a) shall specify that—

1 (1) the roundtable shall organize workshops, on
2 at least a biannual basis, that include both partici-
3 pants of the roundtable and persons who are not
4 participants, and may be conducted in classified or
5 unclassified form in accordance with subsection (f);

6 (2) on a regular basis, the roundtable shall
7 produce classified and unclassified reports on the
8 topics described in subsection (c) and the activities
9 of the roundtable, and other documents in support
10 of the duties and responsibilities of the Climate Se-
11 curity Advisory Council under section 120(e) of the
12 National Security Act of 1947 (50 U.S.C. 3060(c));

13 (3) the Academies shall provide recommenda-
14 tions by consensus to the Council on both the topics
15 described in subsection (c) and specific topics as
16 identified by participants of the roundtable;

17 (4) not later than March 1, 2021, and annually
18 thereafter during the life of the roundtable, the
19 Academies shall provide a briefing to the appropriate
20 congressional committees on the progress and activi-
21 ties of the roundtable; and

22 (5) not later than September 30, 2025, the
23 Academies shall submit a final report to the appro-
24 priate congressional committees on the activities of
25 the roundtable.

1 (f) SECURITY CLEARANCES.—Each participant of the
2 roundtable shall have a security clearance at the appro-
3 priate level to carry out the duties of the participant under
4 this section. A person who is not a participant who attends
5 a workshop under subsection (e)(1) is not required to have
6 a security clearance, and the roundtable shall ensure that
7 any such workshop is held at the appropriate classified
8 or unclassified level.

9 (g) TERMINATION.—The roundtable shall terminate
10 on September 30, 2025.

11 (h) DEFINITIONS.—In this section:

12 (1) The term “Academies” means the National
13 Academies of Sciences, Engineering, and Medicine.

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

16 (A) the Committee on Science, Space, and
17 Technology, the Committee on Armed Services,
18 the Committee on Foreign Affairs, and the Per-
19 manent Select Committee on Intelligence of the
20 House of Representatives; and

21 (B) the Committee on Commerce, Science,
22 and Transportation, the Committee on Armed
23 Services, the Committee on Foreign Relations,
24 and the Select Committee on Intelligence of the
25 Senate.

1 (3) The term “Federal science agency” means
2 any agency or department of the Federal Govern-
3 ment with at least \$100,000,000 in basic and ap-
4 plied research obligations in fiscal year 2019.

5 (4) The term “intelligence community” has the
6 meaning given that term in section 3 of the National
7 Security Act of 1947 (50 U.S.C. 3003).

8 (5) The term “national security laboratory” has
9 the meaning given the term in section 4002 of the
10 Atomic Energy Defense Act (50 U.S.C. 2501).

11 **SEC. 1614. REPORT ON RISK TO NATIONAL SECURITY**
12 **POSED BY QUANTUM COMPUTING TECH-**
13 **NOLOGIES.**

14 (a) REPORT.—

15 (1) REQUIREMENT.—Not later than December
16 31, 2021, the Secretary of Defense shall submit to
17 the congressional defense committees a report con-
18 taining an assessment of the current and potential
19 threats and risks posed by quantum computing tech-
20 nologies. The Secretary shall conduct the assessment
21 in a manner that allows the Secretary to better un-
22 derstand and prepare to counter the risks of quan-
23 tum computing to national security.

24 (2) MATTERS INCLUDED.—The report under
25 paragraph (1) shall include the following:

1 (A) An identification of national security
2 systems that are vulnerable to current and po-
3 tential threats and risks posed by quantum
4 computing technologies.

5 (B) An assessment of quantum-resistant
6 cryptographic standards, including a timeline
7 for the development of such standards.

8 (C) An assessment of the feasibility of al-
9 ternate quantum-resistant models.

10 (D) A description of any funding shortfalls
11 in public and private efforts to develop such
12 standards and models.

13 (E) Recommendations to counter the
14 threats and risks posed by quantum computing
15 technologies that prioritize, secure, and re-
16 source the defense of national security systems
17 identified under subparagraph (A).

18 (b) BRIEFINGS.—During the period preceding the
19 date on which the Secretary submits the report under sub-
20 section (a), the Secretary shall include in the quarterly
21 briefings under section 484 of title 10, United States
22 Code, an update on the assessment conducted under such
23 subsection.

24 (c) FORM.—The report under subsection (a) may be
25 submitted in classified form.

1 **Subtitle C—Cyberspace-Related**
2 **Matters**

3 **SEC. 1621. CYBER MISSION FORCES AND CYBERSPACE OP-**
4 **ERATIONS FORCES.**

5 Subsection (a) of section 238, title 10, United States
6 Code, is amended—

7 (1) in the matter preceding paragraph (1)—

8 (A) by striking “The Secretary” and in-
9 serting “Not later than five days after the sub-
10 mission by the President under section 1105(a)
11 of title 31 of the budget, the Secretary”;

12 (B) by inserting “in both electronic and
13 print formats” after “submit”; and

14 (C) by striking “2017” and inserting
15 “2021”;

16 (2) in paragraph (1), by inserting “and the
17 cyberspace operations forces” before the semicolon;
18 and

19 (3) in paragraph (2), by inserting “and the
20 cyberspace operations forces” before the period.

21 **SEC. 1622. CYBERSPACE SOLARIUM COMMISSION.**

22 Section 1652 of the John S. McCain National De-
23 fense Authorization Act for Fiscal Year 2019 (Public Law
24 115–232), is amended—

25 (1) in subsection (b)(1)—

- 1 (A) in subparagraph (A), by—
- 2 (i) striking clauses (i) through (iv);
- 3 and
- 4 (ii) redesignating clauses (v) through
- 5 (viii) as clauses (i) through (iv), respec-
- 6 tively; and
- 7 (B) in subparagraph (B)(i), by striking
- 8 “and who are appointed under clauses (iv)
- 9 through (vii) of subparagraph (A)”;
- 10 (2) in subsection (d)(2), by striking “Seven”
- 11 and inserting “Six”;
- 12 (3) in subsection (h), by—
- 13 (A) striking “(1) IN GENERAL.—(A)”;
- 14 (B) striking paragraph (2);
- 15 (4) in subsection (i)(1)(B), by striking “officers
- 16 or employees of the United States or”; and
- 17 (5) in subsection (k)(2)—
- 18 (A) in subparagraph (A), by striking “at
- 19 the end of the 120-day period beginning on”
- 20 and inserting “two years after”;
- 21 (B) in subparagraph (B), by—
- 22 (i) striking “may use the 120-day”
- 23 and inserting “shall use the two year”;
- 24 (ii) striking “for the purposes of con-
- 25 cluding its activities, including providing

1 testimony to Congress concerning the final
2 report referred to in that paragraph and
3 disseminating the report” and inserting
4 the following: “for the purposes of—”:

5 “(i) collecting and assessing com-
6 ments and feedback from the Executive
7 Branch, academia, and the public on the
8 analysis and recommendations contained in
9 the Commission’s report;

10 “(ii) collecting and assessing any de-
11 velopments in cybersecurity that may af-
12 fect the analysis and recommendations
13 contained in the Commission’s report;

14 “(iii) reviewing the implementation of
15 the recommendations contained in the
16 Commission’s report;

17 “(iv) revising, amending, or making
18 new recommendations based on the assess-
19 ments and reviews required under clauses
20 (i)–(iii);

21 “(v) providing an annual update to
22 the congressional defense committees, the
23 congressional intelligence committees, the
24 Committee on Homeland Security of the
25 House of Representatives, the Committee

1 on Homeland Security and Governmental
2 Affairs of the Senate, the Director of Na-
3 tional Intelligence, the Secretary of De-
4 fense, and the Secretary of Homeland Se-
5 curity in a manner and format determined
6 by the Commission regarding any such re-
7 visions, amendments, or new recommenda-
8 tions; and

9 “(vi) concluding its activities, includ-
10 ing providing testimony to Congress con-
11 cerning the final report referred to in that
12 paragraph and disseminating the report.”;
13 and

14 (C) by adding at the end the following new
15 subparagraph:

16 “(C) If the Commission is extended, and the ef-
17 fective date of such extension is after the date on
18 which the Commission terminated, the Commission
19 shall be deemed reconstituted with the same mem-
20 bers and powers that existed on the day before such
21 termination date, except that—

22 “(i) a member of the Commission may
23 serve only if the member’s position continues to
24 be authorized under subsection (b);

1 “(ii) no compensation or entitlements re-
2 relating to a person’s status with the Commission
3 shall be due for the period between the termi-
4 nation and reconstitution of the Commission;

5 “(iii) nothing in this subparagraph may be
6 construed as requiring the extension or reem-
7 ployment of any staff member or contractor
8 working for the Commission;

9 “(iv) the staff of the Commission shall
10 be—

11 “(I) selected by the co-chairs of the
12 Commission in accordance with subsection
13 (h)(1);

14 “(II) comprised of not more than four
15 individuals, including a staff director; and

16 “(III) resourced in accordance with
17 subsection (g)(4)(A);

18 “(v) with the approval of the co-chairs,
19 may be provided by contract with a nongovern-
20 mental organization;

21 “(vi) any unexpended funds made available
22 for the use of the Commission shall continue to
23 be available for use for the life of the Commis-
24 sion, as well as any additional funds appro-
25 priated to the Department of Defense that are

1 made available to the Commission, provided
2 that the total such funds does not exceed
3 \$1,000,000 from the reconstitution of the Com-
4 mission to the completion of the Commission;
5 and

6 “(vii) the requirement for an assessment of
7 the final report in subsection (l) shall be up-
8 dated to require annually for a period of two
9 years further assessments of the Federal Gov-
10 ernment’s responses to the Commission’s rec-
11 ommendations contained in such final report.”.

12 **SEC. 1623. TAILORED CYBERSPACE OPERATIONS ORGANI-**
13 **ZATIONS.**

14 (a) IN GENERAL.—Not later than 120 days after the
15 date of the enactment of this Act, the Secretary of the
16 Navy, in conjunction with the Chief of Naval Operations,
17 shall submit to the congressional defense committees a
18 study of the Navy Cyber Warfare Development Group
19 (NCWDG).

20 (b) ELEMENTS.—The study required under sub-
21 section (a) shall include the following:

22 (1) An examination of NCWDG’s structure,
23 manning, authorities, funding, and operations.

24 (2) A review of organizational relationships
25 both within the Navy and to other Department of

1 Defense organizations, as well as non-Department of
2 Defense organizations.

3 (3) Recommendations for how the NCWDG can
4 be strengthened and improved, without growth in
5 size.

6 (c) DESIGNATION.—Notwithstanding any other pro-
7 vision of law, the Secretary of the Navy shall designate
8 the NCWDG as a screened command.

9 (d) RELEASE.—The Secretary of the Navy shall
10 transmit the study required under subsection (a) to the
11 secretaries of the military services and the Commander of
12 United States Special Operations Command.

13 (e) EXEMPLAR.—The service secretaries and the
14 Commander of United States Special Operations Com-
15 mand are authorized to establish counterpart tailored
16 cyberspace operations organizations of comparable size to
17 the NCWDG within the military service or command, re-
18 spectively, of each such secretary and Commander. Such
19 counterpart organizations shall have the same authorities
20 as the NCWDG. Not later than 30 days after receipt by
21 each of the service secretaries and the Commander under
22 subsection (d) of the study required under subsection (a),
23 each such service secretary and Commander, as the case
24 may be, shall brief the congressional defense committees
25 regarding whether or not each such service secretary or

1 Commander intends to utilize the authority under this
2 subsection.

3 **SEC. 1624. RESPONSIBILITY FOR THE SECTOR RISK MAN-**
4 **AGEMENT AGENCY FUNCTION OF THE DE-**
5 **PARTMENT OF DEFENSE.**

6 (a) DEFINITIONS.—

7 (1) IN GENERAL.—In this section:

8 (A) CRITICAL INFRASTRUCTURE.—The
9 term “critical infrastructure” has the meaning
10 given such term in section 1016(e) of the Unit-
11 ing and Strengthening America by Providing
12 Appropriate Tools Required to Intercept and
13 Obstruct Terrorism (USA PATRIOT ACT) Act
14 of 2001 (42 U.S.C. 5195c(e)).

15 (B) SECTOR RISK MANAGEMENT AGEN-
16 CY.—The term “Sector Risk Management
17 Agency” means a Federal department or agen-
18 cy designated as a Sector Specific Agency under
19 Presidential Policy Directive-21 to be respon-
20 sible for providing institutional knowledge and
21 specialized expertise to, as well as leading, fa-
22 cilitating, or supporting, the security and resil-
23 ience programs and associated activities of its
24 designated critical infrastructure sector in the
25 all-hazards environment.

1 (2) REFERENCE.—Any reference to a Sector-
2 Specific Agency in any law, regulation, map, docu-
3 ment, record, or other paper of the United States
4 shall be deemed to be a reference to the Sector Risk
5 Management Agency of the Federal Government for
6 the relevant critical infrastructure sector.

7 (b) DESIGNATION.—The Secretary of Defense shall
8 designate the Principal Cyber Advisor of the Department
9 of Defense as the lead official, and the Office of the Prin-
10 cipal Cyber Advisor as the lead component, for the De-
11 partment's role and functions as the Sector Risk Manage-
12 ment Agency for the Defense Industrial Base.

13 (c) RESPONSIBILITIES.—As the lead official for the
14 Department of Defense's Sector Risk Management Agency
15 functions, the Principal Cyber Advisor of the Department
16 shall be responsible for all activities performed by the De-
17 partment in its support of the Defense Industrial Base,
18 as one of the critical infrastructure sectors of the United
19 States. Such activities shall include the following:

20 (1) Synchronization, harmonization, de-conflic-
21 tion, and management for the execution of all De-
22 partment programs, initiatives, efforts, and commu-
23 nication related to the Department's Sector Risk
24 Management Agency function, including any Depart-

1 ment program, initiative, or effort that addresses the
2 cybersecurity of the Defense Industrial Base.

3 (2) Leadership and management of the Defense
4 Industrial Base Government Coordinating Council.

5 (3) Direct interface and sponsorship of the De-
6 fense Industrial Base Sector Coordinating Council.

7 (4) Organization of quarterly in-person meet-
8 ings of both the Defense Industrial Base Govern-
9 ment Coordinating Council and the Defense Indus-
10 trial Base Sector Coordinating Council.

11 (d) **ADDITIONAL FUNCTIONS.**—In carrying out this
12 section, the Principal Cyber Advisor of the Department
13 of Defense shall—

14 (1) coordinate with relevant Federal depart-
15 ments and agencies, and collaborate with critical in-
16 frastructure owners and operators, where appro-
17 priate with independent regulatory agencies, and
18 with State, local, territorial, and Tribal entities, as
19 appropriate;

20 (2) serve as a day-to-day Federal interface for
21 the dynamic prioritization and coordination of sec-
22 tor-specific activities;

23 (3) carry out incident management responsibil-
24 ities;

1 (4) provide, support, or facilitate technical as-
2 sistance and consultations for the Defense Industrial
3 Base to identify cyber or physical vulnerabilities and
4 help mitigate incidents, as appropriate; and

5 (5) support the statutorily required reporting
6 requirements of such relevant Federal departments
7 and agencies by providing to such departments and
8 agencies on an annual basis sector-specific critical
9 infrastructure information.

10 **SEC. 1625. DEPARTMENT OF DEFENSE CYBER WORKFORCE**

11 **EFFORTS.**

12 (a) **RESOURCES FOR CYBER EDUCATION.**—

13 (1) **IN GENERAL.**—The Chief Information Offi-
14 cer of the Department of Defense, in consultation
15 with the Director of the National Security Agency
16 (NSA), shall examine the current policies permitting
17 National Security Agency employees to use up to
18 140 hours of paid time toward NSA’s cyber edu-
19 cation programs.

20 (2) **REPORT.**—

21 (A) **IN GENERAL.**—Not later than 90 days
22 after the date of the enactment of this Act, the
23 Chief Information Officer shall submit to the
24 congressional defense committees and the con-
25 gressional intelligence committees a strategy for

1 expanding the policies described in paragraph
2 (1) to—

3 (i) individuals who occupy positions
4 described in section 1599f of title 10,
5 United States Code; and

6 (ii) any other individuals who the
7 Chief Information Officer determines ap-
8 propriate.

9 (B) IMPLEMENTATION PLAN.—The report
10 required under subparagraph (A) shall detail
11 the utilization of the policies in place at the Na-
12 tional Security Agency, as well as an implemen-
13 tation plan that describes the mechanisms need-
14 ed to expand the use of such policies to accom-
15 modate wider participation by individuals de-
16 scribed in such subparagraph. Such implemen-
17 tation plan shall detail how such individuals
18 would be able to connect to the instructional
19 and participatory opportunities available
20 through the efforts, programs, initiatives, and
21 investments accounted for in the report re-
22 quired under section 1649 of the National De-
23 fense Authorization Act for Fiscal Year 2020
24 (Public Law 116–92), including the following
25 programs:

1 (i) GenCyber.

2 (ii) Centers for Academic Excellence –
3 Cyber Defense.

4 (iii) Centers for Academic Excellence
5 – Cyber Operations.

6 (C) DEADLINE.—Not later than 120 days
7 after the submission of the report required
8 under subparagraph (A), the Chief Information
9 Officer of the Department of Defense shall
10 carry out the implementation plan contained in
11 such report.

12 (b) IMPROVING THE TRAINING WITH INDUSTRY PRO-
13 GRAM.—

14 (1) IN GENERAL.—Not later than 120 days
15 after the date of the enactment of this Act, the Prin-
16 cipal Cyber Advisor of the Department of Defense,
17 in consultation with the Principal Cyber Advisors of
18 the military services and the Under Secretary of De-
19 fense for Personnel and Readiness, shall submit to
20 the congressional defense committees a review of the
21 current utilization and utility of the Training With
22 Industry (TWI) programs, including relating to the
23 following:

24 (A) Recommendations regarding how to
25 improve and better utilize such programs, in-

1 cluding regarding individuals who have com-
2 pleted such programs.

3 (B) An implementation plan to carry out
4 such recommendations.

5 (2) ADDITIONAL.—Not later than 90 days
6 after the submission of the report required under
7 paragraph (1), the Principal Cyber Advisor of the
8 Department of Defense shall carry out the imple-
9 mentation plan required under paragraph (1).

10 (c) ALIGNMENT OF CYBERSECURITY TRAINING PRO-
11 GRAMS.—

12 (1) IN GENERAL.—Not later than 120 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 report containing recommenda-
16 tions on how cybersecurity training programs de-
17 scribed in section 1649 of the National Defense Au-
18 thorization Act for Fiscal Year 2020 can be better
19 aligned and harmonized.

20 (2) REPORT.—The report required under para-
21 graph (1) shall provide recommendations concerning
22 the following topics and information:

23 (A) Developing a comprehensive mecha-
24 nism for utilizing and leveraging the Cyber Ex-
25 cepted Service workforce of the Department of

1 Defense referred to in subsection (a), as well as
2 mechanisms for military participation.

3 (B) Unnecessary redundancies in such pro-
4 grams, or in any related efforts, initiatives, or
5 investments.

6 (C) Mechanisms for tracking participation
7 and transition of participation from one such
8 program to another.

9 (D) Department level oversight and man-
10 agement of such programs.

11 (3) CYBER WORKFORCE PIPELINE AND EARLY
12 CHILDHOOD EDUCATION.—

13 (A) ELEMENTS.—The Secretary of De-
14 fense shall, when completing the report required
15 under paragraph (1), take into consideration
16 existing Federal childhood cyber education pro-
17 grams, including the programs identified in the
18 report required under section 1649 of the Na-
19 tional Defense Authorization Act for Fiscal
20 Year 2020 (Public Law 116–92) and the De-
21 partment of Homeland Security’s Cybersecurity
22 Education and Training Assistance Program
23 (CETAP), that can provide opportunities to
24 military-connected students and members of the
25 Armed Forces to pursue cyber careers.

1 (B) DEFINITION.—In this paragraph, the
2 term “military-connected student” means an in-
3 dividual who—

4 (i) is a dependent a member of the
5 Armed Forces serving on active duty; and

6 (ii) is enrolled in a preschool, an ele-
7 mentary or secondary school, or an institu-
8 tion of higher education.

9 **SEC. 1626. REPORTING REQUIREMENTS FOR CROSS DO-**
10 **MAIN COMPROMISES AND EXEMPTIONS TO**
11 **POLICIES FOR INFORMATION TECHNOLOGY.**

12 (a) COMPROMISE REPORTING.—

13 (1) IN GENERAL.—Effective beginning in Octo-
14 ber 2020, the Secretary of Defense and the secre-
15 taries of the military services shall submit to the
16 congressional defense committees a monthly report
17 in writing that documents each instance or indica-
18 tion of a cross-domain compromise within the De-
19 partment of Defense.

20 (2) PROCEDURES.—The Secretary of Defense
21 shall submit to the congressional defense committees
22 procedures for complying with the requirements of
23 subsection (a) consistent with the national security
24 of the United States and the protection of oper-
25 ational integrity. The Secretary shall promptly notify

1 such committees in writing of any changes to such
2 procedures at least 14 days prior to the adoption of
3 any such changes.

4 (3) DEFINITION.—In this subsection, the term
5 “cross domain compromise” means any unauthorized
6 connection between software, hardware, or both de-
7 signed for use on a network or system built for clas-
8 sified data and the public internet.

9 (b) EXEMPTIONS TO POLICY FOR INFORMATION
10 TECHNOLOGY.—Not later than six months after the date
11 of the enactment of this Act and biannually thereafter,
12 the Secretary of Defense and the secretaries of the mili-
13 tary services shall submit to the congressional defense
14 committees a report in writing that enumerates and de-
15 tails each current exemption to information technology
16 policy, interim Authority To Operate (ATO) order, or
17 both. Each such report shall include other relevant infor-
18 mation pertaining to each such exemption, including relat-
19 ing to the following:

20 (1) Risk categorization.

21 (2) Duration.

22 (3) Estimated time remaining.

1 **SEC. 1627. ASSESSING PRIVATE-PUBLIC COLLABORATION**
2 **IN CYBERSECURITY.**

3 (a) REQUIREMENT.—Not later than 120 days after
4 the date of the enactment of this Act, the Secretary of
5 Defense shall—

6 (1) conduct a review and assessment of any on-
7 going public-private collaborative initiatives involving
8 the Department of Defense and the private sector
9 related to cybersecurity and defense of critical infra-
10 structure, including—

11 (A) the United States Cyber Command's
12 Pathfinder initiative and any derivative initia-
13 tive;

14 (B) the Department's support to and inte-
15 gration with existing Federal cybersecurity cen-
16 ters and organizations; and

17 (C) comparable initiatives led by other
18 Federal departments or agencies that support
19 long-term public-private cybersecurity collabora-
20 tion; and

21 (2) make recommendations for improvements
22 and the requirements and resources necessary to in-
23 stitutionalize and strengthen the initiatives described
24 in subparagraphs (A) through (C) of paragraph (1).

25 (b) REPORT.—

1 (b) RECOMMENDATIONS.—The review required under
2 subsection (a) shall address the following::

3 (1) Regulations promulgated under section 903
4 of title 32, United States Code, to allow the Na-
5 tional Guard to conduct homeland defense activities
6 that the Secretary of Defense determines to be nec-
7 essary and appropriate in accordance with section
8 902 of such title in response to a cyber attack.

9 (2) Compulsory guidance from the Chief of the
10 National Guard Bureau regarding how the National
11 Guard shall collaborate with the Cybersecurity and
12 Infrastructure Security Agency of the Department of
13 Homeland Security and the Federal Bureau of In-
14 vestigation of the Department of Justice through
15 multi-agency task forces, information-sharing
16 groups, incident response planning and exercises,
17 and other relevant forums and activities.

18 (3) A plan for how the Chief of the National
19 Guard Bureau will collaborate with the Secretary of
20 Homeland Security to develop an annex to the Na-
21 tional Cyber Incident Response Plan that details the
22 regulations and guidance described in paragraphs
23 (1) and (2).

24 (c) DEFINITION.—The term “significant cyber inci-
25 dent” means a cyber incident that results, or several re-

1 lated cyber incidents that result, in demonstrable harm
2 to—

3 (1) the national security interests, foreign rela-
4 tions, or economy of the United States; or

5 (2) the public confidence, civil liberties, or pub-
6 lic health and safety of the American people.

7 **SEC. 1629. EVALUATION OF NON-TRADITIONAL CYBER SUP-**
8 **PORT TO THE DEPARTMENT OF DEFENSE.**

9 (a) **REQUIREMENT.**—Not later than 270 days after
10 the date of the enactment of this Act, the Principal Cyber
11 Advisor to the Secretary of Defense, in conjunction with
12 the Under Secretary for Personnel and Readiness of the
13 Department of Defense and the Principal Cyber Advisors
14 of the military services, shall complete an assessment and
15 evaluation of reserve models tailored to the support of
16 cyberspace operations for the Department.

17 (b) **EVALUATION COMPONENTS.**—The assessment
18 and evaluation required under subsection (a) shall include
19 the following components:

20 (1) A current assessment of reserve and Na-
21 tional Guard support to Cyber Operations Forces.

22 (2) An enumeration and evaluation of various
23 reserve, National Guard, auxiliary, and non-tradi-
24 tional support models which are applicable to cyber-

1 space operations, including a consideration of models
2 utilized domestically and internationally.

3 (3) A utility assessment of a dedicated reserve
4 cadre specific to United States Cyber Command and
5 Cyber Operations Forces.

6 (4) An analysis of the costs associated with the
7 models evaluated pursuant to paragraph (2).

8 (5) An assessment of the recruitment programs
9 necessary for implementation of the models evalu-
10 ated pursuant to paragraph (2).

11 (b) REPORT.—

12 (1) IN GENERAL.—The Secretary of Defense,
13 acting through the Principal Cyber Advisor of the
14 Department of Defense, shall submit to the congress-
15 sional defense committees a report on the assess-
16 ment and evaluation required under subsection (a).

17 (2) FORM.—The report required under para-
18 graph (1) may be submitted in classified or unclassi-
19 fied form, as necessary.

20 **SEC. 1630. ESTABLISHMENT OF INTEGRATED CYBER CEN-**
21 **TER.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of the enactment of this Act, the Secretary of Home-
24 land Security, in coordination with the Secretary of De-
25 fense, the Attorney General, the Director of the Federal

1 Bureau of Investigation, and the Director of National In-
2 telligence, shall submit to the relevant congressional com-
3 mittees a report on Federal cybersecurity centers and the
4 potential for better coordination of Federal cyber efforts
5 at an integrated cyber center within the national cyberse-
6 curity and communications integration center of the De-
7 partment of Homeland Security established pursuant to
8 section 2209 of the Homeland Security Act of 2002 (6
9 U.S.C. 659).

10 (b) CONTENTS.—To prepare the report required by
11 subsection (a), the Secretary of Homeland Security shall
12 aggregate information from components of the Depart-
13 ment of Homeland Security with information provided to
14 the Secretary of Homeland Security by the Secretary of
15 Defense, the Attorney General, the Director of the Federal
16 Bureau of Investigation, and the Director of National In-
17 telligence. Such aggregated information shall relate to the
18 following topics:

19 (1) Any challenges regarding capacity and
20 funding identified by the Secretary of Homeland Se-
21 curity, the Director of the Federal Bureau of Inves-
22 tigation, the Attorney General, the Secretary of De-
23 fense, or the Director of National Intelligence that
24 negatively impact coordination with the national cy-
25 bersecurity and communications integration center

1 of the Department of Homeland Security in further-
2 ance of the security and resilience of critical infra-
3 structure.

4 (2) Distinct statutory authorities identified by
5 the Secretary of Homeland Security, the Attorney
6 General, the Director of the Federal Bureau of In-
7 vestigation, the Secretary of Defense, or the Direc-
8 tor of National Intelligence that should not be lever-
9 aged by an integrated cyber center within the na-
10 tional cybersecurity and communications integration
11 center.

12 (3) Any challenges associated with effective
13 mission coordination and deconfliction between the
14 Cybersecurity and Infrastructure Security Agency of
15 the Department of Homeland Security and other
16 Federal agencies that could be addressed with the
17 creation of an integrated cyber center within the na-
18 tional cybersecurity and communications integration
19 center.

20 (4) How capabilities or missions of existing
21 Federal cyber centers could benefit from greater in-
22 tegration or collocation to support cybersecurity col-
23 laboration with critical infrastructure at an inte-
24 grated cyber center within the national cybersecurity

1 and communications integration center, including
2 the following Federal cyber centers:

3 (A) The National Security Agency's Cyber
4 Threat Operations Center.

5 (B) United States Cyber Command's Joint
6 Operations Center.

7 (C) The Office of the Director of National
8 Intelligence's Cyber Threat Intelligence Integra-
9 tion Center.

10 (D) The Federal Bureau of Investigation's
11 National Cyber Investigative Joint Task Force.

12 (E) The Department of Defense's Defense
13 Cyber Crime Center.

14 (F) The Office of the Director of National
15 Intelligence's Intelligence Community Security
16 Coordination Center.

17 (c) ELEMENTS.—The report required under sub-
18 section (a) shall—

19 (1) identify any challenges regarding the Cyber-
20 security and Infrastructure Security Agency's cur-
21 rent authorities, structure, resources, funding, abil-
22 ity to recruit and retain its workforce, or inter-
23 agency coordination that negatively impact the abil-
24 ity of the Agency to fulfill its role as the central co-
25 ordinator for critical infrastructure cybersecurity

1 and resilience pursuant to its authorities under the
2 Homeland Security Act of 2002, and information on
3 how establishing an integrated cyber center within
4 the national cybersecurity and communications inte-
5 gration center would address such challenges;

6 (2) identify any facility needs for the Cyberse-
7 curity and Infrastructure Security Agency to ade-
8 quately host personnel, maintain sensitive compart-
9 mented information facilities, and other resources to
10 serve as the primary coordinating body charged with
11 forging whole-of-government, public-private collabo-
12 ration in cybersecurity, pursuant to such authorities;

13 (3) identify any lessons from the United King-
14 dom's National Cybersecurity Center model to deter-
15 mine whether an integrated cyber center within the
16 Cybersecurity and Infrastructure Security Agency
17 should be similarly organized into an unclassified en-
18 vironment and a classified environment;

19 (4) recommend any changes to procedures and
20 criteria for increasing and expanding the participa-
21 tion and integration of public- and private-sector
22 personnel into Federal cyber defense and security ef-
23 forts, including continuing limitations or hurdles in
24 the security clearance program for private sector
25 partners and integrating private sector partners into

1 a Cybersecurity and Infrastructure Security Agency
2 integrated cyber center; and

3 (5) propose policies, programs, or practices that
4 could overcome challenges identified in the aggre-
5 gated information under subsection (b), including
6 the creation of an integrated cyber center within the
7 national cybersecurity and communications integra-
8 tion center, accompanied by legislative proposals, as
9 appropriate.

10 (d) PLAN.—Upon submitting the report pursuant to
11 subsection (a), the Secretary of Homeland Security, in co-
12 ordination with the Secretary of Defense, the Attorney
13 General, the Director of the Federal Bureau of Investiga-
14 tion, and the Director of National Intelligence, shall de-
15 velop a plan to establish an integrated cyber center within
16 the national cybersecurity and communications integration
17 center.

18 (e) ESTABLISHMENT.—Not later than one year after
19 the submission of the report required under subsection (a),
20 the Secretary of Homeland Security, in coordination with
21 the Secretary of Defense, the Attorney General, the Direc-
22 tor of the Federal Bureau of Investigation, and the Direc-
23 tor of National Intelligence, shall begin establishing an in-
24 tegrated cyber center in the national cybersecurity and
25 communications integration center.

1 (f) ANNUAL UPDATES.—Beginning one year after the
2 submission of the report required under subsection (a) and
3 annually thereafter, the Secretary of Homeland Security,
4 in coordination with the Secretary of Defense, the Attor-
5 ney General, the Director of the Federal Bureau of Inves-
6 tigation, and the Director of National Intelligence, shall
7 submit to the relevant congressional committees updates
8 regarding efforts to establish and operate an integrated
9 cyber center in the national cybersecurity and communica-
10 tions integration center pursuant to subsection (e), includ-
11 ing information on progress made toward overcoming any
12 challenges identified in the report required by subsection
13 (a).

14 (g) PRIVACY REVIEW.—The Privacy Officers of the
15 Department of Homeland Security, the Department of
16 Defense, the Department of Justice, and the Federal Bu-
17 reau of Investigation, and the Director of National Intel-
18 ligence shall review and provide to the relevant congres-
19 sional committees comment, as appropriate, on each re-
20 port and legislative proposal submitted under this section.

21 (h) DEFINITION.—In this section, the term “relevant
22 congressional committees” means—

- 23 (1) in the House of Representatives—
24 (A) the Committee on Armed Services;
25 (B) the Committee on the Judiciary;

1 (C) the Permanent Select Committee on
2 Intelligence; and

3 (D) the Committee on Homeland Security;
4 and

5 (2) in the Senate—

6 (A) the Committee on Armed Services;

7 (B) the Committee on the Judiciary;

8 (C) the Select Committee on Intelligence;

9 and

10 (D) the Committee on Homeland Security

11 and Governmental Affairs.

12 **SEC. 1631. CYBER THREAT INFORMATION COLLABORATION**

13 **ENVIRONMENT.**

14 (a) IN GENERAL.—In consultation with the Cyber
15 Threat Data Standards and Interoperability Council es-
16 tablished pursuant to subsection (d), the Secretary of
17 Homeland Security, in coordination with the Secretary of
18 Defense and the Director of National Intelligence (acting
19 through the Director of the National Security Agency),
20 shall develop an information collaboration environment
21 and associated analytic tools that enable entities to iden-
22 tify, mitigate, and prevent malicious cyber activity to—

23 (1) provide limited access to appropriate oper-
24 ationally relevant data about cybersecurity risks and
25 cybersecurity threats, including malware forensics

1 and data from network sensor programs, on a plat-
2 form that enables query and analysis;

3 (2) allow such tools to be used in classified and
4 unclassified environments drawing on classified and
5 unclassified data sets;

6 (3) enable cross-correlation of data on cyberse-
7 curity risks and cybersecurity threats at the speed
8 and scale necessary for rapid detection and identi-
9 fication;

10 (4) facilitate a comprehensive understanding of
11 cybersecurity risks and cybersecurity threats; and

12 (5) facilitate collaborative analysis between the
13 Federal Government and private sector critical infra-
14 structure entities and information and analysis orga-
15 nizations.

16 (b) IMPLEMENTATION OF INFORMATION COLLABO-
17 RATION ENVIRONMENT.—

18 (1) EVALUATION.—Not later than 180 days
19 after the date of the enactment of this Act, the Sec-
20 retary of Homeland Security, acting through the Di-
21 rector of the Cybersecurity and Infrastructure Secu-
22 rity Agency of the Department of Homeland Secu-
23 rity, in coordination with the Secretary of Defense
24 and the Director of National Intelligence (acting

1 through the Director of the National Security Agen-
2 cy), shall—

3 (A) identify, inventory, and evaluate exist-
4 ing Federal sources of classified and unclassi-
5 fied information on cybersecurity threats;

6 (B) evaluate current programs, applica-
7 tions, or platforms intended to detect, identify,
8 analyze, and monitor cybersecurity risks and
9 cybersecurity threats; and

10 (C) coordinate with private sector critical
11 infrastructure entities and, as determined ap-
12 propriate by the Secretary of Homeland Secu-
13 rity, in consultation with the Secretary of De-
14 fense, other private sector entities, to identify
15 private sector cyber threat capabilities, needs,
16 and gaps.

17 (2) IMPLEMENTATION.—Not later than one
18 year after the evaluation required under paragraph
19 (1), the Secretary of Homeland Security, acting
20 through the Director of the Cybersecurity and Infra-
21 structure Security Agency, in coordination with the
22 Secretary of Defense and the Director of National
23 Intelligence (acting through the Director of the Na-
24 tional Security Agency), shall begin implementation
25 of the information collaboration environment devel-

1 oped pursuant to subsection (a) to enable partici-
2 pants in such environment to develop and run ana-
3 lytic tools referred to in such subsection on specified
4 data sets for the purpose of identifying, mitigating,
5 and preventing malicious cyber activity that is a
6 threat to government and critical infrastructure.

7 Such environment and use of such tools shall—

8 (A) operate in a manner consistent with
9 relevant privacy, civil rights, and civil liberties
10 policies and protections, including such policies
11 and protections established pursuant to section
12 1016 of the Intelligence Reform and Terrorism
13 Prevention Act of 2004 (6 U.S.C. 485);

14 (B) account for appropriate data standards
15 and interoperability requirements, consistent
16 with the standards set forth in subsection (d);

17 (C) enable integration of current applica-
18 tions, platforms, data, and information, includ-
19 ing classified information, in a manner that
20 supports integration of unclassified and classi-
21 fied information on cybersecurity risks and cy-
22 bersecurity threats;

23 (D) incorporate tools to manage access to
24 classified and unclassified data, as appropriate;

1 (E) ensure accessibility by entities the Sec-
2 retary of Homeland Security, in consultation
3 with the Secretary of Defense and the Director
4 of National Intelligence (acting through the Di-
5 rector of the National Security Agency), deter-
6 mines appropriate;

7 (F) allow for access by critical infrastruc-
8 ture stakeholders and other private sector part-
9 ners, at the discretion of the Secretary of
10 Homeland Security, in consultation with the
11 Secretary of Defense;

12 (G) deploy analytic tools across classifica-
13 tion levels to leverage all relevant data sets, as
14 appropriate;

15 (H) identify tools and analytical software
16 that can be applied and shared to manipulate,
17 transform, and display data and other identified
18 needs; and

19 (I) anticipate the integration of new tech-
20 nologies and data streams, including data from
21 government-sponsored network sensors or net-
22 work-monitoring programs deployed in support
23 of State, local, Tribal, and territorial govern-
24 ments or private sector entities.

1 (c) ANNUAL REVIEW OF IMPACTS ON PRIVACY, CIVIL
2 RIGHTS, AND CIVIL LIBERTIES.—The Secretary of Home-
3 land Security and the Director of National Intelligence
4 (acting through the Director of the Cybersecurity and In-
5 frastructure Security Agency and the Director of the Na-
6 tional Security Agency, respectively) shall direct the Pri-
7 vacy, Civil Rights, and Civil Liberties Officers of their re-
8 spective agencies, in consultation with Privacy, Civil
9 Rights, and Civil Liberties Officers of other Federal agen-
10 cies participating in the information collaboration environ-
11 ment, to conduct an annual review of the information col-
12 laboration environment for compliance with fair informa-
13 tion practices and civil rights and civil liberties policies.
14 Each such report shall be—

15 (1) unclassified, to the maximum extent pos-
16 sible, but may contain a non-public or classified
17 annex to protect sources or methods and any other
18 sensitive information restricted by Federal law;

19 (2) with respect to the unclassified portions of
20 each such report, made available on the public inter-
21 net websites of the Department of Homeland Secu-
22 rity and the Office of the Director of National Intel-
23 ligence—

1 (A) not later than 30 days after submis-
2 sion to the appropriate congressional commit-
3 tees; and

4 (B) in an electronic format that is fully in-
5 dexed and searchable; and

6 (3) with respect to a classified annex, submitted
7 to the appropriate congressional committees in an
8 electronic format that is fully indexed and search-
9 able.

10 (d) POST-DEPLOYMENT ASSESSMENT.—Not later
11 than two years after the implementation of the informa-
12 tion collaboration environment under subsection (b), the
13 Secretary of Homeland Security, the Secretary of Defense,
14 and the Director of National Intelligence (acting through
15 the Director of the National Security Agency) shall jointly
16 submit to the appropriate congressional committees an as-
17 sessment of whether to include additional entities, includ-
18 ing critical infrastructure information sharing and anal-
19 ysis organizations, in such environment.

20 (e) CYBER THREAT DATA STANDARDS AND INTER-
21 OPERABILITY COUNCIL.—

22 (1) ESTABLISHMENT.—There is established an
23 interagency council, to be known as the “Cyber
24 Threat Data Standards and Interoperability Coun-
25 cil” (in this subsection referred to as the “council”),

1 chaired by the Secretary of Homeland Security, to
2 establish data standards and requirements for public
3 and private sector entities to participate in the infor-
4 mation collaboration environment developed pursu-
5 ant to subsection (a).

6 (2) OTHER MEMBERSHIP.—

7 (A) PRINCIPAL MEMBERS.—In addition to
8 the Secretary of Homeland Security, the council
9 shall be composed of the Director of the Cyber-
10 security and Infrastructure Security Agency of
11 the Department of Homeland Security, the Sec-
12 retary of Defense, and the Director of National
13 Intelligence (acting through the Director of the
14 National Security Agency).

15 (B) ADDITIONAL MEMBERS.—The Presi-
16 dent shall identify and appoint council members
17 from public and private sector entities who
18 oversee programs that generate, collect, or dis-
19 seminate data or information related to the de-
20 tection, identification, analysis, and monitoring
21 of cybersecurity risks and cybersecurity threats,
22 based on recommendations submitted by the
23 Secretary of Homeland Security, the Secretary
24 of Defense, and the Director of National Intel-

1 intelligence (acting through the Director of the Na-
2 tional Security Agency).

3 (3) DATA STREAMS.—The council shall identify,
4 designate, and periodically update programs that
5 shall participate in or be interoperable with the in-
6 formation collaboration environment developed pur-
7 suant to subsection (a), which may include the fol-
8 lowing:

9 (A) Network-monitoring and intrusion de-
10 tection programs.

11 (B) Cyber threat indicator sharing pro-
12 grams.

13 (C) Certain government-sponsored network
14 sensors or network-monitoring programs.

15 (D) Incident response and cybersecurity
16 technical assistance programs.

17 (E) Malware forensics and reverse-engi-
18 neering programs.

19 (F) The defense industrial base threat in-
20 telligence program of the Department of De-
21 fense.

22 (4) DATA GOVERNANCE.—The council shall es-
23 tablish a committee comprised of the privacy officers
24 of the Department of Homeland Security, the De-
25 partment of Defense, and the National Security

1 Agency. Such committee shall establish procedures
2 and data governance structures, as necessary, to
3 protect sensitive data, comply with Federal regula-
4 tions and statutes, and respect existing consent
5 agreements with private sector critical infrastructure
6 entities that apply to critical infrastructure informa-
7 tion.

8 (5) RECOMMENDATIONS.—The council shall, as
9 appropriate, submit recommendations to the Presi-
10 dent to support the operation, adaptation, and secu-
11 rity of the information collaboration environment de-
12 veloped pursuant to subsection (a).

13 (f) NO ADDITIONAL ACTIVITIES AUTHORIZED.—
14 Nothing in section may be construed to—

15 (1) alter the responsibility of entities to follow
16 guidelines issued pursuant to section 105(b) of the
17 Cybersecurity Act of 2015 (6 U.S.C. 1504(b); en-
18 acted as division N of the Consolidated Appropria-
19 tions Act, 2016 (Public Law 114–113)) with respect
20 to data obtained by an entity in connection with ac-
21 tivities authorized under the Cybersecurity Act of
22 2015 and shared through the information collabora-
23 tion environment developed pursuant to subsection
24 (a); or

1 (2) authorize Federal or private entities to
2 share information in a manner not already permitted
3 by law.

4 (g) DEFINITIONS.—In this section:

5 (1) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means—

8 (A) in the House of Representatives—

9 (i) the Permanent Select Committee
10 on Intelligence;

11 (ii) the Committee on Homeland Se-
12 curity;

13 (iii) the Committee on the Judiciary;
14 and

15 (iv) the Committee on Armed Serv-
16 ices; and

17 (B) in the Senate—

18 (i) the Select Committee on Intel-
19 ligence;

20 (ii) the Committee on Homeland Se-
21 curity and Governmental Affairs;

22 (iii) the Committee on the Judiciary;
23 and

24 (iv) the Committee on Armed Serv-
25 ices.

1 (2) CRITICAL INFRASTRUCTURE.—The term
2 “critical infrastructure” has the meaning given such
3 term in section 1016(e) of Public Law 107–56 (42
4 U.S.C. 5195c(e)).

5 (3) CRITICAL INFRASTRUCTURE INFORMA-
6 TION.—The term “critical infrastructure informa-
7 tion” has the meaning given such term in section
8 2222 of the Homeland Security Act of 2002 (6
9 U.S.C. 671).

10 (4) CYBER THREAT INDICATOR.—The term
11 “cyber threat indicator” has the meaning given such
12 term in section 102(6) of the Cybersecurity Act of
13 2015 (enacted as division N of the Consolidated Ap-
14 propriations Act, 2016 (Public Law 114–113; 6
15 U.S.C. 1501(6))).

16 (5) CYBERSECURITY RISK.—The term “cyberse-
17 curity risk” has the meaning given such term in sec-
18 tion 2209 of the Homeland Security Act of 2002 (6
19 U.S.C. 659).

20 (6) CYBERSECURITY THREAT.—The term “cy-
21 bersecurity threat” has the meaning given such term
22 in section 102(5) of the Cybersecurity Act of 2015
23 (enacted as division N of the Consolidated Appro-
24 propriations Act, 2016 (Public Law 114–113; 6 U.S.C.
25 1501(5))).

1 (7) INFORMATION SHARING AND ANALYSIS OR-
2 GANIZATION.—The term “information sharing and
3 analysis organization” has the meaning given such
4 term in section 2222 of the Homeland Security Act
5 of 2002 (6 U.S.C. 671).

6 **SEC. 1632. DEFENSE INDUSTRIAL BASE PARTICIPATION IN**
7 **A THREAT INTELLIGENCE SHARING PRO-**
8 **GRAM.**

9 (a) DEFINITION.—In this section, the term “defense
10 industrial base” means the worldwide industrial complex
11 with capabilities to perform research and development, de-
12 sign, produce, deliver, and maintain military weapon sys-
13 tems, subsystems, components, or parts to meet military
14 requirements.

15 (b) DEFENSE INDUSTRIAL BASE THREAT INTEL-
16 LIGENCE PROGRAM.—

17 (1) IN GENERAL.—The Secretary of Defense
18 shall establish a threat intelligence program to share
19 with and obtain from the defense industrial base in-
20 formation and intelligence on threats to national se-
21 curity.

22 (2) PROGRAM REQUIREMENTS.—At a minimum,
23 the Secretary of Defense shall ensure the threat in-
24 telligence sharing program established pursuant to
25 paragraph (1) includes the following:

1 (A) Cybersecurity incident reporting re-
2 quirements that—

3 (i) extend beyond current mandatory
4 incident reporting requirements;

5 (ii) set specific timeframes for all cat-
6 egories of such mandatory incident report-
7 ing; and

8 (iii) create a single clearinghouse for
9 all such mandatory incident reporting to
10 the Department of Defense, including cov-
11 ered unclassified information, covered de-
12 fense information, and classified informa-
13 tion.

14 (B) A mechanism for developing a shared
15 and real-time picture of the threat environment.

16 (C) Joint, collaborative, and co-located
17 analytics.

18 (D) Investments in technology and capa-
19 bilities to support automated detection and
20 analysis across the defense industrial base.

21 (E) Coordinated intelligence sharing with
22 relevant domestic law enforcement and counter-
23 intelligence agencies, in coordination, respec-
24 tively, with the Director of the Federal Bureau

1 of Investigation and the Director of National
2 Intelligence.

3 (F) A process for direct sharing of threat
4 intelligence related to a specific defense indus-
5 trial base entity with such entity.

6 (3) EXISTING INFORMATION SHARING PRO-
7 GRAMS.—The Secretary of Defense may utilize an
8 existing Department of Defense information sharing
9 program to satisfy the requirement under paragraph
10 (1) if such existing program includes, or is modified
11 to include, two-way sharing of threat information
12 that is specifically relevant to the defense industrial
13 base, including satisfying the requirements specified
14 in paragraph (2).

15 (4) INTELLIGENCE QUERIES.—As part of a
16 threat intelligence sharing program under this sub-
17 section, the Secretary of Defense shall require de-
18 fense industrial base entities holding a Department
19 of Defense contract to consent to queries of foreign
20 intelligence collection databases related to such enti-
21 ty as a condition of such contract.

22 (c) THREAT INTELLIGENCE PROGRAM PARTICIPA-
23 TION.—

24 (1) PROHIBITION ON PROCUREMENT.—Begin-
25 ning on the date that is than one year after the date

1 of the enactment of this Act, the Secretary of De-
2 fense may not procure or acquire, or extend or
3 renew a contract to procure or acquire, any item,
4 equipment, system, or service from any entity that
5 is not a participant in—

6 (A) the threat intelligence sharing program
7 established pursuant paragraph (1) of sub-
8 section (b); or

9 (B) a comparably widely-utilized threat in-
10 telligence sharing program described in para-
11 graph (3) of such subsection.

12 (2) APPLICATION TO SUBCONTRACTORS.—No
13 entity holding a Department of Defense contract
14 may subcontract any portion of such contract to an-
15 other entity unless that second entity—

16 (A) is a participant in a threat intelligence
17 sharing program under this section; or

18 (B) has received a waiver pursuant to sub-
19 section (d).

20 (3) IMPLEMENTATION.—In implementing the
21 prohibition under paragraph (1), the Secretary of
22 Defense—

23 (A) may create tiers of requirements and
24 participation within the applicable threat intel-

1 intelligence sharing program referred to in such
2 paragraph based on—

3 (i) an evaluation of the role of and
4 relative threats related to entities within
5 the defense industrial base; and

6 (ii) cybersecurity maturity model cer-
7 tification level; and

8 (B) shall prioritize available funding and
9 technical support to assist entities as is reason-
10 ably necessary for such entities to participate in
11 a threat intelligence sharing program under this
12 section.

13 (d) WAIVER AUTHORITY.—

14 (1) WAIVER.—The Secretary of Defense may
15 waive the prohibition under subsection (b)—

16 (A) with respect to an entity or class of en-
17 tities, if the Secretary determines that the re-
18 quirement to participate in a threat intelligence
19 sharing program under this section is unneces-
20 sary to protect the interests of the United
21 States; or

22 (B) at the request of an entity, if the Sec-
23 retary determines there is compelling justifica-
24 tion for such waiver.

1 (2) PERIODIC REEVALUATION.—The Secretary
2 of Defense shall periodically reevaluate any waiver
3 issued pursuant to paragraph (1) and promptly re-
4 voke any waiver the Secretary determines is no
5 longer warranted.

6 (e) REGULATIONS.—

7 (1) RULEMAKING AUTHORITY.—Not later than
8 180 days after the date of the enactment of this Act,
9 the Secretary of Defense shall promulgate such rules
10 and regulations as are necessary to carry out this
11 section.

12 (2) CMMC HARMONIZATION.—The Secretary of
13 Defense shall ensure that the threat intelligence
14 sharing program requirements set forth in the rules
15 and regulations promulgated pursuant to paragraph
16 (1) consider an entity's maturity and role within the
17 defense industrial base, in accordance with the ma-
18 turity certification levels established in the Depart-
19 ment of Defense Cybersecurity Maturity Model Cer-
20 tification program.

21 **SEC. 1633. ASSISTANCE FOR SMALL MANUFACTURERS IN**
22 **THE DEFENSE INDUSTRIAL SUPPLY CHAIN**
23 **ON MATTERS RELATING TO CYBERSECURITY.**

24 (a) IN GENERAL.—Subject to the availability of ap-
25 propriations, the Secretary of Defense, in consultation

1 with the Director of the National Institute of Standards
2 and Technology, may award financial assistance to a Cen-
3 ter for the purpose of providing cybersecurity services to
4 small manufacturers.

5 (b) CRITERIA.—If the Secretary carries out sub-
6 section (a), the Secretary, in consultation with the Direc-
7 tor, shall establish and publish on the grants.gov website,
8 or successor website, criteria for selecting recipients for
9 financial assistance under this section.

10 (c) USE OF FINANCIAL ASSISTANCE.—Financial as-
11 sistance under this section—

12 (1) shall be used by a Center to provide small
13 manufacturers with cybersecurity services relating
14 to—

15 (A) compliance with the cybersecurity re-
16 quirements of the Department of Defense Sup-
17 plement to the Federal Acquisition Regulation,
18 including awareness, assessment, evaluation,
19 preparation, and implementation of cybersecu-
20 rity services; and

21 (B) achieving compliance with the Cyberse-
22 curity Maturity Model Certification framework
23 of the Department of Defense; and

1 (2) may be used by a Center to employ trained
2 personnel to deliver cybersecurity services to small
3 manufacturers.

4 (d) BIENNIAL REPORTS.—

5 (1) IN GENERAL.—Not less frequently than
6 once every two years, the Secretary shall submit to
7 the congressional defense committees, the Committee
8 on Commerce, Science, and Transportation of the
9 Senate, and the Committee on Science, Space, and
10 Technology of the House of Representatives a bien-
11 nial report on financial assistance awarded under
12 this section.

13 (2) CONTENTS.—To the extent practicable,
14 each report submitted under paragraph (1) shall in-
15 clude the following with respect to the years covered
16 by the report:

17 (A) The number of small manufacturing
18 companies assisted.

19 (B) A description of the cybersecurity serv-
20 ices provided.

21 (C) A description of the cybersecurity mat-
22 ters addressed.

23 (D) An analysis of the operational effec-
24 tiveness and cost-effectiveness of the cybersecu-
25 rity services provided.

1 (e) TERMINATION.—The authority of the Secretary
2 to award of financial assistance under this section shall
3 terminate on the date that is five years after the date of
4 the enactment of this Act.

5 (f) DEFINITIONS.—In this section:

6 (1) The term “Center” has the meaning given
7 such term in section 25(a) of the National Institute
8 of Standards and Technology Act (15 U.S.C.
9 278k(a)).

10 (2) The term “small manufacturer” has the
11 meaning given that term in section 1644(g) of the
12 John S. McCain National Defense Authorization Act
13 for Fiscal Year 2019 (Public Law 115–232; 10
14 U.S.C. 2224 note).

15 **SEC. 1634. DEFENSE INDUSTRIAL BASE CYBERSECURITY**
16 **THREAT HUNTING AND SENSING, DISCOVERY,**
17 **AND MITIGATION.**

18 (a) DEFINITION.—In this section:

19 (1) DEFENSE INDUSTRIAL BASE.—The term
20 “defense industrial base” means the worldwide in-
21 dustrial complex with capabilities to perform re-
22 search and development, design, produce, deliver,
23 and maintain military weapon systems, subsystems,
24 components, or parts to meet military requirements.

1 (2) ADVANCED DEFENSE INDUSTRIAL BASE.—

2 The term “advanced defense industrial base” means
3 any entity in the defense industrial base holding a
4 Department of Defense contract that requires a cy-
5 bersecurity maturity model certification of level 4 or
6 higher.

7 (b) DEFENSE INDUSTRIAL BASE CYBERSECURITY
8 THREAT HUNTING STUDY.—

9 (1) IN GENERAL.—Not later than 120 days
10 after the date of the enactment of this Act, the Sec-
11 retary of Defense shall submit to the congressional
12 defense committees a study of the feasibility and
13 resourcing required to establish the Defense Indus-
14 trial Base Cybersecurity Threat Hunting Program
15 (in this section referred to as the “Program”) de-
16 scribed in subsection (c).

17 (2) ELEMENTS.—The study required under
18 paragraph (1) shall—

19 (A) establish the resources necessary, gov-
20 ernance structures, and responsibility for execu-
21 tion of the Program, as well as any other rel-
22 evant considerations determined by the Sec-
23 retary;

24 (B) include a conclusive determination of
25 the Department of Defense’s capacity to estab-

1 lish the Program by the end of fiscal year 2021;
2 and

3 (C) identify any barriers that would pre-
4 vent such establishment.

5 (c) DEFENSE INDUSTRIAL BASE CYBERSECURITY
6 THREAT HUNTING PROGRAM.—

7 (1) IN GENERAL.—Upon a positive determina-
8 tion of the Program’s feasibility pursuant to the
9 study required under subsection (b), the Secretary of
10 Defense shall establish the Program to actively iden-
11 tify cybersecurity threats and vulnerabilities within
12 the information systems, including covered defense
13 networks containing controlled unclassified informa-
14 tion, of entities in the defense industrial base.

15 (2) PROGRAM LEVELS.—In establishing the
16 Program in accordance with paragraph (1), the Sec-
17 retary of Defense shall develop a tiered program
18 that takes into account the following:

19 (A) The cybersecurity maturity of entities
20 in the defense industrial base.

21 (B) The role of such entities.

22 (C) Whether each such entity possesses
23 controlled unclassified information and covered
24 defense networks.

1 (D) The covered defense information to
2 which such an entity has access as a result of
3 contracts with the Department of Defense.

4 (3) PROGRAM REQUIREMENTS.—The Program
5 shall—

6 (A) include requirements for mitigating
7 any vulnerabilities identified pursuant to the
8 Program;

9 (B) provide a mechanism for the Depart-
10 ment of Defense to share with entities in the
11 defense industrial base malicious code, indica-
12 tors of compromise, and insights on the evol-
13 ving threat landscape;

14 (C) provide incentives for entities in the
15 defense industrial base to share with the De-
16 partment of Defense, including the National Se-
17 curity Agency's Cybersecurity Directorate,
18 threat and vulnerability information collected
19 pursuant to threat monitoring and hunt activi-
20 ties; and

21 (D) mandate a minimum level of program
22 participation for any entity that is part of the
23 advanced defense industrial base.

24 (d) THREAT IDENTIFICATION PROGRAM PARTICIPA-
25 TION.—

1 (1) PROHIBITION ON PROCUREMENT.—If the
2 Program is established pursuant to subsection (c),
3 beginning on the date that is one year after the date
4 of the enactment of this Act, the Secretary of De-
5 fense may not procure or obtain, or extend or renew
6 a contract to procure or obtain, any item, equip-
7 ment, system, or service from any entity in the de-
8 fense industrial base that is not in compliance with
9 the requirements of the Program.

10 (2) IMPLEMENTATION.—In implementing the
11 prohibition under paragraph (1), the Secretary of
12 Defense shall prioritize available funding and tech-
13 nical support to assist affected entities in the de-
14 fense industrial base as is reasonably necessary for
15 such affected entities to commence participation in
16 the Program and satisfy Program requirements.

17 (3) WAIVER AUTHORITY.—

18 (A) WAIVER.—The Secretary of Defense
19 may waive the prohibition under paragraph
20 (1)—

21 (i) with respect to an entity or class
22 of entities in the defense industrial base, if
23 the Secretary determines that the require-
24 ment to participate in the Program is un-

1 necessary to protect the interests of the
2 United States; or

3 (ii) at the request of such an entity,
4 if the Secretary determines there is a com-
5 pelling justification for such waiver.

6 (B) PERIODIC REEVALUATION.—The Sec-
7 retary of Defense shall periodically reevaluate
8 any waiver issued pursuant to subparagraph
9 (A) and revoke any such waiver the Secretary
10 determines is no longer warranted.

11 (e) USE OF PERSONNEL AND THIRD-PARTY THREAT
12 HUNTING AND SENSING CAPABILITIES.—In carrying out
13 the Program, the Secretary of Defense may—

14 (1) utilize Department of Defense personnel to
15 hunt for threats and vulnerabilities within the infor-
16 mation systems of entities in the defense industrial
17 base that have an active contract with Department
18 of Defense;

19 (2) certify third-party providers to hunt for
20 threats and vulnerabilities on behalf of the Depart-
21 ment of Defense;

22 (3) require the deployment of network sensing
23 technologies capable of identifying and filtering mali-
24 cious network traffic; or

1 (4) employ a combination of Department of De-
2 fense personnel and third-party providers and tools,
3 as the Secretary determines necessary and appro-
4 priate, for the entity described in paragraph (1).

5 (f) REGULATIONS.—

6 (1) RULEMAKING AUTHORITY.—Not later than
7 180 days after the date of the enactment of this Act,
8 the Secretary of Defense shall promulgate such rules
9 and regulations as are necessary to carry out this
10 section.

11 (2) CMMC HARMONIZATION.—In promulgating
12 rules and regulations pursuant to paragraph (1), the
13 Secretary of Defense shall consider how best to inte-
14 grate the requirements of this section with the De-
15 partment of Defense Cybersecurity Maturity Model
16 Certification program.

17 **SEC. 1635. DEFENSE DIGITAL SERVICE.**

18 (a) RELATIONSHIP WITH UNITED STATES DIGITAL
19 SERVICE.—Not later than 120 days after the date of the
20 enactment of this Act, the Secretary of Defense and the
21 Administrator of the United States Digital Service shall
22 establish a direct relationship between the Department of
23 Defense and the United States Digital Service to address
24 authorities, hiring processes, roles, and responsibilities.

1 (b) CERTIFICATION.—Not later than 120 days after
2 the date of the enactment of this Act, the Secretary of
3 Defense and the Administrator of the United States Dig-
4 ital Service shall jointly certify to the congressional de-
5 fense committees that the skills and qualifications of the
6 Department of Defense personnel assigned to and sup-
7 porting the core functions of the Defense Digital Service
8 are consistent with the skills and qualifications United
9 States Digital Service personnel.

10 **SEC. 1636. LIMITATION OF FUNDING FOR NATIONAL DE-**
11 **FENSE UNIVERSITY.**

12 Of the funds authorized to be appropriated by this
13 Act for fiscal year 2021 for the National Defense Univer-
14 sity, not more than 60 percent of such funds may be obli-
15 gated or expended until the Joint Staff and the National
16 Defense University present to the congressional defense
17 committees the following:

18 (1) A comprehensive plan for resourcing and
19 growing the student population of the College of In-
20 formation and Cyberspace, including by—

21 (A) enrolling a minimum of 350 cyber
22 workforce students per academic year; and

23 (B) graduating a minimum of 42 students
24 (including a minimum of 28 United States mili-
25 tary students) in the Joint Professional Military

1 Education Phase II War College 10- month
2 resident program in fiscal year 2021, and im-
3 plementing a plan to graduate a minimum of
4 70 students (including a minimum of 50 United
5 States military and civilian students) in fiscal
6 year 2023 and in each year thereafter through
7 the Future Year Defense Program.

8 (2) Budget documents for the Future Year De-
9 fense Program which show funding for the College
10 of Information and Cyberspace to support the com-
11 prehensive plan described in subsection (a).

12 (3) A comprehensive presentation of how pro-
13 grams of study on cyber-related matters are being
14 expanded and integrated into Joint Professional
15 Military Education at all National Defense Univer-
16 sity constituent colleges.

17 **Subtitle D—Nuclear Forces**

18 **SEC. 1641. COORDINATION IN TRANSFER OF FUNDS BY DE-** 19 **PARTMENT OF DEFENSE TO NATIONAL NU-** 20 **CLEAR SECURITY ADMINISTRATION.**

21 (a) IN GENERAL.—Section 179(f)(3) of title 10,
22 United States Code, is amended by adding at the end the
23 following new subparagraph:

24 “(D) The Secretary of Defense and the Secretary of
25 Energy shall ensure that a transfer of estimated nuclear

1 budget request authority is carried out in a manner that
2 provides for coordination between the Secretary of De-
3 fense and the Administrator for Nuclear Security using
4 appropriate interagency processes during the process in
5 which the Secretaries develop the budget materials of the
6 Department of Defense and the National Nuclear Security
7 Administration, including by beginning such coordination
8 by not later than June 30 for such budget materials that
9 will be submitted during the following year.”.

10 (b) REPORTS.—Subparagraph (B) of such section is
11 amended by adding at the end the following new clause:

12 “(iv) A description of the total amount of the
13 proposed estimated nuclear budget request authority
14 to be transferred by the Secretary of Defense to the
15 Secretary of Energy to support the weapons activi-
16 ties of the National Nuclear Security Administra-
17 tion, including—

18 “(A) identification of any trade-offs made
19 within the budget of the Department of Defense
20 as part of such proposed transfer; and

21 “(B) a certification made jointly by the
22 Secretaries that such proposed transfer was de-
23 veloped in a manner that allowed for the coordi-
24 nation described in subparagraph (D).”.

1 **SEC. 1642. EXERCISES OF NUCLEAR COMMAND, CONTROL,**
2 **AND COMMUNICATIONS SYSTEM.**

3 (a) REQUIREMENT.—Chapter 24 of title 10, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 499b. Exercises of nuclear command, control, and**
7 **communications system**

8 “(a) REQUIRED EXERCISES.—Except as provided by
9 subsection (b), beginning 2021, the President shall partici-
10 pate in a large-scale exercise of the nuclear command, con-
11 trol, and communications system during the first year of
12 each term of the President, and may participate in such
13 additional exercises as the President determines appro-
14 priate.

15 “(b) WAIVER.—The President may waive, on a case-
16 by-case basis, the requirement to participate in an exercise
17 under subsection (a) if the President—

18 “(1) determines that participating in such an
19 exercise is infeasible by reason of a war declared by
20 Congress, a national emergency declared by the
21 President or Congress, a public health emergency
22 declared by the Secretary of Health and Human
23 Services under section 319 of the Public Health
24 Service Act (42 U.S.C. 247d), or other similar exi-
25 gent circumstance; and

1 “(2) submits to the congressional defense com-
2 mittees a notice of the waiver and a description of
3 such determination.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of such chapter is amended by adding
6 at the end the following new item:

 “499b. Exercises of nuclear command, control, and communications system.”.

7 **SEC. 1643. INDEPENDENT STUDIES ON NUCLEAR WEAPONS**
8 **PROGRAMS OF CERTAIN FOREIGN STATES.**

9 (a) STUDY.—Not later than 60 days after the date
10 of the enactment of this Act, the Secretary of Defense
11 shall seek to enter into a contract with a federally funded
12 research and development center to conduct a study on
13 the nuclear weapons programs of covered foreign coun-
14 tries.

15 (b) MATTERS INCLUDED.—The study under sub-
16 section (a) shall compile open-source data to conduct an
17 analysis of the following for each covered foreign country:

18 (1) The activities, budgets, and policy docu-
19 ments, regarding the nuclear weapons program.

20 (2) The known research and development activi-
21 ties with respect to nuclear weapons.

22 (3) The inventories of nuclear weapons and de-
23 livery vehicles with respect to both deployed and
24 nondeployed weapons.

1 (4) The capabilities of such nuclear weapons
2 and delivery vehicles.

3 (5) The physical sites used for nuclear proc-
4 essing, testing, and weapons integration.

5 (6) The human capital of the scientific and
6 technical workforce involved in nuclear programs, in-
7 cluding with respect to matters relating to the edu-
8 cation, knowledge, and technical capabilities of that
9 workforce.

10 (7) The known deployment areas for nuclear
11 weapons.

12 (8) Information with respect to the nuclear
13 command and control system.

14 (9) The factors and motivations driving the nu-
15 clear weapons program and the nuclear command
16 and control system.

17 (10) Any other information that the federally
18 funded research and development center determines
19 appropriate.

20 (c) SUBMISSION TO DOD.—Not later than 14
21 months after the date of the enactment of this Act, and
22 each year thereafter for the following two years, the feder-
23 ally funded research and development center shall submit
24 to the Secretary the study under subsection (a) and any
25 updates to the study.

1 (d) SUBMISSION TO CONGRESS.—Not later than 30
2 days after the date on which the Secretary receives the
3 study under subsection (a) or updates to the study, the
4 Secretary shall submit to the appropriate congressional
5 committees the study or such updates, without change.

6 (e) PUBLIC RELEASE.—The federally funded re-
7 search and development center shall maintain an internet
8 website on which the center—

9 (1) publishes the study under subsection (a) by
10 not later than 30 days after the date on which the
11 Secretary receives the study under subsection (c);
12 and

13 (2) provides on an ongoing basis commentaries,
14 analyses, updates, and other information regarding
15 the nuclear weapons of covered foreign countries.

16 (f) FORM.—The study under subsection (a) shall be
17 in unclassified form.

18 (g) MODIFICATION TO REPORT ON NUCLEAR FORCES
19 OF THE UNITED STATES AND NEAR-PEER COUNTRIES.—
20 Section 1676 of the National Defense Authorization Act
21 for Fiscal Year 2020 (Public Law 116–92; 133 Stat.
22 1778) is amended—

23 (1) in subsection (a), by striking “Not later
24 than February 15, 2020, the Secretary of Defense,
25 in coordination with the Director of National Intel-

1 ligence, shall” and inserting “Not later than Feb-
2 ruary 15, 2020, and each year thereafter through
3 2023, the Secretary of Defense and the Director of
4 National Intelligence shall jointly”; and

5 (2) in subsection (b), by adding at the end the
6 following new paragraph:

7 “(4) With respect to the current and planned
8 nuclear systems specified in paragraphs (1) through
9 (3), the factors and motivations driving the develop-
10 ment and deployment of the systems.”.

11 (h) DEFINITIONS.—In this section:

12 (1) The term “appropriate congressional com-
13 mittees” means—

14 (A) the congressional defense committees;

15 (B) the Committee on Foreign Affairs and
16 the Permanent Select Committee on Intelligence
17 of the House of Representatives; and

18 (C) the Committee on Foreign Relations
19 and the Select Committee on Intelligence of the
20 Senate.

21 (2) The term “covered foreign country” means
22 each of the following:

23 (A) China.

24 (B) North Korea.

25 (C) Russia.

1 (3) The term “open-source data” includes data
2 derived from, found in, or related to any of the fol-
3 lowing:

4 (A) Geospatial information.

5 (B) Seismic sensors.

6 (C) Commercial data.

7 (D) Public government information.

8 (E) Academic journals and conference pro-
9 ceedings.

10 (F) Media reports.

11 (G) Social media.

12 **Subtitle E—Missile Defense** 13 **Programs**

14 **SEC. 1651. EXTENSION AND MODIFICATION OF REQUIRE-** 15 **MENT FOR COMPTROLLER GENERAL OF THE** 16 **UNITED STATES REVIEW AND ASSESSMENT** 17 **OF MISSILE DEFENSE ACQUISITION PRO-** 18 **GRAMS.**

19 Section 232(a) of the National Defense Authorization
20 Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.
21 1339), as amended by section 1688 of the National De-
22 fense Authorization Act for Fiscal Year 2016 (Public Law
23 114–92; 129 Stat. 1144), is amended—

24 (1) in paragraph (1), by striking “through
25 2020” and inserting “through 2025”; and

1 (2) in paragraph (2)—

2 (A) by striking “through 2021” and insert-
3 ing “through 2026”; and

4 (B) by adding at the end the following new
5 sentence: “In carrying out this subsection, the
6 Comptroller General shall review emergent
7 issues relating to such programs and account-
8 ability and, in consultation with the congres-
9 sional defense committees, either include any
10 findings from the review in the reports sub-
11 mitted under this paragraph or provide to such
12 committees a briefing on the findings.”.

13 **SEC. 1652. EXTENSION OF TRANSITION OF BALLISTIC MIS-**
14 **SILE DEFENSE PROGRAMS TO MILITARY DE-**
15 **PARTMENTS.**

16 Section 1676(b)(1) of the National Defense Author-
17 ization Act for Fiscal Year 2018 (Public Law 115–91; 10
18 U.S.C. 2431 note) is amended by striking “2021” and in-
19 serting “2023”.

20 **SEC. 1653. DEVELOPMENT OF HYPERSONIC AND BALLISTIC**
21 **MISSILE TRACKING SPACE SENSOR PAYLOAD.**

22 (a) FINDINGS; SENSE OF CONGRESS.—

23 (1) FINDINGS.—Congress finds the following:

24 (A) Subsection (d) of section 1683 of the
25 National Defense Authorization Act for Fiscal

1 Year 2018 (Public Law 115–91; 10 U.S.C.
2 2431 note), as amended by section 1683 of the
3 National Defense Authorization Act for Fiscal
4 Year 2020 (Public Law 116–92), requires the
5 Director of the Missile Defense Agency to de-
6 velop a hypersonic and ballistic tracking space
7 sensor payload to address missile defense track-
8 ing requirements.

9 (B) The budget of the President for fiscal
10 year 2021 submitted under section 1105 of title
11 31, United States Code, did not provide any
12 funding for the Missile Defense Agency to con-
13 tinue the development of such sensor payload.

14 (2) SENSE OF CONGRESS.—It is the sense of
15 Congress that—

16 (A) regardless of the overall architecture
17 for a missile defense tracking space layer, the
18 Director of the Missile Defense Agency should
19 remain the material developer for the
20 hypersonic and ballistic tracking space sensor
21 payload to ensure that—

22 (i) unique hypersonic and ballistic
23 missile tracking requirements are met; and

24 (ii) the system can be integrated into
25 the existing missile defense system com-

1 mand and control, battle management, and
2 communications system; and

3 (B) the Secretary of Defense should ensure
4 transparency of funding for this effort to en-
5 sure proper oversight can be conducted on this
6 critical capability.

7 (b) LIMITATION.—Subsection (d) of section 1683 of
8 the National Defense Authorization Act for Fiscal Year
9 2018 (Public Law 115–91; 10 U.S.C. 2431 note), as
10 amended by section 1683 of the National Defense Author-
11 ization Act for Fiscal Year 2020 (Public Law 116–92),
12 is amended by adding at the end the following new para-
13 graph:

14 “(3) LIMITATION.—Of the funds authorized to
15 be appropriated by the National Defense Authoriza-
16 tion Act for Fiscal Year 2021 or otherwise made
17 available for fiscal year 2021 for operation and
18 maintenance, Defense-wide, for the Space Defense
19 Agency, not more than 50 percent may be obligated
20 or expended until the date on which the Secretary
21 submits the certification under paragraph (2)(B).”.

22 (c) COORDINATION.—Subsection (a) of such section
23 is amended by striking “the Commander of the Air Force
24 Space Command and” and inserting “the Chief of Space
25 Operations, the Commander of the United States Space

1 Command, the Commander of the United States Northern
2 Command, and”.

3 **SEC. 1654. ANNUAL CERTIFICATION ON HYPERSONIC AND**
4 **BALLISTIC MISSILE TRACKING SPACE SEN-**
5 **SOR PAYLOAD.**

6 (a) FINDING; SENSE OF CONGRESS.—

7 (1) FINDING.—Congress finds that the budget
8 submitted by the President under section 1105(a) of
9 title 31, United States Code, for fiscal year 2021
10 does not fully fund an operational capability for the
11 hypersonic and ballistic missile tracking space sensor
12 within the tracking layer of the persistent space-
13 based sensor architecture of the Space Development
14 Agency, despite such space sensor being a require-
15 ment by the combatant commanders and being high-
16 lighted as a needed capability against both
17 hypersonic and ballistic threats in the Missile De-
18 fense Review published in 2019.

19 (2) SENSE OF CONGRESS.—It is the sense of
20 Congress that the Missile Defense Agency
21 hypersonic and ballistic missile tracking space sensor
22 must be prioritized within the persistent space-based
23 sensor architecture of the Space Development Agen-
24 cy to ensure the delivery of capabilities to the
25 warfighter as soon as possible.

1 (b) ANNUAL CERTIFICATION.—Subsection (d) of sec-
2 tion 1683 of the National Defense Authorization Act for
3 Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2431
4 note), as amended by section 1653, is further amended
5 by adding at the end the following new paragraph:

6 “(4) ANNUAL CERTIFICATION.—On an annual
7 basis until the date on which the hypersonic and bal-
8 listic tracking space sensor payload achieves full
9 operational capability, the Secretary of Defense,
10 without delegation, shall submit to the appropriate
11 congressional committees a certification that—

12 “(A) the most recent future-years defense
13 program submitted under section 221 of title
14 10, United States Code, includes estimated ex-
15 penditures and proposed appropriations in
16 amounts necessary to ensure the development
17 and deployment of such space sensor payload as
18 a component of the sensor architecture devel-
19 oped under subsection (a); and

20 “(B) the Commander of the United States
21 Space Command has validated both the ballistic
22 and hypersonic tracking requirements of, and
23 the timeline to deploy, such space sensor pay-
24 load.”.

1 **SEC. 1655. ALIGNMENT OF THE MISSILE DEFENSE AGENCY**
2 **WITHIN THE DEPARTMENT OF DEFENSE.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) Since the Missile Defense Agency was
5 aligned to be under the authority, direction, and
6 control of the Under Secretary of Defense for Re-
7 search and Engineering pursuant to section 205(b)
8 of title 10, United States Code, the advanced tech-
9 nology development budget requests in the defense
10 budget materials (as defined in section 231(f) of
11 title 10, United States Code) have decreased by
12 more than 650 percent, from a request for
13 \$292,000,000 for fiscal year 2018 (the highest such
14 request) to a request for \$45,000,000 for fiscal year
15 2021.

16 (2) The overwhelming majority of the budget of
17 the Missile Defense Agency is invested in programs
18 that would be categorized as acquisition category 1
19 efforts if such programs were administered under
20 the acquisition standards under Department of De-
21 fense Directive 5000.

22 (b) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that, in light of the findings under subsection (a),
24 upon the completion of the independent review of the orga-
25 nization of the Missile Defense Agency required by section
26 1688 of the National Defense Authorization Act for Fiscal

1 Year 2020 (Public Law 116–92; 133 Stat. 1787), the Sec-
2 retary of Defense should reassess the alignment of the
3 Agency within the Department of Defense to ensure that
4 missile defense efforts are being given proper oversight
5 and that the Agency is focused on delivering capability to
6 address current and future threats.

7 (c) REPORT.—Not later than February 28, 2021, the
8 Secretary of Defense shall submit to the congressional de-
9 fense committees a report on the alignment of the Missile
10 Defense Agency within the Department of Defense. The
11 report shall include—

12 (1) a description of the risks and benefits of
13 both—

14 (A) continuing the alignment of the Agen-
15 cy under the authority, direction, and control of
16 the Under Secretary of Defense for Research
17 and Engineering pursuant to section 205(b) of
18 title 10, United States Code; and

19 (B) realigning the Agency to be under the
20 authority, direction, and control of the Under
21 Secretary of Defense for Acquisition and
22 Sustainment; and

23 (2) if the Agency were to be realigned, the ac-
24 tions that would need to be taken to realign the
25 Agency to be under the authority, direction, and

1 control of the Under Secretary of Defense for Acqui-
2 sition and Sustainment or another element of the
3 Department of Defense.

4 **SEC. 1656. ANALYSIS OF ALTERNATIVES FOR HOMELAND**
5 **MISSILE DEFENSE MISSIONS.**

6 (a) ANALYSIS OF ALTERNATIVES.—

7 (1) REQUIREMENT.—Not later than 90 days
8 after the date of the enactment of this Act, the Di-
9 rector of Cost Assessment and Program Evaluation,
10 in coordination with the Secretary of the Navy, the
11 Secretary of the Army, and the Director of the Mis-
12 sile Defense Agency, shall conduct an analysis of al-
13 ternatives with respect to a complete architecture for
14 using the regional terminal high altitude area de-
15 fense system and the Aegis ballistic missile defense
16 system to conduct homeland defense missions.

17 (2) SCOPE.—The analysis of alternatives under
18 paragraph (1) shall include the following:

19 (A) The sensors needed for the architec-
20 ture described in such paragraph.

21 (B) An assessment of the locations of each
22 system included in the analysis to provide simi-
23 lar coverage as the ground-based midcourse de-
24 fense system, including, with respect to such
25 systems that are land-based, by giving pref-

1 erence to locations with completed environ-
2 mental impact analyses conducted pursuant to
3 section 227 of the National Defense Authoriza-
4 tion Act for Fiscal Year 2013 (Public Law
5 112– 239; 126 Stat. 1678), to the extent prac-
6 ticable.

7 (C) The acquisition objectives for intercep-
8 tors of the terminal high altitude area defense
9 system and standard missile–3 interceptors for
10 homeland defense purposes.

11 (D) Any improvements needed to the mis-
12 sile defense system command and control, battle
13 management, and communications system.

14 (E) The manning, training, and
15 sustainment needed to support such architec-
16 ture.

17 (F) A detailed schedule for the develop-
18 ment, testing, production, and deployment of
19 such systems.

20 (G) A lifecycle cost estimate of such archi-
21 tecture.

22 (H) A comparison of the capabilities, costs,
23 schedules, and policies with respect to—

1 (i) deploying regional systems de-
2 scribed in subsection (a) to conduct home-
3 land defense missions; and

4 (ii) deploying future ground-based
5 midcourse defense systems for such mis-
6 sions.

7 (3) SUBMISSION.—Not later than 90 days after
8 the date of the enactment of this Act, the Secretary
9 of Defense shall submit to the congressional defense
10 committees a report containing—

11 (A) the analysis of alternatives under para-
12 graph (1); and

13 (B) a certification by the Secretary that
14 such analysis is sufficient.

15 (b) ASSESSMENT.—Not later than February 28,
16 2021, the Director of the Defense Intelligence Agency, and
17 the head of any other element of the intelligence commu-
18 nity that the Secretary of Defense determines appropriate,
19 shall submit to the congressional defense committees an
20 assessment of the following:

21 (1) How the development and deployment of re-
22 gional terminal high altitude area defense systems
23 and Aegis ballistic missile defense systems to con-
24 duct longer-range missile defense missions would be

1 perceived by near-peer foreign countries and rogue
2 nations.

3 (2) How such near-peer foreign countries and
4 rogue nations would likely respond to such deploy-
5 ments.

6 **SEC. 1657. NEXT GENERATION INTERCEPTORS.**

7 (a) NOTIFICATION OF CHANGED REQUIREMENTS.—
8 During the acquisition and development process of the
9 next generation interceptor program, not later than seven
10 days after the date on which any changes are made to
11 the requirements for such program that are established
12 in the equivalent to capability development documentation,
13 the Director of the Missile Defense Agency shall notify
14 the congressional defense committees of such changes.

15 (b) BRIEFING ON CONTRACT.—Not later than 14
16 days after the date on which the Director awards a con-
17 tract for the next generation interceptor, the Director
18 shall provide the congressional defense committees a brief-
19 ing on such contract, including with respect to the cost,
20 schedule, performance, and requirements of the contract.

21 (c) REPORT ON GROUND-BASED MIDCOURSE DE-
22 FENSE SYSTEM.—

23 (1) REQUIREMENT.—Not later than 90 days
24 after the date of the enactment of this Act, the Sec-
25 retary of Defense, in coordination with the Under

1 Secretary of Defense for Policy, the Director of the
2 Missile Defense Agency, and the Commander of the
3 United States Northern Command, shall submit to
4 the congressional defense committees a report on the
5 ground-based midcourse defense system.

6 (2) MATTERS INCLUDED.—The report under
7 paragraph (1) shall include the following:

8 (A) An explanation of how contracts in ex-
9 istence as of the date of the report could be
10 used to reestablish improvements and
11 sustainment for kill vehicles and boosters for
12 the ground-based midcourse defense system.

13 (B) An explanation of how such system
14 could be improved through service life exten-
15 sions or pre-planned product improvements to
16 address some of the requirements of the next
17 generation interceptor by 2026, including an
18 identification of the costs, schedule, and any
19 risks.

20 (C) A description of the costs and schedule
21 with respect to restarting booster production to
22 field 20 additional interceptors by 2026.

23 (D) An analysis of policy implications with
24 respect to the requirements for the ground-
25 based midcourse defense system.

1 **SEC. 1658. OVERSIGHT OF NEXT GENERATION INTER-**
2 **CEPTOR PROGRAM.**

3 (a) FINDINGS; SENSE OF CONGRESS.—

4 (1) FINDINGS.—Congress finds that the Sec-
5 retary of Defense discovered major technical prob-
6 lems with the redesigned kill vehicle program, which
7 led to cancelling the program in August 2019 and
8 caused significant delays to the improved defense of
9 the United States against rogue nation ballistic mis-
10 sile threats and wasted \$1,200,000,000.

11 (2) SENSE OF CONGRESS.—It is the sense of
12 Congress that the Secretary of Defense should en-
13 sure robust oversight and accountability for the ac-
14 quisition of the future next generation interceptor
15 program to avoid making the same errors that were
16 experienced in the redesigned kill vehicle effort.

17 (b) INDEPENDENT COST ASSESSMENT AND VALIDA-
18 TION.—

19 (1) ASSESSMENT.—The Director of Cost As-
20 sessment and Program Evaluation shall conduct an
21 independent cost assessment of the next generation
22 interceptor program.

23 (2) VALIDATION.—The Under Secretary of De-
24 fense for Acquisition and Sustainment shall validate
25 the preliminary cost assessment conducted under

1 paragraph (1) that will be used to inform the award
2 of the contract for the next generation interceptor.

3 (3) SUBMISSION.—Not later than the date on
4 which the Director of the Missile Defense Agency
5 awards a contract for the next generation inter-
6 ceptor, the Secretary of Defense shall submit to the
7 congressional defense committees a report containing
8 the preliminary independent cost assessment under
9 paragraph (1) and the validation under paragraph
10 (2).

11 (c) FLIGHT TESTS.—In addition to the requirements
12 of section 2399 of title 10, United States Code, the Direc-
13 tor of the Missile Defense Agency may not make any deci-
14 sion regarding the initial production, or equivalent, of the
15 next generation interceptor unless the Director has—

16 (1) certified to the congressional defense com-
17 mittees that the Director has conducted not fewer
18 than two successful intercept flight tests of the next
19 generation interceptor; and

20 (2) provided to such committees a briefing on
21 the details of such tests, including with respect to
22 the operational realism of such tests.

1 **SEC. 1659. MISSILE DEFENSE COOPERATION BETWEEN THE**
2 **UNITED STATES AND ISRAEL.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—

5 (1) the strong and enduring relationship be-
6 tween the United States and Israel is in the national
7 security interest of both countries;

8 (2) the memorandum of understanding signed
9 by the United States and Israel on September 14,
10 2016, including the provisions of the memorandum
11 relating to missile and rocket defense cooperation,
12 continues to be a critical component of the bilateral
13 relationship;

14 (3) the United States and Israel should con-
15 tinue government-to-government collaboration and
16 information sharing of technical data to investigate
17 the potential operational use of Israeli missile de-
18 fense systems for United States purposes; and

19 (4) in addition to the existing Israeli missile de-
20 fense interceptor systems, there is potential for de-
21 veloping and incorporating directed energy platforms
22 to assist the missile defense capabilities of both the
23 United States and Israel.

24 (b) COOPERATION.—The Secretary of Defense may
25 seek to extend existing cooperation with Israel to carry
26 out, on a joint basis with Israel, research, development,

1 test, and evaluation activities to establish directed energy
2 capabilities that address missile threats to the United
3 States, the deployed members of the Armed Forces of the
4 United States, or Israel. The Secretary shall ensure that
5 any such activities are conducted—

6 (1) in accordance with Federal law and the
7 Convention on Prohibitions or Restrictions on the
8 Use of Certain Conventional Weapons which may be
9 deemed to be Excessively Injurious or to have Indis-
10 criminate Effects, signed at Geneva October 10,
11 1980; and

12 (2) in a manner that appropriately protects sen-
13 sitive information and the national security interests
14 of the United States and the national security inter-
15 ests of Israel.

16 **SEC. 1660. REPORT ON DEFENSE OF GUAM FROM INTE-**
17 **GRATED AIR AND MISSILE THREATS.**

18 (a) REPORT.—Not later than 120 days after the date
19 of the enactment of this Act, the Secretary of Defense
20 shall submit to the congressional defense committees a re-
21 port containing a study on the defense of Guam from inte-
22 grated air and missile threats, including such threats from
23 ballistic, hypersonic, and cruise missiles.

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

1 (1) The identification of existing deployed land-
2 and sea-based air and missile defense programs of
3 record within the military departments and Defense
4 Agencies, including with respect to interceptors, ra-
5 dars, and ground-, ship-, air,- and space-based sen-
6 sors that could be used either alone or in coordina-
7 tion with other systems to counter the threats speci-
8 fied in subsection (a) with an initial operational ca-
9 pability by 2025.

10 (2) A plan of how such programs would be used
11 to counter such threats with an initial operational
12 capability by 2025.

13 (3) A plan of which programs currently in de-
14 velopment but not yet deployed could enhance or
15 substitute for existing programs in countering such
16 threats with an initial operational capability by
17 2025.

18 (4) An analysis of which military department,
19 Defense Agency, or combatant command would have
20 operational control of the mission to counter such
21 threats.

22 (5) A cost analysis of the various options de-
23 scribed in paragraphs (1) and (3), including a
24 breakdown of the cost of weapons systems consid-
25 ered under the various scenarios (including any costs

1 to modify the systems), the cost benefits gained
2 through economies of scale, and the cost of any mili-
3 tary construction required.

4 (6) An analysis of the policy implications re-
5 garding deploying additional missile defense systems
6 on Guam, and how such deployments could affect
7 strategic stability, including likely responses from
8 both rogue nations and near-peer competitors.

9 (c) CONSULTATION.—The Secretary shall carry out
10 this section in consultation with each of the following:

11 (1) The Director of the Missile Defense Agency.

12 (2) The Commander of the United States Indo-
13 Pacific Command.

14 (3) The Commander of the United States
15 Northern Command.

16 (4) Any other official whom the Secretary of
17 Defense determines for purposes of this section has
18 significant technical, policy, or military expertise.

19 (d) FORM.—The report submitted under subsection
20 (a) shall be in unclassified form, but may contain a classi-
21 fied annex.

22 (e) BRIEFING.—Not later than 30 days after the date
23 on which the Secretary submits to the congressional de-
24 fense committees the report under subsection (a), the Sec-

1 retary shall provide to such committees a briefing on the
2 report.

3 **SEC. 1661. REPORT ON CRUISE MISSILE DEFENSE.**

4 Not later than January 15, 2021, the Commander
5 of the United States Northern Command, in coordination
6 with the Director of the Missile Defense Agency, shall sub-
7 mit to the congressional defense committees a report con-
8 taining—

9 (1) an identification of any vulnerability of the
10 contiguous United States to known cruise missile
11 threats; and

12 (2) a plan to mitigate any such vulnerability.

13 **Subtitle F—Other Matters**

14 **SEC. 1671. CONVENTIONAL PROMPT GLOBAL STRIKE.**

15 (a) INTEGRATION.—Section 1697(a) of the National
16 Defense Authorization Act for Fiscal Year 2020 (Public
17 Law 116–92; 133 Stat. 1791) is amended by adding at
18 the end the following new sentence: “The Secretary shall
19 initiate such transfer of technologies to DDG–1000 class
20 destroyers by not later than January 1, 2021.”.

21 (b) REPORT ON STRATEGIC HYPERSONIC WEAP-
22 ONS.—

23 (1) REQUIREMENT.—Not later than 120 days
24 after the date of the enactment of this Act, the
25 Chairman of the Joint Chiefs of Staff, in coordina-

1 tion with the Under Secretary of Defense for Policy,
2 shall submit to the congressional defense committees
3 a report on strategic hypersonic weapons.

4 (2) MATTERS INCLUDED.—The report under
5 paragraph (1) shall include the following:

6 (A) A discussion of the authority to use
7 strategic hypersonic weapons and if, and how,
8 such authorities would be delegated to the com-
9 manders of the combatant commands or to the
10 Chiefs of the Armed Forces.

11 (B) An assessment of escalation and mis-
12 calculation risks (including the risk that adver-
13 saries may detect initial launch but not reliably
14 detect the entire boost-glide trajectory), how
15 such risks will be addressed and minimized with
16 regards to the use of strategic hypersonic weap-
17 ons, and whether any risk escalation exercises
18 have been conducted or are planned for the po-
19 tential use of hypersonic weapons.

20 (C) A description of any updates needed to
21 war plans with the introduction of strategic
22 hypersonic weapons.

23 (D) Identification of the element of the
24 Department of Defense that has responsibility

1 for establishing targeting requirements for stra-
2 tegic hypersonic weapons.

3 (E) A description of how the requirements
4 for land- and sea-based strategic hypersonic
5 weapons will be addressed with the Joint Re-
6 quirements Oversight Council, and how such re-
7 quirements will be formally provided to the mili-
8 tary departments procuring such weapons
9 through an acquisition program described under
10 section 804 of the National Defense Authoriza-
11 tion Act for Fiscal Year 2016 (10 U.S.C. 2302
12 note).

13 (F) A basing strategy for land-based
14 launch platforms and a description of the ac-
15 tions needed to be taken for future deployment
16 of such platforms.

17 (3) FORM.—The report under paragraph (1)
18 shall be submitted in unclassified form, but may in-
19 clude a classified annex.

20 (c) ANNUAL REPORTS ON ACQUISITION.—

21 (1) ARMY AND NAVY PROGRAMS.—Except as
22 provided by paragraph (3), not later than 30 days
23 after the date on which the budget of the President
24 for each of fiscal years 2022 through 2025 is sub-
25 mitted to Congress pursuant to section 1105 of title

1 31, United States Code, the Secretary of the Army
2 and the Secretary of the Navy shall jointly submit
3 to the congressional defense committees a report on
4 the conventional prompt global strike programs of
5 the Army and the Navy, including—

6 (A) the total costs to the respective mili-
7 tary departments for such programs;

8 (B) the strategy for such programs with
9 respect to manning, training, and equipping, in-
10 cluding cost estimates; and

11 (C) a testing strategy and schedule for
12 such programs.

13 (2) CERTIFICATIONS.—Not later than 60 days
14 after the date on which the budget of the President
15 for each of fiscal years 2022 through 2025 is sub-
16 mitted to Congress pursuant to section 1105 of title
17 31, United States Code, the Director of Cost Assess-
18 ment and Program Evaluation shall submit to the
19 congressional defense committees a certification re-
20 garding the sufficiency, including any anomalies,
21 with respect to—

22 (A) the total program costs of the conven-
23 tional prompt global strike programs of the
24 Army and the Navy; and

25 (B) the testing strategy for such programs.

1 (3) **TERMINATION.**—The requirement to submit
2 a report under paragraph (1) shall terminate on the
3 date on which the Secretary of Defense determines
4 that the conventional prompt global strike programs
5 of the Army and the Navy are unable to be acquired
6 under the authority of section 804 of the National
7 Defense Authorization Act for Fiscal Year 2016 (10
8 U.S.C. 2302 note).

9 **SEC. 1672. SUBMISSION OF REPORTS UNDER MISSILE DE-**
10 **FENSE REVIEW AND NUCLEAR POSTURE RE-**
11 **VIEW.**

12 Not later than 30 days after the date of the enact-
13 ment of this Act, the Secretary of Defense shall submit
14 to the congressional defense committees—

15 (1) each report produced by the Department of
16 Defense pursuant to the Missile Defense Review
17 published in 2019; and

18 (2) each report produced by the Department
19 pursuant to the Nuclear Posture Review published
20 in 2018.

21 **SEC. 1673. REPORT ON CONSIDERATION OF RISKS OF INAD-**
22 **VERTENT ESCALATION TO NUCLEAR WAR.**

23 (a) **REPORT.**—Not later than January 31, 2021, the
24 Under Secretary of Defense for Policy shall submit to the

1 Committees on Armed Services of the House of Represent-
2 atives and the Senate a report—

3 (1) detailing the efforts of the Department of
4 Defense with respect to developing and imple-
5 menting guidance to ensure that the risks of inad-
6 vertent escalation to a nuclear war are considered
7 within the decision-making processes of the Depart-
8 ment regarding relevant activities (such as devel-
9 oping contingency plans, managing military crises
10 and conflicts, and supporting the Department of
11 State in the development, negotiation, and imple-
12 mentation of cooperative risk-reduction measures);
13 and

14 (2) identifying the capabilities and factors
15 taken into account in developing such guidance.

16 (b) FORM.—The report under subsection (a) shall be
17 submitted in unclassified form, but may include a classi-
18 fied annex.

19 (c) BRIEFING.—Not later than December 1, 2020,
20 the Under Secretary shall provide to the Committees on
21 Armed Services of the House of Representatives and the
22 Senate a briefing on the progress and findings made in
23 carrying out subsection (a).

1 **TITLE XVII—REPORTS AND**
2 **OTHER MATTERS**
3 **Subtitle A—Studies and Reports**

4 **SEC. 1701. REVIEW OF SUPPORT OF SPECIAL OPERATIONS**
5 **TO COMBAT TERRORISM.**

6 (a) REVIEW.—The Comptroller General of the United
7 States shall conduct a review of all support provided, or
8 planned to be provided, under section 127e of title 10,
9 United States Code. Such review shall include an analysis
10 of each of the following:

11 (1) The strategic alignment between such sup-
12 port and relevant Executive Orders, global campaign
13 plans, theatre campaign plans, execute orders, and
14 other guiding documents for currency, relevancy,
15 and efficacy.

16 (2) The extent to which United States Special
17 Operations Command has the processes and proce-
18 dures to manage, integrate, and synchronize the au-
19 thority under section 127e of title 10, United States
20 Code, in support of the objectives and priorities
21 specified by the documents listed in (a)(1) as well as
22 the objectives and priorities of—

23 (A) the geographic combatant commands;

24 (B) theatre elements of United States Spe-
25 cial Operations Command;

1 (C) relevant chiefs of mission and other
2 appropriate positions in the Department of
3 State; and

4 (D) any other interagency organization af-
5 fected by the use of such authority.

6 (3) For the activities carried out pursuant to
7 such authority, the extent to which United States
8 Special Operations Command has the processes and
9 procedures to—

10 (A) determine the professionalism, cohe-
11 sion, and institutional capacity of the military
12 in the country where forces receiving support
13 are based;

14 (B) determine the adherence of the forces
15 receiving support to human rights norms and
16 the laws of armed conflict;

17 (C) establish measures of effectiveness;

18 (D) assess such activities against estab-
19 lished measures of effectiveness as identified in
20 subparagraph (C);

21 (E) establish criteria to determine the suc-
22 cessful completion of such activities;

23 (F) deconflict and synchronize activities
24 conducted under such authority with other rel-
25 evant funding authorities;

1 (G) deconflict and synchronize activities
2 conducted under such authorities with other rel-
3 evant activities conducted by organizations re-
4 lated to, but outside the purview of, the Depart-
5 ment of Defense; and

6 (H) track the training, support, and facili-
7 tation provided to forces receiving support, and
8 the significant activities undertaken by such
9 forces as a result of such training, support, and
10 facilitation.

11 (4) The extent to which United States Special
12 Operations Command has processes and procedures
13 to manage the sunset, termination, or transition of
14 activities carried out pursuant to such authority, in-
15 cluding—

16 (A) accountability with respect to equip-
17 ment provided; and

18 (B) integrity of the tactics, techniques, and
19 procedures developed.

20 (5) The extent to which United States Special
21 Operations Command has and uses processes and
22 procedures to—

23 (A) report to Congress biannually on the
24 matters referred to in paragraph (3); and

1 (B) notify Congress with respect to the in-
2 tent to sunset, terminate, or transition activities
3 carried out pursuant to such authority.

4 (6) Any other issues the Comptroller General
5 determines appropriate with respect to the authority
6 under section 127e of title 10, United States Code.

7 (b) BRIEFING.—Not later than 180 days after the
8 date of the enactment of this Act, the Comptroller General
9 shall provide for the Committees on Armed Services of the
10 Senate and House of Representatives a briefing on the
11 progress of the review required under subsection (a).

12 (c) REPORT.—Not later than one year after the date
13 of the enactment of this Act, the Comptroller General shall
14 submit to the Committees on Armed Services of the Sen-
15 ate and House of Representatives a report on the findings
16 of the review required under subsection (a) and the rec-
17 ommendations of the Comptroller General pursuant to
18 such review.

19 (d) SUPPORT DEFINED.—In this section, the term
20 “support” includes—

21 (1) personnel who provide capacity for—

22 (A) training and equipment;

23 (B) training, advice, and assistance; or

24 (C) advice, assistance, and accompaniment
25 capacity;

1 (2) financial assistance; and

2 (3) equipment and weapons.

3 **SEC. 1702. FFRDC STUDY OF EXPLOSIVE ORDNANCE DIS-**
4 **POSAL AGENCIES.**

5 (a) IN GENERAL.—The Secretary of Defense shall
6 enter into an agreement with a federally funded research
7 and development corporation under which such corpora-
8 tion shall conduct a study of the responsibilities, authori-
9 ties, policies, programs, resources, organization, and ac-
10 tivities of the explosive ordnance disposal agencies of the
11 Department of Defense, Defense Agencies, and military
12 departments.

13 (b) ELEMENTS OF STUDY.—The study conducted
14 under subsection (a) shall include, for the Department of
15 Defense, each Defense Agency, and each the military de-
16 partments, each of the following:

17 (1) An identification and evaluation of—

18 (A) technology research, development, and
19 acquisition activities related to explosive ord-
20 nance disposal, including an identification and
21 evaluation of—

22 (i) current and future technology and
23 related industrial base gaps; and

1 (ii) any technical or operational risks
2 associated with such technology or related
3 industrial base gaps;

4 (B) recruiting, training, education, assign-
5 ment, promotion, and retention of military and
6 civilian personnel with responsibilities relating
7 to explosive ordnance disposal;

8 (C) administrative and operational force
9 structure with respect to explosive ordnance dis-
10 posal, including an identification and assess-
11 ment of risk associated with force structure ca-
12 pacity or capability gaps, if any; and

13 (D) the demand for, and activities con-
14 ducted in support of, domestic and international
15 military explosive ordnance disposal operations,
16 including—

17 (i) support provided to Department of
18 Defense agencies and other Federal agen-
19 cies; and

20 (ii) an identification and assessment
21 of risk associated with the prioritization
22 and availability of explosive ordnance dis-
23 posal support among supported agencies
24 and operations.

25 (2) Recommendations, if any, for changes to—

1 (A) the organization and distribution of re-
2 sponsibilities and authorities relating to explo-
3 sive ordnance disposal;

4 (B) the explosive ordnance disposal force
5 structure, management, prioritization, and op-
6 erating concepts in support of the explosive ord-
7 nance disposal requirements of the Armed
8 Forces and other Federal agencies; and

9 (C) resource investment strategies and
10 technology prioritization for explosive ordnance
11 disposal, including science and technology,
12 prototyping, experimentation, test and evalua-
13 tion, and related five-year funding profiles.

14 (c) REPORT TO CONGRESS.—

15 (1) IN GENERAL.—Not later than August 31,
16 2021, the Secretary of Defense shall submit to the
17 congressional defense committees a report on the
18 study conducted under subsection (a). Such report
19 shall include the comments on the study, if any, of
20 the Secretary of Defense, the directors of each of the
21 Defense Agencies, and the Secretaries of each of the
22 military departments.

23 (2) FORM OF REPORT.—The report submitted
24 under paragraph (1) shall be submitted in unclassi-
25 fied form, but may contain a classified annex.

1 **SEC. 1703. REPORT ON THE HUMAN RIGHTS OFFICE AT**
2 **UNITED STATES SOUTHERN COMMAND.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—

5 (1) the promotion of human rights and the pro-
6 tection of civilians abroad is an ethical, legal, and
7 strategic interest of the United States;

8 (2) the Human Rights Office at the United
9 States Southern Command plays an essential role in
10 the promotion of human rights and the
11 professionalization of foreign security forces in the
12 area of responsibility of the United States Southern
13 Command;

14 (3) the Secretary of Defense should ensure the
15 status of the Human Rights Office at the United
16 States Southern Command and, to the extent pos-
17 sible, ensure the United States Southern Command
18 has the assets necessary to support the activities of
19 the Human Rights Office; and

20 (4) the Secretary of Defense should ensure the
21 development, at each of the combatant commands, of
22 an office responsible for—

23 (A) advising the commander of the com-
24 batant command on the promotion of human
25 rights and protection of civilians; and

1 (B) integrating such promotion and protec-
2 tion into command strategy.

3 (b) REPORT.—Not later than 90 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 on—

7 (1) the activities of the Human Rights Office at
8 the United States Southern Command to provide
9 and promote—

10 (A) analysis and policy support to the
11 Commander of the United States Southern
12 Command regarding human rights and the pro-
13 tection of civilians;

14 (B) education of employees of the Depart-
15 ment of Defense regarding human rights and
16 protection of civilians pursuant to the document
17 promulgated by the United States Southern
18 Command on July 1, 1998, titled “Regulation
19 1-20” (relating to policy and procedures for
20 human rights administration);

21 (C) integration of the promotion of human
22 rights and protection of civilians into the strat-
23 egy, planning, training, and exercises of the
24 United States Southern Command, including
25 into programs of the armed forces of partner

1 countries through the Human Rights Initiative
2 program of such Command;

3 (D) promotion of human rights and the
4 protection of civilians through security coopera-
5 tion activities;

6 (E) implementation of section 362 of title
7 10, United States Code; and

8 (F) countering trafficking in persons; and

9 (2) the resources necessary over the period of
10 the future years defense plan for fiscal year 2022
11 under section 221 of title 10, United States Code,
12 for the United States Southern Command to support
13 the activities of the Human Rights Office at such
14 Command.

15 (c) FORM.—The report under subsection (b) shall be
16 submitted in unclassified form.

17 **SEC. 1704. REPORT ON JOINT TRAINING RANGE EXERCISES**
18 **FOR THE PACIFIC REGION.**

19 (a) REPORT.—Not later than March 15, 2021, the
20 Chairman of the Joint Chiefs of Staff, in coordination
21 with the Commander of United States Indo-Pacific Com-
22 mand, the Secretary of the Army, the Secretary of the
23 Navy, and the Secretary of the Air Force, shall submit
24 to the congressional defense committees a report con-
25 taining a plan to integrate combined, joint, and multi-do-

1 main, training and experimentation in the Pacific region,
2 including existing ranges, training areas, and test facili-
3 ties, to achieve the following objectives:

4 (1) Support future combined and joint exercises
5 and training to test operational capabilities and
6 weapon systems.

7 (2) Employ multi-domain training to validate
8 joint operational concepts.

9 (3) Integrate allied and partner countries into
10 national-level exercises.

11 (b) MATTERS.—The report under subsection (a) shall
12 address the following:

13 (1) Integration of cyber, space, and electro-
14 magnetic spectrum domains.

15 (2) Mobile and fixed range instrumentation
16 packages for experimentation and training.

17 (3) Digital, integrated command and control for
18 air defense systems.

19 (4) Command, control, communications, com-
20 puter, and information (C4I) systems.

21 (5) War gaming, modeling, and simulations
22 packages.

23 (6) Intelligence support systems.

24 (7) Manpower management, execution, collec-
25 tion, and analysis required for the incorporation of

1 space and cyber activities into the training range ex-
2 ercise plan contained in such report.

3 (8) Connectivity requirements to support all do-
4 main integration and training.

5 (9) Any training range upgrades or infrastruc-
6 ture improvements necessary to integrate legacy
7 training and exercise facilities into integrated, oper-
8 ational sites.

9 (10) Exercises led by the United States Indo-
10 Pacific Command, within the area of operations of
11 the Command, that integrate allied and partnered
12 countries and link to the national-level exercises of
13 the United States.

14 (11) Incorporation of any other functional and
15 geographic combatant commands required to sup-
16 port the United States Indo-Pacific Command.

17 (c) FORM.—The report under subsection (a) may be
18 submitted in classified form, and shall include an unclassi-
19 fied summary.

20 **SEC. 1705. STUDY ON CHINESE POLICIES AND INFLUENCE**
21 **IN THE DEVELOPMENT OF INTERNATIONAL**
22 **STANDARDS FOR EMERGING TECHNOLOGIES.**

23 (a) IN GENERAL.—Not later than 180 days after the
24 date of the enactment of this Act, the Director of the Na-
25 tional Institute of Standards and Technology shall enter

1 into an agreement with an appropriate non-governmental
2 entity with relevant expertise, as determined by the Direc-
3 tor, to conduct a study and make recommendations with
4 respect to the impact of the policies of the People’s Repub-
5 lic of China and coordination among industrial entities
6 within the People’s Republic of China on international
7 bodies engaged in developing and setting international
8 standards for emerging technologies. The study may in-
9 clude—

10 (1) an assessment of how the role of the Peo-
11 ple’s Republic of China in international standards
12 setting organizations has grown over the previous 10
13 years, including in leadership roles in standards-
14 drafting technical committees, and the quality or
15 value of that participation;

16 (2) an assessment of the impact of the stand-
17 ardization strategy of the People’s Republic of
18 China, as identified in the “Chinese Standard 2035”
19 on international bodies engaged in developing and
20 setting standards for select emerging technologies,
21 such as advanced communication technologies or
22 cloud computing and cloud services;

23 (3) an examination of whether international
24 standards for select emerging technologies are being
25 designed to promote interests of the People’s Repub-

1 lic of China that are expressed in the “Made in
2 China 2025” plan to the exclusion of other partici-
3 pants;

4 (4) an examination of how the previous prac-
5 tices that the People’s Republic of China has utilized
6 while participating in international standards setting
7 organizations may foretell how the People’s Republic
8 of China will engage in international standardization
9 activities of critical technologies like artificial intel-
10 ligence and quantum information science, and what
11 may be the consequences;

12 (5) recommendations on how the United States
13 can take steps to mitigate influence of the People’s
14 Republic of China and bolster United States public
15 and private sector participation in international
16 standards-setting bodies; and

17 (6) any other areas the Director, in consulta-
18 tion with the entity selected to conduct the study,
19 believes is important to address.

20 (b) REPORT TO CONGRESS.—The agreement entered
21 into under subsection (a) shall require the entity con-
22 ducting the study to, not later than two years after the
23 date of the enactment of this Act—

24 (1) submit to the Committee on Science, Space,
25 and Technology of the House of Representatives and

1 the Committee on Commerce, Science, and Trans-
2 portation of the Senate a report containing the find-
3 ings and recommendations of the review conducted
4 under subsection (a); and

5 (2) make a copy of such report available on a
6 publicly accessible website.

7 **Subtitle B—Electronic Message** 8 **Preservation**

9 **SEC. 1711. SHORT TITLE.**

10 This subtitle may be cited as the “Electronic Message
11 Preservation Act”.

12 **SEC. 1712. PRESERVATION OF ELECTRONIC MESSAGES AND** 13 **OTHER RECORDS.**

14 (a) **REQUIREMENT FOR PRESERVATION OF ELEC-**
15 **TRONIC MESSAGES.**—Chapter 29 of title 44, United
16 States Code, is amended by adding at the end the fol-
17 lowing new section:

18 **“§ 2912. Preservation of electronic messages and** 19 **other records**

20 “(a) **REGULATIONS REQUIRED.**—The Archivist shall
21 promulgate regulations governing Federal agency preser-
22 vation of electronic messages that are determined to be
23 records. Such regulations shall, at a minimum—

24 “(1) require the electronic capture, manage-
25 ment, and preservation of such electronic records in

1 accordance with the records disposition requirements
2 of chapter 33;

3 “(2) require that such electronic records are
4 readily accessible for retrieval through electronic
5 searches; and

6 “(3) include timelines for Federal agency imple-
7 mentation of the regulations that ensure compliance
8 as expeditiously as practicable.

9 “(b) ENSURING COMPLIANCE.—The Archivist shall
10 promulgate regulations that—

11 “(1) establish mandatory minimum functional
12 requirements for electronic records management sys-
13 tems to ensure compliance with the requirements in
14 paragraphs (1) and (2) of subsection (a); and

15 “(2) establish a process to ensure that the elec-
16 tronic records management system of each Federal
17 agency meets the functional requirements estab-
18 lished under paragraph (1).

19 “(c) COVERAGE OF OTHER ELECTRONIC
20 RECORDS.—To the extent practicable, the regulations pro-
21 mulgated under subsections (a) and (b) shall also include
22 requirements for the capture, management, and preserva-
23 tion of other electronic records.

1 “(d) COMPLIANCE BY FEDERAL AGENCIES.—Each
2 Federal agency shall comply with the regulations promul-
3 gated under subsections (a) and (b).

4 “(e) REVIEW OF REGULATIONS REQUIRED.—The Ar-
5 chivist shall periodically review and, as necessary, amend
6 the regulations promulgated under subsections (a) and
7 (b).”.

8 (b) DEADLINE FOR REGULATIONS.—

9 (1) PRESERVATION OF ELECTRONIC MES-
10 SAGES.—Not later than 120 days after the date of
11 the enactment of this Act, the Archivist shall pro-
12 mulgate the regulations required under section
13 2912(a) of title 44, United States Code, as added by
14 subsection (a).

15 (2) ENSURING COMPLIANCE.—Not later than 2
16 years after the date of the enactment of this Act, the
17 Archivist shall promulgate the regulations required
18 under section 2912(b) of title 44, United States
19 Code, as added by subsection (a).

20 (c) REPORTS ON IMPLEMENTATION OF REGULA-
21 TIONS.—

22 (1) AGENCY REPORT TO ARCHIVIST.—Not later
23 than 1 year after the date of the enactment of this
24 Act, the head of each Federal agency shall submit
25 to the Archivist a report on the agency’s compliance

1 with the regulations promulgated under section 2912
2 of title 44, United States Code, as added by sub-
3 section (a), and shall make the report publicly avail-
4 able on the website of the agency.

5 (2) ARCHIVIST REPORT TO CONGRESS.—Not
6 later than 90 days after receipt of all reports re-
7 quired by paragraph (1), the Archivist shall submit
8 to the Committee on Homeland Security and Gov-
9 ernmental Affairs of the Senate and the Committee
10 on Oversight and Reform of the House of Represent-
11 atives a report on Federal agency compliance with
12 the regulations promulgated under section 2912(a)
13 of title 44, United States Code, as added by sub-
14 section (a), and shall make the report publicly avail-
15 able on the website of the agency.

16 (3) FEDERAL AGENCY DEFINED.—In this sub-
17 section, the term “Federal agency” has the meaning
18 given that term in section 2901 of title 44, United
19 States Code.

20 (d) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of chapter 29 of title 44, United States
22 Code, is amended by adding after the item relating to sec-
23 tion 2911 the following new item:

“2912. Preservation of electronic messages and other records.”.

24 (e) DEFINITIONS.—Section 2901 of title 44, United
25 States Code, is amended—

1 (1) by striking “and” at the end of paragraph
2 (14); and

3 (2) by striking paragraph (15) and inserting
4 the following new paragraphs:

5 “(15) the term ‘electronic messages’ means
6 electronic mail and other electronic messaging sys-
7 tems that are used for purposes of communicating
8 between individuals; and

9 “(16) the term ‘electronic records management
10 system’ means software designed to manage elec-
11 tronic records, including by—

12 “(A) categorizing and locating records;

13 “(B) ensuring that records are retained as
14 long as necessary;

15 “(C) identifying records that are due for
16 disposition; and

17 “(D) ensuring the storage, retrieval, and
18 disposition of records.”.

19 **SEC. 1713. PRESIDENTIAL RECORDS.**

20 (a) **ADDITIONAL REGULATIONS RELATING TO PRESI-**
21 **DENTIAL RECORDS.—**

22 (1) **IN GENERAL.—**Section 2206 of title 44,
23 United States Code, is amended—

24 (A) by striking “and” at the end of para-
25 graph (3);

1 (B) by striking the period at the end of
2 paragraph (4) and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(5) provisions for establishing standards nec-
5 essary for the economical and efficient management
6 of electronic Presidential records during the Presi-
7 dent’s term of office, including—

8 “(A) records management controls nec-
9 essary for the capture, management, and pres-
10 ervation of electronic messages;

11 “(B) records management controls nec-
12 essary to ensure that electronic messages are
13 readily accessible for retrieval through elec-
14 tronic searches; and

15 “(C) a process to ensure the electronic
16 records management system to be used by the
17 President for the purposes of complying with
18 the requirements in subparagraphs (A) and
19 (B).”.

20 (2) DEFINITIONS.—Section 2201 of title 44,
21 United States Code, is amended by adding at the
22 end the following new paragraphs:

23 “(6) The term ‘electronic messages’ has the
24 meaning given that term under section 2901(15).

1 “(7) The term ‘electronic records management
2 system’ has the meaning given that term under sec-
3 tion 2901(16).”.

4 (b) CERTIFICATION OF PRESIDENT’S MANAGEMENT
5 OF PRESIDENTIAL RECORDS.—

6 (1) CERTIFICATION REQUIRED.—Chapter 22 of
7 title 44, United States Code, is amended by adding
8 at the end the following new section:

9 **“§ 2210. Certification of the President’s management
10 of Presidential records**

11 “(a) ANNUAL CERTIFICATION.—The Archivist shall
12 annually certify whether the electronic records manage-
13 ment controls established by the President meet require-
14 ments under sections 2203(a) and 2206(5).

15 “(b) REPORT TO CONGRESS.—The Archivist shall re-
16 port annually to the Committee on Homeland Security and
17 Governmental Affairs of the Senate and the Committee
18 on Oversight and Reform of the House of Representatives
19 on the status of the certification.”.

20 (2) CLERICAL AMENDMENT.—The table of sec-
21 tions at the beginning of chapter 22 of title 44,
22 United States Code, is amended by adding at the
23 end the following new item:

 “2210. Certification of the President’s management of Presidential
 records.”.

1 (c) REPORT TO CONGRESS.—Section 2203(g) of title
2 44, United States Code, is amended by adding at the end
3 the following new paragraph:

4 “(5) One year following the conclusion of a Presi-
5 dent’s term of office, or if a President serves consecutive
6 terms 1 year following the conclusion of the last term, the
7 Archivist shall submit to the Committee on Homeland Se-
8 curity and Governmental Affairs of the Senate and the
9 Committee on Oversight and Reform of the House of Rep-
10 resentatives a report on—

11 “(A) the volume and format of electronic Presi-
12 dential records deposited into that President’s Presi-
13 dential archival depository; and

14 “(B) whether the electronic records manage-
15 ment controls of that President met the require-
16 ments under sections 2203(a) and 2206(5).”.

17 (d) EFFECTIVE DATE.—The amendments made by
18 this section shall take effect 1 year after the date of the
19 enactment of this Act.

20 **Subtitle C—Space Technology Ad-**
21 **vancement Report (STAR) Act of**
22 **2020**

23 **SEC. 1721. SHORT TITLE.**

24 This subtitle may be cited as the “Space Technology
25 Advancement Report (STAR) Act of 2020”.

1 **SEC. 1722. FINDINGS.**

2 Congress finds the following:

3 (1) As stated in the United States-China Eco-
4 nomic and Security Commission's 2019 Report to
5 Congress, the United States retains many advan-
6 tages over the People's Republic of China (PRC) in
7 space, including—

8 (A) the organization and technical exper-
9 tise of its space program;

10 (B) the capabilities of the National Aero-
11 nautics and Space Administration for human
12 spaceflight and exploration;

13 (C) its vibrant commercial space sector;

14 (D) its long history of space leadership;

15 and

16 (E) many international partnerships.

17 (2) The PRC seeks to establish a leading posi-
18 tion in the economic and military use of outer space
19 and views space as critical to its future security and
20 economic interests.

21 (3) The PRC's national-level commitment to es-
22 tablishing itself as a global space leader harms
23 United States interests and threatens to undermine
24 many of the advantages the United States has
25 worked so long to establish.

1 (4) For over 60 years, the United States has
2 led the world in space exploration and human space
3 flight through a robust national program that en-
4 sures NASA develops and maintains critical
5 spaceflight systems to enable this leadership, includ-
6 ing the Apollo program’s Saturn V rocket, the Space
7 Shuttle, the International Space Station and the
8 Space Launch System and Orion today.

9 (5) The Defense Intelligence Agency noted in
10 its 2019 “Challenges to U.S. Security in Space” re-
11 port that the PRC was developing a national super-
12 heavy lift rocket comparable to NASA’s Space
13 Launch System.

14 (6) The United States space program and com-
15 mercial space sector risks being hollowed out by the
16 PRC’s plans to attain leadership in key technologies.

17 (7) It is in the economic and security interest
18 of the United States to remain the global leader in
19 space power.

20 (8) A recent report by the Air Force Research
21 Laboratory and the Defense Innovation Unit found
22 that China’s strategy to bolster its domestic space
23 industry includes a global program of theft and
24 other misappropriation of intellectual property, di-
25 rect integration of state-owned entities and their

1 technology with commercial start-ups, the use of
2 front companies to invest in United States space
3 companies, vertical control of supply chains, and
4 predatory pricing.

5 (9) The United States Congress passed the
6 Wolf Amendment as part of the Fiscal Year 2012
7 Consolidated and Further Continuing Appropria-
8 tions Act (Public Law 112–55) and every year there-
9 after in response to the nefarious and offensive na-
10 ture of Chinese activities in the space industry.

11 **SEC. 1723. REPORT; STRATEGY.**

12 (a) REPORT.—

13 (1) IN GENERAL.—Not later than 1 year after
14 the date of enactment of this section, and annually
15 thereafter in fiscal years 2022 and 2023, the Na-
16 tional Space Council shall submit to the appropriate
17 congressional committees an interagency assessment
18 of the ability of the United States to compete with
19 foreign space programs and in the emerging com-
20 mercial space economy.

21 (2) CONTENT OF REPORT.—The report shall in-
22 clude information on the following:

23 (A) An assessment of the human explo-
24 ration and spaceflight capabilities of the na-

1 tional space program of the United States re-
2 lative to national programs of the PRC.

3 (B) An assessment of—

4 (i) the viability of extraction of space-
5 based precious minerals, onsite exploitation
6 of space-based natural resources, and utili-
7 zation of space-based solar power;

8 (ii) the programs of the United States
9 and the PRC that are related to the issues
10 described in clause (i); and

11 (iii) any potential terrestrial or space
12 environmental impacts of space-based solar
13 power.

14 (C) An assessment of United States stra-
15 tegic interests in or related to cislunar space.

16 (D) A comparative assessment of future
17 United States space launch capabilities and
18 those of the PRC.

19 (E) The extent of foreign investment in the
20 commercial space sector of the United States,
21 especially in venture capital and other private
22 equity investments that seek to work with the
23 Federal government.

24 (F) The steps by which the National Aero-
25 nautics and Space Administration, the Depart-

1 ment of Defense, and other United States Fed-
2 eral agencies conduct the necessary due dili-
3 gence and security reviews prior to investing in
4 private space entities that may have received
5 funding from foreign investment.

6 (G) Current steps that the United States
7 is taking to identify and help mitigate threats
8 to domestic space industry from influence of the
9 PRC.

10 (H) An assessment of the current ability,
11 role, costs, and authorities of the Department
12 of Defense to mitigate the threats of commer-
13 cial communications and navigation in space
14 from the PRC's growing counterspace capabili-
15 ties, and any actions required to improve this
16 capability.

17 (I) An assessment of how the PRC's activi-
18 ties are impacting United States national secu-
19 rity, including—

20 (i) theft by the PRC of United States
21 intellectual property through technology
22 transfer requirements or otherwise; and

23 (ii) efforts of the PRC to seize control
24 of critical elements of the United States
25 space industry supply chain and United

1 States space industry companies or sister
2 companies with shared leadership; and gov-
3 ernment cybersecurity capabilities.

4 (J) An assessment of efforts of the PRC to
5 pursue cooperative agreements with other na-
6 tions to advance space development.

7 (K) Recommendations to Congress, includ-
8 ing recommendations with respect to—

9 (i) any legislative proposals to address
10 threats by the PRC to the United States
11 national space programs as well as domes-
12 tic commercial launch and satellite indus-
13 tries;

14 (ii) how the United States Govern-
15 ment can best utilize existing Federal enti-
16 ties to investigate and prevent potentially
17 harmful investment by the PRC in the
18 United States commercial space industry;

19 (3) FORM.—The report required under para-
20 graph (1) shall be submitted in unclassified form,
21 but may include a classified annex.

22 (b) STRATEGY.—

23 (1) IN GENERAL.—Not later than 1 year after
24 the submission of the report required in subsection
25 (a), the President, in consultation with the National

1 Space Council, shall develop and submit to the ap-
2 propriate congressional committees a strategy to en-
3 sure the United States can—

4 (A) compete with other national space pro-
5 grams;

6 (B) maintain leadership in the emerging
7 commercial space economy;

8 (C) identify market, regulatory, and other
9 means to address unfair competition from the
10 PRC based on the findings of in the report re-
11 quired in subsection (a);

12 (D) leverage commercial space capabilities
13 to ensure United States national security and
14 the security of United States interests in space;

15 (E) protect United States supply chains
16 and manufacturing critical to competitiveness in
17 space; and

18 (F) coordinate with international allies and
19 partners in space.

20 (3) FORM.—The strategy required under para-
21 graph (1) shall be submitted in unclassified form,
22 but may include a classified annex.

23 (c) DEFINITIONS.—In this section, the following defi-
24 nitions apply:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES OF CONGRESS.—The term “appropriate con-
3 gressional committees” means—

4 (A) the Committee on Armed services, the
5 Committee on Foreign Relations, and the Com-
6 mittee on Commerce, Science, and Transpor-
7 tation of the Senate; and

8 (B) the Committee on Armed Services, the
9 Committee on Foreign Affairs, and the Com-
10 mittee on Science, Space, and Technology of
11 the House of Representatives.

12 (2) PRC.—The term “PRC” means the “Peo-
13 ple’s Republic of China”.

14 **Subtitle D—AMBER Alert**
15 **Nationwide**

16 **SEC. 1731. COOPERATION WITH DEPARTMENT OF HOME-**
17 **LAND SECURITY.**

18 Subtitle A of title III of the PROTECT Act (34
19 U.S.C. 20501 et seq.) is amended—

20 (1) in section 301—

21 (A) in subsection (b)—

22 (i) in paragraph (1), by inserting
23 “(including airports, maritime ports, bor-
24 der crossing areas and checkpoints, and
25 ports of exit from the United States)”

1 after “gaps in areas of interstate travel”;

2 and

3 (ii) in paragraphs (2) and (3), by in-

4 sserting “, territories of the United States,

5 and tribal governments” after “States”;

6 and

7 (B) in subsection (d), by inserting “, the

8 Secretary of Homeland Security,” after “Sec-

9 retary of Transportation”; and

10 (2) in section 302—

11 (A) in subsection (b), in paragraphs (2),

12 (3), and (4) by inserting “, territorial, tribal,”

13 after “State”; and

14 (B) in subsection (c)—

15 (i) in paragraph (1), by inserting “,

16 the Secretary of Homeland Security,” after

17 “Secretary of Transportation”; and

18 (ii) in paragraph (2), by inserting “,

19 territorial, tribal,” after “State”.

20 **SEC. 1732. AMBER ALERTS ALONG MAJOR TRANSPOR-**
21 **TATION ROUTES.**

22 (a) IN GENERAL.—Section 303 of the PROTECT
23 Act (34 U.S.C. 20503) is amended—

1 (1) in the section heading, by inserting “**AND**
2 **MAJOR TRANSPORTATION ROUTES**” after
3 “**ALONG HIGHWAYS**”;

4 (2) in subsection (a)—

5 (A) by inserting “(referred to in this sec-
6 tion as the ‘Secretary’)” after “Secretary of
7 Transportation”; and

8 (B) by inserting “and at airports, mari-
9 time ports, border crossing areas and check-
10 points, and ports of exit from the United
11 States” after “along highways”;

12 (3) in subsection (b)—

13 (A) in paragraph (1)—

14 (i) by striking “other motorist infor-
15 mation systems to notify motorists” and
16 inserting “other information systems to no-
17 tify motorists, aircraft passengers, ship
18 passengers, and travelers”; and

19 (ii) by inserting “, aircraft passengers,
20 ship passengers, and travelers” after “nee-
21 cessary to notify motorists”; and

22 (B) in paragraph (2)—

23 (i) in subparagraph (A), by striking
24 “other motorist information systems to no-
25 tify motorists” and inserting “other infor-

1 mation systems to notify motorists, air-
2 craft passengers, ship passengers, and
3 travelers”;

4 (ii) in subparagraph (D), by inserting
5 “, aircraft passengers, ship passengers,
6 and travelers” after “support the notifica-
7 tion of motorists”;

8 (iii) in subparagraph (E), by inserting
9 “, aircraft passengers, ship passengers,
10 and travelers” after “motorists”, each
11 place it appears;

12 (iv) in subparagraph (F), by inserting
13 “, aircraft passengers, ship passengers,
14 and travelers” after “motorists”; and

15 (v) in subparagraph (G), by inserting
16 “, aircraft passengers, ship passengers,
17 and travelers” after “motorists”;

18 (4) in subsection (c), by striking “other motor-
19 ist information systems to notify motorists”, each
20 place it appears, and inserting “other information
21 systems to notify motorists, aircraft passengers, ship
22 passengers, and travelers”;

23 (5) by amending subsection (d) to read as fol-
24 lows:

25 “(d) FEDERAL SHARE.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), the Federal share of the cost of any ac-
3 tivities funded by a grant under this section may not
4 exceed 80 percent.

5 “(2) WAIVER.—If the Secretary determines
6 that American Samoa, Guam, the Northern Mariana
7 Islands, Puerto Rico, or the Virgin Islands of the
8 United States is unable to comply with the require-
9 ment under paragraph (1), the Secretary shall waive
10 such requirement.”;

11 (6) in subsection (g)—

12 (A) by striking “In this section” and in-
13 serting “In this subtitle”; and

14 (B) by striking “or Puerto Rico” and in-
15 serting “American Samoa, Guam, Puerto Rico,
16 the Northern Mariana Islands, the Virgin Is-
17 lands of the United States, and any other terri-
18 tory of the United States”; and

19 (7) in subsection (h), by striking “fiscal year
20 2004” and inserting “each of fiscal years 2019
21 through 2023”.

22 (b) TECHNICAL AND CONFORMING AMENDMENT.—
23 The table of contents in section 1(b) of the PROTECT
24 Act (Public Law 108–21) is amended by striking the item
25 relating to section 303 and inserting the following:

“Sec. 303. Grant program for notification and communications systems along highways and major transportation routes for recovery of abducted children.”.

1 **SEC. 1733. AMBER ALERT COMMUNICATION PLANS IN THE**
2 **TERRITORIES.**

3 Section 304 of the PROTECT Act (34 U.S.C. 20504)
4 is amended—

5 (1) in subsection (b)(4), by inserting “a terri-
6 torial government or” after “with”;

7 (2) by amending subsection (c) to read as fol-
8 lows:

9 “(c) FEDERAL SHARE.—

10 “(1) IN GENERAL.—Except as provided in para-
11 graph (2), the Federal share of the cost of any ac-
12 tivities funded by a grant under this section may not
13 exceed 50 percent.

14 “(2) WAIVER.—If the Attorney General deter-
15 mines that American Samoa, Guam, the Northern
16 Mariana Islands, Puerto Rico, the Virgin Islands of
17 the United States, or an Indian tribe is unable to
18 comply with the requirement under paragraph (1),
19 the Attorney General shall waive such require-
20 ment.”; and

21 (3) in subsection (d), by inserting “, including
22 territories of the United States” before the period at
23 the end.

1 **SEC. 1734. GOVERNMENT ACCOUNTABILITY OFFICE RE-**
2 **PORT.**

3 (a) IN GENERAL.—Not later than 5 years after the
4 date of the enactment of this Act, the Comptroller General
5 shall conduct a study assessing—

6 (1) the implementation of the amendments
7 made by this Act;

8 (2) any challenges related to integrating the
9 territories of the United States into the AMBER
10 Alert system;

11 (3) the readiness, educational, technological,
12 and training needs of territorial law enforcement
13 agencies in responding to cases involving missing,
14 abducted, or exploited children; and

15 (4) any other related matters the Attorney Gen-
16 eral or the Secretary of Transportation determines
17 appropriate.

18 (b) REPORT REQUIRED.—The Comptroller General
19 shall submit a report on the findings of the study required
20 under subsection (a) to—

21 (1) the Committee on the Judiciary and the
22 Committee on Environment and Public Works of the
23 Senate;

24 (2) the Committee on the Judiciary and the
25 Committee on Transportation and Infrastructure of
26 the House of Representatives; and

1 (3) each of the delegates or resident commis-
2 sioner to the House of Representatives from Amer-
3 ican Samoa, Guam, the Northern Mariana Islands,
4 Puerto Rico, and the Virgin Islands of the United
5 States.

6 (c) PUBLIC AVAILABILITY.—The Comptroller Gen-
7 eral shall make the report required under subsection (b)
8 available on a public Government website.

9 (d) OBTAINING OFFICIAL DATA.—

10 (1) IN GENERAL.—The Comptroller General
11 may secure information necessary to conduct the
12 study under subsection (a) directly from any Federal
13 agency and from any territorial government receiv-
14 ing grant funding under the PROTECT Act. Upon
15 request of the Comptroller General, the head of a
16 Federal agency or territorial government shall fur-
17 nish the requested information to the Comptroller
18 General.

19 (2) AGENCY RECORDS.—Notwithstanding para-
20 graph (1), nothing in this subsection shall require a
21 Federal agency or any territorial government to
22 produce records subject to a common law evidentiary
23 privilege. Records and information shared with the
24 Comptroller General shall continue to be subject to
25 withholding under sections 552 and 552a of title 5,

1 United States Code. The Comptroller General is ob-
2 ligated to give the information the same level of con-
3 fidentiality and protection required of the Federal
4 agency or territorial government. The Comptroller
5 General may be requested to sign a nondisclosure or
6 other agreement as a condition of gaining access to
7 sensitive or proprietary data to which the Comp-
8 troller General is entitled.

9 (3) PRIVACY OF PERSONAL INFORMATION.—
10 The Comptroller General, and any Federal agency
11 and any territorial government that provides infor-
12 mation to the Comptroller General, shall take such
13 actions as are necessary to ensure the protection of
14 the personal information of a minor.

15 **Subtitle E—Other Matters**

16 **SEC. 1741. TECHNICAL, CONFORMING, AND CLERICAL** 17 **AMENDMENTS.**

18 (a) TITLE 10, UNITED STATES CODE.—Title 10,
19 United States Code, is amended as follows:

20 (1) Section 127e(g) is amended by striking
21 “Low-Intensity” and inserting “Low Intensity”.

22 (2) Section 142 is amended—

23 (A) by striking subsection (d); and

24 (B) by redesignating the second subsection

25 (c) as subsection (d).

1 (3) Section 192(c) is amended by striking the
2 first paragraph (1).

3 (4) Section 231 is amended—

4 (A) in subsection (a)(1), by striking “and”
5 after the colon;

6 (B) by striking “quadrennial defense re-
7 view” each place it appears and inserting “na-
8 tional defense strategy”; and

9 (C) in subsection (f)(3), by striking “sec-
10 tion 118” and inserting “section 113(g)”.

11 (5) Section 1073c(a) is amended by redesignig-
12 nating the second paragraph (6) as paragraph (7).

13 (6) Section 1044e is amended by striking “sub-
14 section (h)” each place it appears and inserting
15 “subsection (i)”.

16 (7) The table of sections at the beginning of
17 chapter 58 is amended by striking the item relating
18 to section 1142 and inserting the following:

“1142. Preseparation counseling; transmittal of certain records to Department
of Veterans Affairs.”.

19 (8) Section 1564(c)(2) is amended in the mat-
20 ter preceding subparagraph (A) by striking “in” and
21 inserting “is”.

22 (9) The table of sections at the beginning of
23 chapter 113 is amended by striking “Sec.” each

1 place it appears, except for the first “Sec.” pre-
2 ceding the item relating to section 2200g.

3 (10) The table of sections at the beginning of
4 chapter 135 is amended by striking the item relating
5 to section 2279e.

6 (11) The table of sections at the beginning of
7 chapter 142 is amended by striking the item relating
8 to section 2417 and inserting the following:

“2417. Administrative and other costs.”.

9 (12) The table of sections at the beginning of
10 chapter 152 is amended by striking the item relating
11 to section 2568a and inserting the following:

“2568a. Damaged personal protective equipment: award to members separating
from the Armed Forces and veterans.”.

12 (13) Section 2417(2) is amended by striking
13 “entities -” and inserting “entities—”.

14 (14) Section 2641b(a)(3)(B) is amended by
15 striking “subsection (c)(5)” and inserting “sub-
16 section (c)(6)”.

17 (15) Section 2804(b) is amended in the third
18 sentence by striking “; and”.

19 (16) Section 2890(e)(2) is amended by insert-
20 ing “a” before “landlord” in the matter preceding
21 subparagraph (A).

22 (17) Section 2891(e)(1) is amended—

1 (A) by inserting “unit” after “housing”
2 the third place it appears; and

3 (B) in subparagraph (B), by inserting
4 “the” before “tenant”.

5 (18) Section 2891a is amended—

6 (A) in subsection (b), by adding a period
7 at the end of paragraph (2); and

8 (B) in subsection (e)(2)(B), by striking
9 “the” before “any basic”.

10 (19) Section 2894(e)(3) is amended by insert-
11 ing “, the office” after “installation housing man-
12 agement office”.

13 (b) TITLE 38, UNITED STATES CODE.—Section
14 1967(a)(3)(D) of title 38, United States Code, is amended
15 in the matter preceding clause (i) by inserting a comma
16 after “theater of operations”.

17 (c) NDAA FOR FISCAL YEAR 2019.—Effective as of
18 August 13, 2018, and as if included therein as enacted,
19 the John S. McCain National Defense Authorization Act
20 for Fiscal Year 2019 (Public Law 115–232) is amended
21 as follows:

22 (1) Section 226(b)(3)(C) (132 Stat. 1686) is
23 amended by striking “commercial-off the-shelf” and
24 inserting “commercially available off-the-shelf items

1 (as defined in section 104 of title 41, United States
2 Code) that may serve as”.

3 (2) Section 809(b)(3) (132 Stat. 1840) is
4 amended by striking “Section 598(d)(4) of the Na-
5 tional Defense Authorization Act of for Fiscal Year
6 2010 (Public Law 111–84; 10 U.S.C. 1561 note)”
7 and inserting “Section 563(d)(4) of the Duncan
8 Hunter National Defense Authorization Act for Fis-
9 cal Year 2009 (Public Law 110–417; 10 U.S.C.
10 1561 note)”.

11 (3) Section 836(a)(2)(B) (132 Stat. 1860) is
12 amended by inserting “of such title” after “Section
13 104(1)(A)”.

14 (4) Section 836(e)(8) is amended by striking
15 subparagraphs (A) and (B) and inserting the fol-
16 lowing new subparagraphs:

17 “(A) by striking ‘commercial items’ and in-
18 serting ‘commercial products’; and

19 “(B) by striking ‘the item’ both places it
20 appears and inserting ‘commercial product’.”.

21 (5) Section 889(f) (132 Stat. 1918) is amended
22 by striking “appropriate congressional committees’ ”
23 and inserting “appropriate congressional commit-
24 tees”.

1 (6) Section 1286(e)(2)(D) (10 U.S.C. 2358
2 note; 132 Stat. 2080) is amended by striking “im-
3 prove” and inserting “improved”.

4 (7) Section 1757(a) (50 U.S.C. 4816; 132 Stat.
5 2218) is amended by inserting “to persons” before
6 “who are potential”.

7 (8) Section 1759(a)(2) (50 U.S.C. 4818; 132
8 Stat. 2223) is amended by striking the semicolon at
9 the end and inserting a period.

10 (9) Section 1763(c) (50 U.S.C. 4822; 132 Stat.
11 2231) is amended by striking “December 5, 1991”
12 and inserting “December 5, 1995”.

13 (10) Section 1773(b)(1) (50 U.S.C. 4842; 132
14 Stat. 2235) is amended by striking “section
15 1752(1)(D)” and inserting “section 1752(2)(D)”.

16 (11) Section 1774(a) (50 U.S.C. 4843; 132
17 Stat. 2237) is amended in the matter preceding
18 paragraph (1) by inserting “under” before “section
19 1773”.

20 (12) Section 2827(b)(1) (132 Stat. 2270) is
21 amended by inserting “in the matter preceding the
22 paragraphs” after “amended”.

23 (d) NDAA FOR FISCAL YEAR 2016.—Effective as of
24 December 23, 2016, and as if included therein as enacted,
25 section 856(a)(1) the National Defense Authorization Act

1 for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C.
2 2377 note) is amended by inserting “United States Code,”
3 after “title 41,”.

4 (e) COORDINATION WITH OTHER AMENDMENTS
5 MADE BY THIS ACT.—For purposes of applying amend-
6 ments made by provisions of this Act other than this sec-
7 tion, the amendments made by this section shall be treated
8 as having been enacted immediately before any such
9 amendments by other provisions of this Act.

10 **SEC. 1742. ADDITION OF CHIEF OF THE NATIONAL GUARD**
11 **BUREAU TO THE LIST OF OFFICERS PRO-**
12 **VIDING REPORTS OF UNFUNDED PRIORITIES.**

13 Section 222a(b) of title 10, United States Code, is
14 amended—

15 (1) by redesignating paragraph (5) as para-
16 graph (6); and

17 (2) by inserting after paragraph (4) the fol-
18 lowing new paragraph:

19 “(5) The Chief of the National Guard Bu-
20 reau.”.

21 **SEC. 1743. ACCEPTANCE OF PROPERTY BY MILITARY ACAD-**
22 **EMIES AND MUSEUMS.**

23 (a) ACCEPTANCE OF PROPERTY.—Section 2601 of
24 title 10, United States Code, is amended—

1 (1) in subsection (a)(2), by inserting after sub-
2 paragraph (B) the following new subparagraph:

3 “(C) The Secretary concerned may display, at a mili-
4 tary museum, recognition for an individual or organization
5 that contributes money to a nonprofit entity described in
6 subparagraph (A), or an individual or organization that
7 contributes a gift directly to the armed force concerned
8 for the benefit of a military museum, whether or not the
9 contribution is subject to the condition that recognition
10 be provided. The Secretary of Defense shall prescribe uni-
11 form regulations governing the circumstances under which
12 contributor recognition may be provided, appropriate
13 forms of recognition, and suitable display standards.”; and

14 (2) in subsection (e)(1)—

15 (A) by inserting “or personal” after “real”
16 both places it appears; and

17 (B) by striking “or the Coast Guard Acad-
18 emy” and inserting “the Coast Guard Academy,
19 the National Defense University, the Defense
20 Acquisition University, the Air University, the
21 Army War College, the Army Command and
22 General Staff College, the Naval War College,
23 the Naval Postgraduate School, or the Marine
24 Corps University”.

1 (b) LEASE OF NON-EXCESS PROPERTY TO MILITARY
2 MUSEUMS.—

3 (1) IN GENERAL.—Section 2667 of title 10,
4 United States Code, is amended—

5 (A) in subsection (b)—

6 (i) in paragraph (7), by striking
7 “and” at the end;

8 (ii) in paragraph (8), by striking the
9 period at the end and inserting “; and”;
10 and

11 (iii) by adding at the end the fol-
12 lowing new paragraph:

13 “(9) in the case of a lease of a museum facility
14 to a museum foundation, may provide for use in
15 generating revenue for activities of the museum fa-
16 cility and for such administrative purposes as may
17 be necessary to support the facility.”;

18 (B) in subsection (i), by adding at the end
19 the following new paragraph:

20 “(6) The term ‘museum foundation’ means any
21 entity—

22 “(A) qualifying as an exempt organization
23 under section 501(c)(3) of the Internal Revenue
24 Code of 1986; and

1 “(B) incorporated for the primary purpose
2 of supporting a Department of Defense mu-
3 seum.”; and

4 (C) in subsection (k)—

5 (i) in the subsection heading, by in-
6 sserting “AND MUSEUMS” after “LEASES
7 FOR EDUCATION”; and

8 (ii) by inserting “or to a museum
9 foundation” before the period at the end.

10 (2) REPEALS.—

11 (A) LEASE OR LICENSE OF UNITED
12 STATES NAVY MUSEUM FACILITIES AT WASH-
13 INGTON NAVY YARD, DISTRICT OF COLUMBIA.—
14 The National Defense Authorization Act for
15 Fiscal Year 2006 (Public Law 109–163) is
16 amended by striking section 2852.

17 (B) LEASE OF FACILITY TO MARINE CORPS
18 HERITAGE FOUNDATION.—Section 2884 of the
19 Floyd D. Spence National Defense Authoriza-
20 tion Act for Fiscal Year 2001 (Public Law
21 106–398; 114 Stat. 1654A-440) is amended by
22 striking subsection (e).

1 **SEC. 1744. REAUTHORIZATION OF NATIONAL OCEANO-**
2 **GRAPHIC PARTNERSHIP PROGRAM.**

3 (a) NATIONAL OCEANOGRAPHIC PARTNERSHIP PRO-
4 GRAM.—Section 8931 of title 10, United States Code, is
5 amended to read as follows:

6 **“SEC. 8931. NATIONAL OCEANOGRAPHIC PARTNERSHIP**
7 **PROGRAM.**

8 “(a) ESTABLISHMENT.—The Secretary of the Navy
9 shall establish a program to be known as the ‘National
10 Oceanographic Partnership Program’.

11 “(b) PURPOSES.—The purposes of the program are
12 as follows:

13 “(1) To promote the national goals of assuring
14 national security, advancing economic development,
15 protecting quality of life, ensuring environmental
16 stewardship, and strengthening science education
17 and communication through improved knowledge of
18 the ocean.

19 “(2) To coordinate and strengthen oceano-
20 graphic efforts in support of those goals by—

21 “(A) creating and carrying out partner-
22 ships among Federal agencies, academia, indus-
23 try, and other members of the oceanographic
24 community in the areas of science, data, re-
25 sources, education, and communication; and

1 “(B) accepting, planning, and executing
2 oceanographic research projects funded by
3 grants, contracts, cooperative agreements, or
4 other vehicles as appropriate, that contribute to
5 assuring national security, advancing economic
6 development, protecting quality of life, ensuring
7 environmental stewardship, and strengthening
8 science education and communication through
9 improved knowledge of the ocean.”.

10 (b) OCEAN POLICY COMMITTEE.—

11 (1) IN GENERAL.—Section 8932 of such title is
12 amended to read as follows:

13 **“§ 8932. Ocean Policy Committee**

14 “(a) COMMITTEE.—There is established an Ocean
15 Policy Committee (hereinafter referred to as the ‘Com-
16 mittee’). The Committee shall retain the membership, co-
17 chairs, and subcommittees outlined in Executive Order
18 13840.

19 “(b) RESPONSIBILITIES.—The Committee shall con-
20 tinue the activities of that Committee as it was in exist-
21 ence on the day before the date of the enactment of the
22 National Defense Authorization Act for Fiscal Year 2021.
23 In discharging its responsibilities and to assist in the exe-
24 cution of the activities delineated in this subsection, the

1 Committee may delegate to a subcommittee, as appro-
2 priate. The Committee shall—

3 “(1) prescribe policies and procedures to imple-
4 ment the National Oceanographic Partnership Pro-
5 gram;

6 “(2) engage and collaborate, pursuant to exist-
7 ing laws and regulations, with stakeholders, includ-
8 ing regional ocean partnerships, to address ocean-re-
9 lated matters that may require interagency or inter-
10 governmental solutions;

11 “(3) facilitate coordination and integration of
12 Federal activities in ocean and coastal waters to in-
13 form ocean policy and identify priority ocean re-
14 search, technology, and data needs; and

15 “(4) review, select, and identify partnership
16 projects for implementation under the program,
17 based on—

18 “(A) whether the project addresses impor-
19 tant research objectives or operational goals;

20 “(B) whether the project has, or is de-
21 signed to have, appropriate participation within
22 the oceanographic community of public, aca-
23 demic, commercial, private participation or sup-
24 port;

1 “(C) whether the partners have a long-
2 term commitment to the objectives of the
3 project;

4 “(D) whether the resources supporting the
5 project are shared among the partners; and

6 “(E) whether the project has been sub-
7 jected to adequate review according to each of
8 the supporting agencies.

9 “(c) ANNUAL REPORT AND BRIEFING.—(1) Not later
10 than March 1 of each year, the Committee shall post a
11 report on the National Oceanographic Partnership Pro-
12 gram on a publicly available website and brief—

13 “(A) the Committee on Commerce, Science, and
14 Transportation of the Senate;

15 “(B) the Committee on Armed Services of the
16 Senate;

17 “(C) the Committee on Natural Resources of
18 the House of Representatives;

19 “(D) the Committee on Science, Space, and
20 Technology of the House of Representatives; and

21 “(E) the Committee on Armed Services of the
22 House of Representatives.

23 “(2) The report and all briefing materials shall be
24 posted to a publicly available website not later than 30
25 days after the briefing.

1 “(3) The report and briefing shall include the fol-
2 lowing:

3 “(A) A description of activities of the program
4 carried out during the prior fiscal year.

5 “(B) A general outline of the activities planned
6 for the program during the current fiscal year.

7 “(C) A summary of projects, partnerships, and
8 collaborations, including the Federal and non-Fed-
9 eral sources of funding, continued from the prior fis-
10 cal year and projects expected to begin during the
11 current and subsequent fiscal years, as required in
12 the program office report outlined in section
13 8932(f)(2)(C) of this title.

14 “(D) The amounts requested in the budget sub-
15 mitted to Congress pursuant to section 1105(a) of
16 title 31 for the subsequent fiscal year, for the pro-
17 grams, projects, activities and the estimated expend-
18 itures under such programs, projects, and activities,
19 to execute the National Oceanographic Partnership
20 Program.

21 “(E) A summary of national ocean research pri-
22 orities informed by the Ocean Research Advisory
23 Panel required in section 8933(b)(4) of this title.

24 “(F) A list of the members of the Ocean Re-
25 search Advisory Panel described in section 8933(a)

1 of this title and any working groups described in
2 section 8932(f)(2)(A) of this title in existence during
3 the fiscal years covered.

4 “(d) NATIONAL OCEANOGRAPHIC PARTNERSHIP
5 FUND.—(1) There is established in the Treasury a sepa-
6 rate account to be known as the National Oceanographic
7 Partnership Program Fund to be jointly managed by the
8 Secretary of the Navy, the Administrator of the National
9 Oceanic and Atmospheric Administration, and any other
10 Federal agency that contributes amounts to the Fund.

11 “(2) Amounts in the Fund shall be available to the
12 National Oceanic Partnership Program without further
13 appropriation to remain available for up to 5 years from
14 the date contributed or until expended for the purpose of
15 carrying out this section.

16 “(3) There is authorized to be credited to the Fund
17 the following:

18 “(A) Such amounts as determined appropriate
19 to be transferred to the Fund by the head of a Fed-
20 eral agency or entity participating in the National
21 Oceanographic Partnership Program.

22 “(B) Funds provided by a State, local govern-
23 ment, tribal government, territory, or possession, or
24 any subdivisions thereof.

25 “(C) Funds contributed by—

1 “(i) a non-profit organization, individual,
2 or Congressionally-established foundation; and

3 “(ii) by private grants, contracts, and do-
4 nations.

5 “(4) For the purpose of carrying out this section, as
6 directed by the Committee, departments or agencies rep-
7 resented on the Committee may enter into contracts, make
8 grants, including transactions authorized by paragraph
9 (5), and may transfer funds available to the National
10 Oceanographic Partnership Program under paragraph (3)
11 to participating departments and agencies for such pur-
12 poses.

13 “(5) The Committee or any participating Federal
14 agency or entity may enter into an agreement to use, with
15 or without reimbursement, the land, services, equipment,
16 personnel, and facilities of any department, agency, or in-
17 strumentality of the United States, or of any State, local
18 government, Indian tribal government, Territory, District
19 of Columbia, or possession, or of any political subdivision
20 thereof, or of any foreign government or international or-
21 ganization or individual, for the purpose of carrying out
22 this section.

23 “(e) ESTABLISHMENT AND FORMS OF PARTNERSHIP
24 PROJECTS.—A partnership project under the National
25 Oceanographic Partnership Program—

1 “(1) may be established by any instrument that
2 the Committee considers appropriate; and

3 “(2) may include demonstration projects.

4 “(f) PARTNERSHIP PROGRAM OFFICE.—(1) The Sec-
5 retary of the Navy and Administrator of the National Oce-
6 anic and Atmospheric Administration shall jointly estab-
7 lish a partnership program office for the National Oceano-
8 graphic Partnership Program. Competitive procedures will
9 be used to select an external operator for the partnership
10 program office.

11 “(2) The Committee will monitor the performance of
12 the duties of the partnership program office, which shall
13 consist of the following:

14 “(A) To support working groups established by
15 the Committee or subcommittee and report working
16 group activities to the Committee, including working
17 group proposals for partnership projects.

18 “(B) To support the process for proposing part-
19 nership projects to the Committee, including, where
20 appropriate, managing review of such projects.

21 “(C) To submit to the Committee and make
22 publicly available an annual report on the status of
23 all partnership projects, including the Federal and
24 non-Federal sources of funding for each project, and
25 activities of the office.

1 “(D) To perform any additional duties for the
2 administration of the National Oceanographic Part-
3 nership Program that the Committee considers ap-
4 propriate.”.

5 (2) CLERICAL AMENDMENT.—The table of sec-
6 tions at the beginning of chapter 893 of title 10,
7 United States Code, is amended by striking the item
8 relating to section 8932 and inserting the following
9 new item:

 “8932. Ocean Policy Committee.”.

10 (c) OCEAN RESEARCH ADVISORY PANEL.—Section
11 8933 of such title is amended to read as follows:

12 **“§ 8933. Ocean Research Advisory Panel**

13 “(a) ESTABLISHMENT.—(1) The Committee shall es-
14 tablish an Ocean Research Advisory Panel consisting of
15 not less than 10 and not more than 18 members appointed
16 by the Co-chairs, including the following:

17 “(A) Three members who will represent the Na-
18 tional Academies of Sciences, Engineering, and Med-
19 icine.

20 “(B) Members selected from among individuals
21 who will represent the views of ocean industries,
22 State, tribal, territorial or local governments, aca-
23 demia, and such other views as the Co-chairs con-
24 sider appropriate.

1 “(C) Members selected from among individuals
2 eminent in the fields of marine science, marine tech-
3 nology, and marine policy, or related fields.

4 “(2) The Committee shall ensure that an appropriate
5 balance of academic, scientific, industry, and geographical
6 interests and gender and racial diversity are represented
7 by the members of the Advisory Panel.

8 “(b) RESPONSIBILITIES.—The Committee shall as-
9 sign the following responsibilities to the Advisory Panel:

10 “(1) To advise the Committee on policies and
11 procedures to implement the National Oceano-
12 graphic Partnership Program.

13 “(2) To advise the Committee on matters relat-
14 ing to national oceanographic science, engineering,
15 facilities, or resource requirements.

16 “(3) To advise the Committee on improving di-
17 versity, equity, and inclusion in the ocean sciences
18 and related fields.

19 “(4) To advise the Committee on national ocean
20 research priorities.

21 “(5) Any additional responsibilities that the
22 Committee considers appropriate.

23 “(6) To meet no fewer than two times a year.

24 “(c) ADMINISTRATIVE AND TECHNICAL SUPPORT.—
25 The Administrator of the National Oceanic and Atmos-

1 pheric Administration shall provide such administrative
2 and technical support as the Ocean Research Advisory
3 Panel may require.

4 “(d) FEDERAL ADVISORY COMMITTEE ACT.—Section
5 14 of the Federal Advisory Committee Act (5 U.S.C.
6 App.) shall not apply to the Ocean Research Advisory
7 Panel appointed under section 8933.”.

8 **SEC. 1745. REQUIREMENTS RELATING TO PROGRAM AND**
9 **PROJECT MANAGEMENT.**

10 (a) STANDARDS FOR PROGRAM AND PROJECT MAN-
11 AGEMENT.—Section 503(c)(1)(D) of title 31, United
12 States Code, is amended by striking “consistent with wide-
13 ly accepted standards” and inserting “in accordance with
14 standards accredited by the American National Standards
15 Institute”.

16 (b) PROGRAM MANAGEMENT IMPROVEMENT OFFI-
17 CERS AND PROGRAM MANAGEMENT POLICY COUNCIL.—
18 Section 1126 of title 31, United States Code, is amend-
19 ed—

20 (1) in subsection (a)(1), by inserting after “sen-
21 ior executive of the agency” the following: “, who
22 has significant program and project management
23 oversight responsibilities,”; and

24 (2) in subsection (b)(4) by striking “twice” and
25 inserting “four times”.

1 **SEC. 1746. QUARTERLY BRIEFINGS ON JOINT ALL DOMAIN**
2 **COMMAND AND CONTROL CONCEPT.**

3 (a) IN GENERAL.—During the period beginning on
4 October 1, 2020, and ending on October 1, 2022, the Di-
5 rector of the Joint All Domain Command and Control (in
6 this section referred to as “JADC2”) Cross Functional
7 Team (in this section referred to as “CFT”), in consulta-
8 tion with the Vice Chairman of the Joint Chiefs of Staff
9 and Chief Information Officer of the Department of De-
10 fense, shall provide to the Committee on Armed Services
11 of the House of Representatives quarterly briefings on the
12 progress of the Department’s Joint All Domain Command
13 and Control concept.

14 (b) ELEMENTS.—Each briefing under subsection (a)
15 shall include, with respect to the JADC2 concept, the fol-
16 lowing elements:

17 (1) The status of the joint concept of command
18 and control.

19 (2) How the JADC2 CFT is identifying gaps
20 and addressing validated requirements based on the
21 joint concept of command and control.

22 (3) Progress in developing specific plans to
23 evaluate and implement materiel and non-materiel
24 improvements to command and control capabilities.

25 (4) Clarification on distribution of responsibil-
26 ities and authorities within the CFT and the Office

1 of the Secretary of Defense with respect to JADC2,
2 and how the CFT and the Office of the Secretary
3 of Defense are synchronizing and aligning with joint
4 and military concepts, solutions, experimentation,
5 and exercises.

6 (5) The status of and review of any rec-
7 ommendations for resource allocation necessary to
8 achieve operational JADC2.

9 (6) A sufficiency assessment of planned funding
10 across the future years defense program for the de-
11 velopment of JADC2 capabilities.

12 **SEC. 1747. RESOURCES TO IMPLEMENT A DEPARTMENT OF**
13 **DEFENSE POLICY ON CIVILIAN CASUALTIES**
14 **IN CONNECTION WITH UNITED STATES MILI-**
15 **TARY OPERATIONS.**

16 (a) RESOURCES TO IMPLEMENT DEPARTMENT OF
17 DEFENSE POLICY ON CIVILIAN CASUALTIES IN CONNec-
18 TION WITH UNITED STATES MILITARY OPERATIONS.—

19 (1) PURPOSE.—The purpose of this section is
20 to facilitate fulfillment of the requirements in section
21 936 of the John S. McCain National Defense Au-
22 thorization Act for Fiscal Year 2019 (10 U.S.C. 134
23 note).

1 (2) PERSONNEL.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense shall do the following:

4 (A) Add to, and assign within, each of the
5 United States Central Command, the United
6 States Africa Command, the United States Spe-
7 cial Operations Command, the United States
8 European Command, the United States South-
9 ern Command, the United States Indo-Pacific
10 Command, and the United States Northern
11 Command not fewer than two personnel who
12 shall have primary responsibility for the fol-
13 lowing in connection with military operations
14 undertaken by such command:

15 (i) Providing guidance and oversight
16 relating to prevention of and response to
17 civilian casualties, promotion of observance
18 of human rights, and the protection of ci-
19 vilians and civilian infrastructure.

20 (ii) Overseeing civilian casualty re-
21 sponse functions on behalf of the com-
22 mander of such command.

23 (iii) Receiving reports of civilian cas-
24 ualties and conduct of civilian casualty as-
25 sessments.

1 (iv) Analyzing civilian casualty inci-
2 dents and trends.

3 (v) Offering condolences for casual-
4 ties, including ex gratia payments.

5 (vi) Ensuring the integration of activi-
6 ties relating to civilian casualty mitigation,
7 protection of civilians, and promotion of
8 observance of human rights in security co-
9 operation activities.

10 (vii) Consulting with non-govern-
11 mental organizations on civilian casualty
12 and human rights matters.

13 (B) Add to, and assign within, the Office
14 of the Under Secretary for Policy not fewer
15 than two personnel who shall have primary re-
16 sponsibility for implementing and overseeing
17 implementation by the components of the De-
18 partment of Defense of Department policy on
19 civilian casualties resulting from United States
20 military operations.

21 (C) Add to, and assign within, the Joint
22 Staff not fewer than two personnel who shall
23 have primary responsibility for the following:

24 (i) Overseeing implementation by the
25 components of the Department of Defense

1 of Department policy on civilian casualties
2 resulting from United States military oper-
3 ations.

4 (ii) Developing and sharing in the im-
5 plementation of such policy.

6 (iii) Communicating operational guid-
7 ance on such policy.

8 (3) TRAINING, SOFTWARE, AND OTHER RE-
9 QUIREMENTS.—

10 (A) IN GENERAL.—In each of fiscal years
11 2021 through 2023, the Secretary of Defense
12 and each Secretary of a military department
13 may obligate and expend, from amounts speci-
14 fied in subparagraph (B), not more than
15 \$5,000,000 for the following:

16 (i) Training related to civilian cas-
17 ualty mitigation and response.

18 (ii) Information technology equip-
19 ment, support and maintenance, and data
20 storage, in order to implement the policy of
21 the Department related relating to civilian
22 casualties resulting from United States
23 military operations as required by section
24 936 of the John S. McCain National De-

1 fense Authorization Act for Fiscal Year
2 2019.

3 (B) FUNDS.—The funds for a fiscal year
4 specified in this subparagraph are funds as fol-
5 lows:

6 (i) In the case of the Secretary of De-
7 fense, amounts authorized to be appro-
8 priated for such fiscal year for operation
9 and maintenance, Defense-wide.

10 (ii) In the case of a Secretary of a
11 military department, amounts authorized
12 to be appropriated for such fiscal year for
13 operation and maintenance for the compo-
14 nents of the Armed Forces under the juris-
15 diction of such Secretary.

16 (b) UNITED STATES MILITARY OPERATIONS DE-
17 FINED.—In this section, the term “United States military
18 operations” includes any mission, strike, engagement,
19 raid, or incident involving United States Armed Forces.

20 **SEC. 1748. SENSE OF CONGRESS REGARDING REPORTING**
21 **OF CIVILIAN CASUALTIES RESULTING FROM**
22 **UNITED STATES MILITARY OPERATIONS.**

23 It is the sense of Congress—

24 (1) to commend the Department of Defense for
25 the measures it has implemented and is currently

1 implementing to prevent, mitigate, track, investigate,
2 learn from, respond to, and report civilian casualties
3 resulting from United States military operations;
4 and

5 (2) to agree with the Department that civilian
6 casualties are a tragic and unavoidable part of war,
7 and to recognize that the Department endeavors to
8 conduct all military operations in compliance with
9 the international law of armed conflict and the laws
10 of the United States, including distinction, propor-
11 tionality, and the requirement to take feasible pre-
12 cautions in planning and conducting operations to
13 reduce the risk of harm to civilians and other pro-
14 tected persons and objects; and the protection of ci-
15 vilians and other protected persons and objects, in
16 addition to a legal obligation and a strategic inter-
17 est, is a moral and ethical imperative; that the De-
18 partment has submitted to Congress three successive
19 annual reports on civilian casualties resulting from
20 United States military operations for calendar years
21 2017, 2018, and 2019, and has updated reports as
22 appropriate; and to recognize the efforts of the De-
23 partment, both in policy and in practice, to reduce
24 the harm to civilians and other protected persons
25 and objects resulting from United States military

1 operations, and to encourage the Department to
2 make additional progress in—

3 (A) developing at all combatant commands
4 personnel and offices responsible for advising
5 the commanders of such commands, and inte-
6 grating into command strategy, the promotion
7 of observance of human rights and the protec-
8 tion of civilians and other protected persons
9 and objects;

10 (B) finalizing and implementing the policy
11 of the Department relating to civilian casualties
12 resulting from United States military oper-
13 ations, as required by section 936 of the John
14 S. McCain National Defense Authorization Act
15 for Fiscal Year 2019 (10 U.S.C. 134 note);

16 (C) finalizing Department-wide regulations
17 to implement section 1213 of the National De-
18 fense Authorization for Fiscal Year 2020 (Pub-
19 lic Law 116–92) for ex gratia payments for
20 damage, personal injury, or death that is inci-
21 dent to the use of force by the United States
22 Armed Forces, a coalition that includes the
23 United States, a military organization sup-
24 porting the United States, or a military organi-

1 zation supporting the United States or such co-
2 alition; and

3 (D) professionalizing foreign partner forces
4 to reduce civilian casualties, including in con-
5 nection with train and equip programs, advise,
6 assist, accompany, and enable missions, and
7 fully combined and coalition operations.

8 **SEC. 1749. PROHIBITION OF PUBLIC DISPLAY OF CONFED-**
9 **ERATE BATTLE FLAG ON DEPARTMENT OF**
10 **DEFENSE PROPERTY.**

11 (a) PROHIBITION.—Except as provided in subsection
12 (b) the Secretary of Defense shall prohibit the public dis-
13 play of the Confederate battle flag at all Department of
14 Defense property.

15 (b) EXCEPTIONS.—The prohibition under subsection
16 (a) shall not apply to—

17 (1) a museum located on a Department of De-
18 fense installation that addresses the Civil War from
19 a historical or educational perspective;

20 (2) an educational or historical display depict-
21 ing a Civil War battle in which the Confederate bat-
22 tle flag is present, but not the main focus of the dis-
23 play;

24 (3) a State flag that incorporates the Confed-
25 erate battle flag;

1 (4) a State-issued license plate with a depiction
2 of the Confederate battle flag; or

3 (5) a grave site of a Confederate soldier.

4 (c) DEFINITIONS.—In this section:

5 (1) The term “Confederate battle flag” means
6 the battle flag carried by Confederate armies during
7 the Civil War.

8 (2) The term “Department of Defense prop-
9 erty” means all installations, workplaces, common-
10 access areas, and public areas of the Department of
11 Defense, including—

12 (A) office buildings, facilities, naval ves-
13 sels, aircraft, Government vehicles, hangars,
14 ready rooms, conference rooms, individual of-
15 fices, cubicles, storage rooms, tool and equip-
16 ment rooms, workshops, break rooms, galleys,
17 recreational areas, commissaries, Navy and Ma-
18 rine Corps exchanges, and heads;

19 (B) sensitive compartmented information
20 facilities and other secure facilities;

21 (C) open-bay barracks and common areas
22 of barracks and living quarters;

23 (D) all Department of Defense school
24 houses and training facilities including, officer

1 candidate school, the basic school, recruit train-
2 ing command, and recruiting offices;

3 (E) all areas of the Department of Defense
4 in public or plain view, including outside areas,
5 work office buildings, stores, or barracks, in-
6 cluding parking lots;

7 (F) the front yard or external porch of
8 Government-owned and Government-operated
9 housing and public-private venture housing; and

10 (G) automobile bumper stickers, clothing,
11 and other apparel that is located on or in any
12 installation, workplace, common-access area, or
13 public area of the Department of Defense.

14 **SEC. 1750. DEPLOYMENT OF REAL-TIME STATUS OF SPE-**
15 **CIAL USE AIRSPACE.**

16 (a) IN GENERAL.—The Administrator of the Federal
17 Aviation Administration, in consultation, as appropriate,
18 with the Secretary of Defense and the heads of the mili-
19 tary services, including the National Guard and Air Na-
20 tional Guard, and other appropriate Federal agencies,
21 shall initiate, not later than 180 days after the date of
22 enactment of this Act, a program to enable public dissemi-
23 nation of information on—

1 (1) the real-time status of the activation or de-
2 activation of military operations areas and restricted
3 areas; and

4 (2) the reports submitted to the Administrator
5 pursuant to section 73.19 of title 14, Code of Fed-
6 eral Regulations.

7 (b) STATUS REPORT.—

8 (1) IN GENERAL.—Not later than one year
9 after the Administrator initiates the program re-
10 quired under subsection (a), and every year there-
11 after until such program is complete, the Adminis-
12 trator shall submit a status report to the appro-
13 priate committees of Congress on the implementa-
14 tion of such program.

15 (2) CONTENTS.—The report required under
16 paragraph (1) shall contain, at a minimum—

17 (A) an update on the progress of the Ad-
18 ministrator in modifying policies, systems, or
19 equipment that may be necessary to enable the
20 public dissemination of information on the real-
21 time status of the activation or deactivation of
22 military operations areas and restricted areas;

23 (B) a description of any challenges to com-
24 pleting the program initiated pursuant to sub-
25 section (a), including challenges in—

1 (i) receiving the timely and complete
2 submissions of data concerning airspace
3 usage;

4 (ii) modifying policies; and

5 (iii) acquiring necessary systems or
6 equipment; and

7 (C) a timeline of the anticipated comple-
8 tion of the program and the modifications de-
9 scribed in subparagraph (A).

10 (c) UTILIZATION REPORTS.—Not later than 180
11 days after the date of enactment of this Act, the Secretary
12 of Defense shall submit a report to the appropriate com-
13 mittees of Congress—

14 (1) describing whether the Department of De-
15 fense has submitted the utilization reports required
16 under section 73.19 of title 14, Code of Federal
17 Regulations for the prior fiscal year, and, if so, to
18 what extent such reports have been submitted; and

19 (2) providing, if the Secretary discovers that all
20 such reports have not been submitted in a timely
21 and complete manner—

22 (A) an explanation for the failure to sub-
23 mit any such reports in the manner prescribed
24 by regulation; and

1 (B) a plan to ensure the timely and com-
2 plete submission of all such reports.

3 (d) POLICIES.—Not later than 18 months after the
4 date of enactment of this Act, the Administrator shall sub-
5 mit a report to the appropriate committees of Congress
6 on special use airspace, including a review of the Federal
7 Aviation Administration’s—

8 (1) policies and processes for establishing, re-
9 viewing, and revoking military operations areas and
10 restricted areas; and

11 (2) administration, including release of, under-
12 utilized special use airspace.

13 (e) DEFINITIONS.—In this section:

14 (1) The term “appropriate committees of Con-
15 gress” means—

16 (A) the Committee on Commerce, Science,
17 and Transportation and the Committee on
18 Armed Services of the Senate; and

19 (B) the Committee on Transportation and
20 Infrastructure and the Committee on Armed
21 Services of the House of Representatives.

22 (2) The term “underutilized”, with respect to a
23 military operations area or restricted area, means
24 such an area determined by the Administrator of the
25 Federal Aviation Administrator to have had, during

1 the two most recent consecutive fiscal years prior to
2 the date of enactment of this Act, the number of
3 hours actually utilized be less than 75 percent of the
4 number of hours the area was activated, discounted
5 for weather cancellations and delays, loss of use for
6 reasons beyond the control of the Federal agency
7 using the area, and other factors determined appro-
8 priate by the Administrator.

9 **SEC. 1751. DUTIES OF SECRETARY UNDER UNIFORMED AND**
10 **OVERSEAS CITIZENS ABSENTEE VOTING ACT.**

11 (a) ENSURING ABILITY OF ABSENT UNIFORMED
12 SERVICES VOTERS SERVING AT DIPLOMATIC AND CON-
13 SULAR POSTS TO RECEIVE AND TRANSMIT BALLOTING
14 MATERIALS.—In carrying out the Secretary’s duties as
15 the Presidential designee under the Uniformed and Over-
16 seas Citizens Absentee Voting Act (52 U.S.C. 20301 et
17 seq.), the Secretary shall take such actions as may be nec-
18 essary to ensure that an absent uniformed services voter
19 under such Act who is absent from the United States by
20 reason of active duty or service at a diplomatic and con-
21 sular post of the United States is able to receive and
22 transmit balloting materials in the same manner and with
23 the same rights and protections as an absent uniformed
24 services voter under such Act who is absent from the

1 United States by reason of active duty or service at a mili-
2 tary installation.

3 (b) EFFECTIVE DATE.—This section shall apply with
4 respect to elections held on or after the date of the enact-
5 ment of this Act.

6 **SEC. 1752. PUBLICLY AVAILABLE DATABASE OF CASUAL-**
7 **TIES OF MEMBERS OF THE ARMED FORCES.**

8 (a) IN GENERAL.—The Secretary of Defense shall
9 publish on an appropriate publicly available website of the
10 Department of Defense a database of all casualties of
11 members of the Armed Forces of the United States that
12 occur during military operations that take place during
13 1990 or any subsequent year.

14 (b) REQUIREMENTS.—The Secretary shall ensure
15 that the database published under subsection (a) has the
16 following capabilities:

17 (1) The capability of generating a machine
18 readable report, to the extent practicable, through
19 searches based on each, and any combination, of the
20 casualty attributes.

21 (2) The capability of downloading individual
22 records as the result of a search based on each, and
23 any combination, of the casualty attributes.

24 (c) NEXT-OF-KIN OPT OUT.—The Secretary shall de-
25 velop a mechanism under which the next-of-kin (as deter-

1 mined by the Secretary) of any individual whose informa-
2 tion would be included in the database required under sub-
3 section (a) may elect to have such information excluded
4 from the database.

5 (d) CASUALTY ATTRIBUTES.—In this section, the
6 term “casualty attributes” means each of the following
7 with respect to the casualty of a member of the Armed
8 Forces:

9 (1) The conflict in which the casualty occurred.

10 (2) The country where the casualty occurred.

11 (3) The attributes of the member of the Armed
12 Forces, including—

13 (A) service;

14 (B) component;

15 (C) name;

16 (D) rank;

17 (E) date of death; and

18 (F) any other information as determined
19 by the Secretary.

20 **SEC. 1753. NOTICE AND COMMENT FOR PROPOSED AC-**
21 **TIONS OF THE SECRETARY OF DEFENSE RE-**
22 **LATING TO FOOD AND BEVERAGE INGREDI-**
23 **ENTS.**

24 (a) NOTICE AND COMMENT.—Before promulgating
25 any service-wide or Department-wide final rule, statement,

1 or determination relating to the limitation or prohibition
2 of an ingredient in a food or beverage item provided to
3 members of the Armed Forces by the Department of De-
4 fense (including an item provided through a commissary
5 store, a dining facility on a military installation, or a mili-
6 tary medical treatment facility), the Secretary of Defense
7 shall—

8 (1) publish in the Federal Register a notice of
9 the proposed rule, statement, or determination (in
10 this section referred to as a “proposed action”); and

11 (2) provide interested persons an opportunity to
12 submit public comments with respect to the pro-
13 posed action.

14 (b) MATTERS TO BE INCLUDED IN NOTICE.—The
15 Secretary shall include in any notice published under sub-
16 section (a)(2) the following:

17 (1) A summary of the notice.

18 (2) The date of publication of the notice.

19 (3) The contact information for the office of the
20 Department of Defense responsible for the proposed
21 action.

22 (4) The deadline for comments to be submitted
23 with respect to the proposed action and a description
24 of the method to submit such comments.

25 (5) A description of the proposed action.

1 (6) Findings and a statement of reason sup-
2 porting the proposed action.

3 (c) WAIVER AUTHORITY.—The Director of the De-
4 fense Logistics Agency may waive subsections (a) and (b)
5 if the Director determines such waiver is necessary for
6 military operations or for the response to a national emer-
7 gency declared by the President under the National Emer-
8 gencies Act (50 U.S.C. 1601 et seq.), a medical emer-
9 gency, or a pandemic.

10 (d) REPORTS.—

11 (1) REPORTS.—On a quarterly basis, the Direc-
12 tor of the Defense Logistics Agency shall submit to
13 the congressional defense committees a report con-
14 taining an identification of any waiver under sub-
15 section (c) issued or in effect during the quarter pre-
16 ceding submission of the report.

17 (2) MATTERS.—A report under paragraph (1)
18 shall include, with respect to each waiver identified,
19 the following:

20 (A) The date, time, and location of the
21 issuance of such waiver.

22 (B) A detailed justification for the
23 issuance of such waiver.

24 (C) An identification of the rule, state-
25 ment, or determination for which the Director

1 issued such waiver, including the proposed du-
2 ration of such rule, statement, or determina-
3 tion.

4 **SEC. 1754. SPACE STRATEGIES AND ASSESSMENT.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that the United States Government should support
7 activities in space by—

8 (1) ensuring robust, innovative, and increas-
9 ingly capable civil and national security space pro-
10 grams;

11 (2) supporting effective and stable space part-
12 nerships with allies of the United States;

13 (3) leveraging, to the greatest extent practicable
14 and appropriate, commercial space capabilities; and

15 (4) ensuring freedom of navigation and pro-
16 viding measures to assure the supply chain related
17 to such space assets and manufacturing processes of
18 such assets.

19 (b) STRATEGY REQUIRED.—Not later than 270 days
20 after the date of the enactment of this Act, the President,
21 in consultation with the National Space Council, shall de-
22 velop and maintain a strategy to ensure that the United
23 States, as appropriate, strengthens civil and national secu-
24 rity capabilities and operations in space through—

1 (1) challenging and inspiring civil space goals
2 and programs;

3 (2) partnerships with allies of the United
4 States;

5 (3) leveraging of commercial space capabilities;

6 (4) ensuring supply chain and manufacturing
7 processes for space assets;

8 (5) sustaining a highly skilled, world-class
9 workforce; and

10 (6) considering the financial security and cyber-
11 security concerns threatening commercial and Fed-
12 eral Government launch sites of the United States.

13 (c) SUBMISSION OF STRATEGY AND PLAN.—Not
14 later than one year after the date of the enactment of this
15 Act, the Chair of the National Space Council, in consulta-
16 tion with relevant departments and agencies of the Fed-
17 eral Government, shall submit to the appropriate congres-
18 sional committees a report setting forth—

19 (1) the strategy under subsection (b); and

20 (2) a plan to implement the strategy, including
21 to—

22 (A) ensure the freedom of navigation of
23 space assets and protect the supply chain relat-
24 ing to such assets and manufacturing process of
25 such assets from threats from the People's Re-

1 public of China and the Russian Federation,
2 which may include protection from intellectual
3 property theft and threats with respect to elec-
4 tronic warfare capabilities;

5 (B) identify capabilities required to ensure
6 civil and national security space leadership;

7 (C) provide contingency and resiliency for
8 civil and national security space operations; and

9 (D) strengthen relations with the allies of
10 the United States with respect to space.

11 (d) ASSESSMENT AND REPORT.—

12 (1) ASSESSMENT AND REPORT REQUIRE-
13 MENT.—Not later than 180 days after the date of
14 the enactment of this Act, the Secretary of Defense,
15 in consultation with the Administrator of the Na-
16 tional Aeronautics and Space Administration, shall
17 submit to the appropriate congressional committees
18 a report that includes—

19 (A) an assessment of the capabilities and
20 role of relevant departments and agencies of the
21 Federal Government to—

22 (i) ensure access to launch, commu-
23 nications, and freedom of navigation and
24 other relevant infrastructure and services

1 for civil and national security space pro-
2 grams and activities; and

3 (ii) identify vulnerabilities that could
4 affect access to space infrastructure; and

5 (iii) address financial security and cy-
6 bersecurity concerns threatening commer-
7 cial and Federal Government launch sites
8 of the United States; and

9 (B) recommendations and costs to improve
10 the capabilities assessed pursuant to subpara-
11 graph (A), including recommendations with re-
12 spect to—

13 (i) the electronic warfare capabilities
14 of China and Russia; and

15 (ii) the use of counterspace weapons
16 and cyber attacks by China and Russia.

17 (2) FORM.—The report under paragraph (1)
18 may include a classified annex.

19 (e) DEFINITIONS.—In this section:

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

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

24 (B) the Committee on Science, Space, and
25 Technology of the House of Representatives;

1 (C) the Committee on Foreign Affairs of
2 the House of Representatives;

3 (D) the Committee on Energy and Com-
4 merce of the House of Representatives;

5 (E) the Committee on Armed Services of
6 the Senate;

7 (F) the Committee on Foreign Relations of
8 the Senate; and

9 (G) the Committee on Commerce, Science,
10 and Transportation of the Senate.

11 (2) The term “launch site” has the meaning
12 given that term under section 50902 of title 51,
13 United States Code.

14 **SEC. 1755. NONIMMIGRANT STATUS FOR CERTAIN NATION-**
15 **ALS OF PORTUGAL.**

16 For purposes of clauses (i) and (ii) of section
17 101(a)(15)(E) of the Immigration and Nationality Act (8
18 U.S.C. 1101(a)(15)(E)), Portugal shall be considered to
19 be a foreign state described in such section if the Govern-
20 ment of Portugal provides similar nonimmigrant status to
21 nationals of the United States.

22 **SEC. 1756. SENSE OF CONGRESS ON EXTENSION OF LIMITA-**
23 **TIONS ON IMPORTATION OF URANIUM FROM**
24 **RUSSIAN FEDERATION.**

25 It is the sense of Congress that—

1 (1) a secure nuclear fuel supply chain is essen-
2 tial to the economic and national security of the
3 United States;

4 (2) the Government of the Russian Federation
5 uses its control over energy resources, including in
6 the civil nuclear sector, to exert political influence
7 and create economic dependency in other countries;

8 (3) the Agreement Suspending the Antidumping
9 Investigation on Uranium from the Russian Federa-
10 tion (commonly referred to as the “Russian Suspen-
11 sion Agreement”), which limits imports of Russian
12 uranium to 20 percent of the market share, is vital
13 to averting American dependence on Russian energy;

14 (4) the United States should—

15 (A) expeditiously complete negotiation of
16 an extension of the Russian Suspension Agree-
17 ment to cap the market share for Russian ura-
18 nium at 20 percent or lower; or

19 (B) if an agreement to extend the Russian
20 Suspension Agreement cannot be reached, com-
21 plete the antidumping investigation under title
22 VII of the Tariff Act of 1930 (19 U.S.C. 1671
23 et seq.) with respect to imports of uranium
24 from the Russian Federation—

1 (i) to avoid unfair trade in uranium
2 and maintain a nuclear fuel supply chain
3 in the United States, consistent with the
4 national security and nonproliferation
5 goals of the United States; and

6 (ii) to protect the United States nu-
7 clear fuel supply chain from the continued
8 manipulation of the global and United
9 States uranium markets by the Russian
10 Federation and Russian-influenced com-
11 petitors;

12 (5) a renegotiated, long-term extension of the
13 Russian Suspension Agreement can prevent adver-
14 saries of the United States from monopolizing the
15 nuclear fuel supply chain;

16 (6) as was done in 2008, upon completion of a
17 new negotiated long-term extension of the Russian
18 Suspension Agreement, Congress should enact legis-
19 lation to codify the terms of extension into law to
20 ensure long-term stability for the domestic nuclear
21 fuel supply chain; and

22 (7) if the negotiations to extend the Russian
23 Suspension Agreement prove unsuccessful, Congress
24 should be prepared to enact legislation to prevent
25 the manipulation by the Russian Federation of glob-

1 al uranium markets and potential domination by the
2 Russian Federation of the United States uranium
3 market.

4 **SEC. 1757. AUTHORITY TO ESTABLISH A MOVEMENT CO-**
5 **ORDINATION CENTER PACIFIC IN THE**
6 **INDOPACIFIC REGION.**

7 (a) AUTHORITY TO ESTABLISH.—

8 (1) IN GENERAL.—The Secretary of Defense,
9 with the concurrence of the Secretary of State, may
10 authorize—

11 (A) the establishment of a Movement Co-
12 ordination Center Pacific (in this section re-
13 ferred to as the “Center”); and

14 (B) participation of the Department of De-
15 fense in an Air Transport and Air-to-Air refuel-
16 ing and other Exchanges of Services program
17 (in this section referred to as the “ATARES
18 program”) of the Center.

19 (2) SCOPE OF PARTICIPATION.—Participation
20 in the ATARES program under paragraph (1)(B)
21 shall be limited to the reciprocal exchange or trans-
22 fer of air transportation and air refueling services on
23 a reimbursable basis or by replacement-in-kind or
24 the exchange of air transportation or air refueling
25 services of an equal value with foreign militaries.

1 (3) LIMITATIONS.—The Department of De-
2 fense’s balance of executed transportation hours,
3 whether as credits or debits, in participation in the
4 ATARES program under paragraph (1)(B) may not
5 exceed 500 hours. The Department of Defense’s bal-
6 ance of executed flight hours for air refueling in the
7 ATARES program under paragraph (1)(B) may not
8 exceed 200 hours.

9 (b) WRITTEN ARRANGEMENT OR AGREEMENT.—

10 (1) ARRANGEMENT OR AGREEMENT RE-
11 QUIRED.—The participation of the Department of
12 Defense in the ATARES or exchange like program
13 under subsection (a) shall be in accordance with a
14 written arrangement or agreement entered into by
15 the Secretary of Defense, with the concurrence of
16 the Secretary of State.

17 (2) FUNDING ARRANGEMENTS.—If Department
18 of Defense facilities, equipment, or funds are used to
19 support the ATARES program, the written arrange-
20 ment or agreement under paragraph (1) shall specify
21 the details of any equitable cost-sharing or other
22 funding arrangement.

23 (3) OTHER ELEMENTS.—Any written arrange-
24 ment or agreement entered into under paragraph (1)
25 shall require that any accrued credits and liabilities

1 resulting from an unequal exchange or transfer of
2 air transportation or air refueling services shall be
3 liquidated, not less than once every five years,
4 through the ATARES program.

5 (c) IMPLEMENTATION.—In carrying out any written
6 arrangement or agreement entered into under subsection
7 (b), the Secretary of Defense may—

8 (1) pay the Department of Defense's equitable
9 share of the operating expenses of the Center and
10 the ATARES program from funds available to the
11 Department of Defense for operation and mainte-
12 nance; and

13 (2) assign members of the Armed Forces or De-
14 partment of Defense civilian personnel, within billets
15 authorized for the United States Indo-Pacific Com-
16 mand, to duty at the Center as necessary to fulfill
17 the Department of Defense obligations under that
18 arrangement or agreement.

19 (d) REPORT.—Not later than March 1, 2021, the
20 Secretary of Defense shall submit to the congressional de-
21 fense committees a report that contains—

22 (1) a summary of the coordination structure of
23 the center and program, and details related to its
24 formation and implementation;

1 ures that the Secretary determines appropriate for
2 vetting.

3 (3) COLLECTION OF INFORMATION.—The Sec-
4 retary shall—

5 (A) collect the information required to vet
6 individuals under the procedures established
7 under this subsection;

8 (B) as required for the effective implemen-
9 tation of this section, seek to enter into agree-
10 ments with the relevant departments and agen-
11 cies of the United States to facilitate the shar-
12 ing of information in the possession of such de-
13 partments and agencies concerning covered in-
14 dividuals; and

15 (C) ensure that the initial vetting of cov-
16 ered individuals is conducted as early and
17 promptly as practicable, to minimize disruptions
18 to United States programs to train foreign mili-
19 tary students.

20 (b) DETERMINATION AUTHORITY.—

21 (1) REVIEW OF VETTING RESULTS.—The Sec-
22 retary shall assign to an organization within the De-
23 partment with responsibility for security and coun-
24 terintelligence the responsibility of—

1 (A) reviewing the results of the vetting of
2 a covered individual conducted under subsection
3 (a); and

4 (B) making a recommendation regarding
5 whether such individual should be given phys-
6 ical access to a Department of Defense installa-
7 tion or facility.

8 (2) NEGATIVE RECOMMENDATION.—If the rec-
9 ommendation with respect to a covered individual
10 under paragraph (1)(B) is that the individual should
11 not be given physical access to a Department of De-
12 fense installation or facility—

13 (A) such individual may only be given such
14 access if such access is authorized by the Sec-
15 retary of Defense or the Deputy Secretary of
16 Defense; and

17 (B) the Secretary of Defense shall ensure
18 that the Secretary of State is promptly provided
19 with notification of such recommendation.

20 (c) ADDITIONAL SECURITY MEASURES.—

21 (1) SECURITY MEASURES REQUIRED.—The Sec-
22 retary of Defense shall ensure that—

23 (A) all Department of Defense common ac-
24 cess cards issued to foreign nationals in the
25 United States comply with the credentialing

1 standards issued by the Office of Personnel
2 Management;

3 (B) all such common access cards issued to
4 foreign nationals in the United States include a
5 visual indicator as required by the standard de-
6 veloped by the Department of Commerce Na-
7 tional Institute of Standards and Technology;

8 (C) physical access by covered individuals
9 is limited, as appropriate, to those Department
10 of Defense installations or facilities within the
11 United States directly associated with the train-
12 ing or education or necessary for such individ-
13 uals to access authorized benefits;

14 (D) a policy is in place covering possession
15 of firearms on Department of Defense property
16 by covered individuals;

17 (E) covered individuals who have been
18 granted physical access to Department of De-
19 fense installations and facilities are incor-
20 porated into the Insider Threat Program of the
21 Department of Defense; and

22 (F) covered individuals are prohibited from
23 transporting, possessing, storing, or using per-
24 sonally owned firearms on Department of De-
25 fense installations or property consistent with

1 the Secretary of Defense policy memorandum
2 dated January 16, 2020.

3 (2) EFFECTIVE DATE.—The security measures
4 required under paragraph (1) shall take effect on
5 the date that is 181 days after the date of the enact-
6 ment of this Act.

7 (3) NOTIFICATION REQUIRED.—Upon the es-
8 tablishment of the security measures required under
9 paragraph (1), the Secretary of Defense shall submit
10 to the Committees on Armed Services of the Senate
11 and House of Representatives notice of the estab-
12 lishment of such security measures.

13 (d) REPORTING REQUIREMENTS.—

14 (1) BRIEFING REQUIREMENT.—Not later than
15 90 days after the date of the enactment of this Act,
16 the Secretary of Defense shall provide to the Com-
17 mittee on Armed Services of the Senate and the
18 Committees on Armed Services and Foreign Affairs
19 of the House of Representative a briefing on the es-
20 tablishment of any policy or guidance related to the
21 implementation of this section.

22 (2) REPORT.—Not later than two years after
23 the date of the enactment of this Act, the Secretary
24 of Defense shall submit to such committees a report

1 on the implementation and effects of this section.

2 Such report shall include a description of—

3 (A) any positive or negative effects on the
4 training of foreign military students as a result
5 of this section;

6 (B) the effectiveness of the vetting proce-
7 dures implemented pursuant to this section in
8 preventing harm to members of the Armed
9 Forces and United States persons;

10 (C) any mitigation strategies used to ad-
11 dress any negative effects of the implementation
12 of this section; and

13 (D) a proposed plan to mitigate any ongo-
14 ing negative effects to the vetting and training
15 of foreign military students by the Department
16 of Defense.

17 (e) DEFINITIONS.—In this section:

18 (1) The term “covered individual” means any
19 foreign national (except foreign nationals of Aus-
20 tralia, Canada, New Zealand, and the United King-
21 dom who have been granted a security clearance
22 that is reciprocally accepted by the United States for
23 access to classified information) who—

1 (A) is seeking physical access to a Depart-
2 ment of Defense installation or facility within
3 the United States; and

4 (B) is—

5 (i) selected, nominated, or accepted
6 for training or education for a period of
7 more than 14 days occurring on a Depart-
8 ment of Defense installation or facility
9 within the United States; or

10 (ii) an immediate family member ac-
11 companying any foreign national who has
12 been selected, nominated, or accepted for
13 such training or education.

14 (2) The term “United States” means the sev-
15 eral States, the District of Columbia, the Common-
16 wealth of Puerto Rico, and Guam.

17 (3) The term “immediate family member” with
18 respect to any individual means the parent, step-par-
19 ent, sibling, step-sibling, half-sibling, child, or step-
20 child of the individual.

21 **SEC. 1759. WOMEN, PEACE, AND SECURITY ACT IMPLEMEN-**
22 **TATION.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that \$15,000,000 annually is an appropriate alloca-
25 tion of funding to be made available for activities con-

1 sistent with the Women, Peace, and Security Act of 2017
2 (Public Law 115–68; 131 Stat. 1202) and with any guid-
3 ance specified in this section, in order to fully implement
4 such Act and in furtherance of the national security prior-
5 ities of the United States.

6 (b) IN GENERAL.—During the period beginning on
7 the date of the enactment of this Act and ending on Sep-
8 tember 30, 2025, the Secretary of Defense shall carry out
9 activities consistent with the Women, Peace, and Security
10 Act of 2017 and with the guidance specified in this sec-
11 tion, including by carrying out—

12 (1) any Defense-wide directives and programs
13 that advance the implementation of the Women,
14 Peace, and Security Act of 2017, including directives
15 relating to military doctrine, programs that are ap-
16 plicable across the Department, and programs that
17 are specific to a combatant command;

18 (2) the hiring and training of full-time equiva-
19 lent personnel as gender advisors of the Department;

20 (3) the integration of gender analysis into
21 training for military personnel across ranks, to in-
22 clude special emphasis on senior level training and
23 support for women, peace, and security; and

1 (4) security cooperation activities that further
2 implement the Women, Peace, and Security Act of
3 2017.

4 (c) SECURITY COOPERATION ACTIVITIES.—Con-
5 sistent with the Women, Peace, and Security Act of 2017,
6 the Secretary of Defense, in coordination with the Sec-
7 retary of State, shall incorporate gender analysis and par-
8 ticipation by women into security cooperation activities
9 conducted with the national security forces of foreign
10 countries pursuant to subsection (b)(4), including by—

11 (1) incorporating gender analysis (including
12 data disaggregated by sex) and priorities for women,
13 peace, and security into educational, training, and
14 capacity-building materials and programs, including
15 as authorized by section 333 of title 10, United
16 States Code;

17 (2) advancing and advising on the recruitment,
18 employment, development, retention, and promotion
19 of women in the national security forces of such for-
20 eign countries, including by—

21 (A) identifying available military career op-
22 portunities for women;

23 (B) promoting such career opportunities
24 among women and girls;

1 (C) promoting the skills necessary for such
2 careers;

3 (D) encouraging the interest of women and
4 girls in such careers, including by highlighting
5 as role models women in such careers in the
6 United States or in applicable foreign countries;
7 and

8 (E) advising on best practices to prevent
9 the harassment and abuse of women serving in
10 the national security forces of such foreign
11 countries;

12 (3) incorporating training and advising to ad-
13 dress sexual harassment and abuse against women
14 within such national security forces;

15 (4) integrating gender analysis into policy and
16 planning; and

17 (5) ensuring any infrastructure constructed
18 pursuant to the security cooperation activity ad-
19 dresses the requirements of women serving in such
20 national security forces, including by addressing ap-
21 propriate equipment.

22 (d) PARTNER COUNTRY ASSESSMENTS.—The Sec-
23 retary of Defense shall include in any partner country as-
24 sessment conducted in the course of carrying out security
25 cooperation activities specified in subsection (b)(4) consid-

1 eration of any barriers or opportunities with respect to
2 women in the national security forces of such partner
3 countries, including any barriers or opportunities relating
4 to—

5 (1) protections against exploitation, abuse, and
6 harassment; or

7 (2) recruitment, employment, development, re-
8 tention, or promotion of the women.

9 (e) STANDARDIZATION OF POLICIES.—

10 (1) IN GENERAL.—Not later than 90 days after
11 the date of the enactment of this Act, the Secretary
12 of Defense shall initiate a process to standardize
13 policies relating to women, peace, and security
14 across the Department of Defense.

15 (2) ROLES, RESPONSIBILITIES, AND REQUIRE-
16 MENTS.—In carrying out the process initiated under
17 paragraph (1), the Secretary shall establish roles, re-
18 sponsibilities, and requirements for gender advisors,
19 gender focal points, and women, peace, and security
20 subject matter experts, including with respect to
21 commander and senior official-level engagement and
22 support for women, peace, and security commit-
23 ments.

24 (f) DEPARTMENT EDUCATION, AND TRAINING.—The
25 Secretary of Defense shall—

1 (1) integrate gender analysis into relevant
2 training for all members of the Armed Forces and
3 civilian employees of the Department of Defense;

4 (2) develop standardized training, across the
5 Department, for gender advisors, gender focal
6 points, and women, peace, and security subject mat-
7 ter experts; and

8 (3) ensure that gender analysis and the mean-
9 ingful participation of women and their relationship
10 to security outcomes is addressed in professional
11 military education curriculum.

12 (g) BRIEFING.—Not later than one year after the
13 date of the enactment of this Act, the Director of the De-
14 fense Security Cooperation Agency shall provide a briefing
15 to the appropriate committees of Congress on the efforts
16 to build partner defense institution and security force ca-
17 pacity pursuant to this section.

18 (h) REPORTS.—During the period beginning on the
19 date of the enactment and ending on January 1, 2025,
20 on a basis that is not less frequently than annually, the
21 Secretary of Defense shall submit to the appropriate com-
22 mittees of Congress reports on the steps the Department
23 has taken to implement the Women, Peace, and Security
24 Act of 2017, including with respect to activities carried
25 out under this section.

1 (i) DEFINITIONS.—In this section:

2 (1) The term “appropriate committees of Con-
3 gress” means—

4 (A) the Committee on Armed Services and
5 the Committee on Foreign Affairs of the House
6 of Representatives; and

7 (B) the Committee on Armed Services and
8 the Committee on Foreign Relations of the Sen-
9 ate.

10 (2) The term “gender analysis” has the mean-
11 ing given that term in the Women’s Entrepreneur-
12 ship and Economic Empowerment Act of 2018
13 (Public Law 115–428; 132 Stat. 5509).

14 **SEC. 1760. DEVELOPING CRISIS CAPABILITIES TO MEET**
15 **NEEDS FOR HOMELAND SECURITY-CRITICAL**
16 **SUPPLIES.**

17 (a) IN GENERAL.—The Secretary of Homeland Secu-
18 rity shall coordinate with the Secretary of Health and
19 Human Services, the Administrator of the Environmental
20 Protection Agency, and the heads of other relevant Fed-
21 eral departments and agencies—

22 (1) to identify categories of homeland security-
23 critical supplies that would be needed to address po-
24 tential national emergencies or disasters, including
25 any public health emergency, act of terrorism (as de-

1 fined in section 3077 of title 18, United States
2 Code), cyber attack, and other attack;

3 (2) to develop plans, designs, and guidance re-
4 lating to the production, in accordance with other
5 applicable law, of the categories of homeland secu-
6 rity-critical supplies identified pursuant to para-
7 graph (1) to address the respective national emer-
8 gencies and disasters, including such production by
9 nontraditional manufacturers; and

10 (3) based on such final plans, designs, and
11 guidance, to enter into such contingent arrange-
12 ments with governmental and private entities, in ac-
13 cordance with other applicable law, as may be nec-
14 essary to expedite the production of homeland secu-
15 rity-critical supplies in the event of a national emer-
16 gency or disaster.

17 (b) PROCESS.—In coordinating the development or
18 revision of a plan, design, or guidance with respect to any
19 homeland security-critical supply under this section:

20 (1) The Secretary of Homeland Security shall
21 give each Federal department or agency with respon-
22 sibility for regulating the supply an opportunity—

23 (A) to contribute to the development or re-
24 vision of the plan, design, or guidance; and

1 (B) to approve or disapprove the plan, de-
2 sign, or guidance under regulations appropriate
3 to approving the supply for emergency or dis-
4 aster use.

5 (2) If a Federal department or agency with re-
6 sponsibility for regulating the homeland security-
7 critical supply disapproves of the plan, design, or
8 guidance with respect to the supply, the head of the
9 disapproving department or agency shall provide to
10 the Secretary of Homeland Security the rationale for
11 the disapproval.

12 (3) The Secretary of Homeland Security may—

13 (A) if no Federal department or agency
14 disapproves a plan, design, or guidance as de-
15 scribed in paragraphs (1)(B) and (2), finalize
16 the plan, design, or guidance for purposes of
17 subsections (a)(3) and (c); and

18 (B) if a Federal department or agency
19 does disapprove a plan, design, or guidance as
20 described in paragraphs (1)(B) and (2), provide
21 an updated plan, design, or guidance for review
22 and approval or disapproval in accordance with
23 paragraphs (1) and (2).

24 (c) PUBLIC POSTING.—The Secretary of Homeland
25 Security shall publish each final plan, design, or guidance

1 that is developed under this section on a public Internet
2 website, except that the Secretary may withhold publica-
3 tion of, or redact information from the publication of, a
4 plan, design, or guidance if—

5 (1) publicly posting the information would not
6 be in the interest of homeland security;

7 (2) the information is protected from public dis-
8 closure by other applicable law; or

9 (3) the information is protected from public dis-
10 closure by contract.

11 (d) RELATION TO OTHER LAW.—Nothing in this sec-
12 tion shall be construed to expand, repeal, limit, or other-
13 wise affect the provisions of other applicable law per-
14 taining to the regulation of a homeland security-critical
15 supply.

16 (e) BIENNIAL REVIEW.—Not less than every two
17 years, in accordance with subsections (a) through (e), the
18 Secretary of Homeland Security shall coordinate the re-
19 view and, as needed, revision of each plan, design, and
20 guidance in effect under this section.

21 (f) DEFINITION.—In this section:

22 (1) The term “homeland security-critical sup-
23 ply”—

24 (A) means any supply needed to ensure
25 public safety and welfare during—

1 (i) a national emergency or disaster,
2 including any public health emergency, act
3 of terrorism (as defined in section 3077 of
4 title 18, United States Code), cyber attack,
5 and other attack; or

6 (ii) any other reasonably foreseeable
7 contingency of grave consequence to the
8 United States during which shortages are
9 reasonably anticipated; and

10 (B) includes a vaccine, a medication, med-
11 ical equipment, and personal protective equip-
12 ment.

13 (2) The term “nontraditional manufacturer”
14 may include (as determined by the Secretary)—

15 (A) a home craftsperson;

16 (B) a distiller;

17 (C) a cosmetic manufacturer;

18 (D) a manufacturing facility primarily de-
19 signed for an industry other than manufac-
20 turing homeland security-critical supplies;

21 (E) an institution of higher education;

22 (F) an advanced manufacturing facility;

23 (G) a machine shop; and

24 (H) a research laboratory.

1 **SEC. 1761. ESTABLISHMENT OF WESTERN EMERGENCY RE-**
2 **FINED PETROLEUM PRODUCTS RESERVE.**

3 (a) ESTABLISHMENT.—The Secretary of Defense,
4 acting through the Director of the Defense Logistics
5 Agency, shall establish a reserve, to be known as the
6 “Western Emergency Refined Petroleum Products Re-
7 serve” (in this section referred to as the “Reserve”), to
8 store refined petroleum products that may be made avail-
9 able to military and governmental entities during an emer-
10 gency situation, as determined appropriate by the Sec-
11 retary of Defense.

12 (b) USE OF RESERVE.—In accordance with sub-
13 section (a), the Secretary of Defense may make refined
14 petroleum products stored in the Reserve available to
15 other Federal agencies, State and local governments, and
16 any other public entity determined appropriate by the Sec-
17 retary of Defense.

18 (c) REIMBURSEMENT.—The Secretary of Defense
19 shall require reimbursement for associated costs for stor-
20 age capacity or refined petroleum products made available
21 to other Federal agencies, State or local governments, or
22 any other public entity pursuant to this section.

23 (d) LOCATION.—The Reserve shall—

24 (1) be located in the western region of the
25 United States;

26 (2) utilize salt cavern storage; and

1 (3) be in immediate proximity to existing pipe-
2 line, rail, and highway infrastructure.

3 (e) **CONDITION ON COMMENCEMENT.**—Commence-
4 ment of the program shall be subject to the availability
5 of appropriations for the program.

6 **DIVISION B—MILITARY CON-**
7 **STRUCTION AUTHORIZA-**
8 **TIONS**

9 **SEC. 2001. SHORT TITLE.**

10 This division may be cited as the “Military Construc-
11 tion Authorization Act for Fiscal Year 2021”.

12 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
13 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
14 **LAW.**

15 (a) **EXPIRATION OF AUTHORIZATIONS AFTER THREE**
16 **YEARS.**—Except as provided in subsection (b), all author-
17 izations contained in titles XXI through XXVII and title
18 XXIX for military construction projects, land acquisition,
19 family housing projects and facilities, and contributions to
20 the North Atlantic Treaty Organization Security Invest-
21 ment Program (and authorizations of appropriations
22 therefor) shall expire on the later of—

23 (1) October 1, 2023; or

1 (2) the date of the enactment of an Act author-
2 izing funds for military construction for fiscal year
3 2024.

4 (b) EXCEPTION.—Subsection (a) shall not apply to
5 authorizations for military construction projects, land ac-
6 quisition, family housing projects and facilities, and con-
7 tributions to the North Atlantic Treaty Organization Se-
8 curity Investment Program (and authorizations of appro-
9 priations therefor), for which appropriated funds have
10 been obligated before the later of—

11 (1) October 1, 2023; or

12 (2) the date of the enactment of an Act author-
13 izing funds for fiscal year 2024 for military con-
14 struction projects, land acquisition, family housing
15 projects and facilities, or contributions to the North
16 Atlantic Treaty Organization Security Investment
17 Program.

18 **SEC. 2003. EFFECTIVE DATE.**

19 Titles XXI through XXVII and title XXIX shall take
20 effect on the later of—

21 (1) October 1, 2020; or

22 (2) the date of the enactment of this Act.

1 **TITLE XXI—ARMY MILITARY**
 2 **CONSTRUCTION**

3 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 4 **ACQUISITION PROJECTS.**

5 Using amounts appropriated pursuant to the author-
 6 ization of appropriations in section 2103(a) and available
 7 for military construction projects inside the United States
 8 as specified in the funding table in section 4601, the Sec-
 9 retary of the Army may acquire real property and carry
 10 out military construction projects for the installations or
 11 locations inside the United States, and in the amounts,
 12 set forth in the following table:

Army: Inside the United States

State	Installation	Amount
Alaska	Fort Wainwright	\$91,500,000
Arizona	Yuma Proving Ground	\$14,000,000
Colorado	Fort Carson	\$28,000,000
Georgia	Fort Gillem	\$71,000,000
	Fort Gordon	\$80,000,000
Hawaii	Fort Shafter	\$26,000,000
	Schofield Barracks	\$39,000,000
	Wheeler Army Air Field	\$89,000,000
Louisiana	Fort Polk	\$25,000,000
Oklahoma	McAlester Army Ammunition Plant	\$35,000,000
Virginia	Humphreys Engineer Center	\$51,000,000

13 **SEC. 2102. FAMILY HOUSING.**

14 (a) **CONSTRUCTION AND ACQUISITION.**—Using
 15 amounts appropriated pursuant to the authorization of ap-
 16 propriations in section 2103(a) and available for military
 17 family housing functions as specified in the funding table
 18 in section 4601, the Secretary of the Army may construct
 19 or acquire family housing units (including land acquisition

1 and supporting facilities) at the installations, and in the
2 amounts, set forth in the following table:

Army: Family Housing

State/Country	Installation	Units	Amount
Italy	Vicenza	Family Housing New Construction	\$84,100,000
Kwajalein	Kwajalein Atoll	Family Housing Re- placement Con- struction	\$32,000,000

3 (b) **PLANNING AND DESIGN.**—Using amounts appro-
4 priated pursuant to the authorization of appropriations in
5 section 2103(a) and available for military family housing
6 functions as specified in the funding table in section 4601,
7 the Secretary of the Army 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 \$3,300,000.

11 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

12 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
13 are hereby authorized to be appropriated for fiscal years
14 beginning after September 30, 2020, for military con-
15 struction, land acquisition, and military family housing
16 functions of the Department of the Army as specified in
17 the funding table in section 4601.

18 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**
19 **PROJECTS.**—Notwithstanding the cost variations author-
20 ized by section 2853 of title 10, United States Code, and
21 any other cost variation authorized by law, the total cost

1 of all projects carried out under section 2101 of this Act
2 may not exceed the total amount authorized to be appro-
3 priated under subsection (a), as specified in the funding
4 table in section 4601.

5 **SEC. 2104. LIMITATION ON MILITARY CONSTRUCTION**
6 **PROJECT AT KWAJALEIN ATOLL.**

7 The Secretary of the Army may not commence the
8 military construction project authorized by section
9 2101(b) at Kwajalein Atoll, as specified in the funding
10 table in section 4601, and none of the funds authorized
11 to be appropriated by this Act for that military construc-
12 tion project may be obligated or expended, until the Sec-
13 retary submits to Committees on Armed Services of the
14 House of Representatives and the Senate a design plan
15 for the project that ensures that, upon completion of the
16 project, the project will be resilient to 15 inches of sea
17 level rise and periods of complete inundation and wave-
18 overwash predicted during the 10-year period beginning
19 on the date of the enactment of this Act.

20 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT**
21 **CERTAIN FISCAL YEAR 2017 PROJECT.**

22 In the case of the authorization contained in the table
23 in section 2102(a) of the National Defense Authorization
24 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
25 2689) for Camp Walker, Korea, for family housing new

1 construction, as specified in the funding table in section
 2 4601 of such Act (130 Stat. 2883), the Secretary of the
 3 Army may construct an elevated walkway between two ex-
 4 isting parking garages to connect children's playgrounds.

5 **TITLE XXII—NAVY MILITARY**
 6 **CONSTRUCTION**

7 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 8 **ACQUISITION PROJECTS.**

9 (a) **INSIDE THE UNITED STATES.**—Using amounts
 10 appropriated pursuant to the authorization of appropria-
 11 tions in section 2203(a) and available for military con-
 12 struction projects inside the United States as specified in
 13 the funding table in section 4601, the Secretary of the
 14 Navy may acquire real property and carry out military
 15 construction projects for the installations or locations in-
 16 side the United States, and in the amounts, set forth in
 17 the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station Yuma	\$99,600,000
California	Marine Corps Base Camp Pendleton	\$68,530,000
	Naval Air Station Lemoore	\$187,220,000
	Naval Base San Diego	\$128,500,000
	Marine Corps Air Ground Combat Center Twentynine Palms	\$76,500,000
Guam	Andersen Air Force Base	\$21,280,000
	Joint Region Marianas	\$546,550,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$114,900,000
Maine	Portsmouth Naval Shipyard	\$715,000,000
Nevada	Fallon Range Training Complex	\$29,040,000
Virginia	Naval Station Norfolk	\$30,400,000

18 (b) **OUTSIDE THE UNITED STATES.**—Using amounts
 19 appropriated pursuant to the authorization of appropria-

1 tions in section 2203(a) and available for military con-
 2 struction projects outside the United States as specified
 3 in 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 out-
 6 side the United States, and in the amounts, set forth in
 7 the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	Naval Support Activity Bahrain	\$68,340,000
Greece	Naval Support Activity Souda Bay	\$50,180,000
Spain	Naval Station Rota	\$60,110,000

8 **SEC. 2202. FAMILY HOUSING AND IMPROVEMENTS TO MILI-**
 9 **TARY FAMILY HOUSING UNITS.**

10 (a) FAMILY HOUSING.—Using amounts appropriated
 11 pursuant to the authorization of appropriations in section
 12 2203(a) and available for military family housing func-
 13 tions as specified in the funding table in section 4601, the
 14 Secretary of the Navy may carry out architectural and en-
 15 gineering services and construction design activities with
 16 respect to the construction or improvement of family hous-
 17 ing units in an amount not to exceed \$5,854,000.

18 (b) IMPROVEMENTS TO MILITARY FAMILY HOUSING
 19 UNITS.—Subject to section 2825 of title 10, United States
 20 Code, and using amounts appropriated pursuant to the
 21 authorization of appropriations in section 2203(a) and
 22 available for military family housing functions as specified

1 in the funding table in section 4601, the Secretary of the
2 Navy may improve existing military family housing units
3 in an amount not to exceed \$37,043,000.

4 **SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
6 are hereby authorized to be appropriated for fiscal years
7 beginning after September 30, 2020, for military con-
8 struction, land acquisition, and military family housing
9 functions of the Department of the Navy, as specified in
10 the funding table in section 4601.

11 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
12 PROJECTS.—Notwithstanding the cost variations author-
13 ized by section 2853 of title 10, United States Code, and
14 any other cost variation authorized by law, the total cost
15 of all projects carried out under section 2201 of this Act
16 may not exceed the total amount authorized to be appro-
17 priated under subsection (a), as specified in the funding
18 table in section 4601.

19 **TITLE XXIII—AIR FORCE**
20 **MILITARY CONSTRUCTION**

21 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
22 **LAND ACQUISITION PROJECTS.**

23 (a) INSIDE THE UNITED STATES.—Using amounts
24 appropriated pursuant to the authorization of appropria-
25 tions in section 2303(a) and available for military con-

1 struction projects inside the United States as specified in
 2 the funding table in section 4601, the Secretary of the
 3 Air Force may acquire real property and carry out mili-
 4 tary construction projects for the installations or locations
 5 inside the United States, and in the amounts, set forth
 6 in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
California	Edwards Air Force Base	\$40,000,000
Guam	Joint Region Marianas	\$56,000,000
New Jersey	Joint Base McGuire-Dix- Lakehurst	\$22,000,000
Texas	Joint Base San Antonio	\$19,500,000
Virginia	Joint Base Langley-Eustis	\$19,500,000

7 (b) OUTSIDE THE UNITED STATES.—Using amounts
 8 appropriated pursuant to the authorization of appropria-
 9 tions in section 2303(a) and available for military con-
 10 struction projects outside the United States as specified
 11 in the funding table in section 4601, the Secretary of the
 12 Air Force may acquire real property and carry out mili-
 13 tary construction projects for the installation or location
 14 outside the United States, and in the amount, set forth
 15 in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Qatar	Al Udeid	\$26,000,000

1 **SEC. 2302. FAMILY HOUSING AND IMPROVEMENTS TO MILI-**
2 **TARY FAMILY HOUSING UNITS.**

3 (a) FAMILY HOUSING.—Using amounts appropriated
4 pursuant to the authorization of appropriations in section
5 2303(a) and available for military family housing func-
6 tions as specified in the funding table in section 4601, the
7 Secretary of the Air Force 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 \$2,969,000.

11 (b) IMPROVEMENTS TO MILITARY FAMILY HOUSING
12 UNITS.—Subject to section 2825 of title 10, United States
13 Code, and using amounts appropriated pursuant to the
14 authorization of appropriations in section 2303(a) and
15 available for military family housing functions as specified
16 in the funding table in section 4601, the Secretary of the
17 Air Force may improve existing military family housing
18 units in an amount not to exceed \$94,245,000.

19 **SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR**
20 **FORCE.**

21 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
22 are hereby authorized to be appropriated for fiscal years
23 beginning after September 30, 2020, for military con-
24 struction, land acquisition, and military family housing
25 functions of the Department of the Air Force, as specified
26 in the funding table in section 4601.

1 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
2 PROJECTS.—Notwithstanding the cost variations author-
3 ized by section 2853 of title 10, United States Code, and
4 any other cost variation authorized by law, the total cost
5 of all projects carried out under section 2301 may not ex-
6 ceed the total amount authorized to be appropriated under
7 subsection (a), as specified in the funding table in section
8 4601.

9 **SEC. 2304. MODIFICATION OF AUTHORITY TO CARRY OUT**
10 **CERTAIN FISCAL YEAR 2018 PROJECT.**

11 (a) MODIFICATION OF PROJECT AUTHORITY.—In the
12 case of the authorization contained in the table in section
13 2301(b) of the National Defense Authorization Act for
14 Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1826)
15 for Royal Air Force Lakenheath, United Kingdom, for
16 construction of a 2,384 square-meter Consolidated Corro-
17 sion Control Facility, as specified in the funding table in
18 section 4601 of such Act (131 Stat. 2004), the Secretary
19 of the Air Force may construct a 2,700 square-meter Con-
20 solidated Corrosion Control and Wash Rack Facility.

21 (b) MODIFICATION OF PROJECT AMOUNTS.—

22 (1) DIVISION B TABLE.—The authorization
23 table in section 2301(b) of the National Defense Au-
24 thorization Act for Fiscal Year 2018 (Public Law
25 115–91; 131 Stat. 1826) is amended in the item re-

1 lating to Royal Air Force Lakenheath, United King-
2 dom, by striking “\$136,992,000” and inserting
3 “\$172,292,000” to reflect the project modification
4 made by subsection (a).

5 (2) DIVISION D TABLE.—The funding table in
6 section 4601 of the National Defense Authorization
7 Act for Fiscal Year 2018 (Public Law 115–91; 131
8 Stat. 2004) is amended in the item relating to Royal
9 Air Force Lakenheath, Consolidated Corrosion Con-
10 trol Facility, by striking “\$20,000” in the Con-
11 ference Authorized column and inserting “\$55,300”
12 to reflect the project modification made by sub-
13 section (a).

14 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**
15 **CERTAIN FISCAL YEAR 2019 PROJECTS.**

16 (a) EIELSON AIR FORCE BASE, ALASKA.—In the
17 case of the authorization contained in the table in section
18 2301(a) of the National Defense Authorization Act for
19 Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2246)
20 for Eielson Air Force Base, Alaska, for construction of
21 a F-35 CATM Range, as specified in the funding table
22 in section 4601 of such Act (132 Stat. 2404), the Sec-
23 retary of the Air Force may construct a 426 square-meter
24 outdoor range with covered and heated firing lines.

25 (b) BARKSDALE AIR FORCE BASE, LOUISIANA.—

1 (1) MODIFICATION OF PROJECT AUTHORITY.—

2 In the case of the authorization contained in table
3 in section 2301(a) of the National Defense Author-
4 ization Act for Fiscal Year 2019 (Public Law 115–
5 232; 132 Stat. 2246) for Barksdale Air Force Base,
6 Louisiana, for construction of an Entrance Road
7 and Gate Complex the Secretary of the Air Force
8 may construct a 190 square meter visitor control
9 center, 44 square meter gate house, 124 square
10 meter privately owned vehicle inspection facility, 338
11 square meter truck inspection facility and a 45
12 square meter gatehouse.

13 (2) PROJECT CONDITIONS.—The military con-
14 struction project referred to in paragraph (1) shall
15 be carried out consistent with the Unified Facilities
16 Criteria relating to Entry Control Facilities and ap-
17 plicable construction guidelines of the Department of
18 the Air Force. Construction in a flood plain is au-
19 thorized, subject to the condition that the Secretary
20 of the Air Force include appropriate mitigation
21 measures.

22 (3) MODIFICATION OF PROJECT AMOUNTS.—

23 (A) DIVISION B TABLE.—The authoriza-
24 tion table in section 2301(a) of the National
25 Defense Authorization Act for Fiscal Year 2019

1 (Public Law 115–232; 132 Stat. 2246) is
2 amended in the item relating to Barksdale Air
3 Force Base, Louisiana, by striking
4 “\$12,250,000” and inserting “\$48,000,000” to
5 reflect the project modification made by para-
6 graph (1).

7 (B) DIVISION D TABLE.—The funding
8 table in section 4601 of the National Defense
9 Authorization Act for Fiscal Year 2019 (Public
10 Law 115–232; 132 Stat. 2404) is amended in
11 the item relating to Barksdale Air Force Base,
12 Louisiana, by striking “\$12,250” in the Con-
13 ference Authorized column and inserting
14 “\$48,000” to reflect the project modification
15 made by paragraph (1).

16 (c) ROYAL AIR FORCE LAKENHEATH, UNITED KING-
17 DOM.—In the case of the authorization contained in the
18 table in section 2301(b) of the National Defense Author-
19 ization Act for Fiscal Year 2019 (Public Law 115–232;
20 132 Stat. 2247) for Royal Air Force Lakenheath, United
21 Kingdom, for construction of a 485 square-meter F-35A
22 ADAL Conventional Munitions MX, as specified in the
23 funding table of section 4601 of such Act (132 Stat.
24 2405), the Secretary of the Air Force may construct a
25 1,206 square-meter maintenance facility for such purpose.

1 (d) FORCE PROTECTION AND SAFETY.—The funding
2 table in section 4601 of the National Defense Authoriza-
3 tion Act for Fiscal Year 2019 (Public Law 115–232; 132
4 Stat. 2406) is amended in the item relating to Force Pro-
5 tection and Safety under Military Construction, Air Force,
6 by striking “\$35,000” in the Conference Authorized col-
7 umn and inserting “\$50,000” to reflect amounts appro-
8 priated for such purpose.

9 **SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT**
10 **CERTAIN FISCAL YEAR 2020 PROJECTS.**

11 (a) TYNDALL AIR FORCE BASE, FLORIDA.—In the
12 case of the authorizations contained in the table in section
13 2912(a) of the National Defense Authorization Act for
14 Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1913)
15 for Tyndall Air Force Base, Florida—

16 (1) for construction of an Auxiliary Ground
17 Equipment Facility, as specified in the funding table
18 in section 4603 of such Act (133 Stat. 2103), the
19 Secretary of the Air Force may construct up to
20 4,770 square meters of aircraft support equipment
21 storage;

22 (2) for construction of Dorm Complex Phase 1,
23 as specified in such funding table, the Secretary of
24 the Air Force may construct up to 18,770 square
25 meters of visiting quarters;

1 (3) for construction of Lodging Facilities Phase
2 1, as specified in such funding table, the Secretary
3 of the Air Force may construct up to 12,471 meters
4 of visiting quarters.

5 (4) for construction of an Operations Group/
6 Maintenance Group HQ at the installation, as speci-
7 fied in such funding table, the Secretary of the Air
8 Force may construct up to 3,420 square meters of
9 headquarters;

10 (5) for construction of Ops/Aircraft Mainte-
11 nance Unit/Hangar number 2 and Ops/Aircraft
12 Maintenance Unit/Hangar number 3, as specified in
13 such funding table, the Secretary of the Air Force
14 may construct 2,127 square meters of squadron op-
15 erations and 2,875 square meters of aircraft mainte-
16 nance unit for each project;

17 (6) for construction of a Security Forces Mobil-
18 ity Storage Facility, as specified in such funding
19 table, the Secretary of the Air Force may construct
20 up to 930 square meters of equipment storage; and

21 (7) for construction of Site Development, Utili-
22 ties, and Demolition Phase 2, as specified in such
23 funding table, the Secretary of the Air Force may
24 construct up to 7,000 meters of storm water piping,

1 box culverts, underground detention, and grading for
2 surface detention.

3 (b) OFFUTT AIR FORCE BASE, NEBRASKA.—In the
4 case of the authorizations contained in the table in section
5 2912(a) of the National Defense Authorization Act for
6 Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1913)
7 for Offutt Air Force Base, Nebraska—

8 (1) for construction of an Emergency Power
9 Microgrid, as specified in the funding table in sec-
10 tion 4603 of such Act (133 Stat. 2104), the Sec-
11 retary of the Air Force may construct seven 2.5-
12 megawatt diesel engine generators, seven diesel ex-
13 haust fluid systems, 15-kV switchgear, two import/
14 export inter-ties, five import-only inter-ties, and 800
15 square meters of switchgear facility;

16 (2) for construction of a Flightline Hangars
17 Campus, as specified in such funding table, the Sec-
18 retary of the Air Force may construct 445 square
19 meter of petroleum operations center, 268 square
20 meters of de-icing liquid storage, and 173 square
21 meters of warehouse; and

22 (3) for construction of a Lake Campus, as spec-
23 ified in such funding table, the Secretary of the Air
24 Force may construct 240 square meters of recre-
25 ation complex and 270 square meters of storage;

1 (4) for construction of a Logistics Readiness
2 Squadron Campus, as specified in such funding
3 table, the Secretary of the Air Force may construct
4 2,536 square meters of warehouse; and

5 (5) for construction of a Security Campus, as
6 specified in such funding table, the Secretary of the
7 Air Force may construct 4,218 square meters of op-
8 erations center and 1,343 square meters of military
9 working dog kennel.

10 (c) JOINT BASE LANGLEY-EUSTIS, VIRGINIA.—In
11 the case of the authorization contained in the table in sec-
12 tion 2912(a) of the National Defense Authorization Act
13 for Fiscal Year 2020 (Public Law 116–92; 133 Stat.
14 1913) for Joint Base Langley-Eustis, Virginia, for con-
15 struction of a Dormitory at the installation, as specified
16 in the funding table in section 4603 of such Act (133 Stat.
17 2104), the Secretary of the Air Force may construct up
18 to 6,720 square meters of dormitory.

19 **SEC. 2307. TECHNICAL CORRECTIONS RELATED TO AU-**
20 **THORITY TO CARRY OUT CERTAIN FISCAL**
21 **YEAR 2020 FAMILY HOUSING PROJECTS.**

22 (a) AUTHORIZATION OF OMITTED SPANGDAHLEM
23 AIR BASE FAMILY HOUSING PROJECT.—Using amounts
24 appropriated pursuant to the authorization of appropria-
25 tions in section 2304(a) of the National Defense Author-

1 ization Act for Fiscal Year 2020 (Public Law 116–92; 133
2 Stat. 1869) and available for military family housing func-
3 tions, the Secretary of the Air Force may carry out the
4 military family housing project at Spangdahlem Air Base,
5 Germany, as specified in the funding table in section 4601
6 of such Act (133 Stat. 2099).

7 (b) CORRECTION OF AMOUNT AUTHORIZED FOR
8 FAMILY HOUSING IMPROVEMENTS.—Section 2303 of the
9 National Defense Authorization Act for Fiscal Year 2020
10 (Public Law 116–92; 133 Stat. 1869) is amended by strik-
11 ing “\$53,584,000” and inserting “\$46,638,000” to reflect
12 the amount specified in the funding table in section 4601
13 of such Act (133 Stat. 2099) for Construction Improve-
14 ments under Family Housing Construction, Air Force.

15 **TITLE XXIV—DEFENSE AGEN-**
16 **CIES MILITARY CONSTRUC-**
17 **TION**

18 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
19 **TION AND LAND ACQUISITION PROJECTS.**

20 (a) INSIDE THE UNITED STATES.—Using amounts
21 appropriated pursuant to the authorization of appropria-
22 tions in section 2403(a) and available for military con-
23 struction projects inside the United States as specified in
24 the funding table in section 4601, the Secretary of De-
25 fense may acquire real property and carry out military

1 construction projects for the installations or locations in-
 2 side the United States, and in the amounts, set forth in
 3 the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Anniston Army Depot	\$18,000,000
Alaska	Fort Greely	\$48,000,000
Arizona	Fort Huachuca	\$33,728,000
	Marine Corps Air Station Yuma	\$49,500,000
California	Beale Air Force Base	\$22,800,000
Colorado	Fort Carson	\$15,600,000
CONUS Unspecified	CONUS Unspecified	\$14,400,000
Florida	Hurlburt Field	\$83,120,000
Kentucky	Fort Knox	\$69,310,000
New Mexico	Kirtland Air Force Base	\$46,600,000
North Carolina	Fort Bragg	\$113,800,000
Ohio	Wright-Patterson Air Force Base	\$23,500,000
Texas	Fort Hood	\$32,700,000
Virginia	Joint Expeditionary Base Little Creek- Story	\$112,500,000
Washington	Joint Base Lewis-McChord	\$21,800,000
	Navy Fuel Depot Manchester	\$82,000,000

4 (b) OUTSIDE THE UNITED STATES.—Using amounts
 5 appropriated pursuant to the authorization of appropria-
 6 tions in section 2403(a) and available for military con-
 7 struction projects outside the United States as specified
 8 in the funding table in section 4601, the Secretary of De-
 9 fense may acquire real property and carry out military
 10 construction projects for the installation or location out-
 11 side the United States, and in the amount, set forth in
 12 the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Japan	Defense Fuel Support Point Tsurumi	\$49,500,000

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

State	Installation or Location	Amount
Alabama	Fort Rucker	\$24,000,000
Arkansas	Ebbing Air National Guard Base	\$2,600,000
California	Marine Corps Air Ground Combat Center Twentynine Palms	\$11,646,000
	Military Ocean Terminal Concord	\$29,000,000
	Naval Support Activity Monterey	\$10,540,000
	Naval Air Weapons Station China Lake	\$8,950,000
District of Co- lumbia	Joint Base Anacostia-Bolling	\$44,313,000
Georgia	Fort Benning	\$17,000,000
Maryland	Naval Support Activity Bethesda	\$13,840,000
	Naval Support Activity South Potomac	\$18,460,000
Missouri	Whiteman Air Force Base	\$17,310,000
Nevada	Creech Air Force Base	\$32,000,000
North Carolina ...	Fort Bragg	\$6,100,000
Ohio	Wright-Patterson Air Force Base	\$35,000,000
Tennessee	Memphis Air National Guard Base	\$4,780,000
Virginia	Naval Medical Center Portsmouth	\$611,000
	Surface Combat Systems Center Wallops Is- land	\$9,100,000

13 (b) **OUTSIDE THE UNITED STATES.**—Using amounts
 14 appropriated pursuant to the authorization of appropria-
 15 tions in section 2403(a) and available for energy conserva-
 16 tion projects as specified in the funding table in section

1 4601, the Secretary of Defense may carry out energy con-
 2 servation projects under chapter 173 of title 10, United
 3 States Code, for the installation or location outside the
 4 United States, and in the amount, set forth in the fol-
 5 lowing table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Italy	Naval Support Activity Naples	\$3,490,000

6 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
 7 **FENSE AGENCIES.**

8 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
 9 are hereby authorized to be appropriated for fiscal years
 10 beginning after September 30, 2020, for military con-
 11 struction, land acquisition, and military family housing
 12 functions of the Department of Defense (other than the
 13 military departments), as specified in the funding table
 14 in section 4601.

15 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
 16 PROJECTS.—Notwithstanding the cost variations author-
 17 ized by section 2853 of title 10, United States Code, and
 18 any other cost variation authorized by law, the total cost
 19 of all projects carried out under section 2401 of this Act
 20 may not exceed the total amount authorized to be appro-
 21 priated under subsection (a), as specified in the funding
 22 table in section 4601.

1 **SEC. 2404. MILITARY CONSTRUCTION INFRASTRUCTURE**
2 **AND WEAPON SYSTEM SYNCHRONIZATION**
3 **FOR GROUND BASED STRATEGIC DETER-**
4 **RENT.**

5 (a) **AUTHORIZATION FOR PLANNING AND DESIGN.**—

6 Of the amounts authorized to be appropriated for re-
7 search, development, test, and evaluation, Air Force, for
8 fiscal year 2021, for the Ground Based Strategic Deter-
9 rent, as specified in the funding table in section 4201, the
10 Secretary of the Air Force may use not more than
11 \$15,000,000 for the purpose of obtaining or carrying out
12 necessary planning and construction design in connection
13 with military construction projects and other infrastruc-
14 ture projects necessary to support the development and
15 fielding of the Ground Based Strategic Deterrent weapon
16 system.

17 (b) **AIR FORCE PROJECT MANAGEMENT AND SUPER-**
18 **VISION.**—Each contract entered into by the United States
19 for a military construction project or other infrastructure
20 project in connection with the development and fielding
21 of the Ground Based Strategic Deterrence weapon system
22 shall be carried out under the direction and supervision
23 of the Secretary of the Air Force. The Secretary may uti-
24 lize and consult with the Air Force Civil Engineer Center,
25 the Army Corps of Engineers, and the Naval Facilities
26 Engineering Command for subject matter expertise, con-

1 tracting capacity, and other support as determined to be
2 necessary by the Secretary to carry out this section.

3 (c) USE OF SINGLE PRIME CONTRACTOR.—The Sec-
4 retary of the Air Force may award contracts for planning
5 and construction design and for military construction
6 projects and other infrastructure projects authorized by
7 law in connection with the development and fielding of the
8 Ground Based Strategic Deterrent weapon system to a
9 single prime contractor if the Secretary determines that
10 awarding the contracts to a single prime contractor—

11 (1) is in the best interest of the Government;

12 and

13 (2) is necessary to ensure the proper synchroni-
14 zation and execution of work related to the develop-
15 ment and fielding of the Ground Based Strategic
16 Deterrent weapon system and its associated military
17 construction projects and other infrastructure
18 projects.

19 (d) EXCEPTIONS TO CURRENT LAW.—The Secretary
20 of the Air Force may carry out this section without regard
21 to the following provisions of law:

22 (1) Section 2304 of title 10, United States
23 Code.

24 (2) Section 2807(a) of such title.

25 (3) Section 2851(a) of such title.

1 (e) EXPIRATION OF AUTHORITY.—The authorities
2 provided by this section shall expire upon the earlier of
3 the following:

4 (1) The date that is 15 years after the date of
5 the enactment of this Act.

6 (2) The date on which the Secretary of the Air
7 Force submits to the congressional defense commit-
8 tees a certification that the fielding of the Ground
9 Based Strategic Deterrent weapon system is com-
10 plete.

11 (f) REPORT REQUIRED.—Not later than one year
12 after the date of the enactment of this Act, the Secretary
13 of the Air Force shall submit to the congressional defense
14 committees a report describing the plans to synchronize
15 the development and fielding of the Ground Based Stra-
16 tegic Deterrent weapon system and its associated military
17 construction projects and other infrastructure projects.
18 The report shall contain, at minimum, the following ele-
19 ments:

20 (1) A description of the estimated total cost,
21 scope of work, location, and schedule for the plan-
22 ning and design, military construction, and other in-
23 frastructure investments necessary to support the
24 development and fielding of the Ground Based Stra-
25 tegic Deterrent weapon system.

1 (2) A recommendation regarding the methods
2 by which a programmatic military construction au-
3 thorization, authorization of appropriations, and ap-
4 propriation, on an installation-by-installation basis,
5 could be used to support the synchronized develop-
6 ment and fielding of the Ground Based Strategic
7 Deterrent and its associated military construction
8 projects and other infrastructure projects.

9 (3) Identification of the specific provisions of
10 law, if any, that the Secretary determines may ad-
11 versely impact or delay the development and fielding
12 of the Ground Based Strategic Deterrent weapon
13 system and its associated construction projects, as-
14 suming, as described in paragraph (2), the use of a
15 programmatic military construction authorization on
16 an installation-by-installation basis.

17 (4) A plan to ensure sufficient capability and
18 capacity to cover civilian and military Manning for
19 oversight and contract management related to the
20 development and fielding of the Ground Based Stra-
21 tegic Deterrent weapon system and its associated
22 construction projects.

1 **TITLE XXV—INTERNATIONAL**
2 **PROGRAMS**
3 **Subtitle A—North Atlantic Treaty**
4 **Organization Security Invest-**
5 **ment Program**

6 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
7 **ACQUISITION PROJECTS.**

8 The Secretary of Defense may make contributions for
9 the North Atlantic Treaty Organization Security Invest-
10 ment Program as provided in section 2806 of title 10,
11 United States Code, in an amount not to exceed the sum
12 of the amount authorized to be appropriated for this pur-
13 pose in section 2502 and the amount collected from the
14 North Atlantic Treaty Organization as a result of con-
15 struction previously financed by the United States.

16 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

17 (a) AUTHORIZATION.—Funds are hereby authorized
18 to be appropriated for fiscal years beginning after Sep-
19 tember 30, 2020, for contributions by the Secretary of De-
20 fense under section 2806 of title 10, United States Code,
21 for the share of the United States of the cost of projects
22 for the North Atlantic Treaty Organization Security In-
23 vestment Program authorized by section 2501 as specified
24 in the funding table in section 4601.

1 (b) AUTHORITY TO CARRY OUT PROJECT AND REC-
 2 OGNIZE NATO AUTHORIZATION AMOUNTS AS BUDG-
 3 ETARY RESOURCES FOR PROJECT EXECUTION.—When
 4 the United States is designated as the Host Nation for
 5 the purposes of executing a project under the NATO Secu-
 6 rity Investment Program (NSIP), the Department of De-
 7 fense construction agent may carry out the project and
 8 recognize the NATO project authorization amounts as
 9 budgetary resources to incur obligations for the purposes
 10 of executing the NSIP project.

11 **Subtitle B—Host Country In-Kind** 12 **Contributions**

13 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION** 14 **PROJECTS.**

15 Pursuant to agreement with the Republic of Korea
 16 for required in-kind contributions, the Secretary of De-
 17 fense may accept military construction projects for the in-
 18 stallations or locations in the Republic of Korea, and in
 19 the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp Carroll	Site Development	\$49,000,000
Army	Camp Humphreys	Attack Reconnaissance Battalion Hangar	\$99,000,000
Army	Camp Humphreys	Hot Refuel Point	\$35,000,000
Navy	COMROKFLT Naval Base, Busan	Maritime Operations Center	\$26,000,000
Air Force ...	Daegu Air Base	AGE Facility and Parking Apron	\$14,000,000
Air Force ...	Kunsan Air Base	Backup Generator Plant	\$19,000,000

Republic of Korea Funded Construction Projects—Continued

Component	Installation or Location	Project	Amount
Air Force ...	Osan Air Base ...	Aircraft Corrosion Control Facility (Phase 3)	\$12,000,000
Air Force ...	Osan Air Base ...	Child Development Center	\$20,000,000
Air Force ...	Osan Air Base ...	Munitions Storage Area Delta (Phase 1)	\$84,000,000
Defense-Wide	Camp Humphreys	Elementary School	\$58,000,000

1 **SEC. 2512. STATE OF QATAR FUNDED CONSTRUCTION**
2 **PROJECTS.**

3 Pursuant to agreement with the State of Qatar for
4 required in-kind contributions, the Secretary of Defense
5 may accept military construction projects for Al Udeid Air
6 Base in the State of Qatar, and in the amounts, set forth
7 in the following table:

State of Qatar Funded Construction Projects

Component	Installation	Project	Amount
Air Force ...	Al Udeid	Billet (A12)	\$63,000,000
		Billet (BI2)	\$63,000,000
		Billet (D 1 0)	\$77,000,000
		Billet (009)	\$77,000,000
		Billet (007)	\$77,000,000
		Armory/Mount	\$7,200,000
		Billet (A06)	\$77,000,000
		Dining Facility	\$14,600,000
		Billet (BOS)	\$77,000,000
		Billet (B04)	\$77,000,000
		Billet (A04)	\$77,000,000
		Billet (AOS)	\$77,000,000
		Dining Facility	\$14,600,000
		MSG (Base Operations Support Facility)	\$9,300,000
		ITN (Communications Facility)	\$3,500,000

1 **TITLE XXVI—GUARD AND**
 2 **RESERVE FORCES FACILITIES**

3 **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-**
 4 **STRUCTION AND LAND ACQUISITION**
 5 **PROJECTS.**

6 Using amounts appropriated pursuant to the author-
 7 ization of appropriations in section 2606 and available for
 8 the National Guard and Reserve as specified in the fund-
 9 ing table in section 4601, the Secretary of the Army may
 10 acquire real property and carry out military construction
 11 projects for the Army National Guard locations inside the
 12 United States, and in the amounts, set forth in the fol-
 13 lowing table:

Army National Guard

State	Location	Amount
Arizona	National Guard Armory Tucson	\$18,100,000
Colorado	Peterson Air Force Base	\$15,000,000
Indiana	Army Aviation Support Facility Shelbyville	\$12,000,000
Kentucky	Boone National Guard Center Frankfort	\$15,000,000
Mississippi	National Guard Armory Brandon	\$10,400,000
Nebraska	National Guard Armory North Platte	\$9,300,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$15,000,000
Ohio	Beightler Armory Columbus	\$15,000,000
Oregon	Hermiston National Guard Armory	\$25,035,000
Puerto Rico	Fort Allen	\$37,000,000
South Carolina	Joint Base Charleston	\$15,000,000
Tennessee	National Guard Armory McMinnville	\$11,200,000
Texas	National Guard Readiness Center Fort Worth	\$13,800,000
Utah	National Guard Armory Nephi	\$12,000,000
Virgin Islands	LTC Lionel A. Jackson Armory St. Croix ..	\$39,400,000
Wisconsin	National Guard Armory Appleton	\$11,600,000

14 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
 15 **AND LAND ACQUISITION PROJECTS.**

16 Using amounts appropriated pursuant to the author-
 17 ization of appropriations in section 2606 and available for

1 the National Guard and Reserve as specified in the fund-
 2 ing table in section 4601, the Secretary of the Army may
 3 acquire real property and carry out military construction
 4 projects for the Army Reserve locations inside the United
 5 States, and in the amounts, set forth in the following
 6 table:

Army Reserve

State	Location	Amount
Florida	Reserve Center Gainesville	\$36,000,000
Massachusetts	Devens Reserve Forces Training Area	\$8,700,000
North Carolina	Reserve Center Asheville	\$24,000,000
Wisconsin	Fort McCoy	\$14,600,000

7 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
 8 **CORPS RESERVE CONSTRUCTION AND LAND**
 9 **ACQUISITION PROJECTS.**

10 Using amounts appropriated pursuant to the author-
 11 ization of appropriations in section 2606 and available for
 12 the National Guard and Reserve as specified in the fund-
 13 ing table in section 4601, the Secretary of the Navy may
 14 acquire real property and carry out the military construc-
 15 tion projects for the Navy Reserve and Marine Corps Re-
 16 serve locations inside the United States, and in the
 17 amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Maryland	Reserve Training Center, Camp Fretterd Reisterstown	\$39,500,000
Utah	Hill Air Force Base	\$25,010,000

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 locations inside
 9 the United States, and in the amounts, set forth in the
 10 following table:

Air National Guard

State	Location	Amount
Alabama	Montgomery Regional Airport Air National Guard Base	\$11,600,000
Guam	Joint Region Marianas	\$20,000,000
Maryland	Joint Base Andrews	\$9,400,000
Texas	Joint Base San Antonio	\$10,800,000

11 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**
 12 **TION AND LAND ACQUISITION PROJECTS.**

13 Using amounts appropriated pursuant to the author-
 14 ization of appropriations in section 2606 and available for
 15 the National Guard and Reserve as specified in the fund-
 16 ing table in section 4601, the Secretary of the Air Force
 17 may acquire real property and carry out military construc-
 18 tion projects for the Air Force Reserve location inside the
 19 United States, and in the amount, set forth in the fol-
 20 lowing table:

Air Force Reserve

State	Location	Amount
Texas	Naval Air Station Joint Reserve Base Fort Worth	\$14,200,000

1 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**
2 **TIONAL GUARD AND RESERVE.**

3 Funds are hereby authorized to be appropriated for
4 fiscal years beginning after September 30, 2020, for the
5 costs of acquisition, architectural and engineering services,
6 and construction of facilities for the Guard and Reserve
7 Forces, and for contributions therefor, under chapter
8 1803 of title 10, United States Code (including the cost
9 of acquisition of land for those facilities), as specified in
10 the funding table in section 4601.

11 **SEC. 2607. MODIFICATION OF AUTHORITY TO CARRY OUT**
12 **CERTAIN FISCAL YEAR 2020 PROJECT.**

13 In the case of the authorization contained in the table
14 in section 2601 of the National Defense Authorization Act
15 for Fiscal Year 2020 (Public Law 116–92; 133 Stat.
16 1875) for Anniston Army Depot, Alabama, for construc-
17 tion of an Enlisted Transient Barracks, as specified in the
18 funding table in section 4601 of such Act (133 Stat.
19 2096), the Secretary of the Army may carry out the
20 project at Fort McClellan, Alabama.

1 **TITLE XXVII—BASE REALIGN-**
2 **MENT AND CLOSURE ACTIVI-**
3 **TIES**

4 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**
5 **BASE REALIGNMENT AND CLOSURE ACTIVI-**
6 **TIES FUNDED THROUGH DEPARTMENT OF**
7 **DEFENSE BASE CLOSURE ACCOUNT.**

8 Funds are hereby authorized to be appropriated for
9 fiscal years beginning after September 30, 2020, 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 **TITLE XXVIII—MILITARY CON-**
2 **STRUCTION GENERAL PROVI-**
3 **SIONS**

4 **Subtitle A—Military Construction**
5 **Program Changes**

6 **SEC. 2801. MODIFICATION AND CLARIFICATION OF CON-**
7 **STRUCTION AUTHORITY IN THE EVENT OF A**
8 **DECLARATION OF WAR OR NATIONAL EMER-**
9 **GENCY.**

10 (a) LIMITATION ON AMOUNT OF FUNDS AVAILABLE
11 FOR NATIONAL EMERGENCY.—Section 2808 of title 10,
12 United States Code, is amended—

13 (1) by redesignating subsections (b) and (c) as
14 subsections (e) and (f), respectively; and

15 (2) by inserting after subsection (a) the fol-
16 lowing new subsection:

17 “(c) LIMITATION ON AMOUNT OF FUNDS AVAILABLE
18 FOR NATIONAL EMERGENCY.—(1) Except as provided in
19 paragraph (2), in the event of a declaration by the Presi-
20 dent of a national emergency in which the construction
21 authority described in subsection (a) is used, the total cost
22 of all military construction projects undertaken using that
23 authority during the national emergency may not exceed
24 \$500,000,000.

1 “(2) In the event of a national emergency declaration
2 in which the construction authority described in subsection
3 (a) will be used only within the United States, the total
4 cost of all military construction projects undertaken using
5 that authority during the national emergency may not ex-
6 ceed \$100,000,000.”.

7 (b) ADDITIONAL CONDITIONS ON SOURCE OF
8 FUNDS.—Section 2808(a) of title 10, United States Code,
9 is amended by striking the second sentence and inserting
10 the following new subsection:

11 “(b) CONDITIONS ON SOURCES OF FUNDS.—A mili-
12 tary construction project to be undertaken using the con-
13 struction authority described in subsection (a) may be un-
14 dertaken only within the total amount of funds that have
15 been appropriated for military construction, including
16 funds appropriated for family housing, that—

17 “(1) remain unobligated as of the date on
18 which the first contract would be entered into in
19 connection with that military construction project
20 undertaken using such authority; and

21 “(2) are available because the military construc-
22 tion project for which the funds were appropriated—

23 “(A) has been canceled; or

24 “(B) has reduced costs as a result of
25 project modifications or other cost savings.”.

1 (c) WAIVER OF OTHER PROVISIONS OF LAW.—Sec-
2 tion 2808 of title 10, United States Code, is amended by
3 inserting after subsection (c), as added by subsection (a),
4 the following new subsection:

5 “(d) WAIVER OF OTHER PROVISIONS OF LAW IN
6 EVENT OF NATIONAL EMERGENCY.—In the event of a
7 declaration by the President of a national emergency in
8 which the construction authority described in subsection
9 (a) is used, the authority provided by such subsection to
10 waive or disregard another provision of law that would
11 otherwise apply to a military construction project author-
12 ized by this section may be used only if—

13 “(1) such other provision of law does not pro-
14 vide a means by which compliance with the require-
15 ments of the law may be waived, modified, or exped-
16 ited; and

17 “(2) the Secretary of Defense determines that
18 the nature of the national emergency necessitates
19 the noncompliance with the requirements of the
20 law.”.

21 (d) ADDITIONAL NOTIFICATION REQUIREMENTS.—
22 Subsection (e) of section 2808 of title 10, United States
23 Code, as redesignated by subsection (a)(1), is amended—

1 (1) by striking “of the decision” and all that
2 follows through the end of the subsection and insert-
3 ing the following: “of the following:

4 “(A) The reasons for the decision to use the
5 construction authority described in subsection (a),
6 including, in the event of a declaration by the Presi-
7 dent of a national emergency, the reasons why use
8 of the armed forces is required in response to the
9 declared national emergency.

10 “(B) The construction projects to be under-
11 taken using the construction authority described in
12 subsection (a), including, in the event of a declara-
13 tion by the President of a national emergency, an
14 explanation of how each construction project directly
15 supports the immediate security, logistical, or short-
16 term housing and ancillary supporting facility needs
17 of the members of the armed forces used in the na-
18 tional emergency.

19 “(C) The estimated cost of the construction
20 projects to be undertaken using the construction au-
21 thority described in subsection (a), including the
22 cost of any real estate action pertaining to the con-
23 struction projects, and certification of compliance
24 with the funding conditions imposed by subsections
25 (b) and (c).

1 “(D) Any determination made pursuant to sub-
2 section (d)(2) to waive or disregard another provi-
3 sion of law to undertake any construction project
4 using the construction authority described in sub-
5 section (a).

6 “(E) The military construction projects, includ-
7 ing any military family housing and ancillary sup-
8 porting facility projects, whose cancellation, modi-
9 fication, or other cost savings result in funds being
10 available to undertake construction projects using
11 the construction authority described in subsection
12 (a) and the possible impact of the cancellation or
13 modification of such military construction projects
14 on military readiness and the quality of life of mem-
15 bers of the armed forces and their dependents.”; and

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

18 “(2) In the event of a declaration by the President
19 of a national emergency in which the construction author-
20 ity described in subsection (a) is used, a construction
21 project to be undertaken using such construction authority
22 may be carried out only after the end of the five-day pe-
23 riod beginning on the date the notification required by
24 paragraph (1) is received by the appropriate committees
25 of Congress.”.

1 (e) CLERICAL AMENDMENTS.—Section 2808 of title
2 10, United States Code, is further amended—

3 (1) in subsection (a), by inserting “CONSTRUC-
4 TION AUTHORIZED.—” after “(a)”;

5 (2) in subsection (e), as redesignated by sub-
6 section (a)(1), by inserting “NOTIFICATION RE-
7 QUIREMENT.—(1)” after “(e)”; and

8 (3) in subsection (f), as redesignated by sub-
9 section (a)(1), by inserting “TERMINATION OF AU-
10 THORITY.—” after “(f)”.

11 (f) EXCEPTION FOR PANDEMIC MITIGATION AND RE-
12 SPONSE PROJECTS.—Subsections (b), (c), (d) of section
13 2808 of title 10, United States Code, as added by this
14 section, shall not apply to a military construction project
15 commenced under the authority of subsection (a) of such
16 section 2808 during the emergency period described in
17 section 1135(g)(1)(B) of the Social Security Act (42
18 U.S.C. 1320b–5(g)(1)(B)) if the Secretary of Defense de-
19 termines that the military construction project will directly
20 support pandemic mitigation and response efforts of
21 health care providers or support members of the Armed
22 Forces directly participating in such pandemic mitigation
23 and response efforts. Subsection (e) of section 2808 of
24 title 10, United States Code, as redesignated by subsection

1 (a)(1) and amended by subsection (d) of this section, shall
2 still apply to any such military construction project.

3 **SEC. 2802. EXTENSION OF SUNSET FOR ANNUAL LOCALITY**
4 **ADJUSTMENT OF DOLLAR THRESHOLDS AP-**
5 **PLICABLE TO UNSPECIFIED MINOR MILITARY**
6 **CONSTRUCTION AUTHORITIES.**

7 Section 2805(f)(3) of title 10, United States Code,
8 is amended by striking “2022” and inserting “2027”.

9 **SEC. 2803. MODIFICATION OF REPORTING REQUIREMENT**
10 **REGARDING COST INCREASES ASSOCIATED**
11 **WITH CERTAIN MILITARY CONSTRUCTION**
12 **PROJECTS AND MILITARY FAMILY HOUSING**
13 **PROJECTS.**

14 (a) **ELIMINATION OF SUBMISSION TO COMPTROLLER**
15 **GENERAL.**—Section 2853(f) of title 10, United States
16 Code, is amended—

17 (1) in paragraphs (1) and (3), by striking “and
18 the Comptroller General of the United States”; and

19 (2) by striking paragraph (6).

20 (b) **SYNCHRONIZATION OF NOTIFICATION REQUIRE-**
21 **MENTS.**—Section 2853(c)(1) of title 10, United States
22 Code, is amended by inserting after “cost increase” in the
23 matter preceding subparagraph (A) the following: “(sub-
24 ject to subsection (f))”.

1 **SEC. 2804. EXPANSION OF DEPARTMENT OF DEFENSE LAND**
2 **EXCHANGE AUTHORITY.**

3 (a) **ADDITIONAL PURPOSES AUTHORIZED.**—Para-
4 graph (1) of section 2869(a) of title 10, United States
5 Code, is amended by striking “the real property, to trans-
6 fer” and all that follows through the end of the paragraph
7 and inserting the following: “the real property—

8 “(A) to transfer to the United States all right,
9 title, and interest of the person in and to a parcel
10 of real property, including any improvements there-
11 on under the person’s control;

12 “(B) to carry out a land acquisition, including
13 the acquisition of all right, title, and interest or a
14 lesser interest in real property under an agreement
15 entered into under section 2684a of this title to limit
16 encroachments and other constraints on military
17 training, testing, and operations; or

18 “(C) to provide installation-support services (as
19 defined in 2679(e) of this title), a replacement facil-
20 ity, or improvements to an existing facility, as
21 agreed upon between the Secretary concerned and
22 the person.”.

23 (b) **REQUIREMENTS FOR ACCEPTANCE OF REPLACE-**
24 **MENT FACILITIES.**—Section 2869(a) of title 10, United
25 States Code, is further amended by adding at the end the
26 following new paragraph:

1 “(3) The Secretary concerned may agree to accept
2 a replacement facility or improvements to an existing facil-
3 ity under paragraph (1)(C) only if the Secretary concerned
4 determines that the replacement facility or improve-
5 ments—

6 “(A) are completed and usable, fully functional,
7 and ready for occupancy;

8 “(B) satisfy all operational requirements; and

9 “(C) meet all Federal, State, and local require-
10 ments applicable to the facility relating to health,
11 safety, and the environment.”.

12 (c) FAIR MARKET VALUE REQUIREMENT.—Section
13 2869(b)(1) of title 10, United States Code, is amended—

14 (1) in the first sentence, by striking “of the
15 land to be” and inserting “of the real property, in-
16 stallation-support services, replacement facility, or
17 improvements to an existing facility”; and

18 (2) in the second sentence, by striking “of the
19 land is less than the fair market value of the real
20 property to be conveyed” and inserting “of the real
21 property conveyed by the Secretary concerned ex-
22 ceeds the fair market value of the real property, in-
23 stallation-support services, replacement facility, or
24 improvements received by the Secretary”.

1 (d) RELATION TO OTHER MILITARY CONSTRUCTION
2 REQUIREMENTS.—Section 2869 of title 10, United States
3 Code, is amended by adding at the end the following new
4 subsection:

5 “(h) RELATION TO OTHER MILITARY CONSTRUCTION
6 REQUIREMENTS.—The acquisition of real property or an
7 interest therein, a replacement facility, or improvements
8 to an existing facility using the authority provided by this
9 section shall not be treated as a military construction
10 project for which an authorization is required by section
11 2802 of this title.”.

12 (e) DELAYED IMPLEMENTATION OF AMEND-
13 MENTS.—The amendments made by this section shall take
14 effect on the date of the enactment of this Act, but the
15 Secretary concerned (as defined in section 2801(c)(5) of
16 title 10, United States Code) may not enter into any real
17 estate transaction authorized by such amendments until
18 after the date on which the Secretary of Defense issues
19 final regulations providing for the implementation of such
20 amendments by the Department of Defense.

1 **SEC. 2805. CONGRESSIONAL PROJECT AUTHORIZATION RE-**
2 **QUIRED FOR MILITARY CONSTRUCTION**
3 **PROJECTS FOR ENERGY RESILIENCE, EN-**
4 **ERGY SECURITY, AND ENERGY CONSERVA-**
5 **TION.**

6 (a) REPLACEMENT OF NOTICE AND WAIT AUTHOR-
7 ITY.—Section 2914 of title 10, United States Code, is
8 amended to read as follows:

9 **“§ 2914. Military construction projects for energy re-**
10 **silience, energy security, and energy con-**
11 **servation**

12 “(a) PROJECT AUTHORIZATION REQUIRED.—The
13 Secretary of Defense may carry out such military con-
14 struction projects for energy resilience, energy security,
15 and energy conservation as are authorized by law, using
16 funds appropriated or otherwise made available for that
17 purpose.

18 “(b) SUBMISSION OF PROJECT PROPOSALS.—(1) As
19 part of the Department of Defense Form 1391 submitted
20 to the appropriate committees of Congress for a military
21 construction project covered by subsection (a), the Sec-
22 retary of Defense shall include the following information:

23 “(A) The project title.

24 “(B) The location of the project.

25 “(C) A brief description of the scope of work.

1 “(D) The original project cost estimate and the
2 current working cost estimate, if different.

3 “(E) Such other information as the Secretary
4 considers appropriate.

5 “(2) In the case of a military construction project for
6 energy conservation, the Secretary also shall include the
7 following information:

8 “(A) The original expected savings-to-invest-
9 ment ratio and simple payback estimates and meas-
10 urement and verification cost estimate.

11 “(B) The most current expected savings-to-in-
12 vestment ratio and simple payback estimates and
13 measurement and verification plan and costs.

14 “(C) A brief description of the measurement
15 and verification plan and planned funding source.

16 “(3) In the case of a military construction project for
17 energy resilience or energy security, the Secretary also
18 shall include the rationale for how the project would en-
19 hance mission assurance, support mission critical func-
20 tions, and address known vulnerabilities.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 at the beginning of subchapter I of chapter 173 of title
23 10, United States Code, is amended by striking the item
24 relating to section 2914 and inserting the following new
25 item:

“2914. Military construction projects for energy resilience, energy security, and energy conservation.”.

1 **SEC. 2806. ONE-YEAR EXTENSION OF TEMPORARY, LIMITED**
2 **AUTHORITY TO USE OPERATION AND MAIN-**
3 **TENANCE FUNDS FOR CONSTRUCTION**
4 **PROJECTS IN CERTAIN AREAS OUTSIDE THE**
5 **UNITED STATES.**

6 (a) EXTENSION OF AUTHORITY.—Subsection (h) of
7 section 2808 of the Military Construction Authorization
8 Act for Fiscal Year 2004 (division B of Public Law 108–
9 136; 117 Stat. 1723), as most recently amended by sec-
10 tion 2807(a) of the Military Construction Authorization
11 Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat.
12 2264), is further amended—

13 (1) in paragraph (1), by striking “December
14 31, 2020” and inserting “December 31, 2021”; and

15 (2) paragraph (2), by striking “fiscal year
16 2021” and inserting “fiscal year 2022”.

17 (b) CONTINUATION OF LIMITATION ON USE OF AU-
18 THORITY.—Subsection (e) of section 2808 of the Military
19 Construction Authorization Act for Fiscal Year 2004 (di-
20 vision B of Public Law 108–136; 117 Stat. 1723), as most
21 recently amended by section 2807(b) of the Military Con-
22 struction Authorization Act for Fiscal Year 2019 (Public
23 Law 115–232; 132 Stat. 2264), is further amended—

1 (1) by striking “either” and inserting “each”;
2 and

3 (2) by inserting after the first paragraph (2)
4 the following new subparagraph:

5 “(C) The period beginning October 1, 2020,
6 and ending on the earlier of December 31, 2021, or
7 the date of the enactment of an Act authorizing
8 funds for military activities of the Department of
9 Defense for fiscal year 2022.”.

10 (c) TECHNICAL CORRECTIONS.—Subsection (c) of
11 section 2808 of the Military Construction Authorization
12 Act for Fiscal Year 2004 (division B of Public Law 108–
13 136; 117 Stat. 1723), as most recently amended by sec-
14 tion 2807(b) of the Military Construction Authorization
15 Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat.
16 2264) and subsection (b) of this section, is further amend-
17 ed—

18 (1) by redesignating the second paragraph (1)
19 as subparagraph (A); and

20 (2) by redesignating the first paragraph (2) as
21 subparagraph (B).

1 **SEC. 2807. PILOT PROGRAM TO SUPPORT COMBATANT**
2 **COMMAND MILITARY CONSTRUCTION PRIOR-**
3 **ITIES.**

4 (a) **PILOT PROGRAM.**—The Secretary of Defense
5 shall conduct a pilot program to evaluate the usefulness
6 of reserving a portion of the military construction funds
7 of the military departments to help the combatant com-
8 mands satisfy their military construction priorities in a
9 timely manner.

10 (b) **LOCATION.**—The Secretary of Defense shall con-
11 duct the pilot program for the benefit of the United States
12 Indo-Pacific Command in the area of responsibility of the
13 United States Indo-Pacific Command.

14 (c) **REQUIRED INVESTMENT.**—For each fiscal year
15 during which the pilot program is conducted, the Sec-
16 retary of Defense shall reserve to carry out military con-
17 struction projects under the pilot program an amount
18 equal to 10 percent of the total amount authorized to be
19 appropriated for military construction projects by titles
20 XXI, XXII, and XXIII of the Military Construction Au-
21 thorization Act for that fiscal year.

22 (d) **COMMENCEMENT AND DURATION.**—

23 (1) **COMMENCEMENT.**—The Secretary of De-
24 fense shall commence the pilot program no later
25 than October 1, 2023. The Secretary may commence
26 the pilot program as early as October 1, 2022, if the

1 Secretary determines that compliance with the res-
2 ervation of funds requirement under subsection (c)
3 is practicable beginning with fiscal year 2023.

4 (2) DURATION.—The pilot program shall be in
5 effect for the fiscal year in which the Secretary com-
6 mences the pilot program, as described in paragraph
7 (1), and the subsequent two fiscal years. Any con-
8 struction commenced under the pilot program before
9 the expiration date may continue to completion.

10 (e) PROGRESS REPORT.—Not later than February 15
11 of the final fiscal year of the pilot program, the Secretary
12 of Defense shall submit to the congressional defense com-
13 mittees a report evaluating the success of the pilot pro-
14 gram in improving the timeliness of the United States
15 Indo-Pacific Command in achieving its military construc-
16 tion priorities. The Secretary shall include in the report—

17 (1) an evaluation of the likely positive and neg-
18 ative impacts were the pilot program extended or
19 made permanent and, if extended or made perma-
20 nent, the likely positive and negative impacts of ex-
21 pansion to cover all or additional combatant com-
22 mands; and

23 (2) the recommendations of the Secretary re-
24 garding whether the pilot program should be ex-
25 tended or made permanent and expanded.

1 **SEC. 2808. BIENNIAL REPORT REGARDING MILITARY IN-**
2 **STALLATIONS SUPPORTED BY DISASTER RE-**
3 **LIEF APPROPRIATIONS.**

4 (a) REPORT REQUIRED.—Biannually through Sep-
5 tember 30, 2025, both the Secretary of the Air Force and
6 the Secretary of the Navy shall submit to the relevant con-
7 gressional committees a report regarding the obligation
8 and expenditure at military installations under the jurisdic-
9 tion of the Secretary concerned of appropriations made
10 available to the Secretary concerned in title V of the Mili-
11 tary Construction, Veterans Affairs, and Related Agencies
12 Appropriations Act, 2020 (division F of Public Law 116–
13 94).

14 (b) ELEMENTS OF REPORT.—Each report under sub-
15 section (a) shall include for the period covered by the re-
16 port the following elements:

17 (1) The timeline for award of contracts for each
18 military construction project to be funded with ap-
19 propriations referred to in subsection (a).

20 (2) The status, including obligations and ex-
21 penditures, of each contract already awarded for
22 such military construction projects.

23 (3) An assessment of the contracting capacity
24 of the communities in the vicinity of such military
25 installations to support such contracts.

1 (4) The expectations that such local commu-
2 nities will be required to address.

3 (c) PUBLIC AVAILABILITY OF REPORT.—The infor-
4 mation in each report specific to a particular military in-
5 stallation shall be made available online using a public
6 forum commonly used in the locality in which the installa-
7 tion is located.

8 (d) EARLY TERMINATION.—Notwithstanding the
9 date specified in subsection (a), the Secretary of the Air
10 Force and the Secretary of the Navy may terminate the
11 reporting requirement applicable to the Secretary con-
12 cerned under such subsection effective on the date on
13 which the Secretary concerned certifies to the relevant
14 congressional committees that at least 90 percent of the
15 appropriations referred to in such subsection and made
16 available to the Secretary concerned have been expended.

17 (e) RELEVANT CONGRESSIONAL COMMITTEES DE-
18 FINED.—In this section, the term “relevant congressional
19 committees” means—

20 (1) the Committee on Armed Services and the
21 Subcommittee on Military Construction, Veterans
22 Affairs, and Related Agencies of the Committee on
23 Appropriations of the House of Representatives; and

1 (2) the Committee on Armed Services and the
2 Subcommittee on Military Construction, Veterans
3 Affairs, and Related Agencies of the Senate.

4 **Subtitle B—Military Family**
5 **Housing Reforms**

6 **SEC. 2811. EXPENDITURE PRIORITIES IN USING DEPART-**
7 **MENT OF DEFENSE FAMILY HOUSING IM-**
8 **PROVEMENT FUND.**

9 (a) IN GENERAL.—Section 2883(d)(1) of title 10,
10 United States Code, is amended—

11 (1) by inserting “(A)” after “(1)”; and

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

14 “(B) The Secretary of Defense shall require that eli-
15 gible entities receiving amounts from the Department of
16 Defense Family Housing Improvement Fund prioritize the
17 use of such amounts for expenditures related to operating
18 expenses, debt payments, and asset recapitalization before
19 other program management-incentive fee expenditures.”.

20 (b) EFFECTIVE DATE.—The requirements set forth
21 in subparagraph (B) of section 2883(d)(1) of title 10,
22 United States Code, as added by subsection (a), shall
23 apply to appropriate legal documents entered into or re-
24 newed on or after the date of the enactment of this Act
25 between the Secretary of a military department and a

1 landlord regarding privatized military housing. In this
2 subsection, the terms “landlord” and “privatized military
3 housing” have the meanings given those terms in section
4 3001(a) of the Military Construction Authorization Act
5 for Fiscal Year 2020 (division B of Public Law 116–92;
6 133 Stat. 1916; 10 U.S.C. 2821 note).

7 **SEC. 2812. PROMULGATION OF GUIDANCE TO FACILITATE**
8 **RETURN OF MILITARY FAMILIES DISPLACED**
9 **FROM PRIVATIZED MILITARY HOUSING.**

10 (a) **GUIDANCE REQUIRED.**—The Secretary of De-
11 fense shall promulgate guidance for commanders of mili-
12 tary installations and installation housing management of-
13 fices to facilitate and manage the return of tenants who
14 are displaced from privatized military housing—

15 (1) as a result of an environmental hazard or
16 other damage adversely affecting the habitability of
17 the privatized military housing; or

18 (2) during remediation or repair activities in re-
19 sponse to the hazard or damages.

20 (b) **AVAILABILITY OF REIMBURSEMENT.**—As part of
21 the guidance, the Secretary of Defense shall identify situa-
22 tions in which a tenant of privatized military housing
23 should be reimbursed for losses to personal property of
24 the tenant that are not covered by insurance and are in-

1 curred by the tenant in the situations described in sub-
2 section (a).

3 (c) CONSULTATION.—The Secretary of Defense shall
4 promulgate the guidance in consultation with the Secre-
5 taries of the military departments, the Chief Housing Offi-
6 cer, landlords, and other interested persons.

7 (d) IMPLEMENTATION.—The Secretaries of the mili-
8 tary departments shall be responsible for ensuring the im-
9 plementation of the guidance at military installations
10 under the jurisdiction of the Secretary concerned.

11 (e) DEFINITIONS.—In this section, the terms “land-
12 lord”, “privatized military housing”, and “tenant” have
13 the meanings given those terms in section 3001(a) of the
14 Military Construction Authorization Act for Fiscal Year
15 2020 (division B of Public Law 116–92; 133 Stat. 1916;
16 10 U.S.C. 2821 note).

17 **SEC. 2813. PROMULGATION OF GUIDANCE ON MOLD MITI-**
18 **GATION IN PRIVATIZED MILITARY HOUSING.**

19 (a) GUIDANCE REQUIRED.—The Secretary of De-
20 fense shall establish a working group to promulgate guid-
21 ance regarding best practices for mold mitigation in
22 privatized military housing and for making the determina-
23 tion regarding when the presence of mold in a unit of
24 home privatized military housing is an emergency situa-
25 tion requiring the relocation of the residents of the unit.

1 (b) MEMBERS.—The working groups shall include
2 the Surgeon Generals of the Armed Forces and such other
3 subject-matter experts as the Secretary considers appro-
4 priate.

5 **SEC. 2814. EXPANSION OF UNIFORM CODE OF BASIC**
6 **STANDARDS FOR PRIVATIZED MILITARY**
7 **HOUSING AND HAZARD AND HABITABILITY**
8 **INSPECTION AND ASSESSMENT REQUIRE-**
9 **MENTS TO GOVERNMENT-OWNED AND GOV-**
10 **ERNMENT-CONTROLLED MILITARY FAMILY**
11 **HOUSING.**

12 (a) UNIFORM CODE OF BASIC STANDARDS FOR MILI-
13 TARY HOUSING.—The Secretary of Defense shall expand
14 the uniform code of basic housing standards for safety,
15 comfort, and habitability for privatized military housing
16 established pursuant to section 3051(a) of the Military
17 Construction Authorization Act for Fiscal Year 2020 (di-
18 vision B of Public Law 116–92; 133 Stat. 1941; 10 U.S.C.
19 2871 note) to include Government-owned and Govern-
20 ment-controlled military family housing located inside or
21 outside the United States and occupied by members of the
22 Armed Forces.

23 (b) INSPECTION AND ASSESSMENT PLAN.—The Sec-
24 retary of Defense shall expand the Department of Defense
25 housing inspection and assessment plan prepared pursu-

1 ant to section 3051(b) of the Military Construction Au-
2 thorization Act for Fiscal Year 2020 (division B of Public
3 Law 116–92; 133 Stat. 1941; 10 U.S.C. 2871 note) to
4 include Government-owned and Government-controlled
5 military family housing located inside or outside the
6 United States and occupied by members of the Armed
7 Forces and commence inspections and assessments of such
8 military family housing pursuant to the plan.

9 **SEC. 2815. ESTABLISHMENT OF EXCEPTIONAL FAMILY**
10 **MEMBER PROGRAM HOUSING LIAISON.**

11 (a) ESTABLISHMENT.—Not later than September 30,
12 2021, each Secretary of a military department shall ap-
13 point at least one Exceptional Family Member Program
14 housing liaison for that military department.

15 (b) DUTIES.—The duties of a Exceptional Family
16 Member Program housing liaison are to assist military
17 families enrolled in that Program, and who are
18 disproportionately housed in facilities under the Military
19 Housing Privatization Initiative, in obtaining cost-effective
20 services needed by such families.

1 **SEC. 2816. DEPARTMENT OF DEFENSE REPORT ON CRI-**
2 **TERIA AND METRICS USED TO EVALUATE**
3 **PERFORMANCE OF LANDLORDS OF**
4 **PRIVATIZED MILITARY HOUSING THAT RE-**
5 **CEIVE INCENTIVE FEES.**

6 (a) **REPORT REQUIRED.**—Not later than 180 days
7 after the date of the enactment of this Act, the Secretary
8 of Defense shall submit to the Committees on Armed Serv-
9 ices of the Senate and the House of Representatives a re-
10 port—

11 (1) describing the criteria and metrics currently
12 used by the Department of Defense to analyze the
13 performance of landlords that receive incentive fees;
14 and

15 (2) evaluating the effectiveness of such criteria
16 and metrics in accurately judging the performance
17 of such landlords; and

18 (3) containing such recommendations as the
19 Secretary considers appropriate to revise such cri-
20 teria and metrics to better evaluate the performance
21 of such landlords.

22 (b) **PREPARATION OF REPORT.**—To prepare the re-
23 port required by subsection (a), the Secretary of Defense
24 first shall solicit the views of the Secretaries of the mili-
25 tary departments.

1 (c) DEFINITIONS.—In this section, the terms “incen-
2 tive fees” and “landlord” have the meanings given those
3 terms in paragraphs (9) and (10) of section 2871 of title
4 10, United States Code.

5 **SEC. 2817. REPORT ON DEPARTMENT OF DEFENSE EF-**
6 **FORTS REGARDING OVERSIGHT AND ROLE IN**
7 **MANAGEMENT OF PRIVATIZED MILITARY**
8 **HOUSING.**

9 Not later than 180 days after the date of the enact-
10 ment of this Act, the Secretary of Defense shall submit
11 to the Committees on Armed Services of the Senate and
12 the House of Representatives a report on the progress
13 made by the Department of Defense in implementing the
14 recommendations contained in the report of the Comp-
15 troller General regarding military housing entitled “DOD
16 Needs to Strengthen Oversight and Clarify Its Role in the
17 Management of Privatized Housing” and dated March
18 2020 (GAO-20-281).

1 **Subtitle C—Real Property and**
2 **Facilities Administration**

3 **SEC. 2821. CODIFICATION OF REPORTING REQUIREMENTS**
4 **REGARDING UNITED STATES OVERSEAS MILI-**
5 **TARY ENDURING LOCATIONS AND CONTIN-**
6 **GENCY LOCATIONS.**

7 (a) INCLUSION OF INFORMATION IN EXISTING AN-
8 ANUAL REPORT.—Section 2687a(a) of title 10, United
9 States Code, is amended—

10 (1) in the subsection heading, by striking
11 “MASTER PLANS” and inserting “OVERSEAS MILI-
12 TARY LOCATIONS”;

13 (2) in paragraph (1), by striking subparagraph
14 (B) and inserting the following new subparagraph:

15 “(B) overseas military locations, whether such a
16 location is designated as an enduring location or
17 contingency location.”; and

18 (3) by striking paragraph (2) and inserting the
19 following new paragraphs:

20 “(2) To satisfy the reporting requirement specified
21 in paragraph (1)(B), a report under paragraph (1) shall
22 contain the following:

23 “(A) A description of the strategic goal and
24 operational requirements supported by each overseas
25 military location.

1 “(B) A summary of the terms of agreements
2 for each overseas military location, including—

3 “(i) the type of implementing agreement;

4 “(ii) any annual lease or access costs to
5 the United States under the agreement; and

6 “(iii) any limitation on United States mili-
7 tary presence, activities, or operations at the
8 overseas military location.

9 “(C) A list of all infrastructure investments
10 made at each overseas military location during the
11 previous fiscal year, delineated by project location,
12 project title or description, cost of project, any
13 amount paid by a host nation to cover all or part of
14 the project cost, and authority used to undertake the
15 project.

16 “(D) A list of all infrastructure requirements
17 for each overseas military location anticipated dur-
18 ing the fiscal year in which the report is submitted
19 and the next four fiscal years, delineated as de-
20 scribed in subparagraph (C).

21 “(E) A list of any overseas military locations
22 newly established during the previous fiscal year.

23 “(F) A description of any plans to transition an
24 existing contingency overseas military location to an
25 enduring overseas military location or to upgrade or

1 downgrade the designation of an existing enduring
2 or contingency overseas military location during the
3 fiscal year in which the report is submitted or the
4 next four fiscal years.

5 “(G) A list of any overseas military locations
6 that, during the previous fiscal year, were trans-
7 ferred to the control of security forces of the host
8 country or another military force, closed, or for any
9 other reason no longer used by the armed forces, in-
10 cluding a summary of any costs associated with the
11 transfer or closure of the overseas military location.

12 “(H) A summary of the impact that the estab-
13 lishment or maintenance of each overseas military
14 location has on security commitments undertaken by
15 the United States pursuant to any international se-
16 curity treaty or the current security environments in
17 the combatant commands, including United States
18 participation in theater security cooperation activi-
19 ties and bilateral partnership, exchanges, and train-
20 ing exercises.

21 “(I) A summary of any force protection risks
22 identified for each overseas military location, the ac-
23 tions proposed to mitigate such risks, and the
24 resourcing and implementation plan to implement
25 the mitigation actions.

1 “(J) An assessment of force protection meas-
2 ures by host nations for each overseas military loca-
3 tion and recommendations to mitigate any potential
4 risks identified.

5 “(K) Such other such matters related to over-
6 seas military locations as the Secretary of Defense
7 considers appropriate.

8 “(3)(A) In this subsection, the term ‘overseas mili-
9 tary location’ covers both enduring locations and contin-
10 gency locations established outside the United States.

11 “(B) An enduring location is primarily characterized
12 either by the presence of permanently assigned United
13 States forces with robust infrastructure and quality of life
14 amenities to support that presence, by the sustained pres-
15 ence of allocated United States forces with infrastructure
16 and quality of life amenities consistent with that presence,
17 or by the periodic presence of allocated U.S. forces with
18 little or no permanent United States military presence or
19 controlled infrastructure. Enduring locations include main
20 operating bases, forward operating sites, and cooperative
21 security locations.

22 “(C) A contingency location refers to a location out-
23 side of the United States that is not covered by subpara-
24 graph (B), but that is used by United States forces to
25 support and sustain operations during named and

1 unnamed contingency operations or other operations as di-
2 rected by appropriate authority and is categorized by mis-
3 sion life-cycle requirements as initial, temporary, or semi-
4 permanent.

5 “(4) The Secretary of Defense shall prepare the re-
6 port under paragraph (1) in coordination with the Under
7 Secretary of Defense for Policy and the Under Secretary
8 of Defense for Acquisition and Sustainment.

9 “(5) A report under paragraph (1) shall be submitted
10 in unclassified form, but may contain a classified annex
11 as necessary.”

12 (b) CONFORMING AND CLERICAL AMENDMENTS.—

13 (1) CONFORMING AMENDMENTS.—Section
14 2687a(e)(2) of title 10, United States Code, is
15 amended by striking “host nation” both places it ap-
16 pears and inserting “host country”.

17 (2) SECTION HEADING.—The heading of section
18 2687a of title 10, United States Code, is amended
19 to read as follows:

20 **“§ 2687a. Overseas base closures and realignments**
21 **and status of United States overseas mili-**
22 **tary locations”.**

23 (3) TABLE OF SECTIONS.—The table of sections
24 at the beginning of chapter 159 of title 10, United
25 States Code, is amended by striking the item relat-

1 ing to section 2687a and inserting the following new
2 item:

“2687a. Overseas base closures and realignments and status of United States overseas military locations.”.

3 (c) **REPEAL OF SUPERCEDED REPORTING REQUIRE-**
4 **MENT.**—Section 2816 of the Military Construction Au-
5 thorization Act for Fiscal Year 2016 (division B of Public
6 Law 114–92; 129 Stat. 1176) is repealed.

7 **SEC. 2822. LIMITATIONS ON RENEWAL OF UTILITY PRIVAT-**
8 **IZATION CONTRACTS.**

9 (a) **CONTRACT RENEWAL AUTHORITY.**—Section
10 2688(d)(2) of title 10, United States Code, is amended—

11 (1) by inserting “(A)” after “(2)”; and

12 (2) by inserting after the first sentence the fol-
13 lowing new subparagraph:

14 “(B) A longer-term contract entered into under the
15 authority of subparagraph (A) may be renewed in the
16 manner provided in such subparagraph, except that such
17 a contract renewal may only be awarded during the final
18 five years of the existing contract term.”.

19 (b) **CONFORMING AMENDMENTS.**—Section
20 2688(d)(2) of title 10, United States Code, is further
21 amended—

22 (1) by striking “The determination of cost ef-
23 fectiveness” and inserting the following:

1 “(C) A determination of cost effectiveness under this
2 paragraph”; and

3 (2) by striking “the contract” and inserting
4 “the contract or contract renewal”.

5 **SEC. 2823. VESTING EXERCISE OF DISCRETION WITH SERV-**
6 **ICE SECRETARIES REGARDING ENTERING**
7 **INTO LONGER-TERM CONTRACTS FOR UTIL-**
8 **ITY SERVICES.**

9 Section 2688(d)(2) of title 10, United States Code,
10 as amended by section 2822, is further amended—

11 (1) by striking “The Secretary of Defense, or
12 the designee of the Secretary,” and inserting “The
13 Secretary concerned”; and

14 (2) by striking “if the Secretary” and inserting
15 “if the Secretary concerned”.

16 **SEC. 2824. USE OF ON-SITE ENERGY PRODUCTION TO PRO-**
17 **MOTE MILITARY INSTALLATION ENERGY RE-**
18 **SILIENCE AND ENERGY SECURITY.**

19 (a) PROMOTION OF ON-SITE ENERGY SECURITY AND
20 ENERGY RESILIENCE.—Section 2911 of title 10, United
21 States Code, is amended by adding at the end the fol-
22 lowing new subsection:

23 “(h) PROMOTION OF ON-SITE ENERGY SECURITY
24 AND ENERGY RESILIENCE.—(1) Consistent with the en-
25 ergy security and resilience goals of the Department of

1 Defense and the energy performance master plan referred
2 to in this section, the Secretary concerned shall consider,
3 when feasible, projects for the production of installation
4 energy that benefits military readiness and promotes in-
5 stallation energy security and energy resilience in the fol-
6 lowing manner:

7 “(A) Location of the energy-production infra-
8 structure on the military installation that will con-
9 sume the energy.

10 “(B) Incorporation of energy resilience features,
11 such as microgrids, to ensure that energy remains
12 available to the installation even when the installa-
13 tion is not connected to energy sources located off
14 the installation.

15 “(C) Reduction in periodic refueling needs from
16 sources off the installation to not more than once
17 every two years.

18 “(3) In this subsection, the term ‘microgrid’ means
19 an integrated energy system consisting of interconnected
20 loads and energy resources that, if necessary, can be re-
21 moved from the local utility grid and function as an inte-
22 grated, stand-alone system.”.

23 (b) EVALUATION OF FEASIBILITY OF EXPANDING
24 USE OF ON-SITE ENERGY PRODUCTION.—

1 (1) PROJECTS AUTHORIZED.—Subsection (h) of
2 section 2911 of title 10, United States Code, as
3 added by subsection (a), is amended by inserting
4 after paragraph (1) the following new paragraph:

5 “(2)(A) Using amounts made available for military
6 construction projects under section 2914 of this title, the
7 Secretary of Defense shall carry out at least four projects
8 to promote installation energy security and energy resil-
9 ience in the manner described in paragraph (1).

10 “(B) At least one project shall be designed to develop
11 technology that demonstrates the ability to connect an ex-
12 isting on-site energy generation facility that uses solar
13 power with one or more installation facilities performing
14 critical missions in a manner that allows the generation
15 facility to continue to provide electrical power to these fa-
16 cilities even if the installation is disconnected from the
17 commercial power supply.

18 “(C) At least one project shall be designed to develop
19 technology that demonstrates that one or more installation
20 facilities performing critical missions can be isolated, for
21 purposes of electrical power supply, from the remainder
22 of the installation and from the commercial power supply
23 in a manner that allows an on-site energy generation facil-
24 ity that uses a renewable energy source, other than solar

1 energy, to provide the necessary power exclusively to these
2 facilities.

3 “(D) At least two projects shall be designed to de-
4 velop technology that demonstrates the ability to store suf-
5 ficient electrical energy from an on-site energy generation
6 facility that uses a renewable energy source to provide the
7 electrical energy required to continue operation of installa-
8 tion facilities performing critical missions during night-
9 time operations.

10 “(E) The Secretary of Defense may not select as the
11 site of a project under this paragraph a military installa-
12 tion that already has the ability to satisfy any of the
13 project requirements described in subparagraphs (B), (C),
14 or (D).

15 “(F) The authority of the Secretary of Defense to
16 commence a project under this paragraph expires on Sep-
17 tember 30, 2025.”

18 (2) BRIEFING.—Not later than March 1, 2021,
19 the Secretary of Defense shall brief the congress-
20 sional defense committees regarding the plan to
21 carry out the on-site energy production projects au-
22 thorized by paragraph (2) of section 2911 of title
23 10, United States Code, as added by paragraph (1).

1 **SEC. 2825. AVAILABILITY OF ENERGY RESILIENCE AND**
2 **CONSERVATION INVESTMENT PROGRAM**
3 **FUNDS FOR CERTAIN ACTIVITIES RELATED**
4 **TO PRIVATIZED UTILITY SYSTEMS.**

5 Section 2914(a) of title 10, United States Code, is
6 amended—

7 (1) by inserting “(1)” before “The Secretary of
8 Defense”; and

9 (2) by adding at the end the following new
10 paragraph:

11 “(2) For purposes of this section, a military construc-
12 tion project is deemed to include activities related to utility
13 systems authorized under subsections (h), (j), and (k) of
14 section 2688 or section 2913 of this title, notwithstanding
15 that the United States does not own the utility system,
16 and energy-related activities included as a separate re-
17 quirement in an energy savings performance contract (as
18 defined in section 804(3) of the National Energy Con-
19 servation Policy Act (42 U.S.C. 8287c(3))).”.

20 **SEC. 2826. IMPROVING WATER MANAGEMENT AND SECU-**
21 **RITY ON MILITARY INSTALLATIONS.**

22 (a) **RISK-BASED APPROACH TO INSTALLATION**
23 **WATER MANAGEMENT AND SECURITY.—**

24 (1) **GENERAL REQUIREMENT.—**The Secretary
25 concerned shall adopt a risk-based approach to

1 water management and security for each military in-
2 stallation under the jurisdiction of the Secretary.

3 (2) IMPLEMENTATION PRIORITIES.—The Sec-
4 retary concerned shall begin implementation of para-
5 graph (1) by prioritizing those military installations
6 under the jurisdiction of the Secretary that the Sec-
7 retary determines—

8 (A) are experiencing the greatest risks to
9 sustainable water management and security;
10 and

11 (B) face the most severe existing or poten-
12 tial adverse impacts to mission assurance as a
13 result of such risks.

14 (3) DETERMINATION METHOD.—Determina-
15 tions under paragraph (2) shall be made on the
16 basis of the water management and security assess-
17 ments made by the Secretary concerned under sub-
18 section (b).

19 (b) WATER MANAGEMENT AND SECURITY ASSESS-
20 MENTS.—

21 (1) ASSESSMENT METHODOLOGY.—The Secre-
22 taries concerned, acting jointly, shall develop a
23 methodology to assess risks to sustainable water
24 management and security and mission assurance.

1 (2) ELEMENTS.—Required elements of the as-
2 sessment methodology shall include the following:

3 (A) An evaluation of the water sources and
4 supply connections for a military installation,
5 including water flow rate and extent of competi-
6 tion for the water sources.

7 (B) An evaluation of the age, condition,
8 and jurisdictional control of water infrastruc-
9 ture serving the military installation.

10 (C) An evaluation of the military installa-
11 tion's water-security risks related to drought-
12 prone climates, impacts of defense water usage
13 on regional water demands, water quality, and
14 legal issues, such as water rights disputes.

15 (D) An evaluation of the resiliency of the
16 military installation's water supply and the
17 overall health of the aquifer basin of which the
18 water supply is a part, including the robustness
19 of the resource, redundancy, and ability to re-
20 cover from disruption.

21 (E) An evaluation of existing water meter-
22 ing and consumption at the military installa-
23 tion, considered at a minimum—

24 (i) by type of installation activity,
25 such as training, maintenance, medical,

1 housing, and grounds maintenance and
2 landscaping; and

3 (ii) by fluctuations in consumption,
4 including peak consumption by quarter.

5 (c) EVALUATION OF INSTALLATIONS FOR POTENTIAL
6 NET ZERO WATER USAGE.—

7 (1) EVALUATION REQUIRED.—The Secretary
8 concerned shall conduct an evaluation of each mili-
9 tary installation under the jurisdiction of the Sec-
10 retary to determine the potential for the military in-
11 stallation, or at a minimum certain installation ac-
12 tivities, to achieve net zero water usage.

13 (2) ELEMENTS.—Required elements of each
14 evaluation shall include the following:

15 (A) An evaluation of alternative water
16 sources to offset use of freshwater, including
17 water recycling and harvested rainwater for use
18 as non-potable water.

19 (B) An evaluation of the practicality of im-
20 plementing Department of Energy guidelines
21 for net zero water usage, when practicable to
22 minimize water consumption and wastewater
23 discharge in buildings scheduled for renovation.

24 (C) An evaluation of the practicality of im-
25 plementing net zero water usage technology into

1 new construction in water-constrained areas, as
2 determined by water management and security
3 assessments conducted under subsection (b).

4 (d) IMPROVED LANDSCAPING MANAGEMENT PRAC-
5 TICES.—

6 (1) LANDSCAPING MANAGEMENT.—The Sec-
7 retary concerned shall implement, to the maximum
8 extent practicable, at each military installation
9 under the jurisdiction of the Secretary landscaping
10 management practices to increase water resilience
11 and ensure greater quantities of water availability
12 for operational, training, and maintenance require-
13 ments.

14 (2) ARID OR SEMI-ARID CLIMATES.—For mili-
15 tary installations located in arid or semi-arid cli-
16 mates, landscaping management practices shall in-
17 clude the use of xeriscaping.

18 (3) NON-ARID CLIMATES.—For military instal-
19 lations located in arid or non-arid climates, land-
20 scaping management practices shall include the use
21 of plants common to the region in which the installa-
22 tion is located and native grasses and plants.

23 (4) POLLINATOR CONSERVATION REFERENCE
24 GUIDE.—The Secretary concerned shall follow the
25 recommendations of the Department of Defense Pol-

1 linator Conservation Reference Guide (September
2 2018) to the maximum extent practicable in order to
3 reduce operation and maintenance costs related to
4 landscaping management, while improving area
5 management. Consistent with such guide, in the
6 preparation of a military installation landscaping
7 plan, the Secretary concerned should consider the
8 following:

9 (A) Adding native flowering plants to
10 sunny open areas and removing overhanging
11 tree limbs above open patches within forested
12 areas or dense shrub.

13 (B) Removing or controlling invasive
14 plants to improve pollinator habitat.

15 (C) Preserving known and potential polli-
16 nator nesting and overwintering sites.

17 (D) Eliminating or minimizing pesticide
18 use in pollinator habitat areas.

19 (E) Mowing in late fall or winter after
20 plants have bloomed and set seed, adjusting
21 timing to avoid vulnerable life stages of special
22 status pollinators.

23 (F) Mowing mid-day when adult polli-
24 nators can avoid mowing equipment.

25 (e) IMPLEMENTATION REPORT.—

1 (1) REPORT REQUIRED.—Not later than one
2 year after the date of the enactment of this Act, the
3 Secretary of Defense, in coordination with the other
4 Secretaries concerned, shall submit to the Commit-
5 tees on Armed Services of the Senate and the House
6 of Representatives a report on the progress made in
7 implementing this section.

8 (2) REPORT ELEMENTS.—The report shall in-
9 clude the following:

10 (A) The methodology developed under sub-
11 section (b) to conduct water management and
12 security assessments.

13 (B) A list of the military installations that
14 have been assessed using such methodology and
15 a description of the findings.

16 (C) A list of planned assessments for the
17 one-year period beginning on the date of the
18 submission of the report.

19 (D) An evaluation of the progress made on
20 implementation of xeriscaping and other region-
21 ally appropriate landscaping practices at mili-
22 tary installations.

23 (f) DEFINITIONS.—In this section:

24 (1) The term “net zero water usage”, with re-
25 spect to a military installation or installation activ-

1 ity, means a situation in which the combination of
2 limitations on the consumption of water resources
3 and the return of water to an original water source
4 by the installation or activity is sufficient to prevent
5 any reduction in the water resources of the area in
6 both quantity and quality over a reasonable period
7 of time.

8 (2) The terms “Secretary concerned” and “Sec-
9 retary” mean the Secretary of a military department
10 and the Secretary of Defense with respect to the
11 Pentagon Reservation.

12 (3) The term “xeriscaping” means landscape
13 design that emphasizes low water use and drought-
14 tolerant plants that require little or no supplemental
15 irrigation.

16 **SEC. 2827. PILOT PROGRAM TO TEST USE OF EMERGENCY**
17 **DIESEL GENERATORS IN A MICROGRID CON-**
18 **FIGURATION AT CERTAIN MILITARY INSTAL-**
19 **LATIONS.**

20 (a) **PILOT PROGRAM AUTHORIZED.**—The Secretary
21 of Defense may conduct a pilot program (to be known as
22 the Emergency Diesel Generator Microgrid Program) to
23 evaluate the feasibility and cost effectiveness of connecting
24 existing diesel generators at a military installation selected
25 pursuant to subsection (c) to create and support one or

1 more microgrid configurations at the installation capable
2 of providing full-scale electrical power for the defense crit-
3 ical facilities located at the installation during an emer-
4 gency involving the loss of external electric power supply
5 caused by an extreme weather condition, manmade inten-
6 tional infrastructure damage, or other circumstances.

7 (b) GOAL OF PILOT PROGRAM.—The goals of the
8 Emergency Diesel Generator Microgrid Program are—

9 (1) to test assumptions about lower operating
10 and maintenance costs, parts interchangeability,
11 lower emissions, lower fuel usage, increased resil-
12 iency, increased reliability, and reduced need for
13 emergency diesel generators; and

14 (2) to establish design criteria that could be
15 used to build and sustain emergency diesel generator
16 microgrids at other military installations.

17 (c) PILOT PROGRAM LOCATIONS.—As the locations
18 to conduct the Emergency Diesel Generator Microgrid
19 Program, the Secretary of Defense shall select two major
20 military installations located in different geographical re-
21 gions of the United States that the Secretary deter-
22 mines—

23 (1) are defense critical electric infrastructure
24 sites or contain, or are served by, defense critical
25 electric infrastructure;

1 (2) contain more than one defense critical func-
2 tion for national defense purposes and the mission
3 assurance of such critical defense facilities are para-
4 mount to maintaining national defense and force
5 projection capabilities at all times; and

6 (3) face unique electric energy supply, delivery,
7 and distribution challenges that, based on the geo-
8 graphic location of the installations and the overall
9 physical size of the installations, adversely impact
10 rapid electric infrastructure restoration after an
11 interruption.

12 (d) SPECIFICATIONS OF DIESEL GENERATORS AND
13 MICROGRID.—

14 (1) GENERATOR SPECIFICATIONS.—The Sec-
15 retary of Defense shall use existing diesel generators
16 that are sized \geq 750kW output.

17 (2) MICROGRID SPECIFICATIONS.—The Sec-
18 retary of Defense shall create the microgrid using
19 commercially available and proven designs and tech-
20 nologies. The existing diesel generators used for the
21 microgrid should be spaced within 1.0 to 1.5 mile of
22 each other and, using a dedicated underground elec-
23 tric cable network, be tied into a microgrid configu-
24 ration sufficient to supply mission critical facilities
25 within the service area of the microgrid. A selected

1 military installation may contain more than one such
2 microgrid under the Emergency Diesel Generator
3 Microgrid Program.

4 (e) PROGRAM AUTHORITIES.—The Secretary of De-
5 fense may use the authority under section 2914 of title
6 10, United States Code (known as the Energy Resilience
7 and Conservation Investment Program) and energy sav-
8 ings performance contracts to conduct the Emergency
9 Diesel Generator Microgrid Program.

10 (f) DEFINITIONS.—For purposes of the Emergency
11 Diesel Generator Microgrid Program:

12 (1) The term “defense critical electric infra-
13 structure” has the meaning given that term in sec-
14 tion 215A of the Federal Power Act (16 U.S.C.
15 824o–1).

16 (2) The term “energy savings performance con-
17 tract” has the meaning given that term in section
18 804(3) of the National Energy Conservation Policy
19 Act (42 U.S.C. 8287c(3)).

20 (3) The term “existing diesel generators”
21 means diesel generators located, as of the date of
22 the enactment of this Act, at a major military instal-
23 lation selected as a location for the Emergency Die-
24 sel Generator Microgrid Program and intended for
25 emergency use.

1 (4) The term “major military installation” has
2 the meaning given that term in section 2864 of title
3 10, United States Code.

4 **SEC. 2828. IMPROVED ELECTRICAL METERING OF DEPART-**
5 **MENT OF DEFENSE INFRASTRUCTURE SUP-**
6 **PORTING CRITICAL MISSIONS.**

7 (a) **OPTIONS TO IMPROVE ELECTRICAL METER-**
8 **ING.**—The Secretary of Defense and the Secretaries of the
9 military departments shall improve the metering of elec-
10 trical energy usage of covered defense structures to accu-
11 rately determine energy consumption by such a structure
12 to increase energy efficiency and improve energy resil-
13 ience, using any combination of the options specified in
14 subsection (b) or such other methods as the Secretary con-
15 cerned considers practicable.

16 (b) **METERING OPTIONS.**—Electrical energy usage
17 options to be considered for a covered defense structure
18 include the following:

19 (1) Installation of a smart meter at the electric
20 power supply cable entry point of the covered de-
21 fense structure, with remote data storage and re-
22 trieval capability using cellular communication, to
23 provide historical energy usage data on an hourly
24 basis to accurately determine the optimum cost ef-

1 fective energy efficiency and energy resilience meas-
2 ures for the covered defense structure.

3 (2) Use of an energy usage audit firm to indi-
4 vidually meter the covered defense structure using
5 clamp-on meters and data storage to provide year-
6 long electric energy load profile data, particularly in
7 the case of a covered defense structure located in cli-
8 mates with highly variable use based on weather or
9 temperature changes to accurately identify electric
10 energy usage demand for both peak and off peak pe-
11 riods for a covered defense structure.

12 (3) Manual collection and calculation of the
13 connected load via nameplate data survey of all the
14 connected electrical devices for the covered defense
15 structure and comparing it to the designed max-
16 imum rating of the incoming electric supply to deter-
17 mine the maximum electrical load for the covered de-
18 fense structure.

19 (c) CONSIDERATION OF PARTNERSHIPS.—The Sec-
20 retary of Defense and the Secretaries of the military de-
21 partments shall consider the use of arrangements (known
22 as public-private partnerships) with appropriate entities
23 outside the Government to reduce the cost of carrying out
24 this section.

25 (d) DEFINITIONS.—In this section:

1 (1) The term “covered defense structure”
2 means any infrastructure under the jurisdiction of
3 the Department of Defense inside the United States
4 that the Secretary of Defense or the Secretary of the
5 military department concerned determines—

6 (A) is used to support a critical mission of
7 the Department; and

8 (B) is located at a military installation
9 with base-wide resilient power.

10 (2) The term “energy resilience” has the mean-
11 ing given that term in section 101(e)(6) of title 10,
12 United States Code.

13 (e) IMPLEMENTATION REPORT.—As part of the De-
14 partment of Defense energy management report to be sub-
15 mitted under section 2925 of title 10, United States Code,
16 during fiscal year 2022, the Secretary of Defense shall in-
17 clude information on the progress being made to comply
18 with the requirements of this section.

19 **SEC. 2829. RENAMING CERTAIN MILITARY INSTALLATIONS**
20 **AND OTHER DEFENSE PROPERTY.**

21 (a) DEFINITIONS.—In this section:

22 (1) The term “advisory panel” means an advi-
23 sory panel established by the Secretary concerned to
24 assist the Secretary concerned in the renaming proc-
25 ess required by this section.

1 (2) The term “covered defense property” means
2 any real property, including any building, structure,
3 or other improvement to real property thereon,
4 under the jurisdiction of the Secretary concerned
5 that is named after any person who served in the po-
6 litical or military leadership of any armed rebellion
7 against the United States.

8 (3) The term “covered military installation”
9 means a military installation or reserve component
10 facility that is named after any person who served
11 in the political or military leadership of any armed
12 rebellion against the United States.

13 (4) The term “identification report” means the
14 initial report required by subsection (c) that identi-
15 fies covered military installations and covered de-
16 fense property.

17 (5) The term “military installation” has the
18 meaning given that term in section 2801(c) of title
19 10, United States Code.

20 (6) The term “other improvement” includes any
21 library, classroom, parade ground or athletic field,
22 training range, roadway, or similar physical feature.

23 (7) The term “process report” means the report
24 required by subsection (d) that describes the renam-
25 ing process to be used by the Secretary concerned.

1 (8) The term “renaming report” means the
2 final report required by subsection (f) that provides
3 new names for covered military installations and
4 covered defense property.

5 (9) The term “reserve component facility” has
6 the meaning given the term “facility” in section
7 18232 of title 10, United States Code, and covers
8 those facilities for which title is vested in the United
9 States or for which the Secretary of Defense contrib-
10 uted funds under section 18233(a) of such title or
11 former section 2233 of such title.

12 (10) The term “Secretary concerned” means
13 the Secretary of a military department and includes
14 the Secretary of Defense with respect to matters
15 concerning the Defense Agencies.

16 (b) RENAMING REQUIRED; DEADLINE.—Not later
17 than one year after the date of the enactment of this Act,
18 the Secretary concerned shall—

19 (1) complete the renaming process required by
20 this section; and

21 (2) commence the renaming of each covered
22 military installation and covered defense property
23 identified in the renaming report pursuant to the
24 guidance issued by the Secretary concerned under
25 subsection (f).

1 (c) IDENTIFICATION REPORT; DEADLINE.—Not later
2 than 60 days after the date of the enactment of this Act,
3 each Secretary concerned shall submit to the congressional
4 defense committees a report that identifies each covered
5 military installation and all covered defense property
6 under the jurisdiction of the Secretary concerned that the
7 Secretary concerned determines satisfies the definitions
8 given those terms in subsection (a).

9 (d) PROCESS REPORT; DEADLINE.—

10 (1) REPORT REQUIRED.—Not later than 90
11 days after the date of the enactment of this Act,
12 each Secretary concerned shall submit to the con-
13 gressional defense committees a report describing
14 the process by which the Secretary concerned will re-
15 name each covered military installation and covered
16 defense property identified in the renaming report
17 prepared by the Secretary concerned.

18 (2) REPORT ELEMENTS.—At minimum, the
19 process report shall contain the following elements:

20 (A) A detailed description of the process to
21 be used by the Secretary concerned to develop
22 a list of potential names for renaming covered
23 military installations and covered defense prop-
24 erty.

1 (B) An explanation regarding whether or
2 not the Secretary concerned established, or will
3 establish, an advisory panel to support the re-
4 view process and make recommendations to the
5 Secretary concerned. If the Secretary concerned
6 has established, or will establish, an advisory
7 panel, the report shall include the names and
8 positions of the individuals who will serve on
9 the advisory panel that represent:

10 (i) Military leadership from covered
11 military installations.

12 (ii) Military leadership from military
13 installations containing covered defense
14 property..

15 (iii) State leaders and leaders of the
16 locality in which a covered military instal-
17 lation or covered defense property is lo-
18 cated.

19 (iv) Representatives from military mu-
20 seums, military historians, or relevant his-
21 torians from the impacted States and local-
22 ities with relevant expertise.

23 (v) Community civil rights leaders.

24 (C) The criteria the Secretary concerned
25 will use to inform the renaming process.

1 (D) A description of the process for ac-
2 cepting and considering public comments from
3 members of the Armed Forces, veterans, and
4 members of the local community on potential
5 names for renaming covered military installa-
6 tions and covered defense property.

7 (E) A timeline for the renaming process
8 consistent with the deadline specified in sub-
9 section (b).

10 (e) CONGRESSIONAL GUIDANCE ON RENAMING CRI-
11 TERIA.—

12 (1) PREFERENCES.—As part of the renaming
13 process established by the Secretary concerned and
14 described in the process report required by sub-
15 section (c), the Secretary concerned shall give a
16 preference for renaming covered military installa-
17 tions and covered defense property after either—

18 (A) a battlefield victory by the Armed
19 Forces consistent with current Department of
20 Defense naming conventions; or

21 (B) a deceased member of the Armed
22 Forces who satisfies one of more of the fol-
23 lowing:

24 (i) Was a recipient of the Congres-
25 sional Medal of Honor.

1 (ii) Was recognized for heroism in
2 combat or for other significant contribu-
3 tions to the United States.

4 (iii) Was a member of a minority
5 group who overcame prejudice and adver-
6 sity to perform distinguished military serv-
7 ice.

8 (iv) Has links to the community or
9 State where the military installation or
10 covered property is located.

11 (v) Served at the covered military in-
12 stallation, in a unit of the Armed Forces
13 based at the covered installation; or at the
14 military installation containing the covered
15 defense property.

16 (2) OTHER CONSIDERATIONS.—

17 (A) JUNIOR SERVICEMEMBERS.—Junior
18 members of the Armed Forces should be fa-
19 vored in the renaming process over general offi-
20 cers or flag officers.

21 (B) BRANCH CONSIDERATION.—A de-
22 ceased member of the Armed Forces whose
23 name is selected in the renaming process should
24 have served in the same Armed Force as the
25 majority of the members of the Armed Forces

1 stationed at the covered military installation re-
2 named in honor of the deceased member or at
3 which the renamed covered defense property is
4 located.

5 (C) CONFLICT CONSIDERATION.—The
6 names selected in the renaming process should
7 recognize and reflect significant battles or con-
8 tingency operations since 1917 or the contribu-
9 tions of members of the Armed Forces who
10 served in wars and contingency operations since
11 1917.

12 (D) PERSONAL CONDUCT.—A deceased
13 member of the Armed Forces whose name is se-
14 lected in the renaming process should be a per-
15 son whose personal conduct reflects the current
16 values of the Armed Forces and its members.

17 (f) RENAMING REPORT; DEADLINE.—

18 (1) REPORT REQUIRED.—Upon completing the
19 renaming process identified in the process report,
20 but not later than 30 days before the deadline speci-
21 fied in subsection (b), each Secretary concerned shall
22 submit to the congressional defense committees a
23 final report containing the list of the new names
24 chosen for each covered military installation and cov-

1 ered defense property identified in the identification
2 report prepared by the Secretary concerned.

3 (2) REPORT ELEMENTS.—At minimum, the re-
4 naming report shall contain an explanation of the
5 reasons for the selection of each new name chosen
6 for covered military installations and covered defense
7 property.

8 (3) PUBLIC AVAILABILITY.—The Secretary con-
9 cerned shall make the renaming report publicly
10 available as soon as practicable after submission of
11 the renaming report.

12 (3) GUIDANCE FOR ACTUAL RENAMING.—Not
13 later than 30 days after submission of the renaming
14 report, the Secretary concerned shall issue guidance
15 to promptly affect the name changes contained in
16 the renaming report.

17 (g) SAVINGS CLAUSE.—Nothing in this section or the
18 renaming process required by this section shall be con-
19 strued to have any effect on grave markers or cemeteries
20 that may exist on real property under the jurisdiction of
21 the Department of Defense.

22 **Subtitle D—Land Conveyances**

23 **SEC. 2831. LAND CONVEYANCE, CAMP NAVAJO, ARIZONA.**

24 (a) CONVEYANCE AUTHORIZED.—The Secretary of
25 the Army may convey, without consideration, to the State

1 of Arizona Department of Emergency and Military Affairs
2 (in this section referred to as the “State”) all right, title,
3 and interest of the United States in and to a parcel of
4 real property, including any improvements thereon, con-
5 sisting of not more than 3,000 acres at Camp Navajo, Ari-
6 zona, for the purpose of permitting the State to use the
7 property—

8 (1) for training the Arizona Army National
9 Guard and Air National Guard; and

10 (2) for defense industrial base economic devel-
11 opment purposes that are compatible with the envi-
12 ronmental security and primary National Guard
13 training purpose of Camp Navajo.

14 (b) CONDITION OF CONVEYANCE.—

15 (1) USE OF REVENUES.—The authority of the
16 Secretary of the Army to make the conveyance de-
17 scribed in subsection (a) is subject to the condition
18 that the State agree that all revenues generated
19 from the use of the property conveyed under such
20 subsection will be used to support the training re-
21 quirements of the Arizona Army National Guard
22 and Air National Guard, including necessary infra-
23 structure maintenance and capital improvements.

24 (2) AUDIT.—The United States Property and
25 Fiscal Office for Arizona shall—

1 (A) conduct periodic audits of all revenues
2 generated by uses of the conveyed property and
3 the use of such revenues; and

4 (B) provide the audit results to the Chief
5 of the National Guard Bureau.

6 (c) REVERSIONARY INTEREST.—

7 (1) INTEREST RETAINED.—If the Secretary of
8 the Army determines at any time that the property
9 conveyed under subsection (a) is not being used in
10 accordance with the purposes of the conveyance
11 specified in such subsection, or that the State has
12 not complied with the condition imposed by sub-
13 section (b), all right, title, and interest in and to the
14 conveyed property, including any improvements
15 thereon, shall, at the option of the Secretary, revert
16 to and become the property of the United States,
17 and the United States shall have the right of imme-
18 diate entry onto the Property.

19 (2) DETERMINATION.—A determination by the
20 Secretary under this subsection shall be made on the
21 record after an opportunity for a hearing.

22 (d) ALTERNATIVE CONSIDERATION OPTION.—

23 (1) CONSIDERATION OPTION.—In lieu of exer-
24 cising the reversionary interest retained under sub-
25 section (c), the Secretary of the Army may accept an

1 offer by the State to pay to the United States an
2 amount equal to the fair market value of the prop-
3 erty conveyed under subsection (a), excluding the
4 value of any improvements on the conveyed property
5 constructed without Federal funds after the date of
6 the conveyance is completed, as determined by the
7 Secretary.

8 (2) TREATMENT OF CONSIDERATION RE-
9 CEIVED.—Consideration received by the Secretary
10 under paragraph (1) shall be deposited in the special
11 account in the Treasury established for the Sec-
12 retary under subsection (e) of section 2667 of title
13 10, United States Code, and shall be available to the
14 Secretary for the same uses and subject to the same
15 limitations as provided in that section.

16 (e) PAYMENT OF COSTS OF CONVEYANCE.—

17 (1) PAYMENT REQUIRED.—The Secretary of
18 the Army shall require the State to cover costs to be
19 incurred by the Secretary, or to reimburse the Sec-
20 retary for such costs incurred by the Secretary, to
21 carry out the conveyance under subsection (a), in-
22 cluding survey costs, costs for environmental docu-
23 mentation related to the conveyance, and any other
24 administrative costs related to the conveyance. If
25 amounts are collected from the State in advance of

1 the Secretary incurring the actual costs, and the
2 amount collected exceeds the costs actually incurred
3 by the Secretary to carry out the conveyance, the
4 Secretary shall refund the excess amount to the
5 State.

6 (2) TREATMENT OF AMOUNTS RECEIVED.—
7 Amounts received as reimbursement under para-
8 graph (1) shall be credited to the fund or account
9 that was used to cover those costs incurred by the
10 Secretary in carrying out the conveyance or, if the
11 period of availability for obligations for that appro-
12 priation has expired, to the fund or account cur-
13 rently available to the Secretary for the same pur-
14 pose. Amounts so credited shall be merged with
15 amounts in such fund or account, and shall be avail-
16 able for the same purposes, and subject to the same
17 conditions and limitations, as amounts in such fund
18 or account.

19 (f) DESCRIPTION OF PROPERTY.—The exact acreage
20 and legal description of the property to be conveyed under
21 subsection (a) shall be determined by a survey satisfactory
22 to the Secretary of the Army.

23 (g) SAVINGS PROVISION.—Nothing in this section
24 shall be construed to alleviate, alter, or affect the responsi-
25 bility of the United States for cleanup and remediation

1 of the property to be conveyed under subsection (a) in ac-
2 cordance with the Defense Environmental Restoration
3 Program under section 2701 of title 10, United States
4 Code, and the Comprehensive Environmental Response,
5 Compensation, and Liability Act of 1980 (42 U.S.C. 9601
6 et seq.).

7 (h) **ADDITIONAL TERMS AND CONDITIONS.**—The
8 Secretary of the Army may require such additional terms
9 and conditions in connection with the conveyance under
10 subsection (a) as the Secretary considers appropriate to
11 protect the interests of the United States. These addi-
12 tional terms may include a requirement for the State to
13 consult with the Secretary of the Navy regarding use of
14 the conveyed property.

15 **SEC. 2832. MODIFICATION OF LAND EXCHANGE INVOLVING**
16 **NAVAL INDUSTRIAL RESERVE ORDNANCE**
17 **PLANT, SUNNYVALE, CALIFORNIA.**

18 (a) **ELEMENTS OF EXCHANGE.**—Section 2841(a) of
19 the Military Construction Authorization Act for Fiscal
20 Year 2018 (division B of Public Law 115–91; 131 Stat.
21 1860) is amended by striking paragraphs (1) and (2) and
22 inserting the following new paragraphs:

23 “(1) real property, including improvements
24 thereon, located in Titusville, Florida, that will re-
25 place the NIROP and meet the readiness require-

1 ments of the Department of the Navy, as determined
2 by the Secretary; and

3 “(2) reimbursement for the costs of relocation
4 of contractor and Government personnel and equip-
5 ment from the NIROP to the replacement facilities,
6 to the extent specified in the land exchange agree-
7 ment contemplated in subsection (b).”.

8 (b) ELEMENTS OF LAND EXCHANGE AGREEMENT.—
9 Section 2841(b)(1) of the Military Construction Author-
10 ization Act for Fiscal Year 2018 (division B of Public Law
11 115–91; 131 Stat. 1860) is amended by inserting after
12 “identifies” the following: “the costs of relocation to be
13 reimbursed by the Exchange Entity,”.

14 (c) VALUATION OF PROPERTIES AND COMPENSA-
15 TION.—Section 2841 of the Military Construction Author-
16 ization Act for Fiscal Year 2018 (division B of Public Law
17 115–91; 131 Stat. 1860) is amended—

18 (1) by striking subsection (c);

19 (2) by redesignating subsections (d) through (i)
20 as subsections (e) through (j), respectively; and

21 (3) by inserting after subsection (b) the fol-
22 lowing new subsections:

23 “(c) VALUATION.—The Secretary shall determine the
24 fair market value of the properties, including improve-

1 ments thereon, to be exchanged by the Secretary and the
2 Exchange Entity under subsection (a).

3 “(d) COMPENSATION.—

4 “(1) COMPENSATION REQUIRED.—The Ex-
5 change Entity shall provide compensation under the
6 land exchange agreement described in subsection (b)
7 that is equal to or exceeds the fair market value of
8 the NIROP, as determined under subsection (c).

9 “(2) IN-KIND CONSIDERATION.—As part of the
10 compensation under the land exchange agreement,
11 the Secretary and the Exchange Entity may agree
12 for the Exchange Entity to provide the following
13 forms of in-kind consideration at any property or fa-
14 cility under the control of the Secretary:

15 “(A) Alteration, repair, improvement, or
16 restoration (including environmental restora-
17 tion) of property.

18 “(B) Use of facilities by the Secretary.

19 “(C) Provision of real property mainte-
20 nance services.

21 “(D) Provision of or payment of utility
22 services.

23 “(E) Provision of such other services relat-
24 ing to activities that will occur on the property
25 as the Secretary considers appropriate.

1 “(3) DEPOSIT.—The Secretary shall deposit
2 any cash payments received under the land exchange
3 agreement, other than cash payments accepted
4 under section 2695 of title 10, United States Code,
5 in the account in the Treasury established pursuant
6 to section 572(b) of title 40, United States Code.

7 “(4) USE OF PROCEEDS.—Proceeds deposited
8 pursuant to paragraph (3) in the account referred to
9 in such paragraph shall be available to the Secretary
10 in such amounts as provided in appropriations Acts
11 for the following activities:

12 “(A) Maintenance, protection, alternation,
13 repair, improvement, or restoration (including
14 environmental restoration) of property or facili-
15 ties.

16 “(B) Payment of utilities services.

17 “(C) Real property maintenance services.”.

18 (d) TREATMENT OF CERTAIN AMOUNTS RE-
19 CEIVED.—Subsection (f) of section 2841 of the Military
20 Construction Authorization Act for Fiscal Year 2018 (di-
21 vision B of Public Law 115–91; 131 Stat. 1861), as reded-
22 ignated by subsection (e)(2) of this section, is amended
23 by striking “(a), (e)(2), and (d)” and inserting “(a) and
24 (e)”.

1 (e) SUNSET.—Subsection (j) of section 2841 of the
2 Military Construction Authorization Act for Fiscal Year
3 2018 (division B of Public Law 115–91; 131 Stat. 1861),
4 as redesignated by subsection (c)(2) of this section, is
5 amended by striking “October 1, 2023” and inserting
6 “October 1, 2026, if the Secretary and the Exchange Enti-
7 ty have not entered into a land exchange agreement de-
8 scribed in subsection (b) before that date”.

9 **SEC. 2833. LAND CONVEYANCE, SHARPE ARMY DEPOT,**
10 **LATHROP, CALIFORNIA.**

11 (a) CONVEYANCE AUTHORIZED.—If the Secretary of
12 the Army determines that no department or agency of the
13 Federal Government will accept the transfer of a parcel
14 of real property consisting of approximately 525 acres at
15 Sharpe Army Depot in Lathrop, California, the Secretary
16 may convey to the Port of Stockton, California, all right,
17 title, and interest of the United States in and to the prop-
18 erty, including any improvements thereon, for the purpose
19 of permitting the Port of Stockton to use the property for
20 the development or operation of a port facility.

21 (b) MODIFICATION OF PARCEL AUTHORIZED FOR
22 CONVEYANCE.—If a department or agency of the Federal
23 Government will accept the transfer of a portion of the
24 parcel of real property described in subsection (a), the
25 Secretary shall modify the conveyance authorized by such

1 subsection to exclude the portion of the parcel to be ac-
2 cepted by that department or agency.

3 (c) CONSIDERATION.—

4 (1) PUBLIC BENEFIT CONVEYANCE.—The Sec-
5 retary of the Army may assign the property for con-
6 veyance under subsection (a) as a public benefit con-
7 veyance without monetary consideration to the Fed-
8 eral Government if the Port of Stockton satisfies the
9 conveyance requirements specified in section 554 of
10 title 40, United States Code.

11 (2) FAIR MARKET VALUE.—If the Port of
12 Stockton fails to qualify for a public benefit convey-
13 ance under paragraph (1) and still desires to acquire
14 the real property described in subsection (a), the
15 Port of Stockton shall pay to the United States an
16 amount equal to the fair market value of the prop-
17 erty to be conveyed. The Secretary shall determine
18 the fair market value of the property using an inde-
19 pendent appraisal based on the highest and best use
20 of the property.

21 (d) DESCRIPTION OF PROPERTY.—The exact acreage
22 and legal description of the real property to be conveyed
23 under subsection (a) shall be determined by a survey satis-
24 factory to the Secretary of the Army. The cost of the sur-
25 vey shall be borne by the Port of Stockton.

1 (e) **ADDITIONAL TERMS AND CONDITIONS.**—The
2 Secretary of the Army may require such additional terms
3 and conditions in connection with the conveyance under
4 subsection (a) as the Secretary considers appropriate to
5 protect the interests of the United States.

6 (f) **SUNSET.**—If the real property authorized for con-
7 veyance by subsection (a) is not conveyed within one year
8 after the date of the enactment of this Act, the Secretary
9 of the Army may report the property excess for disposal
10 in accordance with existing law.

11 **SEC. 2834. LAND EXCHANGE, SAN BERNARDINO COUNTY,**
12 **CALIFORNIA.**

13 (a) **DEFINITIONS.**—In this section:

14 (1) **COUNTY.**—The term “County” means the
15 County of San Bernardino, California.

16 (2) **FEDERAL LAND.**—The term “Federal land”
17 means the approximately 73 acres of Federal land
18 generally depicted as “Federal Land Proposed for
19 Exchange” on the map titled “Big Bear Land Ex-
20 change” and dated August 6, 2018.

21 (3) **NON-FEDERAL LAND.**—The term “non-Fed-
22 eral land” means the approximately 71 acres of land
23 owned by the County generally depicted as “Non-
24 Federal Land Proposed for Exchange” on the map
25 referred to in paragraph (2).

1 (b) EXCHANGE AUTHORIZED.—Subject to valid exist-
2 ing rights and the terms of this section, no later than one
3 year after the date that the portion of the Pacific Crest
4 National Scenic Trail is relocated in accordance with sub-
5 section (i), if the County offers to convey the non-Federal
6 land to the United States, the Secretary of Agriculture
7 shall—

8 (1) convey to the County all right, title, and in-
9 terest of the United States in and to the Federal
10 land; and

11 (2) accept from the County a conveyance of all
12 right, title, and interest of the County in and to the
13 non-Federal land.

14 (c) EQUAL VALUE AND CASH EQUALIZATION.—

15 (1) EQUAL VALUE EXCHANGE.—The land ex-
16 change under this section shall be for equal value,
17 or the values shall be equalized by a cash payment
18 as provided for under this subsection or an adjust-
19 ment in acreage. At the option of the County, any
20 excess value of the non-Federal lands may be consid-
21 ered a gift to the United States.

22 (2) CASH EQUALIZATION PAYMENT.—The
23 County may equalize the values of the lands to be
24 exchanged under this section by cash payment with-

1 out regard to any statutory limit on the amount of
2 such a cash equalization payment.

3 (3) DEPOSIT AND USE OF FUNDS RECEIVED
4 FROM COUNTY.—Any cash equalization payment re-
5 ceived by the Secretary of Agriculture under this
6 subsection shall be deposited in the fund established
7 under Public Law 90–171 (16 U.S.C. 484a; com-
8 monly known as the Sisk Act). The funds so depos-
9 ited shall remain available to the Secretary of Agri-
10 culture, until expended, for the acquisition of lands,
11 waters, and interests in land for the San Bernardino
12 National Forest.

13 (d) APPRAISAL.—The Secretary of Agriculture shall
14 complete an appraisal of the land to be exchanged under
15 this section in accordance with—

16 (1) the Uniform Appraisal Standards for Fed-
17 eral Land Acquisitions; and

18 (2) the Uniform Standards of Professional Ap-
19 praisal Practice.

20 (e) TITLE APPROVAL.—Title to the land to be ex-
21 changed under this section shall be in a format acceptable
22 to the Secretary of Agriculture and the County.

23 (f) SURVEY OF NON-FEDERAL LANDS.—Before com-
24 pleting the exchange under this section, the Secretary of
25 Agriculture shall inspect the non-Federal lands to ensure

1 that the land meets Federal standards, including haz-
2 ardous materials and land line surveys.

3 (g) COSTS OF CONVEYANCE.—As a condition of the
4 conveyance of the Federal land under this section, any
5 costs related to the exchange under this section shall be
6 paid by the County.

7 (h) MANAGEMENT OF ACQUIRED LANDS.—The Sec-
8 retary of Agriculture shall manage the non-Federal land
9 acquired under this section in accordance with the Act of
10 March 1, 1911 (16 U.S.C. 480 et seq.; commonly known
11 as the Weeks Act), and other laws and regulations per-
12 taining to National Forest System lands.

13 (i) PACIFIC CREST NATIONAL SCENIC TRAIL RELO-
14 CATION.—No later than three years after the date of en-
15 actment of this Act, the Secretary of Agriculture, in ac-
16 cordance with applicable laws, shall relocate the portion
17 of the Pacific Crest National Scenic Trail located on the
18 Federal land—

19 (1) to adjacent National Forest System land;

20 (2) to land owned by the County, subject to
21 County approval;

22 (3) to land within the Federal land, subject to
23 County approval; or

1 (4) in a manner that combines two or more of
2 the options described in paragraphs (1), (2), and
3 (3).

4 (j) MAP AND LEGAL DESCRIPTIONS.—As soon as
5 practicable after the date of the enactment of this Act,
6 the Secretary of Agriculture shall finalize a map and legal
7 descriptions of all land to be conveyed under this section.
8 The Secretary may correct any minor errors in the map
9 or in the legal descriptions. The map and legal descrip-
10 tions shall be on file and available for public inspection
11 in appropriate offices of the Forest Service.

12 **SEC. 2835. LAND CONVEYANCE, OVER-THE-HORIZON**
13 **BACKSCATTER RADAR SYSTEM RECEIVING**
14 **STATION, MODOC COUNTY, CALIFORNIA.**

15 (a) CONVEYANCE REQUIRED.—

16 (1) IN GENERAL.—As soon as practicable after
17 receiving a request from Modoc County, California
18 (in this section referred to as the “County”) regard-
19 ing the conveyance required by this section, but sub-
20 ject to paragraph (2), the Secretary of Agriculture
21 shall convey to the County all right, title, and inter-
22 est of the United States in and to a parcel of Na-
23 tional Forest System land, including improvements
24 thereon, consisting of approximately 927 acres in
25 Modoc National Forest in the State of California

1 and containing an obsolete Over-the-Horizon
2 Backscatter Radar System receiving station estab-
3 lished on the parcel pursuant to a memorandum of
4 agreement between the Department of the Air Force
5 and Forest Service dated May 18 and 23, 1987.

6 (2) APPLICABLE LAW AND NATIONAL SECURITY
7 DETERMINATION.—The Secretary of Agriculture
8 shall carry out the conveyance under subsection (a)
9 in accordance with this section and all other applica-
10 ble law, including the condition that the conveyance
11 not take place until the Secretary, in consultation
12 with the Secretary of the Air Force, determines that
13 the conveyance will not harm the national security
14 interests of the United States.

15 (b) PURPOSE OF CONVEYANCE.—The purpose of the
16 conveyance under subsection (a) is to preserve and utilize
17 the improvements constructed on the parcel of National
18 Forest System land described in such subsection and to
19 permit the County to use the conveyed property, including
20 improvements thereon, for the development of renewable
21 energy, including solar and biomass cogeneration.

22 (c) CONSIDERATION.—

23 (1) IN GENERAL.—As consideration for the con-
24 veyance under subsection (a), the County shall pay
25 to the Secretary of Agriculture an amount that is

1 not less than the fair market value of the parcel of
2 land to be conveyed, as determined in accordance
3 with the Uniform Appraisal Standards for Federal
4 Land Acquisition and the Uniform Standards of
5 Professional Appraisal Practice.

6 (2) TREATMENT OF CASH CONSIDERATION.—
7 The Secretary shall deposit the payment received
8 under paragraph (1) in the account in the Treasury
9 established by Public Law 90–171 (commonly known
10 as the Sisk Act; 16 U.S.C. 484a). The amount de-
11 posited shall be available to the Secretary, in such
12 amounts as may be provided in advance in appro-
13 priation Acts, to pay any necessary and incidental
14 costs incurred by the Secretary in connection with
15 the improvement, maintenance, reconstruction, or
16 construction of a facility or improvement for the Na-
17 tional Forest System located in the State of Cali-
18 fornia.

19 (d) RESERVATION OF EASEMENT RELATED TO CON-
20 TINUED USE OF WATER WELLS.—The conveyance re-
21 quired by subsection (a) shall be conditioned on the res-
22 ervation of an easement by the Secretary of Agriculture,
23 subject to such terms and conditions as the Secretary
24 deems appropriate, necessary to provide access for use au-
25 thorized by the Secretary of the four water wells in exist-

1 ence on the date of the enactment of this Act and associ-
2 ated water conveyance infrastructure on the parcel of Na-
3 tional Forest System lands to be conveyed.

4 (e) WITHDRAWAL.—The National Forest System
5 land described in subsection (a) is withdrawn from the op-
6 eration of the mining and mineral leasing laws of the
7 United States.

8 (f) PAYMENT OF COSTS OF CONVEYANCE.—

9 (1) PAYMENT REQUIRED.—The Secretary of
10 Agriculture shall require the County to cover costs
11 (except costs for environmental remediation of the
12 property) to be incurred by the Secretary, or to re-
13 imburse the Secretary for such costs incurred by the
14 Secretary, to carry out the conveyance under sub-
15 section (a), including survey costs, costs for environ-
16 mental documentation, and any other administrative
17 costs related to the conveyance. If amounts are col-
18 lected from the County in advance of the Secretary
19 incurring the actual costs, and the amount collected
20 exceeds the costs actually incurred by the Secretary
21 to carry out the conveyance, the Secretary shall re-
22 fund the excess amount to the County.

23 (2) TREATMENT OF AMOUNTS RECEIVED.—
24 Amounts received as reimbursement under para-
25 graph (1) shall be credited to the fund or account

1 that was used to cover those costs incurred by the
2 Secretary of Agriculture in carrying out the convey-
3 ance. Amounts so credited shall be merged with
4 amounts in such fund or account, and shall be avail-
5 able for the same purposes, and subject to the same
6 conditions and limitations, as amounts in such fund
7 or account.

8 (g) ENVIRONMENTAL REMEDIATION.—

9 (1) IN GENERAL.—To expedite the conveyance
10 of the parcel of National Forest System land de-
11 scribed in subsection (a), including improvements
12 thereon, environmental remediation of the land by
13 the Department of the Air Force shall be limited to
14 the removal of the perimeter wooden fence, which
15 was treated with an arsenic-based weatherproof
16 coating, and treatment of soil affected by leaching of
17 such chemical.

18 (2) POTENTIAL FUTURE ENVIRONMENTAL RE-
19 MEDIATION RESPONSIBILITIES.—Notwithstanding
20 the conveyance of the parcel of National Forest Sys-
21 tem land described in subsection (a), the Secretary
22 of the Air Force shall be responsible for the remedi-
23 ation of any environmental contamination, discov-
24 ered post-conveyance, that is attributed to Air Force

1 occupancy of and operations on the parcel pre-con-
2 veyance.

3 (h) COMPLIANCE WITH ENVIRONMENTAL LAWS.—
4 Notwithstanding the requirements of section 120(h) of the
5 Comprehensive Environmental Response, Compensation,
6 and Liability Act of 1980 (42 U.S.C. 9620(h)), the Sec-
7 retary of Agriculture shall not be required to provide any
8 of the covenants and warranties otherwise required under
9 such section in connection with the conveyance of the
10 property under subsection (a).

11 (i) DESCRIPTION OF PROPERTY.—The exact acreage
12 and legal description of the property to be conveyed under
13 subsection (a) shall be determined by a survey satisfactory
14 to the Secretary of Agriculture.

15 **SEC. 2836. TRANSFER OF ADMINISTRATIVE JURISDICTION,**
16 **NAVAL SUPPORT ACTIVITY PANAMA CITY,**
17 **FLORIDA, PARCEL.**

18 (a) TRANSFER TO THE SECRETARY OF THE NAVY.—
19 Administrative jurisdiction over the parcel of Federal land
20 consisting of approximately 1.23 acres located within
21 Naval Support Activity Panama City, Florida, and used
22 by the Department of the Navy pursuant to Executive
23 Order 10355 of May 26, 1952, and Public Land Order
24 Number 952 of April 6, 1954, is transferred from the Sec-
25 retary of the Interior to the Secretary of the Navy.

1 (b) LAND SURVEY.—The exact acreage and legal de-
2 scription of the Federal land transferred by subsection (a)
3 shall be determined by a survey satisfactory to the Sec-
4 retary of the Navy and the Secretary of the Interior.

5 (c) CONSIDERATION AND REIMBURSEMENT.—

6 (1) NO CONSIDERATION.—The transfer made
7 by subsection (a) shall be without consideration.

8 (2) REIMBURSEMENT.—The Secretary of the
9 Navy shall reimburse the Secretary of the Interior
10 for any costs incurred by the Secretary of the Inte-
11 rior under subsection (b) in conducting the survey
12 and preparing the legal description of the Federal
13 land transferred by subsection (a).

14 (d) STATUS OF LAND AFTER TRANSFER.—Upon
15 transfer of the Federal land by subsection (a), the land
16 shall cease to be public land and shall be treated as prop-
17 erty (as defined in section 102(9) of title 40, United
18 States Code) under the administrative jurisdiction of the
19 Secretary of the Navy.

1 **Subtitle E—Military Land**
2 **Withdrawals**

3 **SEC. 2841. RENEWAL OF LAND WITHDRAWAL AND RES-**
4 **ERVATION TO BENEFIT NAVAL AIR FACILITY,**
5 **EL CENTRO, CALIFORNIA.**

6 Section 2925 of the El Centro Naval Air Facility
7 Ranges Withdrawal Act (subtitle B of title XXIX of Public
8 Law 104–201; 110 Stat. 2816) is amended by striking
9 “25 years after the date of the enactment of this subtitle”
10 and inserting “on November 6, 2046”.

11 **SEC. 2842. RENEWAL OF FALLON RANGE TRAINING COM-**
12 **PLEX LAND WITHDRAWAL AND RESERVA-**
13 **TION.**

14 Notwithstanding section 3015 of the Military Lands
15 Withdrawal Act of 1999 (title XXX of Public Law 106–
16 65; 113 Stat. 892), the withdrawal and reservation of
17 lands (known as the Fallon Range Training Complex)
18 made by section 3011(a) of such Act (113 Stat. 885) shall
19 terminate on November 6, 2046.

20 **SEC. 2843. RENEWAL OF NEVADA TEST AND TRAINING**
21 **RANGE LAND WITHDRAWAL AND RESERVA-**
22 **TION.**

23 Notwithstanding section 3015 of the Military Lands
24 Withdrawal Act of 1999 (title XXX of Public Law 106–
25 65; 113 Stat. 892), the withdrawal and reservation of

1 lands (known as the Nevada Test and Training Range)
2 made by section 3011(b) of such Act (113 Stat. 886) shall
3 terminate on November 6, 2046.

4 **SEC. 2844. CO-MANAGEMENT, NEW MEMORANDUM OF UN-**
5 **DERSTANDING, AND ADDITIONAL REQUIRE-**
6 **MENTS REGARDING NEVADA TEST AND**
7 **TRAINING RANGE.**

8 (a) DEFINITIONS.—In this section:

9 (1) The term “affected Indian tribe” means an
10 Indian tribe that—

11 (A) has historical connections to the land
12 withdrawn and reserved as the Nevada Test
13 and Training Range; and

14 (B) retains a presence on lands near the
15 Nevada Test and Training Range.

16 (2) The term “heavy force” means a military
17 unit with armored motorized equipment, such as
18 tanks, motorized artillery, and armored personnel
19 carriers.

20 (3) The term “large force” means a military
21 unit designated as a battalion or larger organiza-
22 tional unit.

23 (4) The term “Nevada Test and Training
24 Range” means the lands known as the Nevada Test
25 and Training Range withdrawn and reserved by sec-

1 tion 3011(b) of the Military Lands Withdrawal Act
2 of 1999 (title XXX of Public Law 106–65; 113 Stat.
3 886).

4 (5) The term “new memorandum of under-
5 standing” means the memorandum of understanding
6 required by subsection (c)(1).

7 (6) The term “overlapping lands” means the
8 lands overlapping both the Nevada Test and Train-
9 ing Range and the Desert National Wildlife Refuge.

10 (7) The term “Secretaries” means the Sec-
11 retary of the Air Force and the Secretary of the In-
12 terior acting jointly.

13 (8) The term “small force” means a military
14 force of squad, platoon, or equivalent or smaller size.

15 (b) CO-MANAGEMENT OF FEDERAL LANDS OVER-
16 LAPPING NEVADA TEST AND TRAINING RANGE AND
17 DESERT NATIONAL WILDLIFE REFUGE.—The Secretaries
18 shall co-manage the overlapping lands for both military
19 and wildlife refuge purposes.

20 (c) MEMORANDUM OF UNDERSTANDING.—

21 (1) NEW MOU REQUIRED.—Not later than two
22 years after the date of the enactment of this Act, the
23 Secretaries shall prepare a memorandum of under-
24 standing regarding the management of the overlap-
25 ping lands for the purpose of facilitating the co-man-

1 agement of the overlapping lands as required by sub-
2 section (b).

3 (2) RELATION TO EXISTING MOU.—The new
4 memorandum of understanding shall supersede the
5 memorandum of understanding referred to in sub-
6 paragraph (E) of section 3011(b)(5) of the Military
7 Lands Withdrawal Act of 1999 (title XXX of Public
8 Law 106–65; 113 Stat. 888). Clauses (ii), (iii), and
9 (iv) of such subparagraph shall apply to the new
10 memorandum of understanding in the same manner
11 as such clauses applied to the superseded memo-
12 randum of understanding .

13 (d) ELEMENTS OF NEW MEMORANDUM OF UNDER-
14 STANDING.—

15 (1) IN GENERAL.—Subject to the dispute reso-
16 lution process required by subsection (e), the new
17 memorandum of understanding shall include, at a
18 minimum, provisions to address the following:

19 (A) The proper management and protec-
20 tion of the natural and cultural resources of the
21 overlapping lands.

22 (B) The sustainable use by the public of
23 such resources to the extent consistent with ex-
24 isting laws and regulations, including applicable
25 environmental laws.

1 (C) The use of the overlapping lands for
2 the military purposes for which the lands are
3 withdrawn and reserved.

4 (2) CONSULTATION.—The Secretaries shall pre-
5 pare the new memorandum of understanding in con-
6 sultation with the following:

7 (A) The resource consultative committee.

8 (B) Affected Indian tribes.

9 (3) TRIBAL ISSUES.—The new memorandum of
10 understanding shall include provisions to address the
11 manner in which the Secretary of the Air Force will
12 accomplish the following:

13 (A) Meet the United States trust respon-
14 sibilities with respect to affected Indian tribes,
15 tribal lands, and rights reserved by treaty or
16 Federal law affected by the withdrawal and res-
17 ervation of the overlapping lands.

18 (B) Guarantee reasonable access to, and
19 use by members of affected Indian tribes of
20 high priority cultural sites throughout the Ne-
21 vada Test and Training Range, including the
22 overlapping lands, consistent with the reserva-
23 tion of the lands for military purposes.

24 (C) Protect identified cultural and archae-
25 ological sites throughout the Nevada Test and

1 Training Range, including the overlapping
2 lands, and, in the event of an inadvertent
3 ground disturbance of such a site, implement
4 appropriate response activities to once again fa-
5 cilitate historic and subsistence use of the site
6 by members of affected Indian tribes.

7 (D) Provide for timely consultation with
8 affected Indian tribes as required by paragraph
9 (2).

10 (4) DEPARTMENT OF THE INTERIOR ACCESS.—

11 The new memorandum of understanding shall en-
12 sure that the Secretary of the Interior has regularly
13 access to the overlapping lands to carry out the
14 management responsibilities of the Secretary of the
15 Interior regarding the Desert National Wildlife Ref-
16 uge, including the following:

17 (A) The installation or maintenance of
18 wildlife water development projects.

19 (B) The conduct of annual desert bighorn
20 sheep surveys.

21 (C) The management of the annual desert
22 bighorn sheep hunt in accordance with the Na-
23 tional Wildlife Refuge System Administration
24 Act of 1966 (16 U.S.C. 668dd–668ee).

1 (D) The conduct of annual biological sur-
2 veys for the Agassiz's desert tortoise and other
3 federally protected species, State-listed and at-
4 risk species, migratory birds, golden eagle nests
5 and rare plants.

6 (E) The conduct of annual invasive species
7 surveys and treatment.

8 (F) The conduct of annual contaminant
9 surveys of soil, springs, groundwater and vege-
10 tation.

11 (G) The regular installation and mainte-
12 nance of climate monitoring systems.

13 (H) Such additional access opportunities,
14 as needed, for wildlife research, including Glob-
15 al Positioning System collaring of desert big-
16 horn sheep, bighorn sheep disease monitoring,
17 investigation of wildlife mortalities, and deploy-
18 ing, maintaining, and retrieving output from
19 wildlife camera traps.

20 (5) HUNTING, FISHING, AND TRAPPING.—The
21 new memorandum of understanding shall include
22 provisions to require that any hunting, fishing, and
23 trapping on the overlapping lands is conducted in
24 accordance with section 2671 of title 10, United
25 States Code.

1 (6) OTHER REQUIRED MATTERS.—The new
2 memorandum of understanding also shall include
3 provisions regarding the following:

4 (A) The identification of current test and
5 target impact areas and related buffer or safety
6 zones, to the extent consistent with military
7 purposes.

8 (B) The design and construction of all
9 gates, fences, and barriers in the overlapping
10 lands, to be constructed after the date of the
11 enactment of this Act, in a manner to allow
12 wildlife access, to the extent practicable and
13 consistent with military security, safety, and
14 sound wildlife management use.

15 (C) The incorporation of any existing man-
16 agement plans pertaining to the overlapping
17 lands to the extent that the Secretaries, upon
18 review of such plans, determine that incorpora-
19 tion into the new memorandum of under-
20 standing is appropriate.

21 (D) Procedures to ensure periodic reviews
22 of the new memorandum of understanding are
23 conducted by the Secretaries, and that the
24 State of Nevada, affected Indian tribes, and the
25 public are provided a meaningful opportunity to

1 comment upon any proposed substantial revi-
2 sions.

3 (e) RESOLUTION OF DISPUTES.—

4 (1) DISPUTE RESOLUTION PROCESS.—The Sec-
5 retary of the Air Force shall be responsible for the
6 resolution of any dispute concerning the new memo-
7 randum of understanding or any amendment there-
8 to.

9 (2) CONSULTATION.—The Secretary of the Air
10 Force shall make a decision under this subsection
11 only after consultation with the Secretary of the In-
12 terior, acting through the Regional Director of the
13 United States Fish and Wildlife Service, and the co-
14 ordinator of the resource consultative committee.

15 (3) GOAL.—The Secretary of the Air Force
16 shall seek to resolve disputes under this subsection
17 in a manner that provides the greatest access to the
18 overlapping lands to the public and to other Federal
19 agencies and is protective of cultural and natural re-
20 sources to the greatest extent possible consistent
21 with the purposes for which the overlapping lands
22 are reserved.

23 (f) RESOURCE CONSULTATIVE COMMITTEE.—

24 (1) ESTABLISHMENT REQUIRED.—The Secre-
25 taries shall establish, pursuant to the new memo-

1 random of understanding, a resource consultative
2 committee comprised of representatives from inter-
3 ested Federal agencies, as well as at least one elect-
4 ed officer (or other authorized representative) from
5 the State of Nevada, and at least one elected officer
6 (or other authorized representative) from each local
7 and tribal government impacted by the Nevada Test
8 and Training Range, as may be designated at the
9 discretion of the Secretaries.

10 (2) PURPOSE.—The resource consultative com-
11 mittee shall be established solely for the purpose of
12 exchanging views, information, and advice relating
13 to the management of the natural and cultural re-
14 sources of the Nevada Test and Training Range.

15 (3) OPERATIONAL BASIS.—The resource con-
16 sultative committee shall operate in accordance with
17 the terms set forth in the new memorandum of un-
18 derstanding, which shall specify the Federal agencies
19 and elected officers or representatives of State, local,
20 and tribal governments to be invited to participate.
21 The memorandum of understanding shall establish
22 procedures for creating a forum for exchanging
23 views, information, and advice relating to the man-
24 agement of natural and cultural resources on the
25 lands concerned, procedures for rotating the chair of

1 the committee, and procedures for scheduling reg-
2 ular meetings.

3 (4) COORDINATOR.—The Secretaries shall ap-
4 point an individual to serve as coordinator of the re-
5 source consultative committee. The duties of the co-
6 ordinator shall be included in the new memorandum
7 of understanding. The coordinator shall not be a
8 member of the committee.

9 (g) AUTHORIZED AND PROHIBITED ACTIVITIES.—

10 (1) AUTHORIZED ACTIVITIES.—Military activi-
11 ties on the overlapping lands are authorized for the
12 following purposes:

13 (A) Emergency response.

14 (B) Establishment and use of existing or
15 new electronic tracking and communications
16 sites.

17 (C) Establishment and use of drop zones.

18 (D) Use and maintenance of roads in ex-
19 istence as of the date of the enactment of this
20 Act.

21 (E) Small force readiness training by Air
22 Force, Joint, or Coalition forces, including
23 training using small motorized vehicles both on-
24 and off-road, in accordance with applicable
25 interagency agreements.

1 (2) PROHIBITED ACTIVITIES.—Military activi-
2 ties on the overlapping lands are prohibited for the
3 following purposes:

4 (A) Large force or heavy force activities.

5 (B) Designation of new weapon impact
6 areas.

7 (C) Any ground disturbance activity not
8 authorized by paragraphs (1) and (2) of sub-
9 section (c).

10 (3) RULES OF CONSTRUCTION.—Nothing in
11 this subsection shall be construed to preclude—

12 (A) low-level overflights of military air-
13 craft, the designation of new units of special
14 use airspace, or the use or establishment of
15 military flight training routes over the overlap-
16 ping lands; or

17 (B) the Secretaries from entering into the
18 new memorandum of understanding or any
19 amendment thereto concerning the activities au-
20 thorized by paragraph (1).

21 (h) TRIBAL LIAISON POSITIONS.—

22 (1) ACCESS COORDINATOR.—The Secretary of
23 the Air Force shall create a tribal liaison position for
24 the Nevada Test and Training Range, to be held by
25 a member of an affected Indian tribe, who will help

1 coordinate access to cultural and archaeological sites
2 throughout the Nevada Test and Training Range
3 and accompany members of Indian tribes accessing
4 such sites.

5 (2) CULTURAL RESOURCES LIAISON.—The Sec-
6 retary of the Air Force shall create a tribal liaison
7 position for the Nevada Test and Training Range, to
8 be held by a member of an affected Indian tribe,
9 who will serve as a tribal cultural resources liaison
10 to ensure that—

11 (A) appropriate steps are being taken to
12 protect cultural and archaeological sites
13 throughout the Nevada Test and Training
14 Range; and

15 (B) the management plan for the Nevada
16 Test and Training Range is being followed.

17 (i) FISH AND WILDLIFE LIAISON.—The Secretaries
18 shall create a Fish and Wildlife Service liaison position
19 for the Nevada Test and Training Range, to be held by
20 a Fish and Wildlife Service official designated by the Di-
21 rector of the United States Fish and Wildlife Service, who
22 will serve as a liaison to ensure that—

23 (1) appropriate steps are being taken to protect
24 Fish and Wildlife Service managed resources

1 throughout the Nevada Test and Training Range;
2 and

3 (2) the management plan for the Nevada Test
4 and Training Range is being followed.

5 **SEC. 2845. SPECIFIED DURATION OF WHITE SANDS MISSILE**
6 **RANGE LAND WITHDRAWAL AND RESERVA-**
7 **TION AND ESTABLISHMENT OF SPECIAL RES-**
8 **ERVATION AREA FOR NORTHERN AND WEST-**
9 **ERN EXTENSION AREAS.**

10 (a) DURATION OF LAND WITHDRAWAL AND RES-
11 ERVATION.—The withdrawal and reservation of lands
12 (known as the White Sands Missile Range) made by sec-
13 tion 2951 of the Military Land Withdrawals Act of 2013
14 (title XXIX of Public Law 113–66; 127 Stat. 1039), and
15 the special reservation area established by this section,
16 shall terminate on October 1, 2046.

17 (b) SPECIAL RESERVATION AREA.—

18 (1) ESTABLISHMENT.—There is hereby estab-
19 lished a special reservation area consisting of the ap-
20 proximately 341,415 acres of public land (including
21 interests in land) in Socorro and Torrance Counties,
22 New Mexico, and the approximately 352,115 acres
23 of public land (including interests in land) in Sierra,
24 Socorro, and Doña Ana Counties, New Mexico, de-
25 picted as Northern Call-Up Area and Western Call-

1 Up Area, respectively, on the maps entitled “WSMR
2 Northern Call-Up Area” and “WSMR Western Call-
3 Up Area”, both dated August 16, 2016. These lands
4 include approximately 10,775 acres under the ad-
5 ministrative jurisdiction of the Secretary of the
6 Army.

7 (2) RESERVATION GENERALLY.—The special
8 reservation area, excluding the portion of the special
9 reservation area under the administrative jurisdic-
10 tion of the Secretary of the Army, is reserved for use
11 by the Secretary of the Army for military purposes
12 consisting of overflight research, development, test,
13 and evaluation and training.

14 (3) ARMY LANDS.—The portion of the special
15 reservation area under the administrative jurisdic-
16 tion of the Secretary of the Army is reserved for use
17 by the Secretary of the Army for military purposes
18 as determined by the Secretary of the Army.

19 (c) EXCEPTION FROM SPECIAL RESERVATION.—The
20 Secretary of the Army may permit, on a case-by-case basis
21 and consistent with section 44718 of title 49, United
22 States Code, the erection in the special reservation area
23 established by subsection (b) of a structure that extends
24 higher than 50 feet in height above the surface estate.

1 (d) MAPS AND LEGAL DESCRIPTIONS.—Section 3012
2 of the Military Land Withdrawals Act of 2013 (title XXIX
3 of Public Law 113–66; 127 Stat. 1026) shall apply with
4 respect to the maps referred to in subsection (a) and the
5 preparation of legal descriptions of the special reservation
6 area established by subsection (b), except that the ref-
7 erence to the date of the enactment of that Act shall be
8 deemed to refer to the date of the enactment of this Act.

9 (e) RULES OF CONSTRUCTION.—The establishment
10 of the special reservation area by subsection (b) shall not
11 be construed—

12 (1) to alter the terms, operation, or duration of
13 any agreement entered into by the Secretary of the
14 Army or the Secretary of the Interior involving any
15 portion of the lands included in the special reserva-
16 tion area, and the Secretaries shall continue to com-
17 ply with the terms of any such agreement; or

18 (2) to vest in the Secretary of the Army or the
19 Secretary of the Interior any authority vested in the
20 Secretary of Transportation or the Administrator of
21 the Federal Aviation Administration.

1 **Subtitle F—Asia-Pacific and Indo-**
2 **Pacific Issues**

3 **SEC. 2851. CHANGE TO BIENNIAL REPORTING REQUIRE-**
4 **MENT FOR INTERAGENCY COORDINATION**
5 **GROUP OF INSPECTORS GENERAL FOR GUAM**
6 **REALIGNMENT.**

7 Section 2835(e)(1) of the Military Construction Au-
8 thorization Act for Fiscal Year 2010 (division B of Public
9 Law 111–84; 10 U.S.C. 2687 note) is amended—

10 (1) in the paragraph heading, by striking “AN-
11 NUAL” and inserting “BIENNIAL”; and

12 (2) in the matter preceding subparagraph (A)—

13 (A) by striking “February 1 of each year”
14 and inserting “February 1, 2022, and every
15 second February 1 thereafter”;

16 (B) by striking “fiscal year” and inserting
17 “two fiscal years”;

18 (C) by striking “such year” and inserting
19 “such years”; and

20 (D) by striking “the year” and inserting
21 “the years”.

1 **SEC. 2852. ADDITIONAL EXCEPTION TO RESTRICTION ON**
2 **DEVELOPMENT OF PUBLIC INFRASTRUC-**
3 **TURE IN CONNECTION WITH REALIGNMENT**
4 **OF MARINE CORPS FORCES IN ASIA-PACIFIC**
5 **REGION.**

6 Notwithstanding section 2821(b) of the Military Con-
7 struction Authorization Act for Fiscal Year 2015 (division
8 B of Public Law 113–291; 10 U.S.C. 2687 note), the Sec-
9 retary of Defense may proceed with the public infrastruc-
10 ture project on Guam intended to provide a new public
11 health laboratory, as identified in the report prepared by
12 the Secretary of Defense under section 2822(d)(2) of the
13 Military Construction Authorization Act for Fiscal Year
14 2014 (division B of Public Law 113–66; 127 Stat. 1017)
15 and entitled “Economic Adjustment Committee Imple-
16 mentation Plan Supporting the Preferred Alternative for
17 the Relocation of Marine Corps Forces to Guam”, subject
18 to the availability of funds for the project.

19 **SEC. 2853. DEVELOPMENT OF MASTER PLAN FOR INFRA-**
20 **STRUCTURE TO SUPPORT ROTATIONAL**
21 **ARMED FORCES IN AUSTRALIA.**

22 (a) **MASTER PLAN REQUIRED.**—The Secretary of
23 Defense shall develop a master plan for the construction
24 of infrastructure required to support the rotational pres-
25 ence of units and members the United States Armed
26 Forces in the Northern Territory of the Commonwealth

1 of Australia (in this section referred to as the “Northern
2 Territory”).

3 (b) MASTER PLAN ELEMENTS.—The master plan
4 shall include the following:

5 (1) A list and description of the scope, cost, and
6 schedule for each military construction, repair, or
7 other infrastructure project carried out at installa-
8 tions or training areas in the Northern Territory
9 since October 1, 2011.

10 (2) A list and description of the scope, cost, and
11 schedule for each military construction, repair, or
12 other infrastructure project anticipated to be nec-
13 essary at installations or training areas in the
14 Northern Territory during the 10-year period begin-
15 ning on the date of the enactment of this Act.

16 (3) The site plans for each installation and
17 training area in the Northern Territory.

18 (4) For each project included in the master
19 plan pursuant to paragraph (1) or (2), an expla-
20 nation of—

21 (A) whether the proponent of the project
22 was the Secretary of a military department, a
23 combat support agency, a combatant command,
24 or the Commonwealth of Australia; and

1 (B) the funding source, or anticipated re-
2 source sponsor, for the project, including
3 whether the project is funded by the United
4 States, by the Commonwealth of Australia, or
5 jointly by both countries.

6 (5) Such other issues as determined by the Sec-
7 retary of Defense to be appropriate.

8 (c) COORDINATION.—The Secretary of Defense shall
9 coordinate with the Commander of United States Indo-
10 Pacific Command and the Secretaries of the military de-
11 partments to develop the master plan.

12 (d) REPORT REQUIREMENT.—Not later than 180
13 days after the date of the enactment of this Act, the Sec-
14 retary of Defense shall submit to the congressional defense
15 committees a report containing a copy of the master plan.
16 The report shall be submitted in unclassified form, but
17 may include a classified annex.

18 **SEC. 2854. STUDY AND STRATEGY REGARDING BULK FUELS**
19 **MANAGEMENT IN UNITED STATES INDO-PA-**
20 **CIFIC COMMAND AREA OF RESPONSIBILITY.**

21 (a) FINDINGS.—Congress makes the following find-
22 ings:

23 (1) The ordering and delivery of bulk fuels is
24 organizationally bifurcated to the detriment of the
25 Department of Defense.

1 (2) Legacy bulk fuel management will not meet
2 the accelerated pace of operations required to sup-
3 port the National Defense Strategy and the empha-
4 sis on disaggregated operations.

5 (3) The number of United States flagged
6 tanking vessels continues to decline, which has re-
7 sulted in an excessive reliance on foreign flagged
8 tanking vessels to be available to support the Na-
9 tional Defense Strategy.

10 (4) A foreign flagged tanking vessel support
11 strategy induces excessive risk to support United
12 States disaggregated operations in a highly con-
13 tested environment.

14 (5) The inadequacies of the legacy bulk fuel
15 management strategy is particularly acute in the
16 United States Indo-Pacific Command Area of Re-
17 sponsibility.

18 (b) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that a single organizational element should be re-
20 sponsible for the bulk fuel management and delivery
21 throughout the United States Indo-Pacific Command Area
22 of Responsibility.

23 (c) STUDY AND STRATEGY REQUIRED.—The Sec-
24 retary of the Navy shall—

1 (1) conduct a study of current and projected
2 bulk fuel management strategies in the United
3 States Indo-Pacific Command Area of Responsi-
4 bility; and

5 (2) prepare a proposed bulk fuel management
6 strategy that optimally supports bulk fuel manage-
7 ment in the United States Indo-Pacific Command
8 Area of Responsibility.

9 (d) ELEMENTS OF STUDY.—The study required by
10 subsection (c) shall include the following elements:

11 (1) A description of current organizational re-
12 sponsibility of bulk fuel management in the United
13 States Indo-Pacific Command Area of Responsibility
14 from ordering, storage, strategic transportation, and
15 tactical transportation to the last tactical mile.

16 (2) A description of legacy bulk fuel manage-
17 ment assets that can be used to support the United
18 States Indo-Pacific Command.

19 (3) Options for congressional consideration to
20 better align organizational responsibility through the
21 entirety of the bulk fuel management system in the
22 United States Indo-Pacific Command Area of Re-
23 sponsibility, as proposed in the bulk fuel manage-
24 ment strategy prepared pursuant to paragraph (2)
25 of such subsection.

1 (e) COORDINATION.—The Secretary of the Navy shall
2 conduct the study and prepare the bulk fuel management
3 strategy required by subsection (c) in coordination with
4 subject-matter experts of the United States Indo-Pacific
5 Command, the United States Transportation Command,
6 and the Defense Logistics Agency.

7 (f) REPORT REQUIRED.—Not later than one year
8 after the date of the enactment of this Act, the Secretary
9 of the Navy shall submit to the congressional defense com-
10 mittees a report containing the results of the study re-
11 quired by subsection (c) and the bulk fuel management
12 strategy required by such subsection.

13 (g) PROHIBITION ON CERTAIN CONSTRUCTION
14 PENDING REPORT.—None of the funds authorized to be
15 appropriated by this Act or otherwise made available for
16 fiscal year 2021 for the Navy for construction related to
17 additional bulk fuel storage in the United States Indo-Pa-
18 cific Command Area of Responsibility may be obligated
19 or expended until the report required by subsection (f) is
20 submitted to the congressional defense committees.

1 **Subtitle G—Other Matters**

2 **SEC. 2861. DEFENSE COMMUNITY INFRASTRUCTURE PRO-**
3 **GRAM.**

4 (a) PRIORITIZATION OF COMMUNITY INFRASTRUC-
5 TURE PROJECTS.—Section 2391(d)(1) of title 10, United
6 States Code, is amended—

7 (1) by inserting “(A)” after “(1)”;

8 (2) by striking “, if the Secretary determines
9 that such assistance will enhance the military value,
10 resilience, or military family quality of life at such
11 military installation”; and

12 (3) by adding at the end the following new sub-
13 paragraph:

14 “(B) The Secretary shall establish criteria for the se-
15 lection of community infrastructure projects to receive as-
16 sistance under this subsection, including selection of com-
17 munity infrastructure projects in the following order of
18 priority:

19 “(i) Projects that will enhance military installa-
20 tion resilience.

21 “(ii) Projects that will enhance military value at
22 a military installation.

23 “(iii) Projects that will enhance military family
24 quality of life at a military installation.”.

1 (b) COST-SHARING REQUIREMENTS.—Paragraph (2)
2 of section 2391(d) of title 10, United States Code, is
3 amended to read as follows:

4 “(2)(A) The criteria established for the selection of
5 community infrastructure projects to receive assistance
6 under this subsection shall include a requirement that, ex-
7 cept as provided in subparagraph (B), the State or local
8 government agree to contribute not less than 30 percent
9 of the funding for the community infrastructure project.

10 “(B) If a proposed community infrastructure project
11 will be carried out in a rural area or the Secretary of De-
12 fense determines that a proposed community infrastruc-
13 ture project is advantageous for reasons related to na-
14 tional security, the Secretary—

15 “(i) shall not penalize a State or local govern-
16 ment for offering to make a contribution of 30 per-
17 cent or less of the funding for the community infra-
18 structure project; and

19 “(ii) may reduce the requirement for a State or
20 local government contribution to 30 percent or less
21 or waive the cost-sharing requirement entirely.”.

22 (c) SPECIFIED DURATION OF PROGRAM.—Section
23 2391(d)(4) of title 10, United States Code, is amended
24 by striking “upon the expiration of the 10-year period
25 which begins on the date of the enactment of the National

1 Defense Authorization Act for Fiscal Year 2019” and in-
2 serting “on September 30, 2028”.

3 **SEC. 2862. PILOT PROGRAM ON REDUCTION OF EFFECTS**
4 **OF MILITARY AVIATION NOISE ON CERTAIN**
5 **COVERED PROPERTY.**

6 (a) IN GENERAL.—The Secretary of Defense shall
7 carry out a five-year pilot program under which the com-
8 mander of a military installation may provide funds for
9 the purpose of installing noise insulation on covered prop-
10 erty impacted by military aviation noise from aircraft uti-
11 lizing the installation.

12 (b) COST SHARING REQUIREMENT.—To be eligible to
13 receive funds under the pilot program, a recipient shall
14 enter into an agreement with the commander to cover at
15 least 50 percent of the cost to acquire and install the noise
16 insulation for the covered property.

17 (c) NOISE REDUCTION THRESHOLD.—To be eligible
18 to receive funds under the pilot program, the commander
19 must determine that, if noise insulation is installed as re-
20 quested, noise at the covered property would be reduced
21 by at least five dB.

22 (d) OTHER FUNDING LIMITATIONS.—Funds pro-
23 vided under the pilot program shall be used for the instal-
24 lation of noise insulation for covered property—

1 (1) located within a Department of Defense
2 noise contour between 65 dB day-night average
3 sound level and 75 dB day-night average sound level
4 as validated on a National Environmental Policy
5 Act-compliant assessment within the past three
6 years; and

7 (2) where interior noise has been measured at
8 45 dB day-night average sound level by the installa-
9 tion.

10 (e) GOALS AND BEST PRACTICES.—In carrying out
11 the pilot program, a commander shall pursue the following
12 goals and use the following best practices:

13 (1) Minimize cost in order to maximize the
14 quantity of covered property served.

15 (2) Focus efforts on covered property newly im-
16 pacted by increased noise levels.

17 (f) COVERED PROPERTY DEFINED.—For purposes of
18 the pilot program, the term “covered property” means the
19 following:

20 (1) A private residence.

21 (2) A hospital.

22 (3) A daycare facility.

23 (4) A school.

24 (5) A facility whose primary purpose is serving
25 senior citizens.

1 (g) CONDITION ON COMMENCEMENT.—Commence-
2 ment of the pilot program shall be subject to the avail-
3 ability of appropriations for the program.

4 **SEC. 2863. DEPARTMENT OF DEFENSE POLICY FOR REGU-**
5 **LATION OF DANGEROUS DOGS IN MILITARY**
6 **COMMUNITIES.**

7 (a) POLICY REQUIRED.—Not later than 90 days after
8 the date of the enactment of this Act, the Secretary of
9 Defense, through the Veterinary Service Activity of the
10 Department of Defense, shall establish a standardized pol-
11 icy applicable across all military communities for the regu-
12 lation of dangerous dogs that is—

13 (1) breed-neutral; and

14 (2) consistent with advice from professional vet-
15 erinary and animal behavior experts in regard to ef-
16 fective regulation of dangerous dogs.

17 (b) REGULATIONS.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date of the enactment of this Act, the Sec-
20 retary shall prescribe regulations implementing the
21 policy established under subsection (a).

22 (2) BEST PRACTICES.—The regulations pre-
23 scribed under paragraph (1) shall include strategies,
24 for implementation within all military communities,

1 for the prevention of dog bites that are consistent
2 with the following best practices:

3 (A) Enforcement of comprehensive,
4 nonbreed-specific regulations relating to dan-
5 gerous dogs, with emphasis on identification of
6 dangerous dog behavior and chronically irre-
7 sponsible owners.

8 (B) Enforcement of animal control regula-
9 tions, such as leash laws and stray animal con-
10 trol policies.

11 (C) Promotion and communication of re-
12 sources for pet spaying and neutering.

13 (D) Investment in community education
14 initiatives, such as teaching criteria for pet se-
15 lection, pet care best practices, owner respon-
16 sibilities, and safe and appropriate interaction
17 with dogs.

18 (c) DEFINITIONS.—In this section:

19 (1) The term “dangerous dog” means a dog
20 that—

21 (A) has attacked a person or another ani-
22 mal without justification, causing injury or
23 death to the person or animal; or

24 (B) exhibits behavior that reasonably sug-
25 gests the likely risk of such an attack.

1 (2) The term “military communities” means—

2 (A) all installations of the Department;

3 and

4 (B) all military housing, including

5 privatized military housing under subchapter IV

6 of chapter 169 of title 10, United States Code.

7 **TITLE XXIX—OVERSEAS CONTIN-**
 8 **GENY OPERATIONS MILI-**
 9 **TARY CONSTRUCTION**

10 **SEC. 2901. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 11 **ACQUISITION PROJECTS.**

12 The Secretary of the Navy may acquire real property
 13 and carry out the military construction projects for the
 14 installation outside the United States, and in the amount,
 15 set forth in the following table:

Navy: Outside the United States

Country	Location	Amount
Spain	Rota	\$59,230,000

16 **SEC. 2902. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 17 **LAND ACQUISITION PROJECTS.**

18 The Secretary of the Air Force may acquire real
 19 property and carry out the military construction projects
 20 for the installations outside the United States, and in the
 21 amounts, set forth in the following table:

Air Force: Outside the United States

Country	Location	Amount
Germany	Ramstein	\$36,345,000
	Spangdahlem Air Base	\$25,824,000

Air Force: Outside the United States—Continued

Country	Location	Amount
Romania	Campia Turzii	\$130,500,000

1 SEC. 2903. AUTHORIZATION OF APPROPRIATIONS.

2 Funds are hereby authorized to be appropriated for
3 fiscal years beginning after September 30, 2020, for the
4 military construction projects outside the United States
5 authorized by this title as specified in the funding table
6 in section 4602.

7 **DIVISION C—DEPARTMENT OF**
8 **ENERGY NATIONAL SECURITY**
9 **AUTHORIZATIONS AND**
10 **OTHER AUTHORIZATIONS**

11 **TITLE XXXI—DEPARTMENT OF**
12 **ENERGY NATIONAL SECURITY**
13 **PROGRAMS**

14 **Subtitle A—National Security**
15 **Programs and Authorizations**

16 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
17 **TION.**

18 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
19 are hereby authorized to be appropriated to the Depart-
20 ment of Energy for fiscal year 2021 for the activities of
21 the National Nuclear Security Administration in carrying
22 out programs as specified in the funding table in section
23 4701.

1 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
2 From funds referred to in subsection (a) that are available
3 for carrying out plant projects, the Secretary of Energy
4 may carry out new plant projects for the National Nuclear
5 Security Administration as follows:

6 Project 21–D–510, High Explosive Synthesis,
7 Formulation, and Production facility, Pantex Plant,
8 Amarillo, Texas, \$177,395,000.

9 Project 21–D–511, Savannah River Plutonium
10 Processing Facility, Savannah River Site, Aiken,
11 South Carolina, \$241,896,000.

12 Project 21–D–512, Plutonium Pit Production
13 Project, Los Alamos National Laboratory, Los Ala-
14 mos, New Mexico, \$116,900,000 for planning and
15 design and \$79,100,000 for construction.

16 Project 21–D–530, Steam and Condensate Up-
17 grade, Knolls Atomic Power Laboratory, Scheneec-
18 tady, New York, \$50,200,000.

19 General Purpose Project, TA–15 Dual-Axis Ra-
20 diographic Hydrodynamic Test facility, Hydro Vessel
21 Repair facility, Los Alamos National Laboratory,
22 Los Alamos, New Mexico, \$16,491,000.

23 General Purpose Project, U1a.03 Test Bed Fa-
24 cility Improvements, Nevada National Security Site,
25 Mercury, Nevada, \$16,000,000.

1 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
3 are hereby authorized to be appropriated to the Depart-
4 ment of Energy for fiscal year 2021 for defense environ-
5 mental cleanup activities in carrying out programs as
6 specified in the funding table in section 4701.

7 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
8 From funds referred to in subsection (a) that are available
9 for carrying out plant projects, the Secretary of Energy
10 may carry out, for defense environmental cleanup activi-
11 ties, the following new plant projects:

12 Project 21–D–401, Hoisting Capability Project,
13 Waste Isolation Pilot Plant, Carlsbad, New Mexico,
14 \$10,000,000.

15 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

16 Funds are hereby authorized to be appropriated to
17 the Department of Energy for fiscal year 2021 for other
18 defense activities in carrying out programs as specified in
19 the funding table in section 4701.

20 **SEC. 3104. NUCLEAR ENERGY.**

21 Funds are hereby authorized to be appropriated to
22 the Department of Energy for fiscal year 2021 for nuclear
23 energy as specified in the funding table in section 4701.

1 **Subtitle B—Program Authoriza-**
2 **tions, Restrictions, Limitations,**
3 **and Other Matters**

4 **SEC. 3111. NUCLEAR WARHEAD ACQUISITION PROCESSES.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) in its 25th year, the science-based Stockpile
8 Stewardship Program established under section
9 4201 of the Atomic Energy Defense Act (50 U.S.C.
10 2521) has succeeded in providing the United States
11 with a credible nuclear deterrent in the absence of
12 nuclear explosive testing;

13 (2) maintaining global moratoria on nuclear ex-
14 plosive testing is in the national security interest of
15 the United States;

16 (3) a robust, second-to-none science and tech-
17 nology enterprise is required to maintain and certify
18 the nuclear weapons stockpile of the United States;
19 and

20 (4) the National Nuclear Security Administra-
21 tion must continue to improve program management
22 and execution of the major acquisition programs of
23 the Administration.

24 (b) REQUIREMENTS.—

1 (1) PHASES.—Subtitle A of title XLII of the
2 Atomic Energy Defense Act (50 U.S.C. 4201 et
3 seq.) is amended by adding at the end the following
4 new section:

5 **“SEC. 4223. REQUIREMENTS FOR CERTAIN JOINT NUCLEAR**
6 **WEAPONS LIFE CYCLE PHASES.**

7 “(a) DESIGN AND ENGINEERING REQUIREMENTS.—
8 The Administrator shall ensure the following:

9 “(1) The national security laboratories engage
10 in peer review of proposed designs of nuclear weap-
11 ons.

12 “(2) The nuclear weapons production facilities
13 are involved early and often during the design and
14 engineering process of nuclear weapons in order to
15 take into account how such design and engineering
16 will affect the production of the nuclear weapons.

17 “(b) REQUIREMENTS AFTER PHASE 1.—After the
18 Administrator completes phase 1 of the joint nuclear
19 weapons life cycle for a nuclear weapon, the Nuclear
20 Weapons Council shall submit to the congressional defense
21 committees a report containing the following:

22 “(1) A description of the potential military
23 characteristics of the nuclear weapon.

24 “(2) A description of the stockpile-to-target se-
25 quence requirements of the nuclear weapon.

1 “(3) A description of any other requirements of
2 the Administration or the Department of Energy
3 that will affect the nuclear weapon, including the
4 first product unit date, the initial operational capa-
5 bility date, the final operational capability date, or
6 requirements relating to increased safety and surety.

7 “(4) Initial assessments of the effect to the nu-
8 clear security enterprise workforce and any required
9 new or recapitalized major facilities or capabilities
10 relating to the nuclear weapon.

11 “(c) REQUIREMENTS ENTERING INTO PHASE 2.—
12 Not later than 15 days after the date on which the Nu-
13 clear Weapons Council approves a nuclear weapon for
14 phase 2 of the joint nuclear weapons life cycle, the Admin-
15 istrator shall submit to the congressional defense commit-
16 tees a plan to implement an independent peer-review proc-
17 ess, a board of experts, or both, with respect to the non-
18 nuclear weapon component and subsystem design and en-
19 gineering aspects of such nuclear weapon. The Adminis-
20 trator shall ensure that such process—

21 “(1) uses all relevant capabilities of the Federal
22 Government, the defense industrial base, and aca-
23 demia, and other capabilities that the Administrator
24 determines necessary; and

1 “(2) informs the entire development life cycle of
2 such nuclear weapon.

3 “(d) REQUIREMENTS ENTERING INTO PHASE 3.—

4 “(1) INDEPENDENT COST ASSESSMENT.—Be-
5 fore the Nuclear Weapons Council approves a nu-
6 clear weapon for phase 3 of the joint nuclear weap-
7 ons life cycle, the Administrator shall ensure that an
8 independent cost assessment is conducted for phase
9 3 that includes assigning a percentage of confidence
10 level with respect to the Administrator being able to
11 carry out phase 3 within the estimated schedule and
12 cost objectives.

13 “(2) CERTIFICATIONS AND REPORTS.—Not
14 later than 15 days after the date on which the Nu-
15 clear Weapons Council approves a nuclear weapon
16 for phase 3 of the joint nuclear weapons life cycle—

17 “(A) the Administrator shall certify to the
18 congressional defense committees that—

19 “(i) the joint nuclear weapons life
20 cycle process for phases 1 through 5 of the
21 nuclear weapon has equal or greater rigor
22 as the life extension process under each
23 part of phase 6; and

24 “(ii) the level of design and tech-
25 nology maturity of the proposed design of

1 the nuclear weapon can be carried out
2 within the estimated schedule and cost ob-
3 jectives specified in the cost assessment
4 under paragraph (1); and

5 “(B) the Commander of the United States
6 Strategic Command shall submit to the con-
7 gressional defense committees a report con-
8 taining—

9 “(i) the specific warhead requirements
10 for the delivery system of the nuclear
11 weapon, including such planned require-
12 ments during the 15-year period following
13 the date of the report; and

14 “(ii) an identification of the tail num-
15 bers of the warheads for that delivery sys-
16 tem that may require life extensions, be re-
17 tired, or be altered during such period, and
18 a description of the considerations for de-
19 ciding on such actions.

20 “(e) WAIVERS.—Subsections (b) through (d) may be
21 waived during a period of war declared by Congress after
22 the date of the enactment of the National Defense Author-
23 ization Act for Fiscal Year 2021.

24 “(f) JOINT NUCLEAR WEAPONS LIFE CYCLE DE-
25 FINED.—In this section, the term ‘joint nuclear weapons

1 life cycle' has the meaning given that term in section
2 4220.”.

3 (2) CLERICAL AMENDMENT.—The table of con-
4 tents for the Atomic Energy Defense Act is amended
5 by inserting after the item relating to section 4222
6 the following new item:

“Sec. 4223. Requirements for certain joint nuclear weapons life cycle phases.”.

7 (c) SELECTED ACQUISITION REPORTS AND INDE-
8 PENDENT COST ESTIMATES.—Section 4217(b)(1) of such
9 Act (50 U.S.C. 2537(b)(1)) is amended—

10 (1) in subparagraph (A)—

11 (A) in clause (i), by striking “phase 6.2A”
12 and inserting “phase 2A and phase 6.2A”;

13 (B) in clause (ii), by striking “phase 6.3”
14 and inserting “phase 3 and phase 6.3”;

15 (C) in clause (iii)—

16 (i) by striking “phase 6.4” and insert-
17 ing “phase 4 and phase 6.4”; and

18 (ii) by striking “phase 6.5” and in-
19 serting “phase 5 and phase 6.5”; and

20 (2) in subparagraph (B), by striking “phase
21 6.2” and inserting “phase 2 and phase 6.2”.

22 (d) REPORT.—Not later than 120 days after the date
23 of the enactment of this Act, the Director for Cost Esti-
24 mating and Program Evaluation of the National Nuclear
25 Security Administration shall submit to the congressional

1 defense committees a report containing recommendations
2 to strengthen governance, program execution, and pro-
3 gram management controls with respect to the process of
4 the joint nuclear weapons life cycle (as defined in section
5 4220 of the Atomic Energy Defense Act (50 U.S.C.
6 2538b).

7 **SEC. 3112. UN COSTED AND UNOBLIGATED AMOUNTS OF NA-**
8 **TIONAL NUCLEAR SECURITY ADMINISTRA-**
9 **TION.**

10 Section 3251(b) of the National Nuclear Security Ad-
11 ministration Act (50 U.S.C. 2451(b)) is amended by add-
12 ing at the end the following new paragraph:

13 “(3) In the budget justification materials for each of
14 fiscal years 2022 through 2026 submitted to Congress in
15 support of each such budget, the Administrator shall in-
16 clude a detailed description of the uncosted and unobli-
17 gated amounts that the Administrator maintains, listed by
18 the year for which the amounts were appropriated, includ-
19 ing—

20 “(A) the gross uncosted and unobligated
21 amounts for each individual program element (using
22 thresholds specified in the report submitted by the
23 Secretary of Energy to Congress titled ‘Report on
24 Uncosted Balances for Fiscal Year Ended Sep-
25 tember 30, 2014’); and

1 “(B) an explanation for why the uncosted and
2 unobligated amounts have not been expended.”.

3 **SEC. 3113. EXTENSION OF LIMITATION RELATING TO RE-**
4 **CLASSIFICATION OF HIGH-LEVEL WASTE.**

5 Section 3121 of the National Defense Authorization
6 Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.
7 1953) is amended by striking “fiscal year 2020” and in-
8 serting “fiscal year 2020 or fiscal year 2021”.

9 **SEC. 3114. EXTENSION OF PILOT PROGRAM ON UNAVAIL-**
10 **ABILITY FOR OVERHEAD COSTS OF AMOUNTS**
11 **SPECIFIED FOR LABORATORY-DIRECTED RE-**
12 **SEARCH AND DEVELOPMENT.**

13 Section 3119 of the National Defense Authorization
14 Act for Fiscal Year 2017 (Public Law 114–328; 50 U.S.C.
15 2791 note) is amended—

16 (1) in subsection (c)(2), by striking “four” and
17 inserting “five”; and

18 (2) in subsection (d), by striking “February 15,
19 2020” and inserting “December 31, 2020”.

20 **SEC. 3115. PLUTONIUM PIT PRODUCTION.**

21 (a) INDEPENDENT COST ESTIMATE.—

22 (1) REQUIREMENT.—The Secretary of Energy
23 shall conduct an independent cost estimate of the
24 Savannah River Plutonium Processing Facility
25 project in accordance with Department of Energy

1 Directive 413.3b, as in effect on the date of the en-
2 actment of this Act.

3 (2) CONFIDENCE LEVEL.—The assessment
4 under paragraph (1) shall assign a percentage of
5 confidence level with respect to the Secretary being
6 able to carry out the Facility project within the esti-
7 mated schedule and cost objectives.

8 (3) SUBMISSION.—The Secretary shall submit
9 to the congressional defense committees the inde-
10 pendent cost estimate under paragraph (1).

11 (b) CONDITIONAL REPORTS AND CERTIFICATIONS.—

12 (1) LOW CONFIDENCE.—If the assessment
13 under subsection (a) assigns a confidence level below
14 90 percent pursuant to paragraph (2) of such sub-
15 section—

16 (A) the Secretary shall submit to the con-
17 gressional defense committees the report de-
18 scribed in paragraph (2); and

19 (B) the Commander of the United States
20 Strategic Command shall certify to such com-
21 mittees that either—

22 (i) the requirement to produce not
23 less than 80 war reserve plutonium pits
24 during 2030 pursuant to section 4219 of
25 the Atomic Energy Defense Act (50 U.S.C.

1 2538a) cannot be extended by up to five
2 years without causing a grave threat to the
3 national security of the United States, tak-
4 ing into account options for temporarily
5 surging the production of such pits at Los
6 Alamos National Laboratory and other
7 mitigation strategies available to the Com-
8 mander; or

9 (ii) such requirement can be so ex-
10 tended without causing a grave threat to
11 the national security of the United States.

12 (2) REPORT.—The report described in this
13 paragraph is a report by the Secretary that contains
14 either of the following:

15 (A) A certification by the Secretary, with-
16 out delegation, that, notwithstanding the con-
17 fidence level contained in the assessment under
18 subsection (a), the Secretary has a confidence
19 level of 90 percent or greater with respect to
20 being able to carry out the Facility project
21 within the estimated schedule and cost objec-
22 tives.

23 (B) If the Secretary cannot make the cer-
24 tification under subparagraph (A), a plan by
25 the Secretary to achieve such a confidence level

1 of 90 percent or greater, including with respect
2 to changing the costs, schedule, and scope of
3 the Facility project.

4 **SEC. 3116. PROGRAM FOR RESEARCH AND DEVELOPMENT**
5 **OF ADVANCED NAVAL NUCLEAR FUEL SYS-**
6 **TEM BASED ON LOW-ENRICHED URANIUM.**

7 (a) ESTABLISHMENT.—Not later than 60 days after
8 the date of the enactment of this Act, the Administrator
9 for Nuclear Security shall establish a program to assess
10 the viability of using low-enriched uranium in naval nu-
11 clear propulsion reactors, including such reactors located
12 on aircraft carriers and submarines, that meet the require-
13 ments of the Navy.

14 (b) ACTIVITIES.—In carrying out the program under
15 subsection (a), the Administrator shall carry out activities
16 to develop an advanced naval nuclear fuel system based
17 on low-enriched uranium, including activities relating to—

18 (1) down-blending of high-enriched uranium
19 into low-enriched uranium;

20 (2) manufacturing of candidate advanced low-
21 enriched uranium fuels;

22 (3) irradiation tests and post-irradiation exam-
23 ination of these fuels; and

24 (4) modification or procurement of equipment
25 and infrastructure relating to such activities.

1 (c) REPORT.—Not later than 120 days after the date
2 of the enactment of this Act, the Administrator shall sub-
3 mit to the congressional defense committees a plan out-
4 lining the activities the Administrator will carry out under
5 the program established under subsection (a), including
6 the funding requirements associated with developing a
7 low-enriched uranium fuel.

8 **SEC. 3117. INDEPENDENT STUDY ON EFFECTS OF USE OF**
9 **NUCLEAR WEAPONS.**

10 (a) STUDY.—The Administrator for Nuclear Security
11 shall seek to enter into an agreement with the National
12 Academies of Sciences, Engineering, and Medicine under
13 which the National Academies conduct a study on the at-
14 mospheric effects of nuclear explosions.

15 (b) MATTERS INCLUDED.—The study under sub-
16 section (a) shall include the following:

17 (1) An evaluation of the non-fallout atmos-
18 pheric effects of likely and plausible scenarios for
19 nuclear war, ranging from relatively small, regional
20 exchanges to large exchanges associated with nuclear
21 war between major powers.

22 (2) An examination of the effects evaluated
23 under paragraph (1) by—

24 (A) the yield, type, and number of nuclear
25 weapons;

- 1 (B) the types and locations of targets;
2 (C) the time distribution of the explosions;
3 (D) the atmospheric conditions; and
4 (E) other factors that may have a signifi-
5 cant impact on the effects.

6 (3) An assessment of current models of nuclear
7 explosions, including with respect to—

- 8 (A) the fires such explosions may cause;
9 (B) the atmospheric transport of the gases
10 from such explosions;
11 (C) the radioactive material from such ex-
12 plosions; and
13 (D) the soot and other debris from such
14 explosions and fires, the atmospheric effects of
15 such soot and debris, and the consequences of
16 such effects, including the consequences relating
17 to extreme weather, air pollution, stratospheric
18 ozone, agriculture, and marine and terrestrial
19 ecosystems.

20 (4) Identification of the capabilities and limita-
21 tions of the models described in paragraph (3) for
22 assessing the impacts of nuclear war, including—

- 23 (A) an evaluation of the relevant uncer-
24 tainties;
25 (B) a highlight of the key data gaps; and

1 (C) recommendations for how such models
2 can be improved to inform decision making.

3 (c) REPORT.—

4 (1) IN GENERAL.—Not later than 18 months
5 after the date of the enactment of this Act, the Na-
6 tional Academies shall submit to the Administrator
7 for National Security and the congressional defense
8 committees a report on the study under subsection
9 (a).

10 (2) FORM.—The report under paragraph (1)
11 shall be submitted in unclassified form, but may in-
12 clude a classified annex.

13 (d) INFORMATION.—The Secretary of Defense shall
14 provide to the National Academies the information of the
15 Department of Defense necessary for the National Acad-
16 emies to conduct the study under subsection (a), including
17 information relating to relevant scenarios described in sub-
18 section (b).

19 **SEC. 3118. REPORTS ON DIVERSITY OF CERTAIN CON-**
20 **TRACTOR EMPLOYEES OF NATIONAL NU-**
21 **CLEAR SECURITY ADMINISTRATION.**

22 (a) ANNUAL REPORTS.—Not later than December
23 31, 2020, and each year thereafter through 2022, the Ad-
24 ministrator for Nuclear Security shall submit to the con-
25 gressional defense committees a report on the diversity of

1 contractor employees of the National Nuclear Security Ad-
2 ministration.

3 (b) MATTERS INCLUDED.—Subject to subsection (c),
4 each report under subsection (a) shall include, for each
5 covered element of the Administration, the following:

6 (1) With respect to the fiscal year covered by
7 the report and the previous fiscal year, demographic
8 data of—

9 (A) the contractor employees of the cov-
10 ered element;

11 (B) the contractor employees hired at the
12 covered element during each such year; and

13 (C) the contractor employees of the cov-
14 ered element who voluntarily separated during
15 each such year.

16 (2) A breakdown of the data under paragraph
17 (1) by each position in the common occupational
18 classification system.

19 (3) A description of the plan to increase diver-
20 sity at the covered element, and how such plan re-
21 sponds to any trends identified with respect to the
22 data under paragraph (1).

23 (4) An identification of the official of the cov-
24 ered element responsible for implementing such plan
25 and a description of how the person determines

1 whether the covered element is meeting the goals of
2 the plan.

3 (5) A description of the training resources re-
4 lating to diversity, equality, and inclusion are avail-
5 able to contractor employees of the covered element
6 with hiring authority, and an identification of how
7 many such contractor employees have been trained.

8 (c) DATA.—The Administrator shall carry out this
9 section using data that is—

10 (1) otherwise available to the Administrator and
11 to the management and operating contractors of the
12 nuclear security enterprise; and

13 (2) collected in accordance with applicable regu-
14 lations of the Equal Employment Opportunity Com-
15 mission, regulations of the Office of Federal Con-
16 tract Compliance Programs of the Department of
17 Labor, and applicable provisions of Federal law on
18 privacy.

19 (d) PUBLICATION.—The Administrator shall make
20 publicly available on the internet website of the Depart-
21 ment of Energy each report under subsection (a), subject
22 to the regulations and Federal law specified in subsection
23 (c)(2).

24 (e) DEFINITIONS.—In this section:

1 **SEC. 3120. SENSE OF CONGRESS REGARDING URANIUM**
2 **MINING AND NUCLEAR TESTING.**

3 It is the sense of Congress that the United States
4 should compensate and recognize all of the miners, work-
5 ers, downwinders, and others suffering from the effects
6 of uranium mining and nuclear testing carried out during
7 the Cold War.

8 **TITLE XXXII—DEFENSE NU-**
9 **CLEAR FACILITIES SAFETY**
10 **BOARD**

11 **SEC. 3201. AUTHORIZATION.**

12 There are authorized to be appropriated for fiscal
13 year 2021, \$28,836,000 for the operation of the Defense
14 Nuclear Facilities Safety Board under chapter 21 of the
15 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

16 **TITLE XXXIV—NAVAL**
17 **PETROLEUM RESERVES**

18 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) **AMOUNT.**—There are hereby authorized to be ap-
20 propriated to the Secretary of Energy \$13,006,000 for fis-
21 cal year 2021 for the purpose of carrying out activities
22 under chapter 869 of title 10, United States Code, relating
23 to the naval petroleum reserves.

24 (b) **PERIOD OF AVAILABILITY.**—Funds appropriated
25 pursuant to the authorization of appropriations in sub-
26 section (a) shall remain available until expended.

1 **TITLE XXXV—MARITIME**
2 **MATTERS**
3 **Subtitle A—Maritime**
4 **Administration**

5 **SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINIS-**
6 **TRATION.**

7 (a) FISCAL YEAR 2021 AUTHORIZATION.—There are
8 authorized to be appropriated to the Department of
9 Transportation for fiscal year 2021, to be available with-
10 out fiscal year limitation if so provided in appropriations
11 Acts, for programs associated with maintaining the United
12 States merchant marine, the following amounts:

13 (1) For expenses necessary for operations of the
14 United States Merchant Marine Academy,
15 \$81,944,000, of which—

16 (A) \$76,444,000 shall be for Academy op-
17 erations; 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, \$37,700,000, of which—

23 (A) \$2,400,000 shall remain available until
24 September 30, 2021, for the Student Incentive
25 Program; and

1 (B) \$30,500,000 shall remain available
2 until expended for maintenance and repair of
3 State maritime academy training vessels.

4 (3) For expenses necessary to support the Na-
5 tional Security Multi-Mission Vessel Program,
6 \$388,815,000, which shall remain available until ex-
7 pended.

8 (4) For expenses necessary to support Maritime
9 Administration operations and programs,
10 \$55,853,000.

11 (5) For expenses necessary to dispose of vessels
12 in the National Defense Reserve Fleet, \$4,200,000,
13 which shall remain available until expended.

14 (6) For expenses necessary to maintain and
15 preserve a United States flag merchant marine to
16 serve the national security needs of the United
17 States under chapter 531 of title 46, United States
18 Code, \$494,008,000.

19 (7) For expenses necessary for the loan guar-
20 antee program authorized under chapter 537 of title
21 46, United States Code, \$33,000,000, of which—

22 (A) \$30,000,000 may be used for the cost
23 (as defined in section 502(5) of the Federal
24 Credit Reform Act of 1990 (2 U.S.C. 661a(5)))
25 of loan guarantees under the program; and

1 (B) \$3,000,000 may be used for adminis-
2 trative expenses relating to loan guarantee com-
3 mitments under the program.

4 (8) For expenses necessary to provide small
5 shipyards and maritime communities grants under
6 section 54101 of title 46, United States Code,
7 \$20,000,000.

8 (b) AMOUNT OF FISCAL YEAR 2021 CONTRACTOR
9 PAYMENTS UNDER OPERATING AGREEMENTS.—Section
10 53106(a)(1)(B) of title 46, United States Code, is amend-
11 ed by striking “\$5,233,463” and inserting “\$8,233,463”.

12 (c) CONFORMING AMENDMENT.—Section 53111(2)
13 of title 46, United States Code, is amended by striking
14 “\$314,007,780” and inserting “\$494,008,000”.

15 **SEC. 3502. SENSE OF CONGRESS REGARDING ROLE OF DO-**
16 **MESTIC MARITIME INDUSTRY IN NATIONAL**
17 **SECURITY.**

18 (a) FINDINGS.—Congress makes the following find-
19 ings:

20 (1) The United States domestic maritime indus-
21 try, with a fleet of nearly 40,000 vessels, supports
22 nearly 650,000 American jobs and provides more
23 than \$150,000,000 in annual economic output.

24 (2) The vessel innovations of the domestic
25 trades that transformed worldwide maritime com-

1 merce include the development of container ships,
2 self-unloading vessels, articulated tug-barges, trailer
3 barges, chemical parcel tankers, railroad-on-barge
4 carfloats, and river flotilla towing systems.

5 (3) The domestic fleet is essential to national
6 security is needed to crew United States Govern-
7 ment-owned and other sealift vessels to protect the
8 Nation.

9 (4) The Department of Defense and the entire
10 national security infrastructure of the United States
11 benefits from a robust commercial shipyard and ship
12 repair industry, which helps provide both economic
13 and military sealift support.

14 (5) The Department of Defense depends on the
15 United States domestic trades' fleet of container
16 ships, roll-on/roll-off ships, product tankers, and
17 other vessels to assist with the flow of military car-
18 goes during both peace time and war time.

19 (b) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that—

21 (1) United States coastwise trade laws promote
22 a strong domestic trade maritime industry, which
23 supports the national security and economic vitality
24 of the United States and the efficient operation of
25 the United States transportation system; and

1 (2) a strong commercial maritime industry
2 makes the United States more secure.

3 **SEC. 3503. NONAPPLICABILITY OF REQUIREMENT RELAT-**
4 **ING TO MINIMUM NUMBER OF OPERATING**
5 **DAYS FOR VESSELS OPERATING UNDER MSP**
6 **OPERATING AGREEMENTS.**

7 Notwithstanding part 296 of title 46, Code of Federal
8 Regulations, until December 31, 2020, or upon the written
9 determination of the Secretary of Transportation until
10 June 31, 2021, the operator of a vessel operating such
11 vessel under an MSP Operating Agreement (as such term
12 is defined in section 296.2 of title 46, Code of Federal
13 Regulations)—

14 (1) shall not be required to comply with any re-
15 quirement with respect to operating days (as such
16 term is defined in such section) contained in such
17 agreement; and

18 (2) shall maintain such vessel in a state of
19 operational readiness, including through the employ-
20 ment of the vessel's crew complement, until the ap-
21 plicable date.

22 **SEC. 3504. IMPROVEMENTS TO PROCESS FOR WAIVING**
23 **NAVIGATION AND VESSEL-INSPECTION LAWS.**

24 (a) IMPROVEMENTS TO WAIVER PROCESS.—Section
25 501 of title 46, United States Code, is amended—

1 (1) in subsection (a), by adding “to address an
2 immediate adverse effect on military operations”
3 after “national defense”;

4 (2) in subsection (b)—

5 (A) by redesignating paragraphs (2) and
6 (3) as paragraphs (3) and (4), respectively;

7 (B) by inserting after paragraph (1) the
8 following new paragraph:

9 “(2) DURATION OF WAIVER.—

10 “(A) IN GENERAL.—Subject to subpara-
11 graphs (B) and (C), a waiver issued under this
12 subsection shall be for a period of not more
13 than 10 days.

14 “(B) WAIVER EXTENSION.—Upon the ter-
15 mination of the period of a waiver issued under
16 this subsection, the head of an agency may ex-
17 tend the waiver for an additional period of not
18 more than 10 days, if the Maritime Adminis-
19 trator makes the determinations referred to in
20 paragraph (1).

21 “(C) AGGREGATE DURATION.—The aggre-
22 gate duration of the period of all waivers and
23 extensions of waivers under this subsection with
24 respect to any one set of events shall not exceed
25 45 days.”; and

1 (C) in paragraph (4), as so redesignated—

2 (i) in subparagraph (B)(ii), by strik-
3 ing “paragraph (2)(A)” and inserting
4 “paragraph (3)(A)”; and

5 (ii) by adding at the end the following
6 new subparagraph:

7 “(C) NOTIFICATION REQUIRED FOR EX-
8 TENSIONS.—For purposes of this paragraph, an
9 extension requested or issued under paragraph
10 (2)(B) shall be treated in the same manner as
11 a waiver requested or issued under this sec-
12 tion.”;

13 (3) by redesignating subsection (c) as sub-
14 section (d); and

15 (4) by inserting after subsection (b) the fol-
16 lowing new subsection:

17 “(c) REPORT.—

18 “(1) IN GENERAL.—Not later than 10 days
19 after the date of the conclusion of the voyage of a
20 vessel that, during such voyage, operated under a
21 waiver issued under this section, the owner or oper-
22 ator of the vessel shall submit to the Maritime Ad-
23 ministrator a report that includes—

24 “(A) the name and flag of the vessel;

25 “(B) the dates of the voyage;

1 “(C) any relevant ports of call; and

2 “(D) any other information the Maritime
3 Administrator determines necessary.

4 “(2) PUBLICATION.—Not later than 48 hours
5 after receiving a report under paragraph (1), the
6 Maritime Administrator shall publish such report on
7 an appropriate website of the Department of Trans-
8 portation.”.

9 (b) APPLICABILITY.—The amendments made by this
10 section shall apply with respect to waivers issued after the
11 date of the enactment of this Act.

12 **Subtitle B—Tanker Security Fleet**

13 **SEC. 3511. TANKER SECURITY FLEET.**

14 (a) IN GENERAL.—Part C of subtitle V of title 46,
15 United States Code, is amended by inserting after chapter
16 531 the following new chapter:

17 **“CHAPTER 532—TANKER SECURITY FLEET**

“53201. Definitions.

“53202. Establishment of the Tanker Security Fleet.

“53203. Vessel standards.

“53204. Award of operating agreements.

“53205. Effectiveness of operating agreements.

“53206. Obligations and rights under operating agreements.

“53207. Payments.

“53208. National security requirements.

“53209. Regulatory relief.

“53210. Special rule regarding age of participating Fleet vessels.

“53211. Regulations.

“53212. Authorization of appropriations.

“53213. Acquisition of Fleet vessels.

18 **“§ 53201. Definitions**

19 “In this chapter:

1 “(1) FOREIGN COMMERCE.—The term ‘foreign
2 commerce’ means—

3 “(A) commerce or trade between the
4 United States, its territories or possessions, or
5 the District of Columbia, and a foreign country;
6 and

7 “(B) commerce or trade between foreign
8 countries including trade between foreign ports
9 in accordance with normal commercial bulk
10 shipping practices in such a manner as will per-
11 mit vessels of the United States freely to com-
12 pete with foreign-flag liquid bulk carrying ves-
13 sels in their operation or in competing charters,
14 subject to rules and regulations promulgated by
15 the Secretary of Transportation pursuant to
16 this chapter or subtitle.

17 “(2) PARTICIPATING FLEET VESSEL.—The
18 term ‘participating Fleet vessel’ means any tank ves-
19 sel covered by an operating agreement under this
20 chapter on or after January 1, 2021.

21 “(3) PERSON.—The term ‘person’ includes cor-
22 porations, partnerships, and associations existing
23 under, or authorized by, laws of the United States,
24 or any State, territory, district, or possession there-
25 of, or any foreign country.

1 “(4) TANK VESSEL.—The term ‘tank vessel’
2 has the meaning that term has under section 2101.

3 “(5) UNITED STATES CITIZEN TRUST.—The
4 term ‘United States citizen trust’—

5 “(A) means a trust for which—

6 “(i) each of the trustees is a citizen of
7 the United States; and

8 “(ii) the application for documenta-
9 tion of the vessel under chapter 121 in-
10 cludes an affidavit of each trustee stating
11 that the trustee is not aware of any reason
12 involving a beneficiary of the trust that is
13 not a citizen of the United States, or in-
14 volving any other person who is not a cit-
15 izen of the United States, as a result of
16 which the beneficiary or other person
17 would hold more than 25 percent of the
18 aggregate power to influence or limit the
19 exercise of the authority of the trustee with
20 respect to matters involving any ownership
21 or operation of the vessel that may ad-
22 versely affect the interests of the United
23 States;

24 “(B) does not include a trust for which
25 any person that is not a citizen of the United

1 States has authority to direct, or participate in
2 directing, a trustee for a trust in matters in-
3 volving any ownership or operation of the vessel
4 that may adversely affect the interests of the
5 United States or in removing a trustee without
6 cause, either directly or indirectly through the
7 control of another person, unless the trust in-
8 strument provides that persons who are not citi-
9 zens of the United States may not hold more
10 than 25 percent of the aggregate authority to
11 so direct or remove a trustee; and

12 “(C) may include a trust for which a per-
13 son who is not a citizen of the United States
14 holds more than 25 percent of the beneficial in-
15 terest in the trust.

16 **“§ 53202. Establishment of the Tanker Security Fleet**

17 “(a) IN GENERAL.—The Secretary of Transpor-
18 tation, in consultation with the Secretary of Defense, shall
19 establish a fleet of active, commercially viable, militarily
20 useful, privately owned product tankers to meet national
21 defense and other security requirements and maintain a
22 United States presence in international commercial ship-
23 ping. The fleet shall consist of privately owned vessels of
24 the United States for which there are in effect operating
25 agreements under this chapter, and shall be known as the

1 ‘Tanker Security Fleet’ (hereinafter in this chapter re-
2 ferred to as the ‘Fleet’).

3 “(b) VESSEL ELIGIBILITY.—A vessel is eligible to be
4 included in the Fleet if the vessel—

5 “(1) meets the requirements under paragraph
6 (1), (2), (3), or (4) of subsection (c);

7 “(2) is operated (or in the case of a vessel to
8 be constructed, will be operated) in providing trans-
9 portation in United States foreign commerce;

10 “(3) is self-propelled;

11 “(4) is not more than ten years of age on the
12 date the vessel is first included in the Fleet and not
13 more than 25 years of age at any time during which
14 the vessel is included in the Fleet;

15 “(5) is determined by the Secretary of Defense
16 to be suitable for use by the United States for na-
17 tional defense or military purposes in time of war or
18 national emergency; and

19 “(6) is commercially viable, as determined by
20 the Secretary of Transportation; and

21 “(7) is—

22 “(A) a vessel of the United States; or

23 “(B) not a vessel of the United States,
24 but—

1 “(i) the owner of the vessel has dem-
2 onstrated an intent to have the vessel doc-
3 umented under chapter 121 if it is in-
4 cluded in the Fleet; and

5 “(ii) at the time an operating agree-
6 ment is entered into under this chapter,
7 the vessel is eligible for documentation
8 under chapter 121.

9 “(c) REQUIREMENTS REGARDING CITIZENSHIP OF
10 OWNERS, CHARTERERS, AND OPERATORS.—

11 “(1) VESSELS OWNED AND OPERATED BY SEC-
12 TION 50501 CITIZENS.—A vessel meets the require-
13 ments of this paragraph if, during the period of an
14 operating agreement under this chapter that applies
15 to the vessel, the vessel will be owned and operated
16 by one or more persons that are citizens of the
17 United States under section 50501.

18 “(2) VESSELS OWNED BY A SECTION 50501 CIT-
19 IZEN, OR UNITED STATES CITIZEN TRUST, AND
20 CHARTERED TO A DOCUMENTATION CITIZEN.—A
21 vessel meets the requirements of this paragraph if—

22 “(A) during the period of an operating
23 agreement under this chapter that applies to
24 the vessel, the vessel will be—

1 “(i) owned by a person that is a cit-
2 izen of the United States under section
3 50501 or that is a United States citizen
4 trust; and

5 “(ii) demise chartered to a person—

6 “(I) that is eligible to document
7 the vessel under chapter 121;

8 “(II) the chairman of the board
9 of directors, chief executive officer,
10 and a majority of the members of the
11 board of directors of which are citi-
12 zens of the United States under sec-
13 tion 50501, and are appointed and
14 subjected to removal only upon ap-
15 proval by the Secretary; and

16 “(III) that certifies to the Sec-
17 retary that there are no treaties, stat-
18 utes, regulations, or other laws that
19 would prohibit the owner or operator
20 for the vessel from performing its ob-
21 ligations under an operating agree-
22 ment under this chapter;

23 “(B) in the case of a vessel that will be de-
24 mise chartered to a person that is owned or
25 controlled by another person that is not a cit-

1 izen of the United States under section 50501,
2 the other person enters into an agreement with
3 the Secretary not to influence the operation of
4 the vessel in a manner that will adversely affect
5 the interests of the United States; and

6 “(C) the Secretary of Transportation and
7 the Secretary of Defense notify the Committee
8 on Armed Services and the Committee on Com-
9 merce, Science, and Transportation of the Sen-
10 ate and the Committee on Armed Services and
11 the Committee on Transportation and Infra-
12 structure of the House of Representatives that
13 the Secretaries concur with the certification re-
14 quired under subparagraph (A)(ii)(III), and
15 have reviewed and agree that there are no legal,
16 operational, or other impediments that would
17 prohibit the owner or operator for the vessel
18 from performing its obligations under an oper-
19 ating agreement under this chapter.

20 “(3) VESSELS OWNED AND OPERATED BY A DE-
21 FENSE OWNER OR OPERATOR.—A vessel meets the
22 requirements of this paragraph if—

23 “(A) during the period of an operating
24 agreement under this chapter that applies to

1 the vessel, the vessel will be owned and oper-
2 ated by a person that—

3 “(i) is eligible to document a vessel
4 under chapter 121;

5 “(ii) operates or manages other ves-
6 sels of the United States for the Secretary
7 of Defense, or charters other vessels to the
8 Secretary of Defense;

9 “(iii) has entered into a special secu-
10 rity agreement for the purpose of this
11 paragraph with the Secretary of Defense;

12 “(iv) makes the certification described
13 in paragraph (2)(A)(ii)(III); and

14 “(v) in the case of a vessel described
15 in paragraph (2)(B), enters into an agree-
16 ment referred to in that subparagraph; and

17 “(B) the Secretary of Transportation and
18 the Secretary of Defense notify the Committee
19 on Armed Services and the Committee on Com-
20 merce, Science, and Transportation of the Sen-
21 ate and the Committee on Armed Services and
22 the Committee on Transportation and Infra-
23 structure of the House of Representatives that
24 they concur with the certification required
25 under subparagraph (A)(iv), and have reviewed

1 and agree that there are no legal, operational,
2 or other impediments that would prohibit the
3 owner or operator for the vessel from per-
4 forming its obligations under an operating
5 agreement under this chapter.

6 “(4) VESSELS OWNED BY DOCUMENTATION
7 CITIZENS AND CHARTERED TO SECTION 50501 CITI-
8 ZENS.—A vessel meets the requirements of this
9 paragraph if, during the period of an operating
10 agreement under this chapter, the vessel will be—

11 “(A) owned by a person who is eligible to
12 document a vessel under chapter 121; and

13 “(B) demise chartered to a person that is
14 a citizen of the United States under section
15 50501.

16 “(d) REQUEST BY SECRETARY OF DEFENSE.—The
17 Secretary of Defense shall request that the Commandant
18 of the Coast Guard issue any waiver under section 501
19 that the Secretary of Defense determines is necessary for
20 purposes of this chapter.

21 “(e) VESSEL STANDARDS.—

22 “(1) CERTIFICATE OF INSPECTION.—A vessel
23 used to provide oceangoing transportation that the
24 Commandant of the Coast Guard determines meets
25 the criteria of subsection (b) but which, on the date

1 of enactment of this section, is not documented
2 under chapter 121, shall be eligible for a certificate
3 of inspection if the Commandant of the Coast Guard
4 determines that—

5 “(A) the vessel is classed by and designed
6 in accordance with the rules of the American
7 Bureau of Shipping, or another classification
8 society accepted by the Commandant of the
9 Coast Guard;

10 “(B) the vessel complies with applicable
11 international agreements and associated guide-
12 lines, as determined by the country in which the
13 vessel was documented immediately before be-
14 coming documented under chapter 121; and

15 “(C) the country has not been identified by
16 the Commandant of the Coast Guard as inad-
17 equately enforcing international vessel regula-
18 tions as to that vessel.

19 “(2) RELIANCE ON CLASSIFICATION SOCIETY.—

20 “(A) IN GENERAL.—The Commandant of
21 the Coast Guard may rely on a certification
22 from the American Bureau of Shipping or, sub-
23 ject to subparagraph (B), another classification
24 society accepted by the Commandant of the
25 Coast Guard, to establish that a vessel is in

1 compliance with the requirements of paragraph
2 (1).

3 “(B) FOREIGN CLASSIFICATION SOCI-
4 ETY.—The Secretary may accept certification
5 from a foreign classification society under sub-
6 paragraph (A) only—

7 “(i) to the extent that the government
8 of the foreign country in which the society
9 is headquartered provides access on a re-
10 ciprocal basis to the American Bureau of
11 Shipping; and

12 “(ii) if the foreign classification soci-
13 ety has offices and maintains records in
14 the United States.

15 **“§ 53203. Vessel standards**

16 “(a) CERTIFICATE OF INSPECTION.—A vessel used to
17 provide transportation service as a common carrier that
18 the Secretary of Transportation determines meets the cri-
19 teria of section 53102(b), which on the date of enactment
20 of this section is not a documented vessel, shall be eligible
21 for a certificate of inspection if the Secretary determines
22 that—

23 “(1) the vessel is classed by and designed in ac-
24 cordance with the rules of the American Bureau of

1 Shipping or another classification society accepted
2 by the Secretary;

3 “(2) the vessel complies with applicable inter-
4 national agreements and associated guidelines, as
5 determined by the country in which the vessel was
6 documented immediately before becoming a docu-
7 mented vessel (as defined in that section); and

8 “(3) that country has not been identified by the
9 Secretary as inadequately enforcing international
10 vessel regulations as to that vessel.

11 “(b) CONTINUED ELIGIBILITY FOR CERTIFICATE.—
12 Subsection (a) does not apply to any vessel that has failed
13 to comply with the applicable international agreements
14 and association guidelines referred to in subsection (a)(2).

15 “(c) RELIANCE ON CLASSIFICATION SOCIETY.—

16 “(1) IN GENERAL.—The Secretary may rely on
17 a certification from the American Bureau of Ship-
18 ping or, subject to paragraph (2), another classifica-
19 tion society accepted by the Secretary, to establish
20 that a vessel is in compliance with the requirements
21 of subsections (a) and (b).

22 “(2) FOREIGN CLASSIFICATION SOCIETY.—The
23 Secretary may accept certification from a foreign
24 classification society under paragraph (1) only—

1 “(A) to the extent that the government of
2 the foreign country in which the society is
3 headquartered provides access on a reciprocal
4 basis to the American Bureau of Shipping; and

5 “(B) if the foreign classification society
6 has offices and maintains records in the United
7 States.

8 **“§ 53204. Award of operating agreements**

9 “(a) IN GENERAL.—The Secretary of Transportation
10 shall require, as a condition of including any vessel in the
11 Fleet, that the owner or operator of the vessel enter into
12 an operating agreement with the Secretary under this sec-
13 tion.

14 “(b) PROCEDURE FOR APPLICATIONS.—

15 “(1) PARTICIPATING FLEET VESSELS.—

16 “(A) IN GENERAL.—The Secretary of
17 Transportation shall accept an application for
18 an operating agreement for a participating
19 Fleet vessel under the priority under paragraph
20 (2) only from a person that has authority to
21 enter into an operating agreement under this
22 chapter.

23 “(B) VESSEL UNDER DEMISE CHARTER.—

24 For purposes of subparagraph (A), in the case
25 of a vessel that is subject to a demise charter

1 that terminates by its own terms on September
2 30, 2035 (without giving effect to any extension
3 provided therein for completion of a voyage or
4 to effect the actual redelivery of the vessel), or
5 that is terminable at the will of the owner of
6 the vessel after such date, only the owner of the
7 vessel shall be treated as having the authority
8 referred to in subparagraph (A).

9 “(C) VESSEL OWNED BY A UNITED STATES
10 CITIZEN TRUST.—For purposes of subpara-
11 graph (B), in the case of a vessel owned by a
12 United States citizen trust, the term ‘owner of
13 the vessel’ includes the beneficial owner of the
14 vessel with respect to such trust.

15 “(2) DISCRETION WITHIN PRIORITY.—The Sec-
16 retary of Transportation—

17 “(A) may award operating agreements
18 under paragraph (1) according to such prior-
19 ities as the Secretary considers appropriate; and

20 “(B) shall award operating agreements
21 within any such priority—

22 “(i) in accordance with operational re-
23 quirements specified by the Secretary of
24 Defense;

1 “(ii) in the case of operating agree-
2 ments awarded under subparagraph (B) of
3 paragraph (1), according to applicants’
4 records of owning and operating vessels;
5 and

6 “(iii) subject to approval of the Sec-
7 retary of Defense.

8 “(c) LIMITATION.—For any fiscal year, the Secretary
9 may not award operating agreements under this chapter
10 that require payments under section 53207 for more than
11 10 vessels.

12 **“§ 53205. Effectiveness of operating agreements**

13 “(a) IN GENERAL.—Subject to the availability of ap-
14 propriations for such purpose, the Secretary of Transpor-
15 tation may enter into an operating agreement under this
16 chapter for fiscal year 2021 and any subsequent fiscal
17 year. Each such agreement may be renewed annually for
18 up to seven years.

19 “(b) VESSELS UNDER CHARTER TO THE UNITED
20 STATES.—The owner or operator of a vessel under charter
21 to the United States is eligible to receive payments pursu-
22 ant to any operating agreement that covers such vessel.

23 “(c) TERMINATION.—

24 “(1) TERMINATION BY SECRETARY FOR LACK
25 OF OWNER OR OPERATOR COMPLIANCE.—If the

1 owner or operator with respect to an operating
2 agreement materially fails to comply with the terms
3 of the agreement—

4 “(A) the Secretary shall notify the owner
5 or operator and provide a reasonable oppor-
6 tunity to comply with the operating agreement;
7 and

8 “(B) the Secretary shall terminate the op-
9 erating agreement if the owner or operator fails
10 to achieve such compliance.

11 “(2) TERMINATION BY OWNER OR OPER-
12 ATOR.—

13 “(A) IN GENERAL.—If an owner or oper-
14 ator provides notice of the intent to terminate
15 an operating agreement under this chapter by
16 not later than 60 days prior to the date speci-
17 fied by the owner or operator for such termi-
18 nation, such agreement shall terminate on the
19 date specified by the owner or operator.

20 “(B) REPLACEMENT.—An operating agree-
21 ment with respect to a vessel shall terminate on
22 the date that is three years after the date on
23 which the vessel begins operating under the
24 agreement, if—

1 “(i) the owner or operator notifies the
2 Secretary, by not later than two years
3 after the date the vessel begins operating
4 under the agreement, that the owner or op-
5 erator intends to terminate the agreement
6 under this subparagraph; and

7 “(ii) the Secretary of Transportation,
8 in coordination with the Secretary of De-
9 fense, determines that—

10 “(I) an application for an oper-
11 ating agreement under this chapter
12 has been received for a replacement
13 vessel that is acceptable to the Secre-
14 taries; and

15 “(II) during the period of an op-
16 erating agreement under this chapter
17 that applies to the replacement vessel,
18 the replacement vessel will be—

19 “(aa) owned and operated
20 by one or more persons that are
21 citizens of the United States
22 under section 50501; or

23 “(bb) owned by a person
24 who is eligible to document the
25 vessel under chapter 121, and

1 operated by a person that is a
2 citizen of the United States
3 under section 50501.

4 “(d) NONRENEWAL FOR LACK OF FUNDS.—

5 “(1) IN GENERAL.—If sufficient funds are not
6 made available to carry out an operating agreement
7 under this chapter—

8 “(A) the Secretary of Transportation shall
9 submit to the Committee on Armed Services
10 and the Committee on Commerce, Science, and
11 Transportation of the Senate and the Com-
12 mittee on Armed Services and the Committee
13 on Transportation and Infrastructure of the
14 House of Representatives notice that such
15 agreement shall be not renewed effective on the
16 60th day of the fiscal year, unless such funds
17 are made available before such day; and

18 “(B) effective on the 60th day of such fis-
19 cal year, terminate such agreement and provide
20 notice of such termination to the owner or oper-
21 ator of the vessel covered by the agreement.

22 “(2) RELEASE OF VESSELS FROM OBLIGA-
23 TIONS.—If an operating agreement for a vessel
24 under this chapter is not renewed pursuant to para-
25 graph (1), then the owner or operator of the vessel

1 is released from any further obligation under the op-
2 erating agreement as of the date of such termination
3 or nonrenewal.

4 “(3) FOREIGN TRANSFER AND REGISTRA-
5 TION.—The owner or operator of a vessel covered by
6 an operating agreement under this chapter may
7 transfer and register such vessel under a foreign
8 registry that is acceptable to the Secretary and the
9 Secretary of Defense, notwithstanding section
10 53201.

11 “(4) REQUISITION.—If chapter 563 is applica-
12 ble to a vessel after registration, then the vessel is
13 available to be requisitioned by the Secretary pursu-
14 ant to chapter 563.

15 **“§ 53206. Obligations and rights under operating**
16 **agreements**

17 “(a) OPERATION OF VESSEL.—An operating agree-
18 ment under this chapter shall require that, during the pe-
19 riod the vessel covered by the agreement is operating
20 under the agreement the vessel shall—

21 “(1) be operated in the United States foreign
22 commerce, mixed United States foreign commerce
23 and domestic trade allowed under a registry endorse-
24 ment issued under section 12111, in foreign-to-for-

1 eign commerce, or under a charter to the United
2 States;

3 “(2) not be operated in the coastwise trade ex-
4 cept as described in paragraph (1); and

5 “(3) be documented under chapter 121.

6 “(b) OPERATING AGREEMENT IS AN OBLIGATION OF
7 THE UNITED STATES GOVERNMENT.—An operating
8 agreement under this chapter constitutes a contractual ob-
9 ligation of the United States Government to pay the
10 amounts provided for in the agreement to the extent of
11 actual appropriations.

12 “(c) OBLIGATIONS OF OWNER OR OPERATOR.—

13 “(1) IN GENERAL.—The owner or operator of a
14 vessel covered by an operating agreement under this
15 chapter shall agree, as a condition of such agree-
16 ment, to remain obligated to carry out the require-
17 ments described in paragraph (2) until the termi-
18 nation date specified in the agreement, even in the
19 case of early termination of the agreement under
20 section 53205(c). This subsection shall not apply in
21 the case of an operating agreement terminated for
22 lack of funds under section 53205(d).

23 “(2) REQUIREMENTS.—The requirements de-
24 scribed in this paragraph are the following:

1 “(A) To continue the documentation of the
2 vessel under chapter 121.

3 “(B) To be bound by the requirements of
4 section 53208.

5 “(C) That all terms and conditions of an
6 emergency preparedness agreement entered into
7 under section 53208 shall remain in effect, ex-
8 cept that the terms of such emergency pre-
9 paredness agreement may be modified by the
10 mutual consent of the owner or operator, the
11 Secretary and the Secretary of Defense as pro-
12 vided in such section.

13 “(d) TRANSFER OF OPERATING AGREEMENTS.—The
14 owner or operator of a vessel covered by an operating
15 agreement under this chapter may transfer that agree-
16 ment (including all rights and obligations under the agree-
17 ment) to any person that is eligible to enter into that oper-
18 ating agreement under this chapter, if the transfer is ap-
19 proved by the Secretary of Transportation and the Sec-
20 retary of Defense.

21 “(e) REPLACEMENT OF VESSELS COVERED BY
22 AGREEMENTS.—An owner or operator of a vessel covered
23 by an operating agreement under this chapter may replace
24 the vessel with another vessel that is eligible to be included
25 in the Fleet under section 53202(b), if the Secretary of

1 Transportation, in coordination with the Secretary of De-
2 fense, approves the replacement of the vessel. In selecting
3 a replacement vessel, the owner or operator shall give pri-
4 mary consideration to—

5 “(1) the commercial viability of the vessel;

6 “(2) the utility of the vessel with respect to the
7 operating requirements of the owner or operator;
8 and

9 “(3) ensuring that the commercial and military
10 utility of any replacement vessel is not less than that
11 of the initial vessel.

12 **“§ 53207. Payments**

13 “(a) ANNUAL PAYMENT.—Subject to the availability
14 of appropriations for such purpose and the other provi-
15 sions of this chapter, the Secretary shall pay to the owner
16 or operator of a vessel covered by an operating agreement
17 under this chapter an amount equal to \$6,000,000 for
18 each vessel covered by the agreement for each fiscal year
19 that the vessel is covered by the agreement. Such amount
20 shall be paid in equal monthly installments on the last day
21 of each month. The amount payable under this subsection
22 may not be reduced except as provided by this section.

23 “(b) CERTIFICATION REQUIRED FOR PAYMENT.—As
24 a condition of receiving payment under this section for a
25 fiscal year for a vessel, the owner or operator of the vessel

1 shall certify, in accordance with regulations issued by the
2 Secretary, that the vessel has been and will be operated
3 in accordance with section 53206 for at least 320 days
4 during the fiscal year. Days during which the vessel is
5 drydocked, surveyed, inspected, or repaired shall be con-
6 sidered days of operation for purposes of this subsection.

7 “(c) GENERAL LIMITATIONS.—The Secretary may
8 not make any payment under this chapter for a vessel with
9 respect to any days for which the vessel is—

10 “(1) not operated or maintained in accordance
11 with an operating agreement under this chapter; or

12 “(2) more than 25 years of age.

13 “(d) REDUCTIONS IN PAYMENTS.—With respect to
14 payments under this chapter for a vessel covered by an
15 operating agreement, the Secretary—

16 “(1) except as provided in paragraph (2), may
17 not reduce such a payment for the operation of the
18 vessel to carry military or other preference cargoes
19 under section 55302(a), 55304, 55305, or 55314,
20 section 2631 of title 10, or any other cargo pref-
21 erence law of the United States;

22 “(2) may not make such a payment for any day
23 that the vessel is engaged in transporting more than
24 7,500 tons of civilian bulk preference cargoes pursu-

1 ant to section 55302(a), 55305, or 55314, that is
2 bulk cargo; and

3 “(3) shall make a pro rata reduction for each
4 day less than 320 in a fiscal year that the vessel is
5 not operated in accordance with section 53206.

6 “(e) LIMITATIONS REGARDING NONCONTIGUOUS DO-
7 MESTIC TRADE.—

8 “(1) IN GENERAL.—No owner or operator shall
9 receive payments pursuant to this chapter during a
10 period in which it participates in noncontiguous do-
11 mestic trade.

12 “(2) LIMITATION ON APPLICATION.—Paragraph
13 (1) shall not apply to a owner or operator that is a
14 citizen of the United States within the meaning of
15 section 50501, applying the 75 percent ownership
16 requirement of that section.

17 “(3) PARTICIPATES IN A NONCONTIGUOUS
18 TRADE DEFINED.—In this subsection the term ‘par-
19 ticipates in a noncontiguous domestic trade’ means
20 directly or indirectly owns, charters, or operates a
21 vessel engaged in transportation of cargo between a
22 point in the contiguous 48 States and a point in
23 Alaska, Hawaii, or Puerto Rico, other than a point
24 in Alaska north of the Arctic Circle.

1 **“§ 53208. National security requirements**

2 “(a) EMERGENCY PREPAREDNESS AGREEMENT RE-
3 QUIRED.—The Secretary of Transportation, in coordina-
4 tion with the Secretary of Defense, shall establish an
5 emergency preparedness program under this section under
6 which the owner or operator of a vessel covered by an op-
7 erating agreement under this chapter shall agree, as a
8 condition of the operating agreement, to enter into an
9 emergency preparedness agreement with the Secretaries.
10 Each such emergency preparedness agreement shall be en-
11 tered into as promptly as practicable after the owner or
12 operator has entered into the operating agreement.

13 “(b) TERMS OF AGREEMENT.—The terms of an
14 agreement under this section—

15 “(1) shall provide that upon request by the Sec-
16 retary of Defense during time of war or national
17 emergency, or whenever determined by the Secretary
18 of Defense to be necessary for national security or
19 contingency operation (as that term is defined in
20 section 101 of title 10), the owner or operator shall
21 make available commercial transportation resources
22 (including services) described in subsection (d) to
23 the Secretary of Defense;

24 “(2) shall include such additional terms as may
25 be established by the Secretary of Transportation
26 and the Secretary of Defense; and

1 “(3) shall allow for the modification or addition
2 of terms upon agreement by the Secretary of Trans-
3 portation and the owner or operator and the ap-
4 proval by the Secretary of Defense.

5 “(c) PARTICIPATION AFTER EXPIRATION OF OPER-
6 ATING AGREEMENT.—Except as provided by section
7 53206, the Secretary may not require, through an emer-
8 gency preparedness agreement or an operating agreement,
9 that an owner or operator of a vessel covered by an oper-
10 ating agreement continue to participate in an emergency
11 preparedness agreement after the operating agreement
12 has expired according to its terms or is otherwise no
13 longer in effect. After the expiration of an emergency pre-
14 paredness agreement, a owner or operator may voluntarily
15 continue to participate in the agreement.

16 “(d) RESOURCES MADE AVAILABLE.—The commer-
17 cial transportation resources to be made available under
18 an emergency preparedness agreement shall include ves-
19 sels or capacity in vessels, terminal facilities, management
20 services, and other related services, or any agreed portion
21 of such nonvessel resources for activation as the Secretary
22 of Defense may determine to be necessary, seeking to min-
23 imize disruption of the owner or operator’s service to com-
24 mercial customers.

25 “(e) COMPENSATION.—

1 “(1) IN GENERAL.—Each emergency prepared-
2 ness agreement under this section shall provide that
3 the Secretary of Defense shall pay fair and reason-
4 able compensation for all commercial transportation
5 resources provided pursuant to this section.

6 “(2) SPECIFIC REQUIREMENTS.—Compensation
7 under this subsection—

8 “(A) shall not be less than the owner or
9 operator’s commercial market charges for like
10 transportation resources;

11 “(B) shall be fair and reasonable consid-
12 ering all circumstances;

13 “(C) shall be provided from the time that
14 a vessel or resource is required by the Secretary
15 of Defense until the time it is redelivered to the
16 owner or operator and is available to reenter
17 commercial service; and

18 “(D) shall be in addition to and shall not
19 in any way reflect amounts payable under sec-
20 tion 53207.

21 “(f) TEMPORARY REPLACEMENT VESSELS.—Not-
22 withstanding section 55302(a), 55304, 55305, or 55314,
23 section 2631 of title 10, or any other cargo preference law
24 of the United States—

1 “(1) an owner or operator may operate or em-
2 ploy in foreign commerce a foreign-flag vessel or for-
3 eign-flag vessel capacity as a temporary replacement
4 for a vessel of the United States or vessel of the
5 United States capacity that is activated by the Sec-
6 retary of Defense under an emergency preparedness
7 agreement or a primary Department of Defense sea-
8 lift readiness program; and

9 “(2) such replacement vessel or vessel capacity
10 shall be eligible during the replacement period to
11 transport preference cargoes subject to sections
12 55302(a), 55304, 55305, and 55314 and section
13 2631 of title 10 to the same extent as the eligibility
14 of the vessel or vessel capacity replaced.

15 “(g) REDELIVERY AND LIABILITY OF THE UNITED
16 STATES FOR DAMAGES.—

17 “(1) IN GENERAL.—All commercial transpor-
18 tation resources activated under an emergency pre-
19 paredness agreement shall, upon termination of the
20 period of activation, be redelivered to the owner or
21 operator in the same good order and condition as
22 when received, less ordinary wear and tear, or the
23 Secretary of Defense shall fully compensate the
24 owner or operator for any necessary repair or re-
25 placement.

1 “(2) LIMITATION ON UNITED STATES LIABIL-
2 ITY.—Except as may be expressly agreed in an
3 emergency preparedness agreement, or as otherwise
4 provided by law, the Government shall not be liable
5 for disruption of an owner or operator’s commercial
6 business or other consequential damages to an owner
7 or operator arising from the activation of commer-
8 cial transportation resources under an emergency
9 preparedness agreement.

10 **“§ 53209. Regulatory relief**

11 “(a) OPERATION IN FOREIGN COMMERCE.—An
12 owner or operator for a vessel included in an operating
13 agreement under this chapter may operate the vessel in
14 the foreign commerce of the United States without restric-
15 tion.

16 “(b) OTHER RESTRICTIONS.—The restrictions of sec-
17 tion 55305(a) concerning the building, rebuilding, or docu-
18 mentation of a vessel in a foreign country shall not apply
19 to a vessel for any day the operator of the vessel is receiv-
20 ing payments for the operation of that vessel under an
21 operating agreement under this chapter.

22 “(c) TELECOMMUNICATIONS EQUIPMENT.—The tele-
23 communications and other electronic equipment on an ex-
24 isting vessel that is redocumented under the laws of the
25 United States for operation under an operating agreement

1 under this chapter shall be deemed to satisfy all Federal
2 Communications Commission equipment certification re-
3 quirements, if—

4 “(1) such equipment complies with all applica-
5 ble international agreements and associated guide-
6 lines as determined by the country in which the ves-
7 sel was documented immediately before becoming
8 documented under the laws of the United States;

9 “(2) that country has not been identified by the
10 Secretary as inadequately enforcing international
11 regulations as to that vessel; and

12 “(3) at the end of its useful life, such equip-
13 ment shall be replaced with equipment that meets
14 Federal Communications Commission equipment
15 certification standards.

16 **“§ 53210. Special rule regarding age of participating**
17 **Fleet vessels**

18 “Any age restriction under section 53202(b)(4) shall
19 not apply to a participating Fleet vessel during the 30-
20 month period beginning on the date the vessel begins oper-
21 ating under an operating agreement under this chapter,
22 if the Secretary of Transportation determines that the
23 owner or operator of the vessel has entered into an ar-
24 rangement to obtain and operate under the operating
25 agreement for the participating Fleet vessel a replacement

1 vessel that, upon commencement of such operation, will
2 be eligible to be included in the Fleet under section
3 53202(b).

4 **“§ 53211. Regulations**

5 “The Secretary of Transportation and the Secretary
6 of Defense may each prescribe rules as necessary to carry
7 out their respective responsibilities under this chapter.

8 **“§ 53212. Authorization of appropriations**

9 “There is authorized to be appropriated for payments
10 under section 53207, \$60,000,000 for each of fiscal years
11 2021 through 2035, to remain available until expended.

12 **“§ 53213. Acquisition of Fleet vessels**

13 “(a) IN GENERAL.—Upon replacement of a Fleet ves-
14 sel under an operating agreement under this chapter, and
15 subject to agreement by the owner or operator of the ves-
16 sel, the Secretary of Transportation may, subject to the
17 concurrence of the Secretary of Defense, acquire the vessel
18 being replaced for inclusion in the National Defense Re-
19 serve Fleet.

20 “(b) REQUIREMENTS.—To be eligible for acquisition
21 by the Secretary of Transportation under this section a
22 vessel shall—

23 “(1) have been covered by an operating agree-
24 ment under this chapter for not less than three
25 years; and

1 “(2) meet recapitalization requirements for the
2 Ready Reserve Force.

3 “(c) FAIR MARKET VALUE.—A fair market value
4 shall be established by the Maritime Administration for
5 acquisition of an eligible vessel under this section.

6 “(d) APPROPRIATIONS.—Vessel acquisitions under
7 this section shall be subject to the availability of appro-
8 priations. Amounts made available to carry out this sec-
9 tion shall be derived from amounts authorized to be appro-
10 priated for the National Defense Reserve Fleet. Amounts
11 authorized to be appropriated to carry out the Maritime
12 Security Program may not be use to carry out this sec-
13 tion.”.

14 (b) CLERICAL AMENDMENT.—The table of chapters
15 for subtitle VII of title 46, United States Code, is amend-
16 ed by adding at the end the following:

“532. Tanker Security Fleet 53201”.

17 (c) DEADLINE FOR ACCEPTING APPLICATIONS.—

18 (1) IN GENERAL.—The Secretary of Transpor-
19 tation shall begin accepting applications for enroll-
20 ment of vessels in the Tanker Security Fleet estab-
21 lished under chapter 532 of title 46, United States
22 Code, as added by subsection (a), by not later than
23 30 days after the date of the enactment of this Act.

24 (2) APPROVAL.—Not later than 90 days after
25 receipt of an application for the enrollment of a ves-

1 sel in the Tanker Security Fleet, the Secretary, in
2 coordination with the Secretary of Defense, shall—

3 (A) approve the application and enter into
4 an operating agreement with the applicant; or

5 (B) provide to the applicant a written ex-
6 planation for the denial of the application.

7 **DIVISION D—FUNDING TABLES**

8 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-** 9 **BLES.**

10 (a) **IN GENERAL.**—Whenever a funding table in this
11 division specifies a dollar amount authorized for a project,
12 program, or activity, the obligation and expenditure of the
13 specified dollar amount for the project, program, or activ-
14 ity is hereby authorized, subject to the availability of ap-
15 propriations.

16 (b) **MERIT-BASED DECISIONS.**—A decision to com-
17 mit, obligate, or expend funds with or to a specific entity
18 on the basis of a dollar amount authorized pursuant to
19 subsection (a) shall—

20 (1) be based on merit-based selection proce-
21 dures in accordance with the requirements of sec-
22 tions 2304(k) and 2374 of title 10, United States
23 Code, or on competitive procedures; and

24 (2) comply with other applicable provisions of
25 law.

1 (c) RELATIONSHIP TO TRANSFER AND PROGRAM-
 2 MING AUTHORITY.—An amount specified in the funding
 3 tables in this division may be transferred or repro-
 4 grammed under a transfer or reprogramming authority
 5 provided by another provision of this Act or by other law.
 6 The transfer or reprogramming of an amount specified in
 7 such funding tables shall not count against a ceiling on
 8 such transfers or reprogrammings under section 1001 or
 9 section 1512 of this Act or any other provision of law,
 10 unless such transfer or reprogramming would move funds
 11 between appropriation accounts.

12 (d) APPLICABILITY TO CLASSIFIED ANNEX.—This
 13 section applies to any classified annex that accompanies
 14 this Act.

15 (e) ORAL AND WRITTEN COMMUNICATIONS.—No
 16 oral or written communication concerning any amount
 17 specified in the funding tables in this division shall super-
 18 sede the requirements of this section.

19 TITLE XLI—PROCUREMENT

20 SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
002	MQ-1 UAV		75,000
	Additional aircraft		[75,000]
003	FUTURE UAS FAMILY	1,100	1,100
004	RQ-11 (RAVEN)	20,851	20,851
ROTARY			
007	AH-64 APACHE BLOCK IIIA REMAN	792,027	792,027
008	AH-64 APACHE BLOCK IIIA REMAN AP	169,460	169,460
011	UH-60 BLACKHAWK M MODEL (MYP)	742,998	725,298
	Unjustified costs		[-17,700]
012	UH-60 BLACKHAWK M MODEL (MYP) AP	87,427	87,427
013	UH-60 BLACK HAWK L AND V MODELS	172,797	172,797
014	CH-47 HELICOPTER	160,750	266,850

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
	Program increase		[136,000]
	Unjustified cost growth		[-29,900]
015	CH-47 HELICOPTER AP	18,372	47,372
	Program increase		[29,000]
MODIFICATION OF AIRCRAFT			
018	UNIVERSAL GROUND CONTROL EQUIPMENT (UAS)	7,509	7,509
019	GRAY EAGLE MODS2	16,280	16,280
020	MULTI SENSOR ABN RECON (MIP)	35,864	35,864
021	AH-64 MODS	118,316	113,216
	Unjustified cost growth—M-DSA		[-5,100]
022	CH-47 CARGO HELICOPTER MODS (MYP)	15,548	15,548
023	GRCS SEMA MODS (MIP)	2,947	2,947
024	ARL SEMA MODS (MIP)	9,598	9,598
025	EMARSS SEMA MODS (MIP)	2,452	2,452
026	UTILITY/CARGO AIRPLANE MODS	13,868	13,868
027	UTILITY HELICOPTER MODS	25,842	31,342
	Program increase		[5,500]
028	NETWORK AND MISSION PLAN	77,432	77,432
029	COMMS, NAV SURVEILLANCE	101,355	101,355
031	AVIATION ASSURED PNT	54,609	54,609
032	GATM ROLLUP	12,180	12,180
034	UAS MODS	4,204	4,204
GROUND SUPPORT AVIONICS			
035	AIRCRAFT SURVIVABILITY EQUIPMENT	49,455	49,455
036	SURVIVABILITY CM	8,035	8,035
037	CMWS	10,567	10,567
038	COMMON INFRARED COUNTERMEASURES (CIRCM)	237,467	237,467
OTHER SUPPORT			
039	AVIONICS SUPPORT EQUIPMENT	1,789	1,789
040	COMMON GROUND EQUIPMENT	17,584	17,584
041	AIRCREW INTEGRATED SYSTEMS	48,265	48,265
042	AIR TRAFFIC CONTROL	26,408	26,408
044	LAUNCHER, 2.75 ROCKET	2,256	2,256
045	LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2	8,982	8,982
	TOTAL AIRCRAFT PROCUREMENT, ARMY	3,074,594	3,267,394
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
002	M-SHORAD—PROCUREMENT	378,654	378,654
003	MSE MISSILE	603,188	603,188
004	PRECISION STRIKE MISSILE (PRSM)	49,941	42,441
	Contract delay		[-7,500]
005	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	106,261	25,011
	Army identified funds excess to need		[-40,500]
	Funding excess to need		[-40,750]
AIR-TO-SURFACE MISSILE SYSTEM			
006	HELLFIRE SYS SUMMARY	91,225	91,225
007	JOINT AIR-TO-GROUND MSLS (JAGM)	213,397	213,397
008	LONG RANGE PRECISION MUNITION	45,307	45,307
ANTI-TANK/ASSAULT MISSILE SYS			
009	JAVELIN (AAWS-M) SYSTEM SUMMARY	190,325	190,325
010	TOW 2 SYSTEM SUMMARY	121,074	121,074
011	GUIDED MLRS ROCKET (GMLRS)	850,157	850,157
012	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	30,836	30,836
013	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	41,226	41,226
MODIFICATIONS			
016	PATRIOT MODS	278,050	278,050
017	ATACMS MODS	141,690	141,690
020	AVENGER MODS	13,942	13,942
021	ITAS/TOW MODS	5,666	5,666
022	MLRS MODS	310,419	310,419
023	HIMARS MODIFICATIONS	6,081	6,081
SPARES AND REPAIR PARTS			
024	SPARES AND REPAIR PARTS	5,090	5,090
SUPPORT EQUIPMENT & FACILITIES			
025	AIR DEFENSE TARGETS	8,978	8,978
	TOTAL MISSILE PROCUREMENT, ARMY	3,491,507	3,402,757
PROCUREMENT OF W&TCV, ARMY			
TRACKED COMBAT VEHICLES			
002	ARMORED MULTI PURPOSE VEHICLE (AMPV)	192,971	172,971
	Prior year carry-over		[-80,000]
	Program increase		[60,000]
MODIFICATION OF TRACKED COMBAT VEHICLES			
004	STRYKER UPGRADE	847,212	1,183,052
	CROWS-J program delay		[-39,160]
	Program increase—Army UPL		[375,000]
005	BRADLEY PROGRAM (MOD)	493,109	435,759

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
	Prior year carry-over		[-17,350]
	UBIS early to need		[-40,000]
006	M109 FOV MODIFICATIONS	26,893	21,893
	Prior year carryover		[-5,000]
007	PALADIN INTEGRATED MANAGEMENT (PIM)	435,825	435,825
009	ASSAULT BRIDGE (MOD)	5,074	5,074
010	ASSAULT BREACHER VEHICLE	19,500	19,500
011	M88 FOV MODS	18,382	13,082
	Program reduction		[-5,300]
012	JOINT ASSAULT BRIDGE	72,178	61,878
	Program delay		[-10,300]
013	M1 ABRAMS TANK (MOD)	392,013	386,278
	Prior year carry-over		[-5,735]
014	ABRAMS UPGRADE PROGRAM	1,033,253	1,020,396
	Component cost savings		[-3,480]
	Prior year carry-over		[-9,377]
WEAPONS & OTHER COMBAT VEHICLES			
016	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	17,864	17,864
018	MORTAR SYSTEMS	10,288	10,288
019	XM320 GRENADE LAUNCHER MODULE (GLM)	5,969	5,969
020	PRECISION SNIPER RIFLE	10,137	10,137
021	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	999	999
022	CARBINE	7,411	7,411
023	NEXT GENERATION SQUAD WEAPON	35,822	35,822
024	COMMON REMOTELY OPERATED WEAPONS STATION	24,534	24,534
025	HANDGUN	4,662	4,662
MOD OF WEAPONS AND OTHER COMBAT VEH			
026	MK-19 GRENADE MACHINE GUN MODS	6,444	6,444
027	M777 MODS	10,983	10,983
028	M4 CARBINE MODS	4,824	4,824
031	M240 MEDIUM MACHINE GUN MODS	6,385	6,385
032	SNIPER RIFLES MODIFICATIONS	1,898	1,898
033	M119 MODIFICATIONS	2,009	2,009
034	MORTAR MODIFICATION	1,689	1,689
035	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	2,604	2,604
SUPPORT EQUIPMENT & FACILITIES			
036	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	2,763	2,763
037	PRODUCTION BASE SUPPORT (WOCV-WTCV)	3,045	3,045
	TOTAL PROCUREMENT OF W&TCV, ARMY	3,696,740	3,916,038
PROCUREMENT OF AMMUNITION, ARMY			
SMALL/MEDIUM CAL AMMUNITION			
001	CTG, 5.56MM, ALL TYPES	68,472	68,472
002	CTG, 7.62MM, ALL TYPES	109,933	109,933
003	NEXT GENERATION SQUAD WEAPON AMMUNITION	11,988	11,988
004	CTG, HANDGUN, ALL TYPES	853	853
005	CTG, .50 CAL, ALL TYPES	58,280	58,280
006	CTG, 20MM, ALL TYPES	31,708	31,708
007	CTG, 25MM, ALL TYPES	9,111	9,111
008	CTG, 30MM, ALL TYPES	58,172	58,172
009	CTG, 40MM, ALL TYPES	114,638	114,638
MORTAR AMMUNITION			
010	60MM MORTAR, ALL TYPES	31,222	31,222
011	81MM MORTAR, ALL TYPES	42,857	42,857
012	120MM MORTAR, ALL TYPES	107,762	107,762
TANK AMMUNITION			
013	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	233,444	233,444
ARTILLERY AMMUNITION			
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	35,963	35,963
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES	293,692	283,692
	Program delays		[-10,000]
016	PROJ 155MM EXTENDED RANGE M982	69,159	69,159
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	232,913	232,913
MINES			
018	MINES & CLEARING CHARGES, ALL TYPES	65,278	62,778
	Program decrease		[-2,500]
019	CLOSE TERRAIN SHAPING OBSTACLE	4,995	2,995
	Program reduction		[-2,000]
ROCKETS			
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	69,112	61,612
	Prior year carryover		[-7,500]
021	ROCKET, HYDRA 70, ALL TYPES	125,915	125,915
OTHER AMMUNITION			
022	CAD/PAD, ALL TYPES	8,891	8,891
023	DEMOLITION MUNITIONS, ALL TYPES	54,043	54,043
024	GRENADES, ALL TYPES	28,931	28,931
025	SIGNALS, ALL TYPES	27,036	27,036
026	SIMULATORS, ALL TYPES	10,253	10,253

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
MISCELLANEOUS			
027	AMMO COMPONENTS, ALL TYPES	3,476	3,476
029	ITEMS LESS THAN \$5 MILLION (AMMO)	10,569	10,569
030	AMMUNITION PECULIAR EQUIPMENT	12,338	12,338
031	FIRST DESTINATION TRANSPORTATION (AMMO)	15,908	15,908
032	CLOSEOUT LIABILITIES	99	99
PRODUCTION BASE SUPPORT			
033	INDUSTRIAL FACILITIES	592,224	696,724
	Program increase		[104,500]
034	CONVENTIONAL MUNITIONS DEMILITARIZATION	235,112	235,112
035	ARMS INITIATIVE	3,369	3,369
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	2,777,716	2,860,216
OTHER PROCUREMENT, ARMY			
TACTICAL VEHICLES			
001	TACTICAL TRAILERS/DOLLY SETS	12,986	12,986
002	SEMITRAILERS, FLATBED:	31,443	31,443
003	SEMITRAILERS, TANKERS	17,082	17,082
004	HI MOB MULTI-PURP WHLD VEH (HMMWV)	44,795	44,795
005	GROUND MOBILITY VEHICLES (GMV)	37,932	37,932
008	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	894,414	894,414
009	TRUCK, DUMP, 20T (CCE)	29,368	29,368
010	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	95,092	95,092
011	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	999	999
012	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	27,687	27,687
014	PLS ESP	21,969	21,969
015	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	65,635	132,635
	Program increase		[67,000]
016	HMMWV RECAPITALIZATION PROGRAM	5,927	5,927
017	TACTICAL WHEELED VEHICLE PROTECTION KITS	36,497	36,497
018	MODIFICATION OF IN SVC EQUIP	114,977	114,977
NON-TACTICAL VEHICLES			
020	PASSENGER CARRYING VEHICLES	1,246	1,246
021	NONTACTICAL VEHICLES, OTHER	19,870	19,870
COMM—JOINT COMMUNICATIONS			
022	SIGNAL MODERNIZATION PROGRAM	160,469	150,469
	Unit cost growth		[-10,000]
023	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	360,379	337,879
	Program delays		[-10,000]
	Unit cost growth		[-12,500]
024	SITUATION INFORMATION TRANSPORT	63,396	63,396
026	JCSE EQUIPMENT (USRDECOM)	5,170	5,170
COMM—SATELLITE COMMUNICATIONS			
029	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	101,498	101,498
030	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	72,450	64,950
	Program delays		[-7,500]
031	SHF TERM	13,173	13,173
032	ASSURED POSITIONING, NAVIGATION AND TIMING	134,928	134,928
033	SMART-T (SPACE)	8,611	8,611
034	GLOBAL BRDCST SVC—GBS	8,191	8,191
COMM—C3 SYSTEM			
036	COE TACTICAL SERVER INFRASTRUCTURE (TSD)	94,871	94,871
COMM—COMBAT COMMUNICATIONS			
037	HANDHELD MANPACK SMALL FORM FIT (HMS)	550,848	550,848
038	RADIO TERMINAL SET, MIDS LV'T(2)	8,237	8,237
041	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	13,967	0
	Program cancellation		[-13,967]
043	UNIFIED COMMAND SUITE	19,579	19,579
044	COTS COMMUNICATIONS EQUIPMENT	94,156	94,156
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	18,313	18,313
046	ARMY COMMUNICATIONS & ELECTRONICS	51,480	51,480
COMM—INTELLIGENCE COMM			
048	CI AUTOMATION ARCHITECTURE (MIP)	13,146	13,146
049	DEFENSE MILITARY DECEPTION INITIATIVE	5,624	5,624
INFORMATION SECURITY			
051	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	4,596	4,596
052	COMMUNICATIONS SECURITY (COMSEC)	159,272	149,272
	Program decrease		[-10,000]
053	DEFENSIVE CYBER OPERATIONS	54,753	54,753
054	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	1,760	1,760
056	ITEMS LESS THAN \$5M (INFO SECURITY)	260	260
COMM—LONG HAUL COMMUNICATIONS			
057	BASE SUPPORT COMMUNICATIONS	29,761	29,761
COMM—BASE COMMUNICATIONS			
058	INFORMATION SYSTEMS	147,696	147,696
059	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,900	4,900
060	HOME STATION MISSION COMMAND CENTERS (HSMCC)	15,227	15,227
061	JOINT INFORMATION ENVIRONMENT (JIE)	3,177	3,177

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
062	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	300,035	280,035
	Unjustified growth		[-20,000]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
065	JTT/CIBS-M (MIP)	5,304	5,304
066	TERRESTRIAL LAYER SYSTEMS (TLS) (MIP)	8,081	8,081
068	DCGS-A (MIP)	151,886	151,886
070	TROJAN (MIP)	17,593	17,593
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	28,558	28,558
073	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	999	999
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
075	LIGHTWEIGHT COUNTER MORTAR RADAR	5,332	5,332
076	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	7,849	7,849
077	AIR VIGILANCE (AV) (MIP)	8,160	8,160
079	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	8,669	8,669
082	CI MODERNIZATION (MIP)	300	300
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
083	SENTINEL MODS	58,884	58,884
084	NIGHT VISION DEVICES	1,127,375	897,375
	IVAS reduction		[-230,000]
086	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	13,954	13,954
088	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	10,069	10,069
089	FAMILY OF WEAPON SIGHTS (FWS)	133,590	115,090
	Program decrease		[-18,500]
091	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	243,850	226,350
	Program delays		[-17,500]
092	JOINT EFFECTS TARGETING SYSTEM (JETS)	69,641	50,541
	Early to need		[-19,100]
094	COMPUTER BALLISTICS: LHMCB XM32	7,509	7,509
095	MORTAR FIRE CONTROL SYSTEM	3,800	3,800
096	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	7,292	7,292
097	COUNTERFIRE RADARS	72,421	71,421
	Excess to need		[-1,000]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
098	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (.....	49,947	49,947
099	FIRE SUPPORT C2 FAMILY	9,390	9,390
100	AIR & MSL DEFENSE PLANNING & CONTROL SYS	47,374	47,374
101	IAMD BATTLE COMMAND SYSTEM	201,587	191,587
	Program reduction		[-10,000]
102	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,495	4,495
103	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	18,651	18,651
105	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	2,792	2,792
106	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)	9,071	9,071
107	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	12,117	12,117
108	MOD OF IN-SVC EQUIPMENT (ENFIRE)	3,004	5,004
	Program increase		[2,000]
	ELECT EQUIP—AUTOMATION		
109	ARMY TRAINING MODERNIZATION	14,574	14,574
110	AUTOMATED DATA PROCESSING EQUIP	140,619	140,619
111	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	4,448	4,448
112	HIGH PERF COMPUTING MOD PGM (HPCMP)	68,405	68,405
113	CONTRACT WRITING SYSTEM	8,459	8,459
114	CSS COMMUNICATIONS	57,651	57,651
115	RESERVE COMPONENT AUTOMATION SYS (RCAS)	14,848	14,848
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
117	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	4,995	4,995
	ELECT EQUIP—SUPPORT		
119	BCT EMERGING TECHNOLOGIES	16,983	8,983
	Program reduction		[-8,000]
	CLASSIFIED PROGRAMS		
19A	CLASSIFIED PROGRAMS	1,582	1,582
	CHEMICAL DEFENSIVE EQUIPMENT		
123	CBRN DEFENSE	28,456	28,456
124	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	13,995	13,995
	BRIDGING EQUIPMENT		
125	TACTICAL BRIDGING	10,545	10,545
126	TACTICAL BRIDGE, FLOAT-RIBBON	72,074	72,074
127	BRIDGE SUPPLEMENTAL SET	32,493	32,493
128	COMMON BRIDGE TRANSPORTER (CBT) RECAP	62,978	62,978
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
129	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	5,570	5,570
130	GRND STANDOFF MINE DETECT'N SYSM (GSTAMIDS)	2,497	2,497
132	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	109,069	99,069
	Program reduction		[-10,000]
134	EOD ROBOTICS SYSTEMS RECAPITALIZATION	36,584	36,584
135	ROBOTICS AND APPLIQUE SYSTEMS	179,544	174,744
	SMET contract delay		[-4,800]
137	RENDER SAFE SETS KITS OUTFITS	64,583	64,583
139	FAMILY OF BOATS AND MOTORS	5,289	5,289

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
COMBAT SERVICE SUPPORT EQUIPMENT			
140	HEATERS AND ECUS	8,200	8,200
142	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	4,625	4,625
143	GROUND SOLDIER SYSTEM	154,937	154,937
144	MOBILE SOLDIER POWER	34,297	34,297
147	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	53,021	53,021
148	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	23,324	23,324
149	ITEMS LESS THAN \$5M (ENG SPT)	8,014	8,014
PETROLEUM EQUIPMENT			
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	78,448	78,448
MEDICAL EQUIPMENT			
151	COMBAT SUPPORT MEDICAL	59,485	64,485
	Future Warfighter Shelter		[5,000]
MAINTENANCE EQUIPMENT			
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	40,337	40,337
153	ITEMS LESS THAN \$5.0M (MAINT EQ)	5,386	5,386
CONSTRUCTION EQUIPMENT			
154	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	5,406	5,406
155	SCRAPERS, EARTHMOVING	4,188	4,188
156	LOADERS	4,521	4,521
157	HYDRAULIC EXCAVATOR	5,186	5,186
158	TRACTOR, FULL TRACKED	4,715	4,715
159	ALL TERRAIN CRANES	70,560	70,560
162	CONST EQUIP ESP	8,925	8,925
RAIL FLOAT CONTAINERIZATION EQUIPMENT			
164	ARMY WATERCRAFT ESP	40,910	40,910
165	MANEUVER SUPPORT VESSEL (MSV)	76,576	76,576
166	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	1,844	1,844
GENERATORS			
167	GENERATORS AND ASSOCIATED EQUIP	53,433	53,433
168	TACTICAL ELECTRIC POWER RECAPITALIZATION	22,216	22,216
MATERIAL HANDLING EQUIPMENT			
169	FAMILY OF FORKLIFTS	16,145	16,145
TRAINING EQUIPMENT			
170	COMBAT TRAINING CENTERS SUPPORT	90,580	90,580
171	TRAINING DEVICES, NONSYSTEM	161,814	161,814
172	SYNTHETIC TRAINING ENVIRONMENT (STE)	13,063	13,063
175	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	1,950	1,950
TEST MEASURE AND DIG EQUIPMENT (TMD)			
176	CALIBRATION SETS EQUIPMENT	2,511	2,511
177	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	78,578	73,578
	Program reduction		[-5,000]
178	TEST EQUIPMENT MODERNIZATION (TEMOD)	14,941	14,941
OTHER SUPPORT EQUIPMENT			
180	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,629	8,629
181	PHYSICAL SECURITY SYSTEMS (OPA3)	75,499	72,299
	Early to need		[-3,200]
182	BASE LEVEL COMMON EQUIPMENT	27,444	27,444
183	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	32,485	32,485
187	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	39,436	39,436
OPA2			
189	INITIAL SPARES—C&E	9,950	9,950
	TOTAL OTHER PROCUREMENT, ARMY	8,625,206	8,288,139
AIRCRAFT PROCUREMENT, NAVY			
COMBAT AIRCRAFT			
001	F/A-18E/F (FIGHTER) HORNET	1,761,146	1,761,146
002	F/A-18E/F (FIGHTER) HORNET AP		28,100
	FY22 aircraft		[28,100]
003	JOINT STRIKE FIGHTER CV	2,181,780	2,106,680
	Excess depot standup funding		[-6,500]
	F135 affordability challenges		[-21,000]
	Lot 15 target cost savings		[-41,600]
	Unjustified ALIS funding		[-6,000]
004	JOINT STRIKE FIGHTER CV AP	330,386	330,386
005	JSF STOVL	1,109,393	1,053,893
	Excess depot standup funding		[-5,000]
	F135 affordability challenges		[-15,000]
	Lot 15 target cost savings		[-18,000]
	Unjustified ALIS funding		[-10,000]
	Unjustified production engineering support		[-7,500]
006	JSF STOVL AP	303,035	303,035
007	CH-53K (HEAVY LIFT)	813,324	813,324
008	CH-53K (HEAVY LIFT) AP	201,188	201,188
009	V-22 (MEDIUM LIFT)	934,793	1,146,193
	Navy UPL		[211,400]
010	V-22 (MEDIUM LIFT) AP	39,547	39,547
011	H-1 UPGRADES (UH-1Y/AH-1Z)	7,267	7,267

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
013	P-8A POSEIDON	80,134	1,020,034
	Line shutdown early to need		[-80,100]
	Six additional aircraft		[1,020,000]
015	E-2D ADV HAWKEYE	626,109	626,109
016	E-2D ADV HAWKEYE AP	123,166	123,166
	TRAINER AIRCRAFT		
017	ADVANCED HELICOPTER TRAINING SYSTEM	269,867	269,867
	OTHER AIRCRAFT		
018	KC-130J	380,984	380,984
019	KC-130J AP	67,022	67,022
021	MQ-4 TRITON	150,570	280,570
	One additional aircraft		[130,000]
023	MQ-8 UAV	40,375	40,375
024	STUASLO UAV	30,930	30,930
026	VH-92A EXECUTIVE HELO	610,231	610,231
	MODIFICATION OF AIRCRAFT		
028	F-18 A-D UNIQUE	208,261	208,261
029	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM	468,954	468,954
030	AEA SYSTEMS	21,061	21,061
031	AV-8 SERIES	34,082	34,082
032	INFRARED SEARCH AND TRACK (IRST)	158,055	158,055
033	ADVERSARY	42,946	42,946
034	F-18 SERIES	379,351	379,351
035	H-53 SERIES	74,771	74,771
036	MH-60 SERIES	131,584	136,584
	Program increase		[5,000]
037	H-1 SERIES	185,140	185,140
038	EP-3 SERIES	26,602	26,602
040	E-2 SERIES	175,540	175,540
041	TRAINER A/C SERIES	7,085	7,085
042	C-2A	9,525	9,525
043	C-130 SERIES	141,705	141,705
044	FEWSG	684	684
045	CARGO/TRANSPORT A/C SERIES	8,911	8,911
046	E-6 SERIES	197,206	197,206
047	EXECUTIVE HELICOPTERS SERIES	29,086	29,086
049	T-45 SERIES	155,745	155,745
050	POWER PLANT CHANGES	24,633	24,633
051	JPATS SERIES	22,682	22,682
052	AVIATION LIFE SUPPORT MODS	40,401	40,401
053	COMMON ECM EQUIPMENT	138,480	138,480
054	COMMON AVIONICS CHANGES	143,322	143,322
055	COMMON DEFENSIVE WEAPON SYSTEM	2,142	2,142
056	ID SYSTEMS	35,999	35,999
057	P-8 SERIES	180,530	180,530
058	MAGTF EW FOR AVIATION	27,794	27,794
059	MQ-8 SERIES	28,774	28,774
060	V-22 (TILT/ROTOR ACFT) OSPREY	334,405	334,405
061	NEXT GENERATION JAMMER (NGJ)	176,638	176,638
062	F-35 STOVL SERIES	153,588	146,388
	Block IV/TR3 upgrade delays		[-7,200]
063	F-35 CV SERIES	105,452	99,552
	Block IV/TR3 upgrade delays		[-5,900]
064	QRC	126,618	126,618
065	MQ-4 SERIES	12,998	12,998
066	RQ-21 SERIES	18,550	18,550
	AIRCRAFT SPARES AND REPAIR PARTS		
070	SPARES AND REPAIR PARTS	2,198,460	2,198,460
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
071	COMMON GROUND EQUIPMENT	543,559	543,559
072	AIRCRAFT INDUSTRIAL FACILITIES	75,685	75,685
073	WAR CONSUMABLES	40,633	40,633
074	OTHER PRODUCTION CHARGES	21,194	21,194
075	SPECIAL SUPPORT EQUIPMENT	155,179	155,179
076	FIRST DESTINATION TRANSPORTATION	2,121	2,121
	TOTAL AIRCRAFT PROCUREMENT, NAVY	17,127,378	18,298,078
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,173,837	1,173,837
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	7,275	7,275
	STRATEGIC MISSILES		
003	TOMAHAWK	277,694	277,694
	TACTICAL MISSILES		
004	AMRAAM	326,952	326,952
005	SIDEWINDER	126,485	126,485
007	STANDARD MISSILE	456,206	456,206

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
008	STANDARD MISSILE AP	66,716	66,716
009	SMALL DIAMETER BOMB II	78,867	78,867
010	RAM	90,533	90,533
011	JOINT AIR GROUND MISSILE (JAGM)	49,386	49,386
014	AERIAL TARGETS	174,336	174,336
015	DRONES AND DECOYS	41,256	41,256
016	OTHER MISSILE SUPPORT	3,501	3,501
017	LRASM	168,845	168,845
018	LCS OTH MISSILE	32,910	32,910
	MODIFICATION OF MISSILES		
019	TOMAHAWK MODS	164,915	164,915
020	ESSM	215,375	206,475
	Excessive production support growth		[-8,900]
022	HARM MODS	147,572	147,572
023	STANDARD MISSILES MODS	83,654	17,254
	SM-2 Blk IIC excessive concurrency		[-66,400]
	SUPPORT EQUIPMENT & FACILITIES		
024	WEAPONS INDUSTRIAL FACILITIES	1,996	1,996
025	FLEET SATELLITE COMM FOLLOW-ON	53,401	53,401
	ORDNANCE SUPPORT EQUIPMENT		
027	ORDNANCE SUPPORT EQUIPMENT	215,659	215,659
	TORPEDOES AND RELATED EQUIP		
028	SSTD	5,811	5,811
029	MK-48 TORPEDO	284,901	284,901
030	ASW TARGETS	13,833	13,833
	MOD OF TORPEDOES AND RELATED EQUIP		
031	MK-54 TORPEDO MODS	110,286	110,286
032	MK-48 TORPEDO ADCAP MODS	57,214	57,214
033	MARITIME MINES	5,832	5,832
	SUPPORT EQUIPMENT		
034	TORPEDO SUPPORT EQUIPMENT	97,581	97,581
035	ASW RANGE SUPPORT	4,159	4,159
	DESTINATION TRANSPORTATION		
036	FIRST DESTINATION TRANSPORTATION	4,106	4,106
	GUNS AND GUN MOUNTS		
037	SMALL ARMS AND WEAPONS	16,030	16,030
	MODIFICATION OF GUNS AND GUN MOUNTS		
038	CIWS MODS	37,147	37,147
039	COAST GUARD WEAPONS	45,804	45,804
040	GUN MOUNT MODS	74,427	74,427
041	LCS MODULE WEAPONS	4,253	4,253
042	AIRBORNE MINE NEUTRALIZATION SYSTEMS	6,662	6,662
	SPARES AND REPAIR PARTS		
045	SPARES AND REPAIR PARTS	159,578	159,578
	TOTAL WEAPONS PROCUREMENT, NAVY	4,884,995	4,809,695
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	41,496	41,496
002	JDAM	64,631	64,631
003	AIRBORNE ROCKETS, ALL TYPES	60,719	60,719
004	MACHINE GUN AMMUNITION	11,158	11,158
005	PRACTICE BOMBS	51,409	51,409
006	CARTRIDGES & CART ACTUATED DEVICES	64,694	64,694
007	AIR EXPENDABLE COUNTERMEASURES	51,523	51,523
008	JATOS	6,761	6,761
009	5 INCH/54 GUN AMMUNITION	31,517	31,517
010	INTERMEDIATE CALIBER GUN AMMUNITION	38,005	38,005
011	OTHER SHIP GUN AMMUNITION	40,626	40,626
012	SMALL ARMS & LANDING PARTY AMMO	48,202	48,202
013	PYROTECHNIC AND DEMOLITION	9,766	9,766
015	AMMUNITION LESS THAN \$5 MILLION	2,115	2,115
	MARINE CORPS AMMUNITION		
016	MORTARS	46,781	46,781
017	DIRECT SUPPORT MUNITIONS	119,504	79,662
	USMC identified funds excess to need		[-39,842]
018	INFANTRY WEAPONS AMMUNITION	83,220	83,220
019	COMBAT SUPPORT MUNITIONS	32,650	32,650
020	AMMO MODERNIZATION	15,144	15,144
021	ARTILLERY MUNITIONS	59,539	59,539
022	ITEMS LESS THAN \$5 MILLION	4,142	4,142
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	883,602	843,760
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
001	OHIO REPLACEMENT SUBMARINE	2,891,475	2,891,475
002	OHIO REPLACEMENT SUBMARINE AP	1,123,175	1,123,175
	OTHER WARSHIPS		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
003	CARRIER REPLACEMENT PROGRAM	997,544	907,544
	Full funding early to need		[-90,000]
004	CVN-81	1,645,606	1,465,606
	Full funding early to need		[-180,000]
005	VIRGINIA CLASS SUBMARINE	2,334,693	4,630,693
	Restore second Virginia-class SSN		[2,296,000]
006	VIRGINIA CLASS SUBMARINE	1,901,187	2,173,187
	Restore second Virginia-class SSN		[272,000]
007	CVN REFUELING OVERHAULS	1,878,453	1,878,453
008	CVN REFUELING OVERHAULS AP	17,384	17,384
009	DDG 1000	78,205	78,205
010	DDG-51	3,040,270	3,040,270
011	DDG-51 AP	29,297	29,297
013	FFG-FRIGATE	1,053,123	954,523
	Anticipated learning curve		[-98,600]
	AMPHIBIOUS SHIPS		
014	LPD FLIGHT II	1,155,801	1,118,101
	Excessive unit cost growth		[-37,700]
019	EXPEDITIONARY FAST TRANSPORT (EPF)		260,000
	One additional ship		[260,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
022	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	168,209	168,209
023	LCU 1700	87,395	87,395
024	OUTFITTING	825,586	825,586
026	SERVICE CRAFT	249,781	249,781
027	LCAC SLEP	56,461	56,461
028	COMPLETION OF PY SHIPBUILDING PROGRAMS	369,112	369,112
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	19,902,757	22,324,457
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	SURFACE POWER EQUIPMENT	11,738	11,738
	GENERATORS		
002	SURFACE COMBATANT HM&E	58,497	58,497
	NAVIGATION EQUIPMENT		
003	OTHER NAVIGATION EQUIPMENT	74,084	74,084
	OTHER SHIPBOARD EQUIPMENT		
004	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	204,806	204,806
005	DDG MOD	547,569	531,169
	Excessive CSSQT cost growth		[-16,400]
006	FIREFIGHTING EQUIPMENT	18,394	18,394
007	COMMAND AND CONTROL SWITCHBOARD	2,374	2,374
008	LHA/LHD MIDLIFE	78,265	78,265
009	POLLUTION CONTROL EQUIPMENT	23,035	23,035
010	SUBMARINE SUPPORT EQUIPMENT	64,632	60,132
	Excess cost growth		[-4,500]
011	VIRGINIA CLASS SUPPORT EQUIPMENT	22,868	22,868
012	LCS CLASS SUPPORT EQUIPMENT	3,976	3,976
013	SUBMARINE BATTERIES	31,322	31,322
014	LPD CLASS SUPPORT EQUIPMENT	50,475	55,475
	Electronic actuator pilot program		[5,000]
015	DDG 1000 CLASS SUPPORT EQUIPMENT	42,279	36,779
	Excess cost growth		[-5,500]
016	STRATEGIC PLATFORM SUPPORT EQUIP	15,429	15,429
017	DSSP EQUIPMENT	2,918	2,918
018	CG MODERNIZATION	87,978	87,978
019	LCAC	9,366	9,366
020	UNDERWATER EOD EQUIPMENT	16,842	16,842
021	ITEMS LESS THAN \$5 MILLION	105,715	95,715
	Cost growth		[-10,000]
022	CHEMICAL WARFARE DETECTORS	3,044	3,044
023	SUBMARINE LIFE SUPPORT SYSTEM	5,885	5,885
	REACTOR PLANT EQUIPMENT		
024	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,260,721	400,621
	LCS in-service modernization excess cost growth		[-12,100]
	Realignment to OPN-24A for Shipyard Infrastructure Optimization Plan		[-198,000]
	Transfer to O&M for ship depot maintenance		[-650,000]
024A	SHIPYARD INFRASTRUCTURE OPTIMIZATION PLAN		198,000
	Realignment from OPN-24 for Shipyard Infrastructure Optimization Plan		[198,000]
025	REACTOR POWER UNITS	5,305	5,305
026	REACTOR COMPONENTS	415,404	415,404
	OCEAN ENGINEERING		
027	DIVING AND SALVAGE EQUIPMENT	11,143	11,143
	SMALL BOATS		
028	STANDARD BOATS	52,371	52,371
	PRODUCTION FACILITIES EQUIPMENT		
029	OPERATING FORCES IPE	233,667	233,667
	OTHER SHIP SUPPORT		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
030	LCS COMMON MISSION MODULES EQUIPMENT	39,714	39,714
031	LCS MCM MISSION MODULES	218,822	167,922
	COBRA early to need		[-9,300]
	Program Decrease		[-41,600]
032	LCS ASW MISSION MODULES	61,759	61,759
033	LCS SUW MISSION MODULES	24,412	24,412
034	LCS IN-SERVICE MODERNIZATION	121,848	151,848
	Preservation of LCS 3 and LCS 4		[30,000]
035	SMALL & MEDIUM UUV	67,709	43,709
	Early to need based on IOTE schedule		[-24,000]
	SHIP SONARS		
037	SPQ-9B RADAR	27,517	27,517
038	AN/SQ-89 SURF ASW COMBAT SYSTEM	128,664	128,664
039	SSN ACOUSTIC EQUIPMENT	374,737	374,737
040	UNDERSEA WARFARE SUPPORT EQUIPMENT	9,286	9,286
	ASW ELECTRONIC EQUIPMENT		
041	SUBMARINE ACOUSTIC WARFARE SYSTEM	26,066	26,066
042	SSTD	13,241	13,241
043	FIXED SURVEILLANCE SYSTEM	193,446	193,446
044	SURTASS	63,838	63,838
	ELECTRONIC WARFARE EQUIPMENT		
045	AN/SLQ-32	387,195	387,195
	RECONNAISSANCE EQUIPMENT		
046	SHIPBOARD IW EXPLOIT	235,744	223,644
	Excess cost growth		[-12,100]
047	AUTOMATED IDENTIFICATION SYSTEM (AIS)	3,862	3,862
	OTHER SHIP ELECTRONIC EQUIPMENT		
048	COOPERATIVE ENGAGEMENT CAPABILITY	26,006	26,006
049	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	15,385	15,385
050	ATDLS	103,835	103,835
051	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,594	3,594
052	MINESWEEPING SYSTEM REPLACEMENT	15,744	15,744
053	SHALLOW WATER MCM	5,493	5,493
054	NAVSTAR GPS RECEIVERS (SPACE)	38,043	38,043
055	AMERICAN FORCES RADIO AND TV SERVICE	2,592	2,592
056	STRATEGIC PLATFORM SUPPORT EQUIP	7,985	7,985
	AVIATION ELECTRONIC EQUIPMENT		
057	ASHORE ATC EQUIPMENT	83,475	83,475
058	AFLOAT ATC EQUIPMENT	65,113	65,113
059	ID SYSTEMS	23,815	23,815
060	JOINT PRECISION APPROACH AND LANDING SYSTEM (.....	100,751	100,751
061	NAVAL MISSION PLANNING SYSTEMS	13,947	13,947
	OTHER SHORE ELECTRONIC EQUIPMENT		
062	MARITIME INTEGRATED BROADCAST SYSTEM	1,375	1,375
063	TACTICAL/MOBILE C4I SYSTEMS	22,771	22,771
064	DCGS-N	18,872	18,872
065	CANES	389,585	389,585
066	RADLAC	10,335	10,335
067	CANES-INTELL	48,654	48,654
068	GPETE	8,133	8,133
069	MASF	4,150	4,150
070	INTEG COMBAT SYSTEM TEST FACILITY	5,934	5,934
071	EMI CONTROL INSTRUMENTATION	4,334	4,334
072	ITEMS LESS THAN \$5 MILLION	159,815	159,815
	SHIPBOARD COMMUNICATIONS		
073	SHIPBOARD TACTICAL COMMUNICATIONS	56,106	56,106
074	SHIP COMMUNICATIONS AUTOMATION	124,288	124,288
075	COMMUNICATIONS ITEMS UNDER \$5M	45,120	45,120
	SUBMARINE COMMUNICATIONS		
076	SUBMARINE BROADCAST SUPPORT	31,133	31,133
077	SUBMARINE COMMUNICATION EQUIPMENT	62,214	62,214
	SATELLITE COMMUNICATIONS		
078	SATELLITE COMMUNICATIONS SYSTEMS	47,421	47,421
079	NAVY MULTIBAND TERMINAL (NMT)	64,552	64,552
	SHORE COMMUNICATIONS		
080	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,398	4,398
	CRYPTOGRAPHIC EQUIPMENT		
081	INFO SYSTEMS SECURITY PROGRAM (ISSP)	157,551	147,551
	Program decrease		[-10,000]
082	MIO INTEL EXPLOITATION TEAM	985	985
	CRYPTOLOGIC EQUIPMENT		
083	CRYPTOLOGIC COMMUNICATIONS EQUIP	15,906	15,906
	OTHER ELECTRONIC SUPPORT		
090	COAST GUARD EQUIPMENT	70,689	70,689
	SONOBUOYS		
092	SONOBUOYS—ALL TYPES	237,639	286,639
	Inventory increase		[49,000]
	AIRCRAFT SUPPORT EQUIPMENT		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
093	MINOTAUR	5,077	5,077
094	WEAPONS RANGE SUPPORT EQUIPMENT	83,969	83,969
095	AIRCRAFT SUPPORT EQUIPMENT	187,758	187,758
096	ADVANCED ARRESTING GEAR (AAG)	16,059	16,059
097	METEOROLOGICAL EQUIPMENT	15,192	15,192
099	LEGACY AIRBORNE MCM	6,674	6,674
100	LAMPS EQUIPMENT	1,189	1,189
101	AVLATION SUPPORT EQUIPMENT	58,873	58,873
102	UMCS-UNMAN CARRIER AVLATION(UCA)MISSION CNTRL	60,937	60,937
	SHIP GUN SYSTEM EQUIPMENT		
103	SHIP GUN SYSTEMS EQUIPMENT	5,540	5,540
	SHIP MISSILE SYSTEMS EQUIPMENT		
104	HARPOON SUPPORT EQUIPMENT	208	208
105	SHIP MISSILE SUPPORT EQUIPMENT	262,077	252,077
	Excess cost growth		[-10,000]
106	TOMAHAWK SUPPORT EQUIPMENT	84,087	76,087
	TMPC cost growth		[-8,000]
	FBM SUPPORT EQUIPMENT		
107	STRATEGIC MISSILE SYSTEMS EQUIP	258,910	258,910
	ASW SUPPORT EQUIPMENT		
108	SSN COMBAT CONTROL SYSTEMS	173,770	173,770
109	ASW SUPPORT EQUIPMENT	26,584	26,584
	OTHER ORDNANCE SUPPORT EQUIPMENT		
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	7,470	7,470
111	ITEMS LESS THAN \$5 MILLION	6,356	6,356
	OTHER EXPENDABLE ORDNANCE		
112	ANTI-SHIP MISSILE DECOY SYSTEM	86,356	86,356
113	SUBMARINE TRAINING DEVICE MODS	69,240	69,240
114	SURFACE TRAINING EQUIPMENT	192,245	192,245
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
115	PASSENGER CARRYING VEHICLES	6,123	6,123
116	GENERAL PURPOSE TRUCKS	2,693	2,693
117	CONSTRUCTION & MAINTENANCE EQUIP	47,301	47,301
118	FIRE FIGHTING EQUIPMENT	10,352	10,352
119	TACTICAL VEHICLES	31,475	31,475
121	POLLUTION CONTROL EQUIPMENT	2,630	2,630
122	ITEMS LESS THAN \$5 MILLION	47,972	47,972
123	PHYSICAL SECURITY VEHICLES	1,171	1,171
	SUPPLY SUPPORT EQUIPMENT		
124	SUPPLY EQUIPMENT	19,693	19,693
125	FIRST DESTINATION TRANSPORTATION	4,956	4,956
126	SPECIAL PURPOSE SUPPLY SYSTEMS	668,639	638,639
	Program decrease		[-30,000]
	TRAINING DEVICES		
127	TRAINING SUPPORT EQUIPMENT	4,026	4,026
128	TRAINING AND EDUCATION EQUIPMENT	73,454	73,454
	COMMAND SUPPORT EQUIPMENT		
129	COMMAND SUPPORT EQUIPMENT	32,390	32,390
130	MEDICAL SUPPORT EQUIPMENT	974	974
132	NAVAL MIP SUPPORT EQUIPMENT	5,606	5,606
133	OPERATING FORCES SUPPORT EQUIPMENT	16,024	16,024
134	CHSR EQUIPMENT	6,697	6,697
135	ENVIRONMENTAL SUPPORT EQUIPMENT	27,503	27,503
136	PHYSICAL SECURITY EQUIPMENT	138,281	138,281
137	ENTERPRISE INFORMATION TECHNOLOGY	42,680	42,680
	OTHER		
140	NEXT GENERATION ENTERPRISE SERVICE	184,443	184,443
141	CYBERSPACE ACTIVITIES	16,523	16,523
	CLASSIFIED PROGRAMS		
41A	CLASSIFIED PROGRAMS	18,446	18,446
	SPARES AND REPAIR PARTS		
142	SPARES AND REPAIR PARTS	374,195	421,195
	SPY-1 battle spare		[47,000]
	TOTAL OTHER PROCUREMENT, NAVY	10,948,518	10,236,018
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	87,476	87,476
002	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	478,874	478,874
003	LAV PIP	41,988	41,988
	ARTILLERY AND OTHER WEAPONS		
004	155MM LIGHTWEIGHT TOWED HOWITZER	59	59
005	ARTILLERY WEAPONS SYSTEM	174,687	234,337
	Ground Based Anti-Ship Missiles—USMC UPL		[59,650]
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	24,867	24,867
	OTHER SUPPORT		
007	MODIFICATION KITS	3,067	0
	USMC funds identified excess to need		[-3,067]

1330

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
GUIDED MISSILES			
008	GROUND BASED AIR DEFENSE	18,920	18,920
009	ANTI-ARMOR MISSILE-JAVELIN	19,888	19,888
010	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	21,891	21,891
011	ANTI-ARMOR MISSILE-TOW	34,985	34,985
012	GUIDED MLRS ROCKET (GMLRS)	133,689	133,689
COMMAND AND CONTROL SYSTEMS			
013	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C)	35,057	35,057
REPAIR AND TEST EQUIPMENT			
014	REPAIR AND TEST EQUIPMENT	24,405	24,405
OTHER SUPPORT (TEL)			
015	MODIFICATION KITS	1,006	1,006
COMMAND AND CONTROL SYSTEM (NON-TEL)			
016	ITEMS UNDER \$5 MILLION (COMM & ELEC)	69,725	69,725
017	AIR OPERATIONS C2 SYSTEMS	15,611	15,611
RADAR + EQUIPMENT (NON-TEL)			
019	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	284,283	284,283
INTELL/COMM EQUIPMENT (NON-TEL)			
020	GCSS-MC	1,587	1,587
021	FIRE SUPPORT SYSTEM	24,934	24,934
022	INTELLIGENCE SUPPORT EQUIPMENT	50,728	50,728
024	UNMANNED AIR SYSTEMS (INTEL)	24,853	24,853
025	DCGS-MC	38,260	38,260
026	UAS PAYLOADS	5,489	5,489
OTHER SUPPORT (NON-TEL)			
029	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	78,922	78,922
030	COMMON COMPUTER RESOURCES	35,349	35,349
031	COMMAND POST SYSTEMS	33,713	33,713
032	RADIO SYSTEMS	343,250	343,250
033	COMM SWITCHING & CONTROL SYSTEMS	40,627	40,627
034	COMM & ELEC INFRASTRUCTURE SUPPORT	43,782	43,782
035	CYBERSPACE ACTIVITIES	53,896	53,896
CLASSIFIED PROGRAMS			
36A	CLASSIFIED PROGRAMS	3,797	3,797
ADMINISTRATIVE VEHICLES			
037	COMMERCIAL CARGO VEHICLES	22,460	22,460
TACTICAL VEHICLES			
038	MOTOR TRANSPORT MODIFICATIONS	10,739	10,739
039	JOINT LIGHT TACTICAL VEHICLE	381,675	381,675
040	FAMILY OF TACTICAL TRAILERS	2,963	2,963
ENGINEER AND OTHER EQUIPMENT			
042	ENVIRONMENTAL CONTROL EQUIP ASSORT	385	385
043	TACTICAL FUEL SYSTEMS	501	501
044	POWER EQUIPMENT ASSORTED	23,430	23,430
045	AMPHIBIOUS SUPPORT EQUIPMENT	5,752	5,752
046	EOD SYSTEMS	20,939	20,939
MATERIALS HANDLING EQUIPMENT			
047	PHYSICAL SECURITY EQUIPMENT	23,063	23,063
GENERAL PROPERTY			
048	FIELD MEDICAL EQUIPMENT	4,187	4,187
049	TRAINING DEVICES	101,765	101,765
050	FAMILY OF CONSTRUCTION EQUIPMENT	19,305	19,305
051	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	678	678
OTHER SUPPORT			
052	ITEMS LESS THAN \$5 MILLION	9,174	9,174
SPARES AND REPAIR PARTS			
053	SPARES AND REPAIR PARTS	27,295	27,295
	TOTAL PROCUREMENT, MARINE CORPS	2,903,976	2,960,559
AIRCRAFT PROCUREMENT, AIR FORCE			
TACTICAL FORCES			
001	F-35	4,567,018	4,236,018
	Excess depot standup funding		[-22,000]
	Excess miscellaneous support costs		[-156,000]
	Excess production engineering support		[-10,000]
	F135 affordability challenges		[-48,000]
	Lot 15 target cost savings		[-75,000]
	Unjustified ALIS funding		[-20,000]
002	F-35 AP	610,800	610,800
004	F-15EX	1,269,847	1,269,847
005	F-15EX AP	133,500	133,500
TACTICAL AIRLIFT			
007	KC-46A MDAP	2,850,151	2,189,151
	Decrease quantity by three aircraft		[-462,000]
	Prior year carryover		[-119,000]
	Spares excess to need due to quantity decrease		[-40,000]
	Wing Air Refueling Pods early to need		[-40,000]
OTHER AIRLIFT			

1331

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
008	C-130J	37,131	37,131
010	MC-130J	362,807	241,807
	Prior year carryover		[-121,000]
011	MC-130J AP	39,987	29,987
	FY22 quantity reduction		[-10,000]
HELICOPTERS			
012	UH-1N REPLACEMENT	194,016	194,016
013	COMBAT RESCUE HELICOPTER	973,473	973,473
MISSION SUPPORT AIRCRAFT			
015	CIVIL AIR PATROL A/C	2,811	11,211
	Program Increase		[8,400]
OTHER AIRCRAFT			
016	TARGET DRONES	133,273	133,273
018	COMPASS CALL	161,117	291,117
	Program increase		[130,000]
020	MQ-9	29,409	120,209
	Program increase		[108,000]
	Unjustified request		[-17,200]
STRATEGIC AIRCRAFT			
022	B-1	3,853	3,853
023	B-2A	31,476	31,476
024	B-1B	21,808	1,808
	Slow modernization execution		[-20,000]
025	B-52	53,949	22,249
	GPS IU early to need		[-28,700]
	Tactical data link contract delay		[-3,000]
025A	LONG-RANGE STRIKE BOMBER ADVANCED PROCUREMENT		20,000
	Advanced procurement		[20,000]
026	LARGE AIRCRAFT INFRARED COUNTERMEASURES	9,999	9,999
TACTICAL AIRCRAFT			
027	A-10	135,793	135,793
028	E-11 BACN/HAG	33,645	33,645
029	F-15	349,304	349,304
030	F-16	615,760	615,760
032	F-22A	387,905	361,705
	Contract delays		[-26,200]
033	F-35 MODIFICATIONS	322,185	290,485
	Block IV/TR3 delays		[-31,700]
034	F-15 EPAW	31,995	27,195
	Concurrency		[-4,800]
035	INCREMENT 3.2B	5,889	5,889
036	KC-46A MDAP	24,085	9,085
	Excessive airworthiness directives and service bulletins		[-15,000]
AIRLIFT AIRCRAFT			
037	C-5	62,108	50,008
	Unjustified PMA cost growth		[-12,100]
038	C-17A	66,798	56,798
	BLOS ahead of need		[-10,000]
040	C-32A	2,947	2,947
041	C-37A	12,985	5,985
	SATCOM installs ahead of need		[-7,000]
TRAINER AIRCRAFT			
042	GLIDER MODS	977	977
043	T-6	26,829	26,829
044	T-1	4,465	4,465
045	T-38	36,806	41,806
	T-38 ejection seat improvements		[5,000]
OTHER AIRCRAFT			
046	U-2 MODS	110,618	110,618
047	KC-10A (ATCA)	117	117
049	VC-25A MOD	1,983	1,983
050	C-40	9,252	7,252
	SATCOM installs ahead of need		[-2,000]
051	C-130	5,871	140,671
	AMP 1 excess to need		[-3,800]
	Eight-bladed propeller upgrade kits only		[55,000]
	Improved modular airborne fire fighting system (IMAFFS)		[4,600]
	T-56 3.5 engine mod		[79,000]
052	C-130J MODS	140,032	140,032
053	C-135	88,250	86,450
	Other government cost growth		[-1,800]
055	COMPASS CALL	193,389	193,389
057	RC-135	191,332	191,332
058	E-3	172,141	172,141
059	E-4	58,803	58,803
060	E-8	11,037	38,037
	Program increase		[27,000]
061	AIRBORNE WARNING AND CNTRL SYS (AWACS) 40/45	53,343	53,343

1332

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
062	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	1,573	1,573
063	H-1	4,410	4,410
064	H-60	44,538	44,538
065	RQ-4 MODS	40,468	40,468
066	HC/MC-130 MODIFICATIONS	20,780	20,780
067	OTHER AIRCRAFT	100,774	100,774
068	MQ-9 MODS	188,387	188,387
070	CV-22 MODS	122,306	328,506
	SOCOM UPL		[206,200]
	AIRCRAFT SPARES AND REPAIR PARTS		
071	INITIAL SPARES/REPAIR PARTS	926,683	915,383
	Unobligated balances—F-16s		[-11,300]
	COMMON SUPPORT EQUIPMENT		
073	AIRCRAFT REPLACEMENT SUPPORT EQUIP	132,719	132,719
	POST PRODUCTION SUPPORT		
074	B-2A	1,683	1,683
075	B-2B	46,734	46,734
076	B-52	1,034	1,034
079	E-11 BACN/HAG	63,419	63,419
080	F-15	2,632	2,632
081	F-16	14,163	14,163
083	OTHER AIRCRAFT	4,595	4,595
084	RQ-4 POST PRODUCTION CHARGES	32,585	32,585
	INDUSTRIAL PREPAREDNESS		
085	INDUSTRIAL RESPONSIVENESS	18,215	18,215
	WAR CONSUMABLES		
086	WAR CONSUMABLES	36,046	36,046
	OTHER PRODUCTION CHARGES		
087	OTHER PRODUCTION CHARGES	1,439,640	1,439,640
	CLASSIFIED PROGRAMS		
89A	CLASSIFIED PROGRAMS	21,692	21,692
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	17,908,145	17,233,745
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	75,012	75,012
	TACTICAL		
002	REPLAC EQUIP & WAR CONSUMABLES	4,495	4,495
004	JOINT AIR-SURFACE STANDOFF MISSILE	475,949	475,949
005	LRASMO	19,800	19,800
006	SIDEWINDER (AIM-9X)	164,769	164,769
007	AMRAAM	453,223	453,223
008	PREDATOR HELLFIRE MISSILE	40,129	40,129
009	SMALL DIAMETER BOMB	45,475	45,475
010	SMALL DIAMETER BOMB II	273,272	273,272
	INDUSTRIAL FACILITIES		
011	INDUSTRIAL PREPAREDNS/POL PREVENTION	814	814
	CLASS IV		
013	ICBM FUZE MOD	3,458	3,458
014	ICBM FUZE MOD AP	43,450	43,450
015	MM III MODIFICATIONS	85,310	85,310
016	AGM-63D MAVERICK	298	298
017	AIR LAUNCH CRUISE MISSILE (ALCM)	52,924	52,924
	MISSILE SPARES AND REPAIR PARTS		
018	MSL SPRS/REPAIR PARTS (INITIAL)	9,402	9,402
019	MSL SPRS/REPAIR PARTS (REPLEN)	84,671	84,671
	SPECIAL PROGRAMS		
025	SPECIAL UPDATE PROGRAMS	23,501	23,501
	CLASSIFIED PROGRAMS		
25A	CLASSIFIED PROGRAMS	540,465	540,465
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,396,417	2,396,417
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	14,962	14,962
	CARTRIDGES		
002	CARTRIDGES	123,365	123,365
	BOMBS		
003	PRACTICE BOMBS	59,725	59,725
006	JOINT DIRECT ATTACK MUNITION	206,989	206,989
007	B61	35,634	35,634
	OTHER ITEMS		
009	CAD/PAD	47,830	47,830
010	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,232	6,232
011	SPARES AND REPAIR PARTS	542	542
012	MODIFICATIONS	1,310	1,310
013	ITEMS LESS THAN \$5,000,000	4,753	4,753
	FLARES		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
015	FLARES	40,088	40,088
	FUZES		
016	FUZES	40,983	40,983
	SMALL ARMS		
017	SMALL ARMS	13,925	13,925
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	596,338	596,338
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
001	ADVANCED EHF	14,823	14,823
002	AF SATELLITE COMM SYSTEM	48,326	43,326
	Insufficient justification		[-5,000]
003	COUNTERSPACE SYSTEMS	65,540	57,540
	Insufficient justification		[-8,000]
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	66,190	66,190
005	GENERAL INFORMATION TECH—SPACE	3,299	3,299
006	GPSIII FOLLOW ON	627,796	612,796
	Unjustified growth		[-15,000]
007	GPS III SPACE SEGMENT	20,122	20,122
008	GLOBAL POSITIONING (SPACE)	2,256	2,256
009	SPACEBORNE EQUIP (COMSEC)	35,495	35,495
010	MILSATCOM	15,795	15,795
011	SBIR HIGH (SPACE)	160,891	160,891
012	SPECIAL SPACE ACTIVITIES	78,387	78,387
013	NATIONAL SECURITY SPACE LAUNCH	1,043,171	1,043,171
014	NUDET DETECTION SYSTEM	6,638	6,638
015	ROCKET SYSTEMS LAUNCH PROGRAM	47,741	47,741
016	SPACE FENCE	11,279	11,279
017	SPACE MODS	96,551	86,551
	Insufficient justification		[-10,000]
018	SPACELIFT RANGE SYSTEM SPACE	100,492	100,492
	SPARES		
019	SPARES AND REPAIR PARTS	1,272	1,272
	TOTAL PROCUREMENT, SPACE FORCE	2,446,064	2,408,064
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	9,016	9,016
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	15,058	15,058
003	CAP VEHICLES	1,059	1,800
	Program increase		[741]
004	CARGO AND UTILITY VEHICLES	38,920	38,920
	SPECIAL PURPOSE VEHICLES		
005	JOINT LIGHT TACTICAL VEHICLE	30,544	30,544
006	SECURITY AND TACTICAL VEHICLES	319	319
007	SPECIAL PURPOSE VEHICLES	43,157	34,381
	Program decrease		[-2,500]
	Unjustified request		[-6,276]
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	8,621	8,621
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	12,897	12,897
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	3,577	3,577
011	BASE MAINTENANCE SUPPORT VEHICLES	43,095	43,095
	COMM SECURITY EQUIPMENT(COMSEC)		
013	COMSEC EQUIPMENT	54,864	54,864
	INTELLIGENCE PROGRAMS		
014	INTERNATIONAL INTEL TECH & ARCHITECTURES	9,283	9,283
015	INTELLIGENCE TRAINING EQUIPMENT	6,849	6,849
016	INTELLIGENCE COMM EQUIPMENT	33,471	33,471
	ELECTRONICS PROGRAMS		
017	AIR TRAFFIC CONTROL & LANDING SYS	29,409	29,409
018	BATTLE CONTROL SYSTEM—FIXED	7,909	7,909
019	THEATER AIR CONTROL SYS IMPROVEMEN	32,632	32,632
020	WEATHER OBSERVATION FORECAST	33,021	33,021
021	STRATEGIC COMMAND AND CONTROL	31,353	31,353
022	CHEYENNE MOUNTAIN COMPLEX	10,314	10,314
023	MISSION PLANNING SYSTEMS	15,132	15,132
025	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,806	9,806
	SPCL COMM-ELECTRONICS PROJECTS		
026	GENERAL INFORMATION TECHNOLOGY	39,887	39,887
027	AF GLOBAL COMMAND & CONTROL SYS	2,602	2,602
029	MOBILITY COMMAND AND CONTROL	10,541	10,541
030	AIR FORCE PHYSICAL SECURITY SYSTEM	96,277	93,777
	Program decrease		[-2,500]
031	COMBAT TRAINING RANGES	195,185	195,185

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
032	MINIMUM ESSENTIAL EMERGENCY COMM N	29,664	29,664
033	WIDE AREA SURVEILLANCE (WAS)	59,633	59,633
034	C3 COUNTERMEASURES	105,584	105,584
036	DEFENSE ENTERPRISE ACCOUNTING & MGT SYS	899	899
038	THEATER BATTLE MGT C2 SYSTEM	3,392	3,392
039	AIR & SPACE OPERATIONS CENTER (AOC)	24,983	24,983
	AIR FORCE COMMUNICATIONS		
041	BASE INFORMATION TRANSP T INFRAS T (BITI) WIRED	19,147	19,147
042	AFNET	84,515	84,515
043	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	6,185	6,185
044	USCENTCOM	19,649	19,649
045	USSTRATCOM	4,337	4,337
	ORGANIZATION AND BASE		
046	TACTICAL C-E EQUIPMENT	137,033	137,033
047	RADIO EQUIPMENT	15,264	15,264
049	BASE COMM INFRASTRUCTURE	132,281	132,281
	MODIFICATIONS		
050	COMM ELECT MODS	21,471	21,471
	PERSONAL SAFETY & RESCUE EQUIP		
051	PERSONAL SAFETY AND RESCUE EQUIPMENT	49,578	49,578
	DEPOT PLANT+MTRLS HANDLING EQ		
052	POWER CONDITIONING EQUIPMENT	11,454	11,454
053	MECHANIZED MATERIAL HANDLING EQUIP	12,110	12,110
	BASE SUPPORT EQUIPMENT		
054	BASE PROCURED EQUIPMENT	21,142	21,142
055	ENGINEERING AND EOD EQUIPMENT	7,700	7,700
056	MOBILITY EQUIPMENT	18,266	22,966
	Program increase		[4,700]
057	FUELS SUPPORT EQUIPMENT (FSE)	9,601	9,601
058	BASE MAINTENANCE AND SUPPORT EQUIPMENT	42,078	30,378
	Program decrease		[-4,700]
	Unjustified request		[-7,000]
	SPECIAL SUPPORT PROJECTS		
060	DARP RC135	27,164	27,164
061	DCGS-AF	121,528	121,528
063	SPECIAL UPDATE PROGRAM	782,641	782,641
	CLASSIFIED PROGRAMS		
63A	CLASSIFIED PROGRAMS	21,086,112	21,026,112
	Program adjustment		[-60,000]
	SPARES AND REPAIR PARTS		
064	SPARES AND REPAIR PARTS (CYBER)	1,664	1,664
065	SPARES AND REPAIR PARTS	15,847	15,847
	TOTAL OTHER PROCUREMENT, AIR FORCE	23,695,720	23,618,185
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, OSD		
026	MAJOR EQUIPMENT, DPAA	500	500
049	MAJOR EQUIPMENT, OSD	3,099	3,099
	MAJOR EQUIPMENT, NSA		
048	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	101	101
	MAJOR EQUIPMENT, WHS		
053	MAJOR EQUIPMENT, WHS	515	515
	MAJOR EQUIPMENT, DISA		
011	INFORMATION SYSTEMS SECURITY	17,211	17,211
012	TELEPORT PROGRAM	29,841	29,841
013	JOINT FORCES HEADQUARTERS—DODIN	3,091	3,091
014	ITEMS LESS THAN \$5 MILLION	41,569	41,569
016	DEFENSE INFORMATION SYSTEM NETWORK	26,978	26,978
017	WHITE HOUSE COMMUNICATION AGENCY	44,161	44,161
018	SENIOR LEADERSHIP ENTERPRISE	35,935	35,935
019	JOINT REGIONAL SECURITY STACKS (JRSS)	88,741	8,741
	Program decrease		[-80,000]
020	JOINT SERVICE PROVIDER	157,538	157,538
021	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	42,084	42,084
	MAJOR EQUIPMENT, DLA		
023	MAJOR EQUIPMENT	417,459	417,459
	MAJOR EQUIPMENT, DCSA		
003	MAJOR EQUIPMENT	2,212	2,212
	MAJOR EQUIPMENT, TJS		
050	MAJOR EQUIPMENT, TJS	8,329	8,329
051	MAJOR EQUIPMENT—TJS CYBER	1,247	1,247
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
031	THAAD	495,396	601,396
	THAAD battery #8		[106,000]
034	AEGIS BMD	356,195	356,195
035	AEGIS BMD AP	44,901	44,901
037	SM-3 IIA S	218,322	333,322
	Increase SM-3 Block IIA quantities		[115,000]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
038	ARROW 3 UPPER TIER SYSTEMS	77,000	77,000
039	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	50,000	50,000
040	AEGIS ASHORE PHASE III	39,114	39,114
041	IRON DOME	73,000	73,000
042	AEGIS BMD HARDWARE AND SOFTWARE	104,241	104,241
	MAJOR EQUIPMENT, DHRA		
005	PERSONNEL ADMINISTRATION	4,213	4,213
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
028	VEHICLES	215	215
029	OTHER MAJOR EQUIPMENT	9,994	9,994
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY		
027	REGIONAL CENTER PROCUREMENT	1,598	1,598
	MAJOR EQUIPMENT, DODEA		
025	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,319	1,319
	MAJOR EQUIPMENT, DCMA		
002	MAJOR EQUIPMENT	1,398	1,398
	MAJOR EQUIPMENT, DMACT		
024	MAJOR EQUIPMENT	7,993	7,993
	CLASSIFIED PROGRAMS		
54A	CLASSIFIED PROGRAMS	554,264	554,264
	AVIATION PROGRAMS		
055	ARMED OVERWATCH/TARGETING	101,000	53,000
	Program decrease		[-80,000]
	U.S. Special Operations Command Armed Overwatch program		[32,000]
059	ROTARY WING UPGRADES AND SUSTAINMENT	211,041	211,041
060	UNMANNED ISR	25,488	20,488
	Program decrease		[-5,000]
061	NON-STANDARD AVIATION	61,874	56,874
	Program decrease		[-5,000]
062	U-28	3,825	3,825
063	MH-47 CHINOOK	135,482	135,482
064	CV-22 MODIFICATION	14,829	14,829
065	MQ-9 UNMANNED AERIAL VEHICLE	6,746	6,746
066	PRECISION STRIKE PACKAGE	243,111	238,111
	Program decrease		[-5,000]
067	AC/MC-130J	163,914	163,914
068	C-130 MODIFICATIONS	20,414	20,414
	SHIPBUILDING		
069	UNDERWATER SYSTEMS	20,556	20,556
	AMMUNITION PROGRAMS		
070	ORDNANCE ITEMS <\$5M	186,197	186,197
	OTHER PROCUREMENT PROGRAMS		
071	INTELLIGENCE SYSTEMS	94,982	94,982
072	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	11,645	11,645
073	OTHER ITEMS <\$5M	96,333	96,333
074	COMBATANT CRAFT SYSTEMS	17,278	17,278
075	SPECIAL PROGRAMS	78,865	71,365
	Program decrease		[-7,500]
076	TACTICAL VEHICLES	30,158	30,158
077	WARRIOR SYSTEMS <\$5M	260,733	260,733
078	COMBAT MISSION REQUIREMENTS	19,848	19,848
079	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	2,401	2,401
080	OPERATIONAL ENHANCEMENTS INTELLIGENCE	13,861	8,861
	Program decrease		[-5,000]
081	OPERATIONAL ENHANCEMENTS	247,038	242,038
	Program decrease		[-5,000]
	CBDP		
082	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	147,150	147,150
083	CB PROTECTION & HAZARD MITIGATION	149,944	149,944
	TOTAL PROCUREMENT, DEFENSE-WIDE	5,324,487	5,384,987
	TOTAL PROCUREMENT	130,684,160	132,844,847

1 SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY
2 OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	ROTARY		

1336

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS			
(In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
009	AH-64 APACHE BLOCK IIB NEW BUILD	69,154	64,354
	Unjustified costs		[-4,800]
014	CH-47 HELICOPTER	50,472	50,472
	MODIFICATION OF AIRCRAFT		
017	MQ-1 PAYLOAD (MIP)	5,968	5,968
020	MULTI SENSOR ABN RECON (MIP)	122,520	122,520
025	EMARSS SEMA MODS (MIP)	26,460	26,460
030	DEGRADED VISUAL ENVIRONMENT	1,916	1,916
	GROUND SUPPORT AVIONICS		
037	CMWS	149,162	149,162
038	COMMON INFRARED COUNTERMEASURES (CIRCM)	32,400	32,400
	OTHER SUPPORT		
041	AIRCREW INTEGRATED SYSTEMS	3,028	3,028
	TOTAL AIRCRAFT PROCUREMENT, ARMY	461,080	456,280
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
002	M-SHORAD—PROCUREMENT	158,300	158,300
003	MSE MISSILE	176,585	176,585
	AIR-TO-SURFACE MISSILE SYSTEM		
006	HELLFIRE SYS SUMMARY	236,265	236,265
	ANTI-TANK/ASSAULT MISSILE SYS		
011	GUIDED MLRS ROCKET (GMLRS)	127,015	127,015
015	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS)	84,993	84,993
	MODIFICATIONS		
017	ATACMS MODS	78,434	78,434
022	MLRS MODS	20,000	20,000
	TOTAL MISSILE PROCUREMENT, ARMY	881,592	881,592
	PROCUREMENT OF W&TCV, ARMY		
	WEAPONS & OTHER COMBAT VEHICLES		
016	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	4,765	4,765
018	MORTAR SYSTEMS	10,460	10,460
	TOTAL PROCUREMENT OF W&TCV, ARMY	15,225	15,225
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	567	567
002	CTG, 7.62MM, ALL TYPES	40	40
004	CTG, HANDGUN, ALL TYPES	17	17
005	CTG, .50 CAL, ALL TYPES	189	189
008	CTG, 30MM, ALL TYPES	24,900	24,900
	ARTILLERY AMMUNITION		
016	PROJ 155MM EXTENDED RANGE M982	29,213	29,213
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	21,675	21,675
	ROCKETS		
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	176	176
021	ROCKET, HYDRA 70, ALL TYPES	33,880	33,880
	MISCELLANEOUS		
029	ITEMS LESS THAN \$5 MILLION (AMMO)	11	11
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	110,668	110,668
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
013	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	6,500	6,500
014	PLS ESP	15,163	15,163
017	TACTICAL WHEELED VEHICLE PROTECTION KITS	27,066	27,066
	COMM—SATELLITE COMMUNICATIONS		
030	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	2,700	2,700
032	ASSURED POSITIONING, NAVIGATION AND TIMING	12,566	12,566
033	SMART-T (SPACE)	289	289
034	GLOBAL BRDCST SVC—GBS	319	319
	COMM—COMBAT COMMUNICATIONS		
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	1,257	1,257
	COMM—INTELLIGENCE COMM		
048	CI AUTOMATION ARCHITECTURE (MIP)	1,230	1,230
	INFORMATION SECURITY		
052	COMMUNICATIONS SECURITY (COMSEC)	128	128
	COMM—BASE COMMUNICATIONS		
058	INFORMATION SYSTEMS	15,277	15,277
062	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	74,004	74,004
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
068	DCGS-A (MIP)	47,709	47,709
070	TROJAN (MIP)	1,766	1,766
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	61,450	61,450
073	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	12,337	12,337
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
080	FAMILY OF PERSISTENT SURVEILLANCE CAP. (MIP)	44,293	44,293

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS			
(In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
081	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	49,100	49,100
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
083	SENTINEL MODS	33,496	33,496
084	NIGHT VISION DEVICES	643	643
087	RADIATION MONITORING SYSTEMS	11	11
088	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	37,000	37,000
094	COMPUTER BALLISTICS: LHMCB XM32	280	280
095	MORTAR FIRE CONTROL SYSTEM	13,672	13,672
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
100	AIR & MSL DEFENSE PLANNING & CONTROL SYS	15,143	15,143
	ELECT EQUIP—AUTOMATION		
109	ARMY TRAINING MODERNIZATION	4,688	4,688
110	AUTOMATED DATA PROCESSING EQUIP	16,552	16,552
	CHEMICAL DEFENSIVE EQUIPMENT		
121	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	25,480	25,480
122	BASE DEFENSE SYSTEMS (BDS)	98,960	98,960
123	CBRN DEFENSE	18,887	18,887
	BRIDGING EQUIPMENT		
125	TACTICAL BRIDGING	50,400	50,400
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
137	RENDER SAFE SETS KITS OUTFITS	84,000	84,000
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	HEATERS AND ECUS	370	370
142	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	3,721	3,721
145	FORCE PROVIDER	56,400	56,400
146	FIELD FEEDING EQUIPMENT	2,279	2,279
147	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	2,040	2,040
	PETROLEUM EQUIPMENT		
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	4,374	4,374
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	6,390	6,390
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	7,769	7,769
153	ITEMS LESS THAN \$5.0M (MAINT EQ)	184	184
	CONSTRUCTION EQUIPMENT		
156	LOADERS	3,190	3,190
157	HYDRAULIC EXCAVATOR	7,600	7,600
158	TRACTOR, FULL TRACKED	7,450	7,450
160	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	3,703	3,703
162	CONST EQUIP ESP	657	657
	GENERATORS		
167	GENERATORS AND ASSOCIATED EQUIP	106	106
	MATERIAL HANDLING EQUIPMENT		
169	FAMILY OF FORKLIFTS	1,885	1,885
	OTHER SUPPORT EQUIPMENT		
180	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,500	8,500
181	PHYSICAL SECURITY SYSTEMS (OPAS)	3,248	3,248
185	BUILDING, PRE-FAB, RELOCATABLE	31,845	31,845
	TOTAL OTHER PROCUREMENT, ARMY	924,077	924,077
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		
024	STUASLO UAV	7,921	7,921
	MODIFICATION OF AIRCRAFT		
053	COMMON ECM EQUIPMENT	3,474	3,474
055	COMMON DEFENSIVE WEAPON SYSTEM	3,339	3,339
064	QRC	18,507	18,507
	TOTAL AIRCRAFT PROCUREMENT, NAVY	33,241	33,241
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
012	HELLFIRE	5,572	5,572
	TOTAL WEAPONS PROCUREMENT, NAVY	5,572	5,572
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	8,068	8,068
002	JDAM	15,529	15,529
003	AIRBORNE ROCKETS, ALL TYPES	23,000	23,000
004	MACHINE GUN AMMUNITION	22,600	22,600
006	CARTRIDGES & CART ACTUATED DEVICES	3,927	3,927
007	AIR EXPENDABLE COUNTERMEASURES	15,978	15,978
008	JATOS	2,100	2,100
011	OTHER SHIP GUN AMMUNITION	2,611	2,611
012	SMALL ARMS & LANDING PARTY AMMO	1,624	1,624
013	PYROTECHNIC AND DEMOLITION	505	505
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	95,942	95,942

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS			
(In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
OTHER PROCUREMENT, NAVY			
SMALL BOATS			
028	STANDARD BOATS	19,104	19,104
OTHER SHIP SUPPORT			
035	SMALL & MEDIUM UUV	2,946	2,946
ASW ELECTRONIC EQUIPMENT			
043	FIXED SURVEILLANCE SYSTEM	213,000	213,000
SONOBUOYS			
092	SONOBUOYS—ALL TYPES	26,196	26,196
AIRCRAFT SUPPORT EQUIPMENT			
095	AIRCRAFT SUPPORT EQUIPMENT	60,217	60,217
OTHER ORDNANCE SUPPORT EQUIPMENT			
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	2,124	2,124
CIVIL ENGINEERING SUPPORT EQUIPMENT			
115	PASSENGER CARRYING VEHICLES	177	177
116	GENERAL PURPOSE TRUCKS	416	416
118	FIRE FIGHTING EQUIPMENT	801	801
SUPPLY SUPPORT EQUIPMENT			
125	FIRST DESTINATION TRANSPORTATION	520	520
TRAINING DEVICES			
128	TRAINING AND EDUCATION EQUIPMENT	11,500	11,500
COMMAND SUPPORT EQUIPMENT			
130	MEDICAL SUPPORT EQUIPMENT	3,525	3,525
136	PHYSICAL SECURITY EQUIPMENT	3,000	3,000
	TOTAL OTHER PROCUREMENT, NAVY	343,526	343,526
PROCUREMENT, MARINE CORPS			
GUIDED MISSILES			
012	GUIDED MLRS ROCKET (GMLRS)	17,456	17,456
OTHER SUPPORT (TEL)			
015	MODIFICATION KITS	4,200	4,200
INTELL/COMM EQUIPMENT (NON-TEL)			
022	INTELLIGENCE SUPPORT EQUIPMENT	10,124	10,124
TACTICAL VEHICLES			
038	MOTOR TRANSPORT MODIFICATIONS	16,183	16,183
	TOTAL PROCUREMENT, MARINE CORPS	47,963	47,963
AIRCRAFT PROCUREMENT, AIR FORCE			
HELICOPTERS			
013	COMBAT RESCUE HELICOPTER	174,000	174,000
OTHER AIRCRAFT			
020	MQ-9	142,490	142,490
021	RQ-20B PUMA	13,770	13,770
STRATEGIC AIRCRAFT			
026	LARGE AIRCRAFT INFRARED COUNTERMEASURES	57,521	57,521
OTHER AIRCRAFT			
046	U-2 MODS	9,600	9,600
055	COMPASS CALL	12,800	12,800
066	HC/MC-130 MODIFICATIONS	58,020	58,020
069	MQ-9 UAS PAYLOADS	46,100	63,500
	WAMI combat loss replacement		[17,400]
070	CV-22 MODS	6,290	6,290
AIRCRAFT SPARES AND REPAIR PARTS			
071	INITIAL SPARES/REPAIR PARTS	10,700	10,700
072	MQ-9	12,250	12,250
COMMON SUPPORT EQUIPMENT			
073	AIRCRAFT REPLACEMENT SUPPORT EQUIP	25,614	25,614
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	569,155	586,555
MISSILE PROCUREMENT, AIR FORCE			
TACTICAL			
004	JOINT AIR-SURFACE STANDOFF MISSILE	30,000	30,000
008	PREDATOR HELLFIRE MISSILE	143,420	143,420
009	SMALL DIAMETER BOMB	50,352	50,352
	TOTAL MISSILE PROCUREMENT, AIR FORCE	223,772	223,772
PROCUREMENT OF AMMUNITION, AIR FORCE			
ROCKETS			
001	ROCKETS	19,489	19,489
CARTRIDGES			
002	CARTRIDGES	40,434	40,434
BOMBS			
004	GENERAL PURPOSE BOMBS	369,566	369,566
006	JOINT DIRECT ATTACK MUNITION	237,723	237,723
FLARES			
015	FLARES	21,171	21,171
FUZES			
016	FUZES	107,855	107,855

1339

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS			
(In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
SMALL ARMS			
017	SMALL ARMS	6,217	6,217
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	802,455	802,455
OTHER PROCUREMENT, AIR FORCE			
PASSENGER CARRYING VEHICLES			
001	PASSENGER CARRYING VEHICLES	1,302	1,302
CARGO AND UTILITY VEHICLES			
002	MEDIUM TACTICAL VEHICLE	3,400	3,400
004	CARGO AND UTILITY VEHICLES	12,475	12,475
SPECIAL PURPOSE VEHICLES			
005	JOINT LIGHT TACTICAL VEHICLE	26,150	26,150
007	SPECIAL PURPOSE VEHICLES	51,254	51,254
FIRE FIGHTING EQUIPMENT			
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	24,903	24,903
MATERIALS HANDLING EQUIPMENT			
009	MATERIALS HANDLING VEHICLES	14,167	14,167
BASE MAINTENANCE SUPPORT			
010	RUNWAY SNOW REMOV AND CLEANING EQU	5,759	5,759
011	BASE MAINTENANCE SUPPORT VEHICLES	20,653	20,653
SPCL COMM-ELECTRONICS PROJECTS			
026	GENERAL INFORMATION TECHNOLOGY	5,100	5,100
030	AIR FORCE PHYSICAL SECURITY SYSTEM	56,496	56,496
ORGANIZATION AND BASE			
049	BASE COMM INFRASTRUCTURE	30,717	30,717
BASE SUPPORT EQUIPMENT			
055	ENGINEERING AND EOD EQUIPMENT	13,172	13,172
056	MOBILITY EQUIPMENT	33,694	33,694
057	FUELS SUPPORT EQUIPMENT (FSE)	1,777	1,777
058	BASE MAINTENANCE AND SUPPORT EQUIPMENT	31,620	31,620
SPECIAL SUPPORT PROJECTS			
061	DCGS-AF	18,700	18,700
SPARES AND REPAIR PARTS			
065	SPARES AND REPAIR PARTS	4,000	4,000
	TOTAL OTHER PROCUREMENT, AIR FORCE	355,339	355,339
PROCUREMENT, DEFENSE-WIDE			
MAJOR EQUIPMENT, DISA			
016	DEFENSE INFORMATION SYSTEM NETWORK	6,120	6,120
MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY			
030	COUNTER IMPROVISED THREAT TECHNOLOGIES	2,540	2,540
CLASSIFIED PROGRAMS			
54A	CLASSIFIED PROGRAMS	3,500	3,500
AVIATION PROGRAMS			
056	MANNED ISR	5,000	45,100
	Combat loss replacement—DHC-8		[40,100]
057	MC-12	5,000	5,000
060	UNMANNED ISR	8,207	8,207
AMMUNITION PROGRAMS			
070	ORDNANCE ITEMS <\$5M	105,355	105,355
OTHER PROCUREMENT PROGRAMS			
071	INTELLIGENCE SYSTEMS	16,234	16,234
073	OTHER ITEMS <\$5M	984	984
076	TACTICAL VEHICLES	2,990	2,990
077	WARRIOR SYSTEMS <\$5M	32,573	37,573
	Development of autonomous, multi-sensor cUAS capabilities with kinetic effects.		[5,000]
078	COMBAT MISSION REQUIREMENTS	10,000	10,000
080	OPERATIONAL ENHANCEMENTS INTELLIGENCE	6,724	6,724
081	OPERATIONAL ENHANCEMENTS	53,264	53,264
	TOTAL PROCUREMENT, DEFENSE-WIDE	258,491	303,591
NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT			
UNDISTRIBUTED			
007	UNDISTRIBUTED		150,000
	Program increase		[150,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT.		150,000
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		150,000
	TOTAL PROCUREMENT	5,128,098	5,485,798

1 **TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 2 **TION**

4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 5 **TION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2021 Request	House Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
BASIC RESEARCH				
002	0601102A	DEFENSE RESEARCH SCIENCES	303,257	308,257
		Counter-UAS Army research lab		[5,000]
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	67,148	67,148
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	87,877	96,877
		Automotive research center modeling and simulation		[5,000]
		Biotechnology advancements		[4,000]
005	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,077	5,077
		SUBTOTAL BASIC RESEARCH	463,359	477,359
APPLIED RESEARCH				
007	0602115A	BIOMEDICAL TECHNOLOGY	11,835	11,835
011	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	2,000	2,000
012	0602141A	LETHALITY TECHNOLOGY	42,425	47,425
		Next generation additive manufacturing and 3-D printed electronics.		[5,000]
013	0602142A	ARMY APPLIED RESEARCH	30,757	30,757
014	0602143A	SOLDIER LETHALITY TECHNOLOGY	125,435	132,435
		HEROES program increase		[5,000]
		Syn-bio enabled functional materials for the soldier		[2,000]
015	0602144A	GROUND TECHNOLOGY	28,047	45,047
		Cold weather military research		[2,000]
		Materials recovery technologies for defense supply resiliency		[10,000]
		Polymeric composites via cold spray additive manufacturing		[5,000]
016	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	217,565	217,565
017	0602146A	NETWORK C3I TECHNOLOGY	114,404	129,404
		Alternative positioning navigation and timing		[5,000]
		Multi-drone/multi-sensor intelligence, surveillance, and reconnaissance capabilities.		[2,000]
		Program increase		[5,000]
		Sensor and electronic network initiatives		[3,000]
018	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	60,553	60,553
019	0602148A	FUTURE VEHICLE LIFT TECHNOLOGY	96,484	101,484
		High density eVOTL power source research		[5,000]
020	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	56,298	76,298
		Advanced tracking and targeting capability		[5,000]
		High energy laser technology		[5,000]
		Radar research		[5,000]
		UAS threat detection		[5,000]
022	0602213A	C3I APPLIED CYBER	18,816	18,816
040	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	20,766	20,766
042	0602787A	MEDICAL TECHNOLOGY	95,496	95,496
		SUBTOTAL APPLIED RESEARCH	920,881	989,881
ADVANCED TECHNOLOGY DEVELOPMENT				
044	0603002A	MEDICAL ADVANCED TECHNOLOGY	38,896	38,896
049	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	11,659	11,659
052	0603115A	MEDICAL DEVELOPMENT	27,723	27,723
053	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	62,663	62,663
054	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	109,608	118,608
		Advanced AI/AA analytics for modernization and readiness		[5,000]
		Anthropomorphic study for body armor modernization		[4,000]
055	0603119A	GROUND ADVANCED TECHNOLOGY	14,795	23,295
		Rapid entry and sustainment for the arctic		[5,000]
		Survivability and energy reduction of hard shelters		[3,500]
059	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	25,000	25,000
063	0603457A	C3I CYBER ADVANCED DEVELOPMENT	23,357	23,357
064	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	188,024	188,024
065	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY.	199,358	216,358

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		Cyber security support for vehicle development		[2,000]
		Fuel cell powered vehicle development		[15,000]
066	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	158,608	163,608
		Tactical geospatial information development		[5,000]
067	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	121,060	131,060
		Hypervelocity projectile		[10,000]
068	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	156,194	156,194
069	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	58,130	63,130
		Program acceleration		[5,000]
077	0603920A	HUMANITARIAN DEMINING	8,515	8,515
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	1,203,590	1,258,090
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
078	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	11,062	21,062
		Accelerated test and integration		[10,000]
079	0603308A	ARMY SPACE SYSTEMS INTEGRATION	26,230	26,230
080	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	26,482	26,482
081	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	64,092	66,092
		MICLIC replacement development		[2,000]
083	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	92,753	92,753
084	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	151,478	163,978
		Fuel cell powered vehicle development		[15,000]
		Modeling and simulation support for vehicle development		[12,500]
		Program decrease		[-15,000]
085	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	5,841	5,841
086	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	194,775	194,775
087	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	24,316	24,316
088	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	13,387	13,387
089	0603790A	NATO RESEARCH AND DEVELOPMENT	4,762	4,762
090	0603801A	AVIATION—ADV DEV	647,937	647,937
091	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	4,761	4,761
092	0603807A	MEDICAL SYSTEMS—ADV DEV	28,520	28,520
093	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	26,138	23,138
		IHPS program delays		[-3,000]
094	0604017A	ROBOTICS DEVELOPMENT	121,207	115,407
		Program reduction		[-5,800]
096	0604021A	ELECTRONIC WARFARE TECHNOLOGY MATURATION (MIP)	22,840	22,840
097	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	22,678	22,678
098	0604100A	ANALYSIS OF ALTERNATIVES	10,082	10,082
099	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	1,378	1,378
100	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	40,083	40,083
101	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	376,373	376,373
102	0604115A	TECHNOLOGY MATURATION INITIATIVES	156,834	156,834
103	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	4,995	4,995
105	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING	170,490	170,490
106	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	128,125	128,125
107	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING	129,547	129,547
108	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING	13,831	13,831
109	0604182A	HYPersonics	801,417	811,417
		Program increase		[10,000]
111	0604403A	FUTURE INTERCEPTOR	7,992	7,992
112	0604541A	UNIFIED NETWORK TRANSPORT	40,677	40,677
115	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	50,525	50,525
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	3,421,608	3,447,308
		SYSTEM DEVELOPMENT & DEMONSTRATION		
118	0604201A	AIRCRAFT AVIONICS	2,764	2,764
119	0604270A	ELECTRONIC WARFARE DEVELOPMENT	62,426	62,426
121	0604601A	INFANTRY SUPPORT WEAPONS	91,574	98,574
		Advanced gunner protection kit development		[2,000]
		Soldier Enhancement Program		[5,000]
122	0604604A	MEDIUM TACTICAL VEHICLES	8,523	8,523
123	0604611A	JAVELIN	7,493	7,493
124	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	24,792	24,792
125	0604633A	AIR TRAFFIC CONTROL	3,511	3,511
126	0604642A	LIGHT TACTICAL WHEELED VEHICLES	1,976	1,976
127	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	135,488	135,488
128	0604710A	NIGHT VISION SYSTEMS—ENG DEV	61,445	61,445
129	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,814	2,814
130	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	28,036	28,036
131	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	43,651	39,651

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		Army identified funds excess to need		[-4,000]
132	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	10,150	10,150
133	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	5,578	5,578
134	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV.	7,892	7,892
135	0604768A	BRILLIANT ANTI-ARMOR SUBMUNITION (BAT)	24,975	24,975
136	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	3,568	3,568
137	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	19,268	19,268
138	0604802A	WEAPONS AND MUNITIONS—ENG DEV	265,811	265,811
139	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	49,694	49,694
140	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV.	11,079	11,079
141	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	49,870	49,870
142	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	9,589	9,589
143	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	162,513	152,513
		Command post integrated infrastructure contract delay		[-10,000]
144	0604820A	RADAR DEVELOPMENT	109,259	109,259
145	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	21,201	21,201
146	0604823A	FIREFINDER	20,008	16,808
		Prior year carry-over		[-3,200]
147	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	6,534	6,534
148	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	82,459	109,380
		Prior year carry-over		[-5,079]
		Program increase for vehicle protection systems		[32,000]
149	0604854A	ARTILLERY SYSTEMS—EMD	11,611	11,611
150	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	142,678	137,678
		Reprioritization		[-5,000]
151	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	115,286	115,286
152	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	96,594	76,594
		Army identified funds excess to need		[-20,000]
154	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	16,264	16,264
155	0605031A	JOINT TACTICAL NETWORK (JTN)	31,696	31,696
157	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EXPEDITIONARY (GBOSS-E).	5,976	5,976
159	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	23,321	28,321
		AI virtual training environments		[5,000]
161	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE.	4,846	4,846
162	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	28,544	28,544
163	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	28,178	28,178
164	0605047A	CONTRACT WRITING SYSTEM	22,860	22,860
166	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	35,893	35,893
167	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	235,770	187,970
		Army identified funds excess to need		[-47,800]
168	0605053A	GROUND ROBOTICS	13,710	13,710
169	0605054A	EMERGING TECHNOLOGY INITIATIVES	294,739	284,739
		Program decrease		[-10,000]
170	0605145A	MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOPMENT.	954	954
171	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	150,201	150,201
172	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	5,999	5,999
174	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	8,891	8,891
175	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD) ...	193,929	193,929
176	0605625A	MANNED GROUND VEHICLE	327,732	244,732
		Army identified funds excess to need		[-83,000]
177	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	7,670	7,670
178	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	1,742	1,742
179	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,467	4,467
		Aircraft cleaning and deicing system development		[3,000]
180	0303032A	TROJAN—RH12	3,451	3,451
183	0304270A	ELECTRONIC WARFARE DEVELOPMENT	55,855	55,855
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	3,199,798	3,058,719
		MANAGEMENT SUPPORT		
185	0604256A	THREAT SIMULATOR DEVELOPMENT	14,515	14,515
186	0604258A	TARGET SYSTEMS DEVELOPMENT	10,668	10,668
187	0604759A	MAJOR T&E INVESTMENT	106,270	111,270
		Program increase		[5,000]
188	0605103A	RAND ARROYO CENTER	13,481	13,481
189	0605301A	ARMY KWAJALEIN ATOLL	231,824	231,824
190	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	54,898	54,898
192	0605601A	ARMY TEST RANGES AND FACILITIES	350,359	350,359
193	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	48,475	62,975
		Aviation component testing		[5,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		Testing additive manufacturing technology		[9,500]
194	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	36,001	36,001
195	0605606A	AIRCRAFT CERTIFICATION	2,736	2,736
196	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,488	6,488
197	0605706A	MATERIEL SYSTEMS ANALYSIS	21,859	21,859
198	0605709A	EXPLOITATION OF FOREIGN ITEMS	7,936	7,936
199	0605712A	SUPPORT OF OPERATIONAL TESTING	54,470	54,470
200	0605716A	ARMY EVALUATION CENTER	63,141	63,141
201	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG ...	2,572	2,572
202	0605801A	PROGRAMWIDE ACTIVITIES	87,472	87,472
203	0605803A	TECHNICAL INFORMATION ACTIVITIES	26,244	26,244
204	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY. Development of polymer-cased ammunition	40,133	50,133
		Program acceleration		[5,000]
205	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,780	1,780
206	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	55,045	55,045
208	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	71,306	71,306
209	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	1,063	1,063
210	0606105A	MEDICAL PROGRAM-WIDE ACTIVITIES	19,891	19,891
211	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	4,496	4,496
		SUBTOTAL MANAGEMENT SUPPORT	1,333,123	1,362,623
		OPERATIONAL SYSTEMS DEVELOPMENT		
214	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	10,157	10,157
216	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	8,682	8,682
217	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS.	20,409	20,409
219	0607134A	LONG RANGE PRECISION FIRES (LRPF)	122,733	56,633
		Program reduction		[-66,100]
221	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	11,236	16,236
		Thermoplastic drive shafts		[5,000]
222	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	46,091	51,091
		Carbon composite materials for wheels and brakes		[5,000]
224	0607139A	IMPROVED TURBINE ENGINE PROGRAM	249,257	249,257
225	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT.	17,155	17,155
226	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	7,743	7,743
227	0607145A	APACHE FUTURE DEVELOPMENT	77,177	77,177
228	0607150A	INTEL CYBER DEVELOPMENT	14,652	14,652
229	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	35,851	35,851
230	0607665A	FAMILY OF BIOMETRICS	1,324	1,324
231	0607865A	PATRIOT PRODUCT IMPROVEMENT	187,840	187,840
232	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs).	44,691	44,691
233	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	268,919	263,252
		CROWS-J program delay		[-5,667]
234	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	427,254	290,963
		Prior year carry-over		[-6,291]
		Program decrease		[-130,000]
235	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS.	11,688	7,688
		Early to need		[-4,000]
236	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	80	80
237	0203758A	DIGITIZATION	4,516	4,516
238	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	1,288	1,288
239	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	79,424	19,424
		Program decrease		[-60,000]
243	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	259	259
244	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	166	166
245	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	75,575	75,575
246	0208053A	JOINT TACTICAL GROUND SYSTEM	9,510	9,510
249	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	29,270	29,270
250	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	86,908	86,908
251	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	18,684	18,684
256	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	467	467
257	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	4,051	4,051
258	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	13,283	13,283
259	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	47,204	47,204
264	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	61,012	67,012
		6.8mm projectile development		[4,000]
		Lightweight film armor development		[2,000]
266A	9999999999	CLASSIFIED PROGRAMS	3,983	3,983
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	1,998,539	1,742,481

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS				
267	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT.	46,445	46,445
SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.			46,445	46,445
TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.			12,587,343	12,382,906
RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
BASIC RESEARCH				
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	116,816	121,816
		Navy Defense University Research Instrumentation program increase.		[5,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,113	19,113
003	0601153N	DEFENSE RESEARCH SCIENCES	467,158	467,158
SUBTOTAL BASIC RESEARCH			603,087	608,087
APPLIED RESEARCH				
004	0602114N	POWER PROJECTION APPLIED RESEARCH	17,792	17,792
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	122,281	147,281
		Additive manufacturing of unmanned maritime systems		[5,000]
		Cyber physical security and resiliency research		[5,000]
		Expeditionary unmanned systems launch and recovery		[5,000]
		Talent and technology for power and energy systems		[5,000]
		Unmanned logistics technology		[5,000]
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	50,623	50,623
007	0602235N	COMMON PICTURE APPLIED RESEARCH	48,001	48,001
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	67,765	77,765
		High mobility ground robots		[5,000]
		Robotics in complex unstructured environments		[5,000]
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	84,994	84,994
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	63,392	73,392
		Extreme weather events research		[5,000]
		Program increase		[5,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,343	6,343
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	56,397	91,397
		Academic partnerships for undersea vehicle research		[10,000]
		Autonomous undersea robotics		[10,000]
		Cross-domain autonomy for persistent maritime operations		[10,000]
		Expandable structures for operational effectiveness research		[5,000]
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	167,590	167,590
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	30,715	30,715
015	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH.	160,537	160,537
016	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	76,745	76,745
SUBTOTAL APPLIED RESEARCH			953,175	1,033,175
ADVANCED TECHNOLOGY DEVELOPMENT				
017	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	24,410	29,410
		Additive manufacturing		[5,000]
018	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,008	8,008
019	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	219,045	249,045
		Expeditionary autonomous logistics		[5,000]
		Heavy payload solar powered UAS		[20,000]
		Modular Advanced Armed Robotic System		[5,000]
020	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	13,301	13,301
021	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	246,054	246,054
022	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	60,122	60,122
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,851	4,851
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.	40,709	40,709
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	1,948	1,948
026	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	141,948	161,948
		Accelerated railgun technology maturation		[20,000]
SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.			760,396	815,396
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
027	0603178N	MEDIUM AND LARGE UNMANNED SURFACE VEHICLES (USVS).	464,042	270,442

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		EPF conversion to LUSV prototype		[45,000]
		Two additional Overlord vessels excess to need		[-238,600]
028	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	35,386	35,386
029	0603216N	AVIATION SURVIVABILITY	13,428	13,428
030	0603239N	ISO NAVAL CONSTRUCTION FORCES	2,350	2,350
031	0603251N	AIRCRAFT SYSTEMS	418	418
032	0603254N	ASW SYSTEMS DEVELOPMENT	15,719	15,719
033	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,411	3,411
034	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	70,218	70,218
035	0603502N	SURFACE AND SHALLOW WATER MINE COUNTER- MEASURES	52,358	52,358
036	0603506N	SURFACE SHIP TORPEDO DEFENSE	12,816	12,816
037	0603512N	CARRIER SYSTEMS DEVELOPMENT	7,559	7,559
038	0603525N	PILOT FISH	358,757	278,557
		Excess cost growth		[-25,000]
		Program adjustment		[-55,200]
039	0603527N	RETRACT LARCH	12,562	12,562
040	0603536N	RETRACT JUNIPER	148,000	148,000
041	0603542N	RADIOLOGICAL CONTROL	778	778
042	0603553N	SURFACE ASW	1,161	1,161
043	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	185,356	90,356
		Excessive accelerated development		[-28,200]
		Project 1 insufficient budget justification		[-66,800]
044	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,528	10,528
045	0603563N	SHIP CONCEPT ADVANCED DESIGN	126,396	136,396
		Expeditionary sustainment and repair-related technologies		[5,000]
		Polymorphic build farm for open source technologies		[5,000]
046	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	70,270	70,270
047	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	149,188	149,188
048	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	38,449	38,449
049	0603576N	CHALK EAGLE	71,181	71,181
050	0603581N	LITTORAL COMBAT SHIP (LCS)	32,178	32,178
051	0603582N	COMBAT SYSTEM INTEGRATION	17,843	17,843
052	0603595N	OHIO REPLACEMENT	317,196	317,196
053	0603596N	LCS MISSION MODULES	67,875	67,875
054	0603597N	AUTOMATED TEST AND ANALYSIS	4,797	4,797
055	0603599N	FRIGATE DEVELOPMENT	82,309	82,309
056	0603609N	CONVENTIONAL MUNITIONS	9,922	9,922
057	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	189,603	182,603
		Program delay		[-7,000]
058	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	43,084	43,084
059	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	6,346	6,346
060	0603721N	ENVIRONMENTAL PROTECTION	20,601	20,601
061	0603724N	NAVY ENERGY PROGRAM	23,422	23,422
062	0603725N	FACILITIES IMPROVEMENT	4,664	4,664
063	0603734N	CHALK CORAL	545,763	520,763
		Excess cost growth		[-25,000]
064	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,884	3,884
065	0603746N	RETRACT MAPLE	353,226	353,226
066	0603748N	LINK PLUMERIA	544,388	519,388
		Excess cost growth		[-25,000]
067	0603751N	RETRACT ELM	86,730	86,730
068	0603764M	LINK EVERGREEN	236,234	236,234
070	0603790N	NATO RESEARCH AND DEVELOPMENT	6,880	6,880
071	0603795N	LAND ATTACK TECHNOLOGY	10,578	10,578
072	0603851M	JOINT NON-LETHAL WEAPONS TESTING	28,435	28,435
073	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS— DEM/VAL	33,612	33,612
074	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	128,845	216,845
		One additional system		[88,000]
075	0604014N	F/A -18 INFRARED SEARCH AND TRACK (IRST)	84,190	84,190
076	0604027N	DIGITAL WARFARE OFFICE	54,699	54,699
077	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	53,942	53,942
078	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	40,060	40,060
079	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEM- ONSTRATION.. ..	12,100	12,100
080	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	78,122	42,122
		Early to need, phase 1 results needed first		[-36,000]
081	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	107,895	107,895
082	0604126N	LITTORAL AIRBORNE MCM	17,366	17,366
083	0604127N	SURFACE MINE COUNTERMEASURES	18,754	18,754
084	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTER- MEASURES (TADIRCM)	59,776	59,776
086	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	5,097	5,097
087	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	3,664	3,664
088	0604454N	LX (R)	10,203	10,203
089	0604536N	ADVANCED UNDERSEA PROTOTYPING	115,858	105,858

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		XLUV late test and evaluation award		[-10,000]
090	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	14,259	14,259
091	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	1,102,387	1,087,387
		Transition to DDG-1000—initial integration		[-15,000]
092	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ ENGINEERING SUPPORT	7,657	7,657
093	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOP- MENT	35,750	35,750
094	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,151	9,151
095	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	22,589	6,989
		K-MAX		[7,000]
		MUX uncertain acquisition strategy		[-22,600]
097	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	809	809
		SUBTOTAL ADVANCED COMPONENT DEVELOP- MENT & PROTOTYPES.	6,503,074	6,098,674
		SYSTEM DEVELOPMENT & DEMONSTRATION		
098	0603208N	TRAINING SYSTEM AIRCRAFT	4,332	4,332
099	0604212N	OTHER HELO DEVELOPMENT	18,133	18,133
100	0604214M	AV-8B AIRCRAFT—ENG DEV	20,054	20,054
101	0604215N	STANDARDS DEVELOPMENT	4,237	4,237
102	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	27,340	27,340
104	0604221N	P-3 MODERNIZATION PROGRAM	606	606
105	0604230N	WARFARE SUPPORT SYSTEM	9,065	9,065
106	0604231N	TACTICAL COMMAND SYSTEM	97,968	97,968
107	0604234N	ADVANCED HAWKEYE	309,373	309,373
108	0604245M	H-1 UPGRADES	62,310	62,310
109	0604261N	ACOUSTIC SEARCH SENSORS	47,182	47,182
110	0604262N	V-22A	132,624	132,624
111	0604264N	AIR CREW SYSTEMS DEVELOPMENT	21,445	21,445
112	0604269N	EA-18	106,134	106,134
113	0604270N	ELECTRONIC WARFARE DEVELOPMENT	134,194	134,194
114	0604273M	EXECUTIVE HELO DEVELOPMENT	99,321	99,321
115	0604274N	NEXT GENERATION JAMMER (NGJ)	477,680	487,680
		High band risk reduction		[10,000]
116	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	232,818	232,818
117	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	170,039	170,039
118	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	403,712	403,712
119	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	945	945
120	0604329N	SMALL DIAMETER BOMB (SDB)	62,488	62,488
121	0604366N	STANDARD MISSILE IMPROVEMENTS	386,225	359,225
		SM-6 excessive cost growth; program accountability		[-27,000]
122	0604373N	AIRBORNE MCM	10,909	10,909
123	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYS- TEMS ENGINEERING	44,548	44,548
124	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP)	13,673	13,673
125	0604501N	ADVANCED ABOVE WATER SENSORS	87,809	87,809
126	0604503N	SSN-688 AND TRIDENT MODERNIZATION	93,097	111,097
		Submarine electronic warfare capability improvement		[18,000]
127	0604504N	AIR CONTROL	38,863	38,863
128	0604512N	SHIPBOARD AVIATION SYSTEMS	9,593	9,593
129	0604518N	COMBAT INFORMATION CENTER CONVERSION	12,718	12,718
130	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	78,319	78,319
131	0604530N	ADVANCED ARRESTING GEAR (AAG)	65,834	65,834
132	0604558N	NEW DESIGN SSN	259,443	282,943
		Accelerate design		[23,500]
133	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	63,878	63,878
134	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	51,853	66,453
		Advanced Degaussing System		[14,600]
135	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,853	3,853
136	0604601N	MINE DEVELOPMENT	92,607	65,107
		Forward funded in FY20		[-27,500]
137	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	146,012	146,012
138	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,383	8,383
139	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS— ENG DEV	33,784	33,784
140	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FAC- TORS	8,599	8,599
141	0604727N	JOINT STANDOFF WEAPON SYSTEMS	73,744	73,744
142	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	157,490	157,490
143	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	121,761	121,761
144	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	89,373	89,373
145	0604761N	INTELLIGENCE ENGINEERING	15,716	15,716
146	0604771N	MEDICAL DEVELOPMENT	2,120	22,120
		Autonomous aerial distributed logistics		[10,000]
		ETEC disease research		[10,000]
147	0604777N	NAVIGATION/ID SYSTEM	50,180	50,180
148	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	561	561

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
149	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	250	250
150	0604850N	SSN(X)	1,000	1,000
151	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	974	974
152	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	356,173	351,173
		Unjustified growth		[-5,000]
153	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	7,810	7,810
154	0605212M	CH-53K RDTE	406,406	406,406
155	0605215N	MISSION PLANNING	86,134	86,134
156	0605217N	COMMON AVIONICS	54,540	54,540
157	0605220N	SHIP TO SHORE CONNECTOR (SSC)	5,155	5,155
158	0605327N	T-AO 205 CLASS	5,148	5,148
159	0605414N	UNMANNED CARRIER AVIATION (UCA)	266,970	266,970
160	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	12,713	12,713
161	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	24,424	24,424
162	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	182,870	182,870
163	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION.	41,775	41,775
164	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,541	2,541
165	0204202N	DDG-1000	208,448	223,448
		Transfer from CPS—initial integration		[15,000]
169	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	111,434	111,434
170	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	26,173	26,173
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,263,883	6,305,483
		MANAGEMENT SUPPORT		
171	0604256N	THREAT SIMULATOR DEVELOPMENT	22,075	22,075
172	0604258N	TARGET SYSTEMS DEVELOPMENT	10,224	10,224
173	0604759N	MAJOR T&E INVESTMENT	85,195	85,195
175	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,089	3,089
176	0605154N	CENTER FOR NAVAL ANALYSES	43,517	43,517
179	0605804N	TECHNICAL INFORMATION SERVICES	932	932
180	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	94,297	94,297
181	0605856N	STRATEGIC TECHNICAL SUPPORT	3,813	3,813
183	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	104,822	104,822
184	0605864N	TEST AND EVALUATION SUPPORT	446,960	446,960
185	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	27,241	27,241
186	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	15,787	15,787
187	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,559	8,559
188	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	42,749	42,749
189	0605898N	MANAGEMENT HQ—R&D	41,094	41,094
190	0606355N	WARFARE INNOVATION MANAGEMENT	37,022	37,022
193	0305327N	INSIDER THREAT	2,310	2,310
194	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES).	1,536	1,536
		SUBTOTAL MANAGEMENT SUPPORT	991,222	991,222
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604227N	HARPOON MODIFICATIONS	697	697
200	0604840M	F-35 C2D2	379,549	341,649
		Block IV/TR3 upgrade delays		[-37,900]
201	0604840N	F-35 C2D2	413,875	372,475
		Block IV/TR3 upgrade delays		[-41,400]
202	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	143,667	143,667
204	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	173,056	173,056
205	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	45,970	45,970
206	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	69,190	74,190
		Next-generation countermeasure acoustic device		[5,000]
207	0101402N	NAVY STRATEGIC COMMUNICATIONS	42,277	42,277
208	0204136N	F/A-18 SQUADRONS	171,030	175,030
		Jet noise reduction		[4,000]
210	0204228N	SURFACE SUPPORT	33,482	33,482
211	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPIC).	200,308	200,308
212	0204311N	INTEGRATED SURVEILLANCE SYSTEM	102,975	102,975
213	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	10,873	10,873
214	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	1,713	1,713
215	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	22,205	22,205
216	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	83,956	83,956
218	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	56,791	56,791
219	0205601N	HARM IMPROVEMENT	146,166	146,166
221	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	29,348	29,348
222	0205632N	MK-48 ADCAP	110,349	110,349
223	0205633N	AVIATION IMPROVEMENTS	133,953	133,953
224	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	110,313	110,313
225	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	207,662	207,662

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
226	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S).	4,406	4,406
227	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	61,381	61,381
228	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	10,421	10,421
229	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP).	29,977	29,977
230	0206629M	AMPHIBIOUS ASSAULT VEHICLE	6,469	6,469
231	0207161N	TACTICAL AIM MISSILES	5,859	5,859
232	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	44,323	44,323
236	0303109N	SATELLITE COMMUNICATIONS (SPACE)	41,978	46,978
		Interference mitigation technology, test and verification		[5,000]
237	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES).	29,684	29,684
238	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	39,094	39,094
239	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,154	6,154
240	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	7,108	7,108
241	0305205N	UAS INTEGRATION AND INTEROPERABILITY	62,098	62,098
242	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	21,500	21,500
244	0305220N	MQ-4C TRITON	11,120	11,120
245	0305231N	MQ-8 UAV	28,968	28,968
246	0305232M	RQ-11 UAV	537	537
247	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	8,773	8,773
248	0305239M	RQ-21A	10,853	10,853
249	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	60,413	60,413
250	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	5,000	5,000
251	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT ..	34,967	34,967
252	0305421N	RQ-4 MODERNIZATION	178,799	178,799
253	0307577N	INTELLIGENCE MISSION DATA (IMD)	2,120	2,120
254	0308601N	MODELING AND SIMULATION SUPPORT	8,683	8,683
255	0702207N	DEPOT MAINTENANCE (NON-IF)	45,168	45,168
256	0708730N	MARITIME TECHNOLOGY (MARITECH)	6,697	6,697
257	1203109N	SATELLITE COMMUNICATIONS (SPACE)	70,056	70,056
257A	9999999999	CLASSIFIED PROGRAMS	1,795,032	1,795,032
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	5,327,043	5,261,743
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
258	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM.	14,300	14,300
259	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM.	10,868	10,868
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	25,168	25,168
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	21,427,048	21,138,948
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	315,348	315,348
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	161,861	166,861
		Solar block research		[5,000]
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	15,085	15,085
		SUBTOTAL BASIC RESEARCH	492,294	497,294
		APPLIED RESEARCH		
004	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	100,000	100,000
005	0602102F	MATERIALS	140,781	165,781
		Advanced materials manufacturing flexible biosensors		[5,000]
		Metals affordability research		[15,000]
		Thermal protection systems		[5,000]
006	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	349,225	374,225
		Advanced batteries for directed energy		[5,000]
		High speed expendable turbine development		[5,000]
		On-orbit propulsion technologies		[5,000]
		Secure unmanned aerial vehicles		[10,000]
007	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	115,222	115,222
009	0602204F	AEROSPACE SENSORS	211,301	211,301
011	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES.	8,926	8,926
012	0602602F	CONVENTIONAL MUNITIONS	132,425	132,425
013	0602605F	DIRECTED ENERGY TECHNOLOGY	128,113	128,113
014	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	178,668	208,668
		Counter UAS platform integration testbed		[5,000]
		Quantum Innovation Center		[5,000]
		Quantum network testbed		[10,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		Trusted UAS traffic management and C-UAS testbed		[10,000]
015	0602890F	HIGH ENERGY LASER RESEARCH	45,088	45,088
		SUBTOTAL APPLIED RESEARCH	1,409,749	1,489,749
		ADVANCED TECHNOLOGY DEVELOPMENT		
017	0603030F	AF FOUNDATIONAL DEVELOPMENT/DEMOS	103,280	110,280
		Agile composite manufacturing initiatives		[5,000]
		Foam engine wash		[2,000]
018	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	157,619	127,619
		Inappropriate use of S&T funds for Golden Horde demonstration & validation.		[-30,000]
019	0603033F	NEXT GEN PLATFORM DEV/DEMO	199,556	199,556
020	0603034F	PERSISTENT KNOWLEDGE, AWARENESS, & C2 TECH	102,276	102,276
021	0603035F	NEXT GEN EFFECTS DEV/DEMOS	215,817	215,817
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	778,548	755,548
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
038	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	4,320	4,320
039	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	26,396	26,396
040	0603790F	NATO RESEARCH AND DEVELOPMENT	3,647	3,647
041	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	32,959	32,959
043	0604002F	AIR FORCE WEATHER SERVICES RESEARCH	869	869
044	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	302,323	216,823
		Unjustified costs		[-85,500]
045	0604004F	ADVANCED ENGINE DEVELOPMENT	636,495	636,495
046	0604015F	LONG RANGE STRIKE—BOMBER	2,848,410	2,828,410
		Transfer to APA line 025A		[-20,000]
047	0604032F	DIRECTED ENERGY PROTOTYPING	20,964	20,964
048	0604033F	HYPERSONICS PROTOTYPING	381,862	381,862
050	0604257F	ADVANCED TECHNOLOGY AND SENSORS	24,747	24,747
051	0604288F	NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP	76,417	76,417
052	0604317F	TECHNOLOGY TRANSFER	3,011	3,011
053	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	52,921	52,921
054	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	69,783	69,783
055	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	25,835	25,835
056	0604858F	TECH TRANSITION PROGRAM	219,252	249,252
		Program increase—LCAAT prototyping		[30,000]
057	0605230F	GROUND BASED STRATEGIC DETERRENT	1,524,759	1,524,759
059	0207110F	NEXT GENERATION AIR DOMINANCE	1,044,089	1,044,089
060	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	19,356	19,356
061	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	8,737	8,737
062	0208099F	UNIFIED PLATFORM (UP)	5,990	5,990
063	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	39,293	39,293
065	0305601F	MISSION PARTNER ENVIRONMENTS	11,430	11,430
066	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	259,823	259,823
067	0306415F	ENABLED CYBER ACTIVITIES	10,560	10,560
068	0401310F	C-32 EXECUTIVE TRANSPORT RECAPITALIZATION	9,908	9,908
069	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	8,662	8,662
074	1206427F	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	8,787	8,787
077	1206730F	SPACE SECURITY AND DEFENSE PROGRAM	56,311	56,311
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	7,737,916	7,662,416
		SYSTEM DEVELOPMENT & DEMONSTRATION		
082	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	25,161	25,161
083	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	38,564	38,564
084	0604222F	NUCLEAR WEAPONS SUPPORT	35,033	35,033
085	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,098	2,098
086	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	131,909	131,909
087	0604287F	PHYSICAL SECURITY EQUIPMENT	6,752	6,752
088	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	17,280	17,280
090	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	23,076	23,076
091	0604604F	SUBMUNITIONS	3,091	3,091
092	0604617F	AGILE COMBAT SUPPORT	20,609	20,609
093	0604618F	JOINT DIRECT ATTACK MUNITION	7,926	7,926
094	0604706F	LIFE SUPPORT SYSTEMS	23,660	23,660
095	0604735F	COMBAT TRAINING RANGES	8,898	8,898
096	0604800F	F-35—EMD	5,423	423
		Excess SDD funding		[-5,000]
097	0604932F	LONG RANGE STANDOFF WEAPON	474,430	474,430
098	0604933F	ICBM FUZE MODERNIZATION	167,099	167,099
100	0605056F	OPEN ARCHITECTURE MANAGEMENT	30,547	30,547
102	0605223F	ADVANCED PILOT TRAINING	248,669	248,669
103	0605229F	COMBAT RESCUE HELICOPTER	63,169	63,169
105	0101125F	NUCLEAR WEAPONS MODERNIZATION	9,683	9,683

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
106	0207171F	F-15 EPAWSS	170,679	155,979
		Cost growth		[-14,700]
107	0207328F	STAND IN ATTACK WEAPON	160,438	142,738
		Unjustified cost increase		[-17,700]
108	0207701F	FULL COMBAT MISSION TRAINING	9,422	9,422
110	0305176F	COMBAT SURVIVOR EVADER LOCATOR	973	973
111	0401221F	KC-46A TANKER SQUADRONS	106,262	86,262
		Slow execution		[-20,000]
113	0401319F	VC-25B	800,889	800,889
114	0701212F	AUTOMATED TEST SYSTEMS	10,673	10,673
115	0804772F	TRAINING DEVELOPMENTS	4,479	4,479
116	0901299F	AF A1 SYSTEMS	8,467	8,467
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	2,615,359	2,557,959
		MANAGEMENT SUPPORT		
131	0604256F	THREAT SIMULATOR DEVELOPMENT	57,725	57,725
132	0604759F	MAJOR T&E INVESTMENT	208,680	208,680
133	0605101F	RAND PROJECT AIR FORCE	35,803	35,803
135	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,557	13,557
136	0605807F	TEST AND EVALUATION SUPPORT	764,606	754,606
		Program decrease		[-10,000]
142	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	1,362,038	1,362,038
143	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	40,768	40,768
144	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	179,646	179,646
145	0605898F	MANAGEMENT HQ—R&D	5,734	5,734
146	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	70,985	70,985
147	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	29,880	29,880
148	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	63,381	63,381
149	0606398F	MANAGEMENT HQ—T&E	5,785	5,785
150	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM.	24,564	24,564
151	0308602F	ENTERPRISE INFORMATION SERVICES (EIS)	9,883	9,883
152	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	13,384	13,384
153	0804731F	GENERAL SKILL TRAINING	1,262	1,262
155	1001004F	INTERNATIONAL ACTIVITIES	3,599	3,599
		SUBTOTAL MANAGEMENT SUPPORT	2,891,280	2,881,280
		OPERATIONAL SYSTEMS DEVELOPMENT		
163	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	8,777	8,777
164	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	499	499
165	0604840F	F-35 C2D2	785,336	706,836
		Block IV/TR3 upgrade delays		[-78,500]
166	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) ..	27,035	27,035
167	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	50,508	50,508
168	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	71,229	71,229
169	0605278F	HC/MC-130 RECAP RDT&E	24,705	24,705
170	0606018F	NC3 INTEGRATION	26,356	26,356
172	0101113F	B-52 SQUADRONS	520,023	338,523
		GPS-IU contract delays		[-10,000]
		No acquisition strategy for AEHF		[-2,500]
		Radar modernization program contract delays		[-40,000]
		Virtual prototype contract delay		[-125,000]
		VLF/LF contract delays		[-4,000]
173	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	1,433	1,433
174	0101126F	B-1B SQUADRONS	15,766	15,766
175	0101127F	B-2 SQUADRONS	187,399	187,399
		Airspace compliance contract delays		[-2,000]
		JASSM-ER Milestone B delay		[-5,000]
		Virtual training		[7,000]
176	0101213F	MINUTEMAN SQUADRONS	116,569	116,569
177	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	27,235	27,235
178	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK.	24,227	24,227
179	0101328F	ICBM REENTRY VEHICLES	112,753	112,753
181	0102110F	UH-1N REPLACEMENT PROGRAM	44,464	44,464
182	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM.	5,929	5,929
183	0102412F	NORTH WARNING SYSTEM (NWS)	100	100
184	0205219F	MQ-9 UAV	162,080	162,080
186	0207131F	A-10 SQUADRONS	24,535	24,535
187	0207133F	F-16 SQUADRONS	223,437	223,437
188	0207134F	F-15E SQUADRONS	298,908	298,908
189	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,960	14,960
190	0207138F	F-22A SQUADRONS	665,038	648,938
		Software delays		[-16,100]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
191	0207142F	F-35 SQUADRONS	132,229	129,629
		Unjustified USAF ALIS unique funding		[-2,600]
192	0207146F	F-15EX	159,761	159,761
193	0207161F	TACTICAL AIM MISSILES	19,417	19,417
194	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	51,799	51,799
195	0207227F	COMBAT RESCUE—PARARESCUE	669	669
196	0207247F	AF TENCAP	21,644	21,644
197	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	9,261	9,261
198	0207253F	COMPASS CALL	15,854	15,854
199	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	95,896	95,896
200	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	70,792	70,792
201	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	51,187	51,187
202	0207412F	CONTROL AND REPORTING CENTER (CRC)	16,041	16,041
203	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	138,303	138,303
204	0207418F	AFSPECWAR—TACP	4,223	4,223
206	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	16,564	16,564
207	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	7,858	7,858
208	0207444F	TACTICAL AIR CONTROL PARTY-MOD	12,906	12,906
210	0207452F	DCAPES	14,816	14,816
211	0207521F	AIR FORCE CALIBRATION PROGRAMS	1,970	1,970
212	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	396	396
213	0207590F	SEEK EAGLE	29,680	29,680
214	0207601F	USAF MODELING AND SIMULATION	17,666	17,666
215	0207605F	WARGAMING AND SIMULATION CENTERS	6,353	6,353
216	0207610F	BATTLEFIELD ABN COMM NODE (BACN)	6,827	6,827
217	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,390	3,390
218	0208006F	MISSION PLANNING SYSTEMS	91,768	91,768
219	0208007F	TACTICAL DECEPTION	2,370	2,370
220	0208064F	OPERATIONAL HQ—CYBER	5,527	5,527
221	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	68,279	68,279
222	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	15,165	15,165
223	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2)	38,480	38,480
224	0208099F	UNIFIED PLATFORM (UP)	84,645	84,645
230	0301025F	GEOBASE	2,767	2,767
231	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES)	32,759	32,759
238	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS.	2,904	2,904
239	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) ...	3,468	3,468
240	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NET- WORK (MEECN).	61,887	61,887
242	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	10,351	10,351
243	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	1,346	1,346
246	0304260F	AIRBORNE SIGINT ENTERPRISE	128,110	120,110
		Program decrease		[-8,000]
247	0304310F	COMMERCIAL ECONOMIC ANALYSIS	4,042	4,042
251	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,649	1,649
252	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	19,265	19,265
253	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,645	4,645
254	0305103F	CYBER SECURITY INITIATIVE	384	384
255	0305111F	WEATHER SERVICE	23,640	30,640
		Commercial weather pilot		[7,000]
256	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALs).	6,553	6,553
257	0305116F	AERIAL TARGETS	449	449
260	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	432	432
262	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	4,890	4,890
264	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	8,864	8,864
265	0305202F	DRAGON U-2	18,660	18,660
267	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	121,512	139,512
		Gorgon Stare Wide Area Motion Imagery program increase		[10,000]
		Sensor Open Systems Architecture		[8,000]
268	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,711	14,711
269	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,152	14,152
270	0305220F	RQ-4 UAV	134,589	134,589
271	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	15,049	15,049
272	0305238F	NATO AGS	36,731	36,731
273	0305240F	SUPPORT TO DCGS ENTERPRISE	33,547	33,547
274	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND AR- CHITECTURES.	13,635	13,635
275	0305881F	RAPID CYBER ACQUISITION	4,262	4,262
276	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,207	2,207
277	0307577F	INTELLIGENCE MISSION DATA (IMD)	6,277	6,277
278	0401115F	C-130 AIRLIFT SQUADRON	41,973	41,973
279	0401119F	C-5 AIRLIFT SQUADRONS (IF)	32,560	32,560
280	0401130F	C-17 AIRCRAFT (IF)	9,991	9,991
281	0401132F	C-130J PROGRAM	10,674	10,674
282	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,507	5,507
283	0401218F	KC-135S	4,591	4,591

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
286	0401318F	CV-22	18,419	18,419
288	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,673	7,673
290	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	24,513	24,513
291	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	35,225	35,225
292	0708611F	SUPPORT SYSTEMS DEVELOPMENT	11,838	11,838
293	0804743F	OTHER FLIGHT TRAINING	1,332	1,332
295	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,092	2,092
296	0901218F	CIVILIAN COMPENSATION PROGRAM	3,869	3,869
297	0901220F	PERSONNEL ADMINISTRATION	1,584	1,584
298	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,197	1,197
299	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	7,006	7,006
300	0901554F	DEFENSE ENTERPRISE ACNTNG AND MGT SYS (DEAMS)	45,638	45,638
301	1201017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	1,889	0
		Transfer to Space Force		[-1,889]
302	1201921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	993	993
303	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	8,999	8,999
314	1203400F	SPACE SUPERIORITY INTELLIGENCE	16,810	16,810
316	1203620F	NATIONAL SPACE DEFENSE CENTER	2,687	2,687
318	1203906F	NCMC—TWAA SYSTEM	6,990	6,990
322A	9999999999	CLASSIFIED PROGRAMS	15,777,856	15,777,856
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	21,466,680	21,203,091
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	37,391,826	37,047,337
		RESEARCH, DEVELOPMENT, TEST & EVAL, SPACE FORCE		
		APPLIED RESEARCH		
001	1206601SF	SPACE TECHNOLOGY	130,874	164,874
		Ground based optical GEO surveillance		[5,000]
		Rapid development of low-cost, small satellite technology		[20,000]
		Small satellite mission operations center		[9,000]
		SUBTOTAL APPLIED RESEARCH	130,874	164,874
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
002	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	390,704	390,704
003	1203710SF	EO/IR WEATHER SYSTEMS	131,000	106,000
		Program reduction for phase 2 risk reduction Spec OT2		[-25,000]
004	1206422SF	WEATHER SYSTEM FOLLOW-ON	83,384	83,384
005	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	33,359	33,359
006	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	142,808	142,808
007	1206438SF	SPACE CONTROL TECHNOLOGY	35,575	35,575
008	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	114,390	109,390
		Unjustified growth		[-5,000]
009	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	205,178	200,178
		Unjustified growth		[-5,000]
010	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	71,395	71,395
011	1206857SF	SPACE RAPID CAPABILITIES OFFICE	103,518	103,518
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	1,311,311	1,276,311
		SYSTEM DEVELOPMENT & DEMONSTRATION		
012	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	263,496	253,496
		Execution lagging		[-10,000]
013	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	41,897	41,897
014	1206421SF	COUNTERSPACE SYSTEMS	54,689	54,689
015	1206422SF	WEATHER SYSTEM FOLLOW-ON	2,526	2,526
016	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	173,074	173,074
017	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	138,257	138,257
018	1206432SF	POLAR MILSATCOM (SPACE)	190,235	190,235
019	1206442SF	NEXT GENERATION OPIR	2,318,864	2,269,864
		Block 0 GEO unjustified cost growth		[-20,000]
		Program decrease		[-29,000]
020	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD.	560,978	710,978
		Program increase		[150,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	3,744,016	3,835,016
		MANAGEMENT SUPPORT		
021	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT	20,281	20,281
022	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	183,930	183,930
023	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	9,765	9,765
024	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	17,993	27,993

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		Tactically Responsive Launch Operations		[10,000]
025	1206864SF	SPACE TEST PROGRAM (STP)	26,541	26,541
		SUBTOTAL MANAGEMENT SUPPORT	258,510	268,510
		OPERATIONAL SYSTEM DEVELOPMENT		
026	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	3,708	5,597
		Transfer from Air Force		[1,889]
027	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	247,229	237,229
		Program decrease		[-10,000]
028	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	75,480	60,480
		Program decrease		[-15,000]
029	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS).	1,984	1,984
030	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	4,397	4,397
031	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	44,746	39,746
		Underexecution		[-5,000]
032	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,020	16,020
		Space launch range services and capabilities		[5,000]
033	1203265SF	GPS III SPACE SEGMENT	10,777	10,777
034	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	28,179	28,179
035	1203913SF	NUDET DETECTION SYSTEM (SPACE)	29,157	29,157
036	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	44,809	39,809
		Underexecution		[-5,000]
037	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	481,999	471,999
		Program decrease		[-5,000]
		Unjustified growth		[-5,000]
041	1206770SF	ENTERPRISE GROUND SERVICES	116,791	116,791
041A	9999999999	CLASSIFIED PROGRAMS	3,632,866	3,632,866
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	4,733,142	4,695,031
		SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
042	1203614SF	JSPOC MISSION SYSTEM	149,742	129,742
		Unjustified increase; transfer to commercial Space Domain Awareness Services and Data.		[-20,000]
42A	9999999999	COMMERCIAL SATCOM		45,000
		Commercial polar space-based proliferated LEO broadband services and demonstrations.		[25,000]
		Increase for commercial space domain awareness services and data		[20,000]
		SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	149,742	174,742
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, SPACE FORCE.	10,327,595	10,414,484
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH	14,617	14,617
002	0601101E	DEFENSE RESEARCH SCIENCES	479,958	479,958
003	0601110D8Z	BASIC RESEARCH INITIATIVES	35,565	57,565
		Restore Minerva research initiative		[17,000]
		START research consortium of excellence for irregular warfare and advanced analytics.		[5,000]
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	53,730	53,730
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	100,241	105,241
		Civics education pilot		[5,000]
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	30,975	50,975
		PIPELINE program		[3,000]
		Program increase		[17,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	45,300	45,300
		SUBTOTAL BASIC RESEARCH	760,386	807,386
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,409	24,409
		New energetic materials design		[5,000]
009	0602115E	BIOMEDICAL TECHNOLOGY	107,568	107,568
011	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	35,000	35,000
012	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	41,080	41,080
013	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	60,722	60,722
014	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	435,920	403,920
		Program decrease		[-32,000]
015	0602383E	BIOLOGICAL WARFARE DEFENSE	26,950	26,950
016	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	201,807	206,807
		Treatment testing technology for nuclear, chemical, and biological exposure.		[5,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
017	0602668D8Z	CYBER SECURITY RESEARCH	15,255	15,255
018	0602702E	TACTICAL TECHNOLOGY	233,271	233,271
019	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	250,107	250,107
020	0602716E	ELECTRONICS TECHNOLOGY	322,693	322,693
021	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	174,571	174,571
022	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	9,573	9,573
023	1160401BB	SOF TECHNOLOGY DEVELOPMENT	42,464	47,464
		Sustained Human Performance and Resilience		[5,000]
		SUBTOTAL APPLIED RESEARCH	1,976,390	1,959,390
		ADVANCED TECHNOLOGY DEVELOPMENT		
024	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	22,920	22,920
025	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	4,914	4,914
026	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	51,089	51,089
027	0603133D8Z	FOREIGN COMPARATIVE TESTING	25,183	25,183
029	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	366,659	366,659
030	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT ... Restore low power laser demonstrator	14,910	64,910 [50,000]
032	0603180C	ADVANCED RESEARCH	18,687	28,687
		Program increase		[10,000]
033	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,873	18,873
034	0603286E	ADVANCED AEROSPACE SYSTEMS	230,978	230,978
035	0603287E	SPACE PROGRAMS AND TECHNOLOGY	158,439	158,439
036	0603288D8Z	ANALYTIC ASSESSMENTS	23,775	23,775
037	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	36,524	36,524
038	0603291D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA ..	14,703	14,703
039	0603294C	COMMON KILL VEHICLE TECHNOLOGY	11,058	11,058
040	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING	133,375	133,375
042	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	26,141	26,141
043	0603375D8Z	TECHNOLOGY INNOVATION	27,709	27,709
044	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	188,001	188,001
045	0603527D8Z	RETRACT LARCH	130,283	130,283
046	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	15,164	15,164
047	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	85,452	85,452
048	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	5,882	5,882
049	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM. Accelerating rapid prototyping by integrating high performance computing and advanced manufacturing.	93,817	143,817 [5,000]
		Additive manufacturing training		[5,000]
		Advanced structural manufacturing technologies		[30,000]
		Flexible hybrid electronics		[5,000]
		Hypersonic thermal management research		[5,000]
050	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	40,025	40,025
052	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	10,235	10,235
053	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	53,862	158,862
		AFFF replacement		[50,000]
		PFAS Innovation Award Fund		[5,000]
		PFAS remediation and disposal technology		[50,000]
054	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	124,049	124,049
055	0603727D8Z	JOINT WARFIGHTING PROGRAM	3,871	3,871
056	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	95,864	95,864
057	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	221,724	221,724
058	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	661,158	661,158
059	0603767E	SENSOR TECHNOLOGY	200,220	200,220
060	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	6,765	6,765
061	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	12,598	12,598
064	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	105,410	105,410
065	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	187,065	187,065
		Directed energy test workloads		
066	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK		40,000
		Restore program		[40,000]
067	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT		65,000
		Program increase		[65,000]
070	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	89,072	94,072
		SOF 3-D printing technologies		[5,000]
071	1206310SDA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	72,422	72,422
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	3,588,876	3,913,876
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
072	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	32,636	32,636
073	0603600D8Z	WALKOFF	106,529	106,529
075	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	61,345	113,345
		PFAS remediation and disposal technology		[50,000]
		Program increase		[2,000]
076	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	412,627	312,627
		Insufficient justification—homeland defense underlay		[-100,000]
077	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	1,004,305	919,305
		Unjustified growth—RKV cancellation		[-85,000]
078	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DE/VAL.	76,167	81,167
		Decontamination technologies for civilian pandemic preparedness		[5,000]
079	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	281,957	281,957
080	0603890C	BMD ENABLING PROGRAMS	599,380	599,380
081	0603891C	SPECIAL PROGRAMS—MDA	420,216	420,216
082	0603892C	AEGIS BMD	814,936	804,936
		Program decrease		[-10,000]
083	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	593,353	593,353
084	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT.	49,560	49,560
085	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	55,356	55,356
086	0603906C	REGARDING TRENCH	11,863	11,863
087	0603907C	SEA BASED X-BAND RADAR (SBX)	118,318	118,318
088	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
089	0603914C	BALLISTIC MISSILE DEFENSE TEST	378,302	378,302
090	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	536,133	536,133
092	0603923D8Z	COALITION WARFARE	10,129	10,129
093	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G).	449,000	400,000
		Program decrease for Restoring S&T		[-49,000]
094	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,325	3,325
095	0604115C	TECHNOLOGY MATURATION INITIATIVES	67,389	67,389
098	0604181C	HYPERSONIC DEFENSE	206,832	206,832
099	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	730,508	729,508
		Micro nuclear reactors		[50,000]
		Program decrease for Restoring S&T		[-51,000]
100	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	489,076	489,076
101	0604331D8Z	RAPID PROTOTYPING PROGRAM	102,023	82,023
		Program decrease for Restoring S&T		[-20,000]
102	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING	13,255	16,255
		Talent optimization pilot program		[3,000]
103	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	2,787	2,787
105	0604672C	HOMELAND DEFENSE RADAR—HAWAII (HDR-H)		130,000
		Continue radar development and siting efforts		[130,000]
107	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA).	3,469	3,469
109	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	19,190	19,190
110	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	137,256	137,256
111	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	664,138	414,138
		Delayed NGI contract award		[-250,000]
112	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST.	7,768	7,768
113	0604878C	AEGIS BMD TEST	170,880	95,880
		Unjustified cost growth		[-75,000]
114	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	76,456	76,456
115	0604880C	LAND-BASED SM-3 (LBSM3)	56,628	56,628
116	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	67,071	67,071
118	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,198	2,198
119	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	997	997
120	0305103C	CYBER SECURITY INITIATIVE	1,148	1,148
121	1206410SDA	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING ...	215,994	155,994
		HBTSS—transfer to 1206895C		[-20,000]
		Unjustified growth		[-40,000]
122	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM	34,144	34,144
123	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS ..	32,068	152,068
		HBTSS—transfer from 1206410SDA		[20,000]
		HBTSS sensor payload development		[100,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	9,416,712	9,076,712

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
SYSTEM DEVELOPMENT & DEMONSTRATION				
124	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	7,173	7,173
126	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	319,976	319,976
127	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	54,985	54,985
128	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	15,650	15,650
129	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	1,441	1,441
130	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	7,287	7,287
131	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	12,928	12,928
132	0605027D8Z	OUS(D) IT DEVELOPMENT INITIATIVES	10,259	10,259
133	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	1,377	1,377
134	0605075D8Z	CMO POLICY AND INTEGRATION	1,648	1,648
135	0605080S	DEFENSE AGENCY INITIATIVES (DAD)—FINANCIAL SYSTEM	20,537	20,537
136	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	1,638	1,638
137	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS).	5,500	5,500
138	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	8,279	8,279
139	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	107,585	107,585
140	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	3,685	3,685
143	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEM).	3,275	3,275
144	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	20,585	20,585
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	603,808	603,808
MANAGEMENT SUPPORT				
145	0603829J	JOINT CAPABILITY EXPERIMENTATION	11,239	11,239
146	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	9,793	9,793
147	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	8,497	8,497
148	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	422,451	435,451
		Gulf Test range and training enhancements		[13,000]
149	0604942D8Z	ASSESSMENTS AND EVALUATIONS	18,379	18,379
150	0605001E	MISSION SUPPORT	74,334	74,334
151	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	79,046	79,046
153	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JLAMO).	50,255	50,255
155	0605142D8Z	SYSTEMS ENGINEERING	49,376	49,376
156	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	5,777	5,777
157	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	16,552	16,552
158	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	9,582	9,582
159	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	1,940	1,940
160	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	122,951	122,951
167	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,582	3,582
168	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	29,566	29,566
169	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	29,059	29,059
170	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	59,369	16,069
		Program decrease		[-43,300]
171	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	29,420	29,420
172	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	27,198	27,198
173	0605898E	MANAGEMENT HQ—R&D	13,434	13,434
174	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	2,837	2,837
175	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	13,173	13,173
176	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	3,200	3,200
177	0606589DSW	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT.	999	999
180	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	3,099	3,099
181	0204571J	JOINT STAFF ANALYTICAL SUPPORT	3,058	3,058
182	0208045K	C4I INTEROPERABILITY	59,813	59,813
185	0303140SE	INFORMATION SYSTEMS SECURITY PROGRAM	1,112	1,112
186	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES.	545	545
187	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO).	1,036	1,036
188	0305172K	COMBINED ADVANCED APPLICATIONS	30,824	30,824
190	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,048	3,048
194	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	31,125	31,125
195	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI).	100	100

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
196	0901598C	MANAGEMENT HQ—MDA	26,902	26,902
197	0903235K	JOINT SERVICE PROVIDER (JSP)	3,138	3,138
198A	999999999	CLASSIFIED PROGRAMS	41,583	41,583
		SUBTOTAL MANAGEMENT SUPPORT	1,297,392	1,267,092
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	14,378	14,378
200	0604532K	JOINT ARTIFICIAL INTELLIGENCE	132,058	132,058
201	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	1,986	1,986
202	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	316	316
203	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT Autotune filter manufacturing scale-up for advanced offboard electronic warfare. Domestic organic light emitting diode microdisplay manufacturing Domestic rare earth magnet capability	9,151	79,151 [10,000] [5,000] [5,000]
		Domestic tungsten		[5,000]
		Program increase		[15,000]
		Radar supplier resiliency plan		[5,000]
		Submarine workforce development and training		[20,000]
		Ultra-hard armor		[5,000]
204	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT ..	19,082	19,082
205	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS)	3,992	3,992
206	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	39,530	39,530
207	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,039	3,039
212	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	16,324	16,324
213	0303126K	LONG-HAUL COMMUNICATIONS—DCS	11,884	11,884
214	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	5,560	5,560
215	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	73,356	73,356
216	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	46,577	46,577
217	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	356,713	336,713
		GenCyber		[20,000]
		Program decrease		[-40,000]
218	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	8,922	8,922
219	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	3,695	3,695
220	0303153K	DEFENSE SPECTRUM ORGANIZATION	20,113	20,113
223	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	9,728	0
		Program decrease		[-9,728]
231	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES	5,700	5,700
235	0305186D8Z	POLICY R&D PROGRAMS	7,144	7,144
236	0305199D8Z	NET CENTRICITY	21,793	21,793
238	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,066	6,066
245	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,190	2,190
252	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,654	1,654
253	0708012S	PACIFIC DISASTER CENTERS	1,785	1,785
254	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	7,301	7,301
256	1105219BB	MQ-9 UAV	21,265	21,265
258	1160403BB	AVIATION SYSTEMS	230,812	230,812
259	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	19,558	19,558
260	1160408BB	OPERATIONAL ENHANCEMENTS	136,041	151,041
		Machine learning and AI technologies to enable operational maneuver. Modular expeditionary compact high-energy lasers		[10,000] [5,000]
261	1160431BB	WARRIOR SYSTEMS	59,511	94,511
		Increased research for eUAS in austere locations abroad		[35,000]
262	1160432BB	SPECIAL PROGRAMS	10,500	10,500
263	1160434BB	UNMANNED ISR	19,154	19,154
264	1160480BB	SOF TACTICAL VEHICLES	9,263	9,263
265	1160483BB	MARITIME SYSTEMS	59,882	59,882
266	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	4,606	4,606
267	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	11,612	11,612
268	1203610K	TELEPORT PROGRAM	3,239	3,239
268A	999999999	CLASSIFIED PROGRAMS	4,746,466	4,746,466
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	6,161,946	6,252,218
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
269	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM	121,676	121,676
270	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	16,848	16,848
271	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	86,750	76,750
		Program decrease		[-10,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2021 Request	House Authorized
272	0308588D8Z	ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS— SOFTWARE PILOT PROGRAM. Program decrease	250,107	200,107 [-50,000]
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	475,381	415,381
		UNDISTRIBUTED		
273A	9999999999	PANDEMIC PREPAREDNESS AND RESILIENCE NATIONAL SECURITY FUND. Program increase		1,000,000 [1,000,000]
		SUBTOTAL UNDISTRIBUTED		1,000,000
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	24,280,891	25,295,863
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	100,021	100,021
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	70,933	70,933
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	39,136	39,136
		SUBTOTAL MANAGEMENT SUPPORT	210,090	210,090
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	210,090	210,090
		TOTAL RDT&E	106,224,793	106,489,628

1 SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-
 2 TION FOR OVERSEAS CONTINGENCY OPER-
 3 ATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Line	Program Element	Item	FY 2021 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY APPLIED RESEARCH		
016	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	2,000	2,000
		SUBTOTAL APPLIED RESEARCH	2,000	2,000
		ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPES		
080	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	500	500
114	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	2,020	2,020
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	2,520	2,520
		SYSTEM DEVELOPMENT & DEMONSTRATION		
131	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE— ENG DEV.	27,000	27,000
159	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCUM)	2,300	2,300
166	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	64,625	64,625
183	0304270A	ELECTRONIC WARFARE DEVELOPMENT	3,900	3,900
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	97,825	97,825
		MANAGEMENT SUPPORT		
198	0605709A	EXPLOITATION OF FOREIGN ITEMS	1,000	1,000
209	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	4,137	4,137
		SUBTOTAL MANAGEMENT SUPPORT	5,137	5,137
		OPERATIONAL SYSTEMS DEVELOPMENT		
239	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	2,300	2,300
248	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	23,367	23,367
257	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	34,100	34,100
258	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	15,575	15,575
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	75,342	75,342
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	182,824	182,824

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
039	0603527N	RETRACT LARCH	36,500	36,500
058	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	14,461	14,461
063	0603734N	CHALK CORAL	3,000	3,000
071	0603795N	LAND ATTACK TECHNOLOGY	1,457	1,457
SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.			55,418	55,418
SYSTEM DEVELOPMENT & DEMONSTRATION				
142	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	1,144	1,144
SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.			1,144	1,144
OPERATIONAL SYSTEMS DEVELOPMENT				
229	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	3,000	3,000
SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT			3,000	3,000
TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.			59,562	59,562
RESEARCH, DEVELOPMENT, TEST & EVAL, AF				
OPERATIONAL SYSTEMS DEVELOPMENT				
185	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	4,080	4,080
228	0208288F	INTEL DATA APPLICATIONS	1,224	1,224
SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT			5,304	5,304
TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.			5,304	5,304
RESEARCH, DEVELOPMENT, TEST & EVAL, DW				
APPLIED RESEARCH				
010	0602134BR	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	3,699	3,699
SUBTOTAL APPLIED RESEARCH			3,699	3,699
ADVANCED TECHNOLOGY DEVELOPMENT				
026	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	19,288	19,288
028	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION	3,861	3,861
SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.			23,149	23,149
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
097	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	19,931	19,931
SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.			19,931	19,931
OPERATIONAL SYSTEMS DEVELOPMENT				
260	1160408BB	OPERATIONAL ENHANCEMENTS	1,186	1,186
261	1160431BB	WARRIOR SYSTEMS	5,796	5,796
263	1160434BB	UNMANNED ISR	5,000	5,000
268A	9999999999	CLASSIFIED PROGRAMS	24,057	24,057
SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT			36,039	36,039
TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.			82,818	82,818
TOTAL RDT&E			330,508	330,508

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 2021 Request	House Authorized
OPERATION & MAINTENANCE, ARMY			

SEC. 4301. OPERATION AND MAINTENANCE			
(In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
OPERATING FORCES			
020	MODULAR SUPPORT BRIGADES	159,834	143,834
	Unjustified funding for Dynamic Force Employment		[-16,000]
030	ECHELONS ABOVE BRIGADE	663,751	660,951
	Unjustified funding for Dynamic Force Employment		[-2,800]
040	THEATER LEVEL ASSETS	956,477	956,477
050	LAND FORCES OPERATIONS SUPPORT	1,157,635	1,167,984
	Establishment of Joint CUAS Office		[10,349]
060	AVIATION ASSETS	1,453,024	1,403,024
	Unjustified funding for Dynamic Force Employment		[-50,000]
070	FORCE READINESS OPERATIONS SUPPORT	4,713,660	4,713,660
080	LAND FORCES SYSTEMS READINESS	404,161	404,161
090	LAND FORCES DEPOT MAINTENANCE	1,413,359	1,513,359
	Program increase for depot maintenance activities		[100,000]
100	BASE OPERATIONS SUPPORT	8,220,093	8,320,093
	Child Youth Services program increase		[100,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	3,581,071	3,647,387
	Program increase for additional facility requirements		[66,316]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS ...	411,844	411,844
160	US AFRICA COMMAND	239,387	239,387
170	US EUROPEAN COMMAND	160,761	160,761
180	US SOUTHERN COMMAND	197,826	197,826
190	US FORCES KOREA	65,152	65,152
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	430,109	430,109
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	464,117	464,117
	SUBTOTAL OPERATING FORCES	24,692,261	24,900,126
MOBILIZATION			
220	STRATEGIC MOBILITY	402,236	402,236
230	ARMY PREPOSITIONED STOCKS	324,306	324,306
240	INDUSTRIAL PREPAREDNESS	3,653	3,653
	SUBTOTAL MOBILIZATION	730,195	730,195
TRAINING AND RECRUITING			
250	OFFICER ACQUISITION	165,142	165,142
260	RECRUIT TRAINING	76,509	76,509
270	ONE STATION UNIT TRAINING	88,523	88,523
280	SENIOR RESERVE OFFICERS TRAINING CORPS	535,578	535,578
290	SPECIALIZED SKILL TRAINING	981,436	981,436
300	FLIGHT TRAINING	1,204,768	1,204,768
310	PROFESSIONAL DEVELOPMENT EDUCATION	215,195	215,195
320	TRAINING SUPPORT	575,232	575,232
330	RECRUITING AND ADVERTISING	722,612	672,612
	Program decrease		[-50,000]
340	EXAMINING	185,522	185,522
350	OFF-DUTY AND VOLUNTARY EDUCATION	221,503	221,503
360	CIVILIAN EDUCATION AND TRAINING	154,651	154,651
370	JUNIOR RESERVE OFFICER TRAINING CORPS	173,286	173,286
	SUBTOTAL TRAINING AND RECRUITING	5,299,957	5,249,957
ADMIN & SRVWIDE ACTIVITIES			
390	SERVICEWIDE TRANSPORTATION	491,926	491,926
400	CENTRAL SUPPLY ACTIVITIES	812,613	812,613
410	LOGISTIC SUPPORT ACTIVITIES	676,178	676,178
420	AMMUNITION MANAGEMENT	437,774	437,774
430	ADMINISTRATION	438,048	433,048
	Program decrease		[-5,000]
440	SERVICEWIDE COMMUNICATIONS	1,638,872	1,628,872
	Reprioritization		[-10,000]
450	MANPOWER MANAGEMENT	300,046	300,046
460	OTHER PERSONNEL SUPPORT	701,103	701,103
470	OTHER SERVICE SUPPORT	1,887,133	1,852,493
	Servicewoman's Commemorative Partnership		[3,000]
	Transfer to DAWDF—reversal of DWR transfers		[-37,640]
480	ARMY CLAIMS ACTIVITIES	195,291	195,291
490	REAL ESTATE MANAGEMENT	229,537	229,537
500	FINANCIAL MANAGEMENT AND AUDIT READINESS	306,370	306,370
510	INTERNATIONAL MILITARY HEADQUARTERS	373,030	373,030
520	MISC. SUPPORT OF OTHER NATIONS	32,719	32,719

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
565	CLASSIFIED PROGRAMS	1,069,915	1,069,915
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES ...	9,590,555	9,540,915
	UNDISTRIBUTED		
570	UNDISTRIBUTED		-231,457
	Foreign Currency adjustments		[-137,300]
	Historical unobligated balances		[-94,157]
	SUBTOTAL UNDISTRIBUTED		-231,457
	TOTAL OPERATION & MAINTENANCE, ARMY	40,312,968	40,189,736
	OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	10,784	10,784
020	ECHELONS ABOVE BRIGADE	530,425	530,425
030	THEATER LEVEL ASSETS	123,737	123,737
040	LAND FORCES OPERATIONS SUPPORT	589,582	589,582
050	AVIATION ASSETS	89,332	89,332
060	FORCE READINESS OPERATIONS SUPPORT	387,545	387,545
070	LAND FORCES SYSTEMS READINESS	97,569	97,569
080	LAND FORCES DEPOT MAINTENANCE	43,148	43,148
090	BASE OPERATIONS SUPPORT	587,098	587,098
100	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	327,180	333,239
	Program increase for additional facility requirements		[6,059]
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS ...	28,783	28,783
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	2,745	2,745
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,438	7,438
	SUBTOTAL OPERATING FORCES	2,825,366	2,831,425
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	15,530	15,530
150	ADMINISTRATION	17,761	17,761
160	SERVICEWIDE COMMUNICATIONS	14,256	14,256
170	MANPOWER MANAGEMENT	6,564	6,564
180	RECRUITING AND ADVERTISING	55,240	55,240
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	109,351	109,351
	UNDISTRIBUTED		
210	UNDISTRIBUTED		-10,100
	Historical unobligated balances		[-10,100]
	SUBTOTAL UNDISTRIBUTED		-10,100
	TOTAL OPERATION & MAINTENANCE, ARMY RES	2,934,717	2,930,676
	OPERATION & MAINTENANCE, ARNG OPERATING FORCES		
010	MANEUVER UNITS	769,449	769,449
020	MODULAR SUPPORT BRIGADES	204,604	204,604
030	ECHELONS ABOVE BRIGADE	812,072	812,072
040	THEATER LEVEL ASSETS	103,650	103,650
050	LAND FORCES OPERATIONS SUPPORT	32,485	32,485
060	AVIATION ASSETS	1,011,142	1,011,142
070	FORCE READINESS OPERATIONS SUPPORT	712,881	712,881
080	LAND FORCES SYSTEMS READINESS	47,732	47,732
090	LAND FORCES DEPOT MAINTENANCE	265,408	265,408
100	BASE OPERATIONS SUPPORT	1,106,704	1,106,704
110	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	876,032	892,254
	Program increase for additional facility requirements		[16,222]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS ...	1,050,257	1,050,257
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	7,998	7,998
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,756	7,756
	SUBTOTAL OPERATING FORCES	7,008,170	7,024,392
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	8,018	8,018
160	ADMINISTRATION	74,309	74,309

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
170	SERVICEWIDE COMMUNICATIONS	66,140	66,140
180	MANPOWER MANAGEMENT	9,087	9,087
190	OTHER PERSONNEL SUPPORT	251,714	251,714
200	REAL ESTATE MANAGEMENT	2,576	2,576
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	411,844	411,844
UNDISTRIBUTED			
220	UNDISTRIBUTED		-19,900
	Historical unobligated balances		[-19,900]
	SUBTOTAL UNDISTRIBUTED		-19,900
	TOTAL OPERATION & MAINTENANCE, ARNG	7,420,014	7,416,336
OPERATION & MAINTENANCE, NAVY OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	5,738,746	5,359,952
	Transfer to OCO		[-378,794]
020	FLEET AIR TRAINING	2,213,673	2,161,673
	Restoration of Congressional mark		[-52,000]
030	AVIATION TECHNICAL DATA & ENGINEERING SERV- ICES	57,144	57,144
040	AIR OPERATIONS AND SAFETY SUPPORT	171,949	171,949
050	AIR SYSTEMS SUPPORT	838,767	834,067
	Restoration of Congressional mark		[-4,700]
060	AIRCRAFT DEPOT MAINTENANCE	1,459,447	1,459,447
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	57,789	57,789
080	AVIATION LOGISTICS	1,264,665	1,234,430
	Restoration of Congressional mark		[-30,235]
090	MISSION AND OTHER SHIP OPERATIONS		-178,060
	Insufficient justification		[-195,000]
	Preservation of LCS 3 and LCS 4		[16,940]
100	SHIP OPERATIONS SUPPORT & TRAINING	1,117,067	1,110,267
	Restoration of Congressional mark		[-6,800]
110	SHIP DEPOT MAINTENANCE	7,859,104	8,530,664
	Preservation of LCS 3 and LCS 4		[21,560]
	Realignment from Procurement for Ship Depot Mainte- nance Pilot		[650,000]
120	SHIP DEPOT OPERATIONS SUPPORT	2,262,196	2,261,796
	Preservation of LCS 3 and LCS 4		[12,600]
	Restoration of Congressional mark		[-13,000]
125	SHIPYARD INFRASTRUCTURE OPTIMIZATION PLAN ... Realignment from Sustainment, Readiness, and Moderniza- tion		90,000
			[90,000]
130	COMBAT COMMUNICATIONS AND ELECTRONIC WAR- FARE	1,521,360	1,502,360
	Restoration of Congressional mark		[-19,000]
140	SPACE SYSTEMS AND SURVEILLANCE	274,087	274,087
150	WARFARE TACTICS	741,609	741,609
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	401,382	401,382
170	COMBAT SUPPORT FORCES	1,546,273	936,273
	Restoration of Congressional mark		[-60,000]
	Transfer to OCO		[-550,000]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	177,951	177,951
190	COMBATANT COMMANDERS CORE OPERATIONS	61,484	61,484
200	COMBATANT COMMANDERS DIRECT MISSION SUP- PORT	102,330	124,130
	Indo-Pacific Counter-Terrorism Information Facility		[2,000]
	Indo-Pacific Special Operations Joint Task Force		[6,300]
	INDOPACOM Mission Command and Control (MPE-C2) ...		[13,500]
210	MILITARY INFORMATION SUPPORT OPERATIONS	8,810	8,810
220	CYBERSPACE ACTIVITIES	567,496	567,496
230	FLEET BALLISTIC MISSILE	1,428,102	1,428,102
240	WEAPONS MAINTENANCE	995,762	950,762
	Restoration of Congressional mark		[-45,000]
250	OTHER WEAPON SYSTEMS SUPPORT	524,008	524,008
260	ENTERPRISE INFORMATION	1,229,056	1,184,056
	Program decrease		[-25,000]
	Restoration of Congressional mark		[-20,000]

1363

SEC. 4301. OPERATION AND MAINTENANCE			
(In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,453,099	3,427,045
	Program increase for additional facility requirements		[63,946]
	Realignment to Shipyard Infrastructure Optimization Plan		[-90,000]
280	BASE OPERATING SUPPORT	4,627,966	4,603,966
	Restoration of Congressional mark		[-24,000]
	SUBTOTAL OPERATING FORCES	40,701,322	40,064,639
	MOBILIZATION		
290	SHIP PREPOSITIONING AND SURGE	849,993	657,900
	Realignment to National Defense Sealift Fund		[-314,193]
	Restoration of Congressional mark		[-20,000]
	Strategic sealift (MSC surge) annual operating result loss ..		[57,000]
	Surge sealift readiness		[85,100]
300	READY RESERVE FORCE	436,029	376,029
	Acquisition and conversion of additional used vessels		[60,000]
	Realignment to National Defense Sealift Fund		[-120,000]
310	SHIP ACTIVATIONS/INACTIVATIONS	286,416	258,416
	Restoration of Congressional mark		[-28,000]
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	99,402	42,190
	Realignment to National Defense Sealift Fund		[-57,212]
330	COAST GUARD SUPPORT	25,235	25,235
	SUBTOTAL MOBILIZATION	1,697,075	1,359,770
	TRAINING AND RECRUITING		
340	OFFICER ACQUISITION	186,117	186,117
350	RECRUIT TRAINING	13,206	13,206
360	RESERVE OFFICERS TRAINING CORPS	163,683	163,683
370	SPECIALIZED SKILL TRAINING	947,841	930,641
	Restoration of Congressional mark		[-17,200]
380	PROFESSIONAL DEVELOPMENT EDUCATION	367,647	369,147
	Sea Cadets		[1,500]
390	TRAINING SUPPORT	254,928	254,928
400	RECRUITING AND ADVERTISING	206,305	206,305
410	OFF-DUTY AND VOLUNTARY EDUCATION	103,799	103,799
420	CIVILIAN EDUCATION AND TRAINING	66,060	66,060
430	JUNIOR ROTC	56,276	56,276
	SUBTOTAL TRAINING AND RECRUITING	2,365,862	2,350,162
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	1,249,410	1,186,410
	Program decrease		[-30,000]
	Restoration of Congressional mark		[-33,000]
450	CIVILIAN MANPOWER AND PERSONNEL MANAGE- MENT	189,625	189,625
460	MILITARY MANPOWER AND PERSONNEL MANAGE- MENT	499,904	499,904
470	MEDICAL ACTIVITIES	196,747	196,747
480	SERVICEWIDE TRANSPORTATION	165,708	160,614
	Unjustified funding for Dynamic Force Employment		[-5,094]
500	PLANNING, ENGINEERING, AND PROGRAM SUPPORT ..	519,716	519,716
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	751,184	690,564
	Transfer to DAWDF—reversal of DWR transfers		[-60,620]
520	INVESTIGATIVE AND SECURITY SERVICES	747,519	736,519
	Restoration of Congressional mark		[-11,000]
625	CLASSIFIED PROGRAMS	608,670	608,670
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,928,483	4,788,769
	UNDISTRIBUTED		
770	UNDISTRIBUTED		-71,900
	Foreign Currency adjustments		[-48,500]
	Historical unobligated balances		[-23,400]
	SUBTOTAL UNDISTRIBUTED		-71,900
	TOTAL OPERATION & MAINTENANCE, NAVY	49,692,742	48,491,440
	OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES		
010	OPERATIONAL FORCES	941,143	527,743
	Transfer to OCO		[-400,000]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
	Unjustified funding for Dynamic Force Employment		[-13,400]
020	FIELD LOGISTICS	1,277,798	1,277,798
030	DEPOT MAINTENANCE	206,907	206,907
040	MARITIME PREPOSITIONING	103,614	103,614
050	CYBERSPACE ACTIVITIES	215,974	215,974
060	SUSTAINMENT, RESTORATION & MODERNIZATION	938,063	955,434
	Program increase for additional facility requirements		[17,371]
070	BASE OPERATING SUPPORT	2,264,680	2,360,680
	Program increase		[96,000]
	SUBTOTAL OPERATING FORCES	5,948,179	5,648,150
TRAINING AND RECRUITING			
080	RECRUIT TRAINING	20,751	20,751
090	OFFICER ACQUISITION	1,193	1,193
100	SPECIALIZED SKILL TRAINING	110,149	110,149
110	PROFESSIONAL DEVELOPMENT EDUCATION	69,509	69,509
120	TRAINING SUPPORT	412,613	412,613
130	RECRUITING AND ADVERTISING	215,464	215,464
140	OFF-DUTY AND VOLUNTARY EDUCATION	33,719	33,719
150	JUNIOR ROTC	25,784	25,784
	SUBTOTAL TRAINING AND RECRUITING	889,182	889,182
ADMIN & SRVWD ACTIVITIES			
160	SERVICEWIDE TRANSPORTATION	32,005	32,005
170	ADMINISTRATION	399,363	399,363
215	CLASSIFIED PROGRAMS	59,878	59,878
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	491,246	491,246
UNDISTRIBUTED			
230	UNDISTRIBUTED		-19,700
	Foreign Currency adjustments		[-13,400]
	Historical unobligated balances		[-6,300]
	SUBTOTAL UNDISTRIBUTED		-19,700
	TOTAL OPERATION & MAINTENANCE, MA- RINE CORPS	7,328,607	7,008,878
OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	635,070	635,070
020	INTERMEDIATE MAINTENANCE	8,713	8,713
030	AIRCRAFT DEPOT MAINTENANCE	105,088	105,088
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	398	398
050	AVIATION LOGISTICS	27,284	27,284
070	COMBAT COMMUNICATIONS	17,894	17,894
080	COMBAT SUPPORT FORCES	132,862	132,862
090	CYBERSPACE ACTIVITIES	453	453
100	ENTERPRISE INFORMATION	26,073	26,073
110	SUSTAINMENT, RESTORATION AND MODERNIZATION	48,762	49,665
	Program increase for additional facility requirements		[903]
120	BASE OPERATING SUPPORT	103,580	103,580
	SUBTOTAL OPERATING FORCES	1,106,177	1,107,080
ADMIN & SRVWD ACTIVITIES			
130	ADMINISTRATION	1,927	1,927
140	MILITARY MANPOWER AND PERSONNEL MANAGE- MENT	15,895	15,895
150	ACQUISITION AND PROGRAM MANAGEMENT	3,047	3,047
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	20,869	20,869
UNDISTRIBUTED			
190	UNDISTRIBUTED		-3,800
	Historical unobligated balances		[-3,800]
	SUBTOTAL UNDISTRIBUTED		-3,800
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,127,046	1,124,149
OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES			

1365

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
010	OPERATING FORCES	104,616	104,616
020	DEPOT MAINTENANCE	17,053	17,053
030	SUSTAINMENT, RESTORATION AND MODERNIZATION Program increase for additional facility requirements	41,412	42,179 [767]
040	BASE OPERATING SUPPORT	107,773	107,773
	SUBTOTAL OPERATING FORCES	270,854	271,621
ADMIN & SRVWD ACTIVITIES			
050	ADMINISTRATION	13,802	13,802
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	13,802	13,802
UNDISTRIBUTED			
70	UNDISTRIBUTED		-700
	Historical unobligated balances		[-700]
	SUBTOTAL UNDISTRIBUTED		-700
TOTAL OPERATION & MAINTENANCE, MC RESERVE			
		284,656	284,723
OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES			
010	PRIMARY COMBAT FORCES	731,511	733,181
	A-10 retention		[1,670]
020	COMBAT ENHANCEMENT FORCES	1,275,485	1,275,485
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) A-10 retention	1,437,095	1,449,525 [12,430]
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE		154,260
	A-10 retention		[81,460]
	KC-135 and KC-10 aircraft retention		[72,800]
050	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	3,241,216	3,301,238
	Program increase for additional facility requirements		[60,022]
060	CYBERSPACE SUSTAINMENT	235,816	235,816
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT		
		1,508,342	1,508,342
080	FLYING HOUR PROGRAM	4,458,457	4,511,317
	A-10 retention		[52,860]
090	BASE SUPPORT	7,497,288	7,487,088
	Unjustified funding for Dynamic Force Employment		[-10,200]
100	GLOBAL C3I AND EARLY WARNING	849,842	849,842
110	OTHER COMBAT OPS SPT PROGRAMS	1,067,055	820,725
	Realignment from Base to OCO		[-246,330]
120	CYBERSPACE ACTIVITIES	698,579	693,579
	Program decrease		[-5,000]
150	SPACE CONTROL SYSTEMS	34,194	34,194
160	US NORTHCOM/NORAD	204,268	204,268
170	US STRATCOM	526,809	526,809
180	US CYBERCOM	314,524	314,524
190	US CENTCOM	186,116	186,116
200	US SOCOM	9,881	9,881
210	US TRANSCOM	1,046	1,046
230	USSPACECOM	249,022	249,022
235	CLASSIFIED PROGRAMS	1,289,339	1,289,339
	SUBTOTAL OPERATING FORCES	25,815,885	25,835,597
MOBILIZATION			
240	AIRLIFT OPERATIONS	1,350,031	1,110,031
	Realignment from Base to OCO		[-240,000]
250	MOBILIZATION PREPAREDNESS	647,168	647,168
	SUBTOTAL MOBILIZATION	1,997,199	1,757,199
TRAINING AND RECRUITING			
260	OFFICER ACQUISITION	142,548	142,548
270	RECRUIT TRAINING	25,720	25,720
280	RESERVE OFFICERS TRAINING CORPS (ROTC)	128,295	128,295
290	SPECIALIZED SKILL TRAINING	417,335	417,335
300	FLIGHT TRAINING	615,033	615,033
310	PROFESSIONAL DEVELOPMENT EDUCATION	298,795	298,795
320	TRAINING SUPPORT	85,844	85,844
330	RECRUITING AND ADVERTISING	155,065	155,065

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
340	EXAMINING	4,474	4,474
350	OFF-DUTY AND VOLUNTARY EDUCATION	219,349	219,349
360	CIVILIAN EDUCATION AND TRAINING	361,570	371,570
	Sustainment Workforce Development Program increase		[10,000]
370	JUNIOR ROTC	72,126	72,126
	SUBTOTAL TRAINING AND RECRUITING	2,526,154	2,536,154
	ADMIN & SRVWD ACTIVITIES		
380	LOGISTICS OPERATIONS	672,426	672,426
390	TECHNICAL SUPPORT ACTIVITIES	145,130	103,070
	Transfer to DAWDF—reversal of DWR transfers		[-42,060]
400	ADMINISTRATION	851,251	851,251
410	SERVICEWIDE COMMUNICATIONS	28,554	28,554
420	OTHER SERVICEWIDE ACTIVITIES	1,188,414	1,183,814
	Program Decrease		[-4,600]
430	CIVIL AIR PATROL	28,772	43,215
	Program increase		[14,443]
450	INTERNATIONAL SUPPORT	158,803	158,803
455	CLASSIFIED PROGRAMS	1,338,009	1,338,009
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,411,359	4,379,142
	UNDISTRIBUTED		
550	UNDISTRIBUTED		-72,700
	Foreign Currency adjustments		[-39,400]
	Historical unobligated balances		[-33,300]
	SUBTOTAL UNDISTRIBUTED		-72,700
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	34,750,597	34,435,392
	OPERATION & MAINTENANCE, SPACE FORCE OPERATING FORCES		
020	GLOBAL CGI & EARLY WARNING	276,109	276,109
030	SPACE LAUNCH OPERATIONS	177,056	177,056
040	SPACE OPERATIONS	475,338	475,338
050	EDUCATION & TRAINING	18,660	18,660
060	SPECIAL PROGRAMS	137,315	137,315
070	DEPOT MAINTENANCE	250,324	250,324
080	CONTRACTOR LOGISTICS & SYSTEM SUPPORT	1,063,969	1,060,969
	Program decrease		[-3,000]
	SUBTOTAL OPERATING FORCES	2,398,771	2,395,771
	ADMINISTRATION AND SERVICE WIDE ACTIVI- TIES		
090	ADMINISTRATION	132,523	132,523
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	132,523	132,523
	UNDISTRIBUTED		
110	UNDISTRIBUTED		-2,400
	Historical unobligated balances		[-2,400]
	SUBTOTAL UNDISTRIBUTED		-2,400
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	2,531,294	2,525,894
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,782,016	1,782,016
020	MISSION SUPPORT OPERATIONS	215,209	215,209
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	453,896	476,096
	KC-135 and KC-10 aircraft retention		[22,200]
040	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	103,414	105,329
	Program increase for additional facility requirements		[1,915]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	224,977	224,977
060	BASE SUPPORT	452,468	452,468
070	CYBERSPACE ACTIVITIES	2,259	2,259
	SUBTOTAL OPERATING FORCES	3,234,239	3,258,354

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
ADMINISTRATION AND SERVICEWIDE ACTIVITIES			
080	ADMINISTRATION	74,258	74,258
090	RECRUITING AND ADVERTISING	23,121	23,121
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	12,006	12,006
110	OTHER PERS SUPPORT (DISABILITY COMP)	6,165	6,165
120	AUDIOVISUAL	495	495
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	116,045	116,045
UNDISTRIBUTED			
130	UNDISTRIBUTED		-9,100
	Historical unobligated balances		[-9,100]
	SUBTOTAL UNDISTRIBUTED		-9,100
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	3,350,284	3,365,299
OPERATION & MAINTENANCE, ANG OPERATING FORCES			
010	AIRCRAFT OPERATIONS	2,476,205	2,476,205
020	MISSION SUPPORT OPERATIONS	611,325	611,325
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,138,919	1,153,919
	KC-135 aircraft retention		[15,000]
040	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	323,605	359,598
	Installation recovery		[30,000]
	Program increase for additional facility requirements		[5,993]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	1,100,828	1,100,828
060	BASE SUPPORT	962,438	962,438
070	CYBERSPACE SUSTAINMENT	27,028	27,028
080	CYBERSPACE ACTIVITIES	16,380	16,380
	SUBTOTAL OPERATING FORCES	6,656,728	6,707,721
ADMINISTRATION AND SERVICE-WIDE ACTIVITIES			
090	ADMINISTRATION	48,218	48,218
100	RECRUITING AND ADVERTISING	48,696	48,696
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	96,914	96,914
UNDISTRIBUTED			
110	UNDISTRIBUTED		-13,300
	Historical unobligated balances		[-13,300]
	SUBTOTAL UNDISTRIBUTED		-13,300
	TOTAL OPERATION & MAINTENANCE, ANG	6,753,642	6,791,335
OPERATION AND MAINTENANCE, DEFENSE- WIDE OPERATING FORCES			
010	JOINT CHIEFS OF STAFF	439,111	439,111
020	JOINT CHIEFS OF STAFF—CE2T2	535,728	535,728
030	JOINT CHIEFS OF STAFF—CYBER	24,728	24,728
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOP- MENT ACTIVITIES	1,069,971	1,069,971
050	SPECIAL OPERATIONS COMMAND CYBERSPACE AC- TIVITIES	9,800	9,800
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	561,907	556,907
	Unjustified growth		[-5,000]
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	685,097	680,097
	Program decrease		[-5,000]
080	SPECIAL OPERATIONS COMMAND MANAGEMENT/ OPERATIONAL HEADQUARTERS	158,971	158,971
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUP- PORT	1,062,748	1,062,748
100	SPECIAL OPERATIONS COMMAND THEATER FORCES ..	2,598,385	2,598,385
	SUBTOTAL OPERATING FORCES	7,146,446	7,136,446

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
TRAINING AND RECRUITING			
120	DEFENSE ACQUISITION UNIVERSITY	162,963	162,963
130	JOINT CHIEFS OF STAFF	95,684	95,684
140	PROFESSIONAL DEVELOPMENT EDUCATION	33,301	33,301
	SUBTOTAL TRAINING AND RECRUITING	291,948	291,948
ADMIN & SRVWIDE ACTIVITIES			
160	CIVIL MILITARY PROGRAMS	147,993	167,993
	Program increase—STARBASE		[20,000]
180	DEFENSE CONTRACT AUDIT AGENCY	604,835	636,565
	Restoration of DWR reductions		[31,730]
190	DEFENSE CONTRACT AUDIT AGENCY—CYBER	3,282	3,282
210	DEFENSE CONTRACT MANAGEMENT AGENCY	1,370,681	1,445,781
	Restoration of DWR reductions		[75,100]
220	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	22,532	22,532
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	949,008	949,008
250	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	9,577	9,577
260	DEFENSE HUMAN RESOURCES ACTIVITY	799,952	813,356
	Defense Flagship Language and Project Global Officer pro- gram increase		[13,404]
270	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	20,806	20,806
280	DEFENSE INFORMATION SYSTEMS AGENCY	1,883,190	1,871,590
	JRSS program decrease		[-11,600]
290	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER ..	582,639	582,639
330	DEFENSE LEGAL SERVICES AGENCY	37,637	37,637
340	DEFENSE LOGISTICS AGENCY	382,084	412,084
	Maternity Uniform Pilot Program		[10,000]
	Program increase—PTAP		[20,000]
350	DEFENSE MEDIA ACTIVITY	196,997	205,997
	Stars and Stripes		[9,000]
360	DEFENSE PERSONNEL ACCOUNTING AGENCY	129,225	129,225
370	DEFENSE SECURITY COOPERATION AGENCY	598,559	598,559
400	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION ..	38,432	38,432
410	DEFENSE THREAT REDUCTION AGENCY	591,780	591,780
430	DEFENSE THREAT REDUCTION AGENCY—CYBER	24,635	24,635
440	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,941,429	2,991,429
	Impact Aid		[40,000]
	Impact Aid for children with disabilities		[10,000]
450	MISSILE DEFENSE AGENCY	505,858	505,858
480	OFFICE OF ECONOMIC ADJUSTMENT	40,272	129,272
	Defense Community Infrastructure Program		[50,000]
	Guam Public Health Laboratory		[19,000]
	Restoration of DWR reduction		[20,000]
490	OFFICE OF THE SECRETARY OF DEFENSE	1,540,446	1,619,446
	Additional FTEs, Office of the Deputy Assistant Secretary for Environment		[2,000]
	Additional FTEs, Office of the Deputy Assistant Secretary for Facilities Management		[2,000]
	Basic needs allowance		[50,000]
	JASON scientific advisory group		[3,000]
	National Security Commission on Artificial Intelligence (NSCAI)		[2,500]
	Program decrease		[-15,500]
	Program increase—Readiness and Environmental Protec- tion Initiative		[25,000]
	Undersecretary of Defense for Intelligence and Security, medical intelligence improvements		[10,000]
500	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	51,630	51,630
510	SPACE DEVELOPMENT AGENCY	48,166	36,166
	Reduction for studies		[-7,000]
	Unjustified growth		[-5,000]
530	WASHINGTON HEADQUARTERS SERVICES	340,291	340,291
535	CLASSIFIED PROGRAMS	17,348,749	17,348,749
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES ...	31,210,685	31,584,319
UNDISTRIBUTED			
600	UNDISTRIBUTED		-88,000

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
	Foreign Currency adjustments		[-18,700]
	Historical unobligated balances		[-69,300]
	SUBTOTAL UNDISTRIBUTED		-88,000
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	38,649,079	38,924,713
	US COURT OF APPEALS FOR ARMED FORCES, DEF ADMINISTRATION AND ASSOCIATED ACTIVI- TIES		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	15,211	15,211
	SUBTOTAL ADMINISTRATION AND ASSOCI- ATED ACTIVITIES	15,211	15,211
	TOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF	15,211	15,211
	DOD ACQUISITION WORKFORCE DEVELOP- MENT FUND		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	58,181	198,501
	Transfer from services—reversal of DWR transfers		[140,320]
	SUBTOTAL ACQUISITION WORKFORCE DE- VELOPMENT	58,181	198,501
	TOTAL DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	58,181	198,501
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
	HUMANITARIAN ASSISTANCE		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	109,900	109,900
	SUBTOTAL HUMANITARIAN ASSISTANCE	109,900	109,900
	TOTAL OVERSEAS HUMANITARIAN, DIS- ASTER, AND CIVIC AID	109,900	109,900
	COOPERATIVE THREAT REDUCTION ACCOUNT		
	COOPERATIVE THREAT REDUCTION		
010	COOPERATIVE THREAT REDUCTION	238,490	373,690
	Restoration of funding		[135,200]
	SUBTOTAL COOPERATIVE THREAT REDUC- TION	238,490	373,690
	TOTAL COOPERATIVE THREAT REDUC- TION ACCOUNT	238,490	373,690
	ENVIRONMENTAL RESTORATION		
	DEPARTMENT OF THE ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	207,518	207,518
	SUBTOTAL DEPARTMENT OF THE ARMY	207,518	207,518
	DEPARTMENT OF THE NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	335,932	335,932
	SUBTOTAL DEPARTMENT OF THE NAVY	335,932	335,932
	DEPARTMENT OF THE AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	303,926	303,926
	SUBTOTAL DEPARTMENT OF THE AIR FORCE	303,926	303,926
	DEFENSE-WIDE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	9,105	9,105
	SUBTOTAL DEFENSE-WIDE	9,105	9,105
	DEFENSE-WIDE		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	216,587	266,587

1370

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
	Military Munitions Response Program		[50,000]
	SUBTOTAL DEFENSE-WIDE	216,587	266,587
	TOTAL ENVIRONMENTAL RESTORATION	1,073,068	1,123,068
	UNDISTRIBUTED		
010	UNDISTRIBUTED		-1,455,870
	Excessive standard price for fuel		[-1,455,870]
	SUBTOTAL UNDISTRIBUTED		-1,455,870
	TOTAL UNDISTRIBUTED		-1,455,870
	TOTAL OPERATION & MAINTENANCE	196,630,496	193,853,071

1 SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS

2 CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY OPERATING FORCES		
010	MANEUVER UNITS	4,114,001	3,789,001
	Drawdown from Operation Freedom's Sentinel		[-75,000]
	Unjustified funding for Dynamic Force Employment		[-250,000]
030	ECHELONS ABOVE BRIGADE	32,811	32,811
040	THEATER LEVEL ASSETS	2,542,760	2,102,760
	Drawdown from Operation Freedom's Sentinel		[-440,000]
050	LAND FORCES OPERATIONS SUPPORT	162,557	122,557
	Drawdown from Operation Freedom's Sentinel		[-40,000]
060	AVIATION ASSETS	204,396	179,572
	Drawdown from Operation Freedom's Sentinel		[-24,824]
070	FORCE READINESS OPERATIONS SUPPORT	5,716,734	4,716,734
	Drawdown from Operation Freedom's Sentinel		[-1,000,000]
080	LAND FORCES SYSTEMS READINESS	180,048	140,048
	Drawdown from Operation Freedom's Sentinel		[-40,000]
090	LAND FORCES DEPOT MAINTENANCE	81,125	81,125
100	BASE OPERATIONS SUPPORT	219,029	219,029
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	301,017	301,017
130	ADDITIONAL ACTIVITIES	966,649	782,649
	Drawdown from Operation Freedom's Sentinel		[-184,000]
140	COMMANDER'S EMERGENCY RESPONSE PROGRAM	2,500	2,500
150	RESET	403,796	803,796
	Retrograde from Operation Freedom's Sentinel		[400,000]
160	US AFRICA COMMAND	100,422	100,422
170	US EUROPEAN COMMAND	120,043	120,043
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	98,461	98,461
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	21,256	21,256
	SUBTOTAL OPERATING FORCES	15,267,605	13,613,781
	MOBILIZATION		
230	ARMY PREPOSITIONED STOCKS	103,052	103,052
	SUBTOTAL MOBILIZATION	103,052	103,052
	TRAINING AND RECRUITING		
290	SPECIALIZED SKILL TRAINING	89,943	89,943
320	TRAINING SUPPORT	2,550	2,550
	SUBTOTAL TRAINING AND RECRUITING	92,493	92,493
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	521,090	821,090
	Retrograde from Operation Freedom's Sentinel		[300,000]
400	CENTRAL SUPPLY ACTIVITIES	43,897	43,897
410	LOGISTIC SUPPORT ACTIVITIES	68,423	68,423

1371

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
420	AMMUNITION MANAGEMENT	29,162	29,162
440	SERVICEWIDE COMMUNICATIONS	11,447	11,447
470	OTHER SERVICE SUPPORT	5,839	5,839
490	REAL ESTATE MANAGEMENT	48,782	48,782
510	INTERNATIONAL MILITARY HEADQUARTERS	50,000	50,000
565	CLASSIFIED PROGRAMS	895,964	895,964
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	1,674,604	1,974,604
	TOTAL OPERATION & MAINTENANCE, ARMY	17,137,754	15,783,930
	OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES		
020	ECHELONS ABOVE BRIGADE	17,193	17,193
060	FORCE READINESS OPERATIONS SUPPORT	440	440
090	BASE OPERATIONS SUPPORT	15,766	15,766
	SUBTOTAL OPERATING FORCES	33,399	33,399
	TOTAL OPERATION & MAINTENANCE, ARMY RES	33,399	33,399
	OPERATION & MAINTENANCE, ARNG OPERATING FORCES		
010	MANEUVER UNITS	25,746	25,746
020	MODULAR SUPPORT BRIGADES	40	40
030	ECHELONS ABOVE BRIGADE	983	983
040	THEATER LEVEL ASSETS	22	22
060	AVLIATION ASSETS	20,624	20,624
070	FORCE READINESS OPERATIONS SUPPORT	7,914	7,914
100	BASE OPERATIONS SUPPORT	24,417	24,417
	SUBTOTAL OPERATING FORCES	79,746	79,746
	ADMIN & SRVWD ACTIVITIES		
170	SERVICEWIDE COMMUNICATIONS	46	46
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	46	46
	TOTAL OPERATION & MAINTENANCE, ARNG	79,792	79,792
	AFGHANISTAN SECURITY FORCES FUND AFGHAN NATIONAL ARMY		
010	SUSTAINMENT	1,065,932	1,065,932
020	INFRASTRUCTURE	64,501	64,501
030	EQUIPMENT AND TRANSPORTATION	47,854	47,854
040	TRAINING AND OPERATIONS	56,780	56,780
	SUBTOTAL AFGHAN NATIONAL ARMY	1,235,067	1,235,067
	AFGHAN NATIONAL POLICE		
050	SUSTAINMENT	434,500	434,500
060	INFRASTRUCTURE	448	448
070	EQUIPMENT AND TRANSPORTATION	108,231	108,231
080	TRAINING AND OPERATIONS	58,993	58,993
	SUBTOTAL AFGHAN NATIONAL POLICE	602,172	602,172
	AFGHAN AIR FORCE		
090	SUSTAINMENT	534,102	534,102
100	INFRASTRUCTURE	9,532	9,532
110	EQUIPMENT AND TRANSPORTATION	58,487	58,487
120	TRAINING AND OPERATIONS	233,803	233,803
	SUBTOTAL AFGHAN AIR FORCE	835,924	835,924
	AFGHAN SPECIAL SECURITY FORCES UNDISTRIBUTED		
130	SUSTAINMENT	680,024	680,024
140	INFRASTRUCTURE	2,532	2,532
150	EQUIPMENT AND TRANSPORTATION	486,808	486,808
160	TRAINING AND OPERATIONS	173,085	173,085
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	1,342,449	1,342,449
170	UNDISTRIBUTED		-500,000
	Insufficient justification		[-500,000]
	SUBTOTAL UNDISTRIBUTED		-500,000

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS			
(In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
	TOTAL AFGHANISTAN SECURITY FORCES FUND	4,015,612	3,515,612
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	645,000	500,000
	Program decrease		[−145,000]
020	SYRIA	200,000	200,000
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	845,000	700,000
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	845,000	700,000
	OPERATION & MAINTENANCE, NAVY OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	382,062	760,856
	Transfer from base		[378,794]
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	832	832
040	AIR OPERATIONS AND SAFETY SUPPORT	17,840	17,840
050	AIR SYSTEMS SUPPORT	210,692	210,692
060	AIRCRAFT DEPOT MAINTENANCE	170,580	170,580
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	5,854	5,854
080	AVIATION LOGISTICS	33,707	33,707
090	MISSION AND OTHER SHIP OPERATIONS	5,817,696	5,817,696
100	SHIP OPERATIONS SUPPORT & TRAINING	20,741	20,741
110	SHIP DEPOT MAINTENANCE	2,072,470	2,072,470
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	59,254	59,254
140	SPACE SYSTEMS AND SURVEILLANCE	18,000	18,000
150	WARFARE TACTICS	17,324	17,324
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	22,581	22,581
170	COMBAT SUPPORT FORCES	772,441	1,322,441
	Transfer from base		[550,000]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	5,788	5,788
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	24,800	24,800
220	CYBERSPACE ACTIVITIES	369	369
240	WEAPONS MAINTENANCE	567,247	567,247
250	OTHER WEAPON SYSTEMS SUPPORT	12,571	12,571
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	70,041	70,041
280	BASE OPERATING SUPPORT	218,792	218,792
	SUBTOTAL OPERATING FORCES	10,521,682	11,450,476
	MOBILIZATION		
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	22,589	22,589
	SUBTOTAL MOBILIZATION	22,589	22,589
	TRAINING AND RECRUITING		
370	SPECIALIZED SKILL TRAINING	53,204	53,204
	SUBTOTAL TRAINING AND RECRUITING	53,204	53,204
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	9,983	9,983
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	7,805	7,805
480	SERVICEWIDE TRANSPORTATION	72,097	72,097
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	11,354	11,354
520	INVESTIGATIVE AND SECURITY SERVICES	1,591	1,591
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	102,830	102,830
	TOTAL OPERATION & MAINTENANCE, NAVY	10,700,305	11,629,099
	OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES		
010	OPERATIONAL FORCES	727,989	1,127,989
	Transfer from base		[400,000]
020	FIELD LOGISTICS	195,001	195,001
030	DEPOT MAINTENANCE	55,183	55,183
050	CYBERSPACE ACTIVITIES	10,000	10,000
070	BASE OPERATING SUPPORT	24,569	24,569
	SUBTOTAL OPERATING FORCES	1,012,742	1,412,742

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
TRAINING AND RECRUITING			
120	TRAINING SUPPORT	28,458	28,458
	SUBTOTAL TRAINING AND RECRUITING	28,458	28,458
ADMIN & SRVWD ACTIVITIES			
160	SERVICEWIDE TRANSPORTATION	61,400	61,400
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	61,400	61,400
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	1,102,600	1,502,600
OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES			
020	INTERMEDIATE MAINTENANCE	522	522
030	AIRCRAFT DEPOT MAINTENANCE	11,861	11,861
080	COMBAT SUPPORT FORCES	9,109	9,109
	SUBTOTAL OPERATING FORCES	21,492	21,492
	TOTAL OPERATION & MAINTENANCE, NAVY RES	21,492	21,492
OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES			
010	OPERATING FORCES	7,627	7,627
040	BASE OPERATING SUPPORT	1,080	1,080
	SUBTOTAL OPERATING FORCES	8,707	8,707
	TOTAL OPERATION & MAINTENANCE, MC RE- SERVE	8,707	8,707
OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES			
010	PRIMARY COMBAT FORCES	125,551	125,551
020	COMBAT ENHANCEMENT FORCES	916,538	978,538
	MQ-9 government owned-contractor operated combat line oper- ations in U.S. Central Command		[62,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	93,970	93,970
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	3,528,059	3,528,059
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	147,264	147,264
060	CYBERSPACE SUSTAINMENT	10,842	10,842
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	7,187,100	7,187,100
080	FLYING HOUR PROGRAM	2,031,548	2,031,548
090	BASE SUPPORT	1,540,444	1,478,444
	Program decrease		[-62,000]
100	GLOBAL C3I AND EARLY WARNING	13,709	13,709
110	OTHER COMBAT OPS SPT PROGRAMS	345,800	592,130
	Realignment from Base to OCO		[246,330]
120	CYBERSPACE ACTIVITIES	17,936	17,936
130	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	36,820	36,820
140	LAUNCH FACILITIES	70	70
150	SPACE CONTROL SYSTEMS	1,450	1,450
160	US NORTHCOM/NORAD	725	725
170	US STRATCOM	856	856
180	US CYBERCOM	35,189	35,189
190	US CENTCOM	126,934	126,934
	SUBTOTAL OPERATING FORCES	16,160,805	16,407,135
MOBILIZATION			
240	AIRLIFT OPERATIONS	1,271,439	1,511,439
	Realignment from Base to OCO		[240,000]
250	MOBILIZATION PREPAREDNESS	120,866	120,866
	SUBTOTAL MOBILIZATION	1,392,305	1,632,305
TRAINING AND RECRUITING			
260	OFFICER ACQUISITION	200	200
270	RECRUIT TRAINING	352	352
290	SPECIALIZED SKILL TRAINING	27,010	27,010
300	FLIGHT TRAINING	844	844
310	PROFESSIONAL DEVELOPMENT EDUCATION	1,199	1,199

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS			
(In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
320	TRAINING SUPPORT	1,320	1,320
	SUBTOTAL TRAINING AND RECRUITING	30,925	30,925
	ADMIN & SRVWD ACTIVITIES		
380	LOGISTICS OPERATIONS	164,701	164,701
390	TECHNICAL SUPPORT ACTIVITIES	11,782	11,782
400	ADMINISTRATION	3,886	3,886
410	SERVICEWIDE COMMUNICATIONS	355	355
420	OTHER SERVICEWIDE ACTIVITIES	100,831	100,831
450	INTERNATIONAL SUPPORT	29,928	29,928
455	CLASSIFIED PROGRAMS	34,502	34,502
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	345,985	345,985
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	17,930,020	18,416,350
	OPERATION & MAINTENANCE, SPACE FORCE OPERATING FORCES		
020	GLOBAL C3I & EARLY WARNING	227	227
030	SPACE LAUNCH OPERATIONS	321	321
040	SPACE OPERATIONS	15,135	15,135
070	DEPOT MAINTENANCE	18,268	18,268
080	CONTRACTOR LOGISTICS & SYSTEM SUPPORT	43,164	43,164
	SUBTOTAL OPERATING FORCES	77,115	77,115
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	77,115	77,115
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	24,408	24,408
060	BASE SUPPORT	5,682	5,682
	SUBTOTAL OPERATING FORCES	30,090	30,090
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	30,090	30,090
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,739	3,739
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	61,862	61,862
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	97,108	97,108
060	BASE SUPPORT	12,933	12,933
	SUBTOTAL OPERATING FORCES	175,642	175,642
	TOTAL OPERATION & MAINTENANCE, ANG	175,642	175,642
	OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	3,799	3,799
020	JOINT CHIEFS OF STAFF—CE2T2	6,634	6,634
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	898,024	893,024
	Maritime Support Vessel		[-5,000]
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,244,553	1,214,553
	Program decrease		[-30,000]
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	354,951	354,951
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT ..	104,535	104,535
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	757,744	732,744
	Unjustified growth		[-25,000]
	SUBTOTAL OPERATING FORCES	3,370,240	3,310,240
	ADMIN & SRVWIDE ACTIVITIES		
180	DEFENSE CONTRACT AUDIT AGENCY	1,247	1,247
210	DEFENSE CONTRACT MANAGEMENT AGENCY	21,723	21,723
280	DEFENSE INFORMATION SYSTEMS AGENCY	56,256	56,256
290	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	3,524	3,524
330	DEFENSE LEGAL SERVICES AGENCY	156,373	156,373
350	DEFENSE MEDIA ACTIVITY	3,555	9,555
	Stars and Stripes		[6,000]

1375

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2021 Request	House Authorized
370	DEFENSE SECURITY COOPERATION AGENCY	1,557,763	1,337,763
	Program increase—security cooperation		[30,000]
	Transfer to Ukraine Security Assistance		[-250,000]
410	DEFENSE THREAT REDUCTION AGENCY	297,486	297,486
490	OFFICE OF THE SECRETARY OF DEFENSE	16,984	16,984
530	WASHINGTON HEADQUARTERS SERVICES	1,997	1,997
535	CLASSIFIED PROGRAMS	535,106	535,106
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	2,652,014	2,438,014
	TOTAL OPERATION AND MAINTENANCE, DE- FENSE-WIDE	6,022,254	5,748,254
	UKRAINE SECURITY ASSISTANCE		
	UKRAINE SECURITY ASSISTANCE		
010	UKRAINE SECURITY ASSISTANCE INITIATIVE		250,000
	Transfer from Defense Security Cooperation Agency		[250,000]
	SUBTOTAL UKRAINE SECURITY ASSISTANCE		250,000
	TOTAL UKRAINE SECURITY ASSISTANCE		250,000
	TOTAL OPERATION & MAINTENANCE	58,179,782	57,972,082

1 **TITLE XLIV—MILITARY**
2 **PERSONNEL**

3 **SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)			
	Item	FY 2021 Request	House Authorized
	Military Personnel Appropriations	150,524,104	149,384,304
	Historical unobligated balances		-924,000
	Foreign Currency adjustments		-169,800
	Standardization of payment of hazardous duty in- centive pay		50,000
	Program decrease—Marine Corps		-96,000
	Medicare-Eligible Retiree Health Fund Contribu- tions	8,372,741	8,372,741

4 **SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTIN-**
5 **GENCY OPERATIONS.**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
	Item	FY 2021 Request	House Authorized
	Military Personnel Appropriations	4,602,593	4,602,593

1376

1 **TITLE XLV—OTHER**
 2 **AUTHORIZATIONS**

3 **SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)		
Item	FY 2021 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
ARMY ARSENALS INITIATIVE	32,551	32,551
ARMY SUPPLY MANAGEMENT	24,166	24,166
TOTAL WORKING CAPITAL FUND, ARMY	56,717	56,717
WORKING CAPITAL FUND, AIR FORCE		
WORKING CAPITAL FUND		
WORKING CAPITAL FUND	95,712	95,712
TOTAL WORKING CAPITAL FUND, AIR FORCE	95,712	95,712
WORKING CAPITAL FUND, DEFENSE-WIDE		
WORKING CAPITAL FUND SUPPORT		
WORKING CAPITAL FUND SUPPORT	49,821	49,821
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	49,821	49,821
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND SUPPORT	1,146,660	1,146,660
TOTAL WORKING CAPITAL FUND, DECA	1,146,660	1,146,660
NATIONAL DEFENSE SEALIFT FUND		
SEALIFT RECAPITALIZATION		170,000
Accelerate design of a commercial-based sealift ship		[50,000]
Transfer from OMN-300 for acquisition of four used sealift vessels		[120,000]
SHIP PREPOSITIONING AND SURGE		314,193
Transfer from OMN-290		[314,193]
EXPEDITIONARY HEALTH SERVICES		57,212
Transfer from OMN-320		[57,212]
TOTAL NATIONAL DEFENSE SEALIFT FUND		541,405
CHEM AGENTS & MUNITIONS DESTRUCTION		
CHEM DEMILITARIZATION—O&M	106,691	101,691
Program decrease		[-5,000]
CHEM DEMILITARIZATION—RDT&E	782,193	774,193
Program decrease		[-8,000]
CHEM DEMILITARIZATION—PROC	616	616
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	889,500	876,500
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
COUNTER-NARCOTICS SUPPORT	546,203	546,203
DRUG DEMAND REDUCTION PROGRAM	123,704	123,704
NATIONAL GUARD COUNTER-DRUG PROGRAM	94,211	94,211
NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,511	5,511
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	769,629	769,629
OFFICE OF THE INSPECTOR GENERAL		
OFFICE OF THE INSPECTOR GENERAL	368,279	384,536
Additional oversight of coronavirus relief		[16,257]
OFFICE OF THE INSPECTOR GENERAL—CYBER		

1377

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)		
Item	FY 2021 Request	House Authorized
OFFICE OF THE INSPECTOR GENERAL—CYBER	1,204	1,204
OFFICE OF THE INSPECTOR GENERAL—RDTE	1,098	1,098
OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT	858	858
TOTAL OFFICE OF THE INSPECTOR GENERAL	371,439	387,696
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	9,560,564	9,565,564
Program decrease		[-31,000]
Reverse DWR savings from downsizing MTFs		[36,000]
PRIVATE SECTOR CARE	15,841,887	15,841,887
CONSOLIDATED HEALTH SUPPORT	1,338,269	1,348,269
Global Emerging Infectious Surveillance Program		[10,000]
INFORMATION MANAGEMENT	2,039,910	2,039,910
MANAGEMENT ACTIVITIES	330,627	330,627
EDUCATION AND TRAINING	315,691	341,691
Health Professions Scholarship Program		[10,000]
Restoring funding for Tri-Service Nursing Research Program within USUHS		[6,000]
Reverse DWR cuts to USUHS		[10,000]
BASE OPERATIONS/COMMUNICATIONS	1,922,605	1,927,605
Medical Surge Partnership Pilot		[5,000]
R&D RESEARCH	8,913	8,913
R&D EXPLORATORY DEVELOPMENT	73,984	73,984
R&D ADVANCED DEVELOPMENT	225,602	225,602
R&D DEMONSTRATION/VALIDATION	132,331	132,331
R&D ENGINEERING DEVELOPMENT	55,748	70,748
Freeze-dried platelets		[15,000]
R&D MANAGEMENT AND SUPPORT	48,672	48,672
R&D CAPABILITIES ENHANCEMENT	17,215	17,215
PROC INITIAL OUTFITTING	22,932	22,932
PROC REPLACEMENT & MODERNIZATION	215,618	215,618
PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	70,872	70,872
PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	308,504	308,504
SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	160,428	160,428
UNDISTRIBUTED		-9,800
Foreign Currency adjustments		[-9,800]
TOTAL DEFENSE HEALTH PROGRAM	32,690,372	32,741,572
TOTAL OTHER AUTHORIZATIONS	36,069,850	36,665,712

1 **SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-**
2 **TINGENCY OPERATIONS.**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)		
Item	FY 2021 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
ARMY ARSENALS INITIATIVE		
ARMY SUPPLY MANAGEMENT	20,090	20,090
TOTAL WORKING CAPITAL FUND, ARMY	20,090	20,090
OFFICE OF THE INSPECTOR GENERAL		

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2021 Request	House Authorized
OFFICE OF THE INSPECTOR GENERAL	24,069	24,069
TOTAL OFFICE OF THE INSPECTOR GENERAL	24,069	24,069
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	65,072	65,072
PRIVATE SECTOR CARE	296,828	296,828
CONSOLIDATED HEALTH SUPPORT	3,198	3,198
TOTAL DEFENSE HEALTH PROGRAM	365,098	365,098
TOTAL OTHER AUTHORIZATIONS	409,257	409,257

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 2021 Request	House Agreement
	Alaska			
Army	Fort Wainwright	Child Development Center	0	32,500
Army	Fort Wainwright	Unaccompanied Enlisted Personnel Housing	0	59,000
	Arizona			
Army	Yuma Proving Ground	Ready Building	14,000	14,000
	Colorado			
Army	Fort Carson, Colorado	Physical Fitness Facility	28,000	28,000
	Georgia			
Army	Fort Gillem	Forensic Laboratory	71,000	71,000
Army	Fort Gordon	Adv Individual Training Barracks Cplx, Ph3	80,000	80,000
	Hawaii			
Army	Fort Shafter	Child Development Center—School Age	0	26,000
Army	Schofield Barracks	Child Development Center	0	39,000
Army	Wheeler Army Air Field	Aircraft Maintenance Hangar	89,000	89,000
	Louisiana			
Army	Fort Polk, Louisiana	Information Systems Facility	25,000	25,000
	Oklahoma			
Army	McAlester AAP	Ammunition Demolition Shop	35,000	35,000
	Pennsylvania			
Army	Carlisle Barracks	General Instruction Building, Iner2	38,000	0
	South Carolina			
Army	Fort Jackson	Trainee Barracks Complex 3, Ph2	0	7,000
	Virginia			
Army	Humphreys Engineer Center	Training Support Facility	51,000	51,000
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Host Nation Support	39,000	39,000
Army	Unspecified Worldwide Locations	Planning and Design	129,436	69,436
Army	Unspecified Worldwide Locations	Unspecified Minor Construction	50,900	50,900
	Military Construction, Army Total		650,336	715,836
	Arizona			
Navy	Yuma	Bachelor Enlisted Quarters Replacement	0	59,600
	Bahrain Island			
Navy	SW Asia	Ship to Shore Utility Services	68,340	68,340
	California			
Navy	Camp Pendleton, Cali- fornia	1st MARDIV Operations Complex	68,530	68,530
Navy	Camp Pendleton, Cali- fornia	I MEF Consolidated Information Center (Ine)	37,000	37,000
Navy	Lemoore	F-35C Hangar 6 Phase 2 (Mod 3/4)	128,070	98,070
Navy	Lemoore	F-35C Simulator Facility & Electrical Upgrade ...	59,150	59,150
Navy	San Diego	Pier 6 Replacement	128,500	98,500

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
Navy	Twentynine Palms, California	Wastewater Treatment Plant	76,500	76,500
	Greece			
Navy	Souda Bay	Communication Center	50,180	50,180
	Guam			
Navy	Andersen AFB	Ordnance Operations Admin	21,280	21,280
Navy	Joint Region Marianas	Bachelor Enlisted Quarters H (Inc)	80,000	0
Navy	Joint Region Marianas	Base Warehouse	55,410	55,410
Navy	Joint Region Marianas	Central Fuel Station	35,950	35,950
Navy	Joint Region Marianas	Central Issue Facility	45,290	45,290
Navy	Joint Region Marianas	Combined EOD Facility	37,600	37,600
Navy	Joint Region Marianas	DAR Bridge Improvements	40,180	40,180
Navy	Joint Region Marianas	DAR Road Strengthening	70,760	70,760
Navy	Joint Region Marianas	Distribution Warehouse	77,930	77,930
Navy	Joint Region Marianas	Individual Combat Skills Training	17,430	17,430
Navy	Joint Region Marianas	Joint Communication Upgrade	166,000	22,000
	Hawaii			
Navy	Joint Base Pearl Harbor-Hickam	Waterfront Improve, Wharves S1,S11-13,S20-21	48,990	48,990
Navy	Joint Base Pearl Harbor-Hickam	Waterfront Improvements Wharves S8-S10	65,910	65,910
	Japan			
Navy	Yokosuka	Pier 5 (Berths 2 and 3) (Inc)	74,692	0
	Maine			
Navy	Kittery	Multi-Mission Drydock #1 Exten., Ph 1 (Inc)	160,000	160,000
	Nevada			
Navy	Fallon	Range Training Complex, Phase 1	29,040	29,040
	North Carolina			
Navy	Camp Lejeune, North Carolina	II MEF Operations Center Replacement (Inc)	20,000	20,000
	Spain			
Navy	Rota	MH-60r Squadron Support Facilities	60,110	60,110
	Virginia			
Navy	Norfolk	E-2D Training Facility	30,400	30,400
Navy	Norfolk	MH60 & CMV-22B Corrosion Control & Paint Fac.	17,671	17,671
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning & Design	165,710	160,710
Navy	Unspecified Worldwide Locations	Planning & Design—Indo-Pacific Command Posture Initiatives.	0	5,000
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	38,983	38,983
	Military Construction, Navy Total		1,975,606	1,676,514
	California			
AF	Edwards AFB	Flight Test Engineering Laboratory Complex	0	40,000
	Colorado			
AF	Schriever AFB	Consolidated Space Operations Facility, Inc 2	88,000	88,000
	Florida			
AF	Eglin	Advanced Munitions Technology Complex	0	35,000
	Guam			
AF	Joint Region Marianas	Stand Off Weapons Complex, MSA 2	56,000	56,000
	Illinois			
AF	Scott	Add/Alter Consolidated Communications Facility	0	3,000
	Mariana Islands			
AF	Tinian	Airfield Development Phase 1, Inc 2	20,000	0
AF	Tinian	Fuel Tanks With Pipeline & Hydrant Sys, Inc 2	7,000	0
AF	Tinian	Parking Apron, Inc 2	15,000	0
	Maryland			
AF	Joint Base Andrews	Consolidated Communications Center	0	13,000
	Montana			
AF	Malmstrom AFB	Weapons Storage & Maintenance Facility, Inc 2	25,000	0
	New Jersey			
AF	Joint Base McGuire-Dix-Lakehurst	Munitions Storage Area	22,000	22,000
	Qatar			
AF	Al Udeid, Qatar	Cargo Marshalling Yard	26,000	26,000
	Texas			
AF	Joint Base San Antonio	BMT Recruit Dormitory 8, Inc 2	36,000	36,000
AF	Joint Base San Antonio	T-X ADAL Ground Based Trng Sys Sim	19,500	19,500
	Utah			
AF	Hill AFB	GBSD Mission Integration Facility, Inc 2	68,000	68,000
	Virginia			
AF	Joint Base Langley-Eustis	Access Control Point Main Gate With Land Acq	19,500	19,500

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	Planning & Design	296,532	149,649
AF	Unspecified Worldwide Locations	Planning & Design—Indo-Pacific Command Posture Initiatives.	0	5,000
AF	Unspecified Worldwide Locations	Unspecified Minor Construction	68,600	68,600
	Wyoming			
AF	FE Warren	Weapons Storage Facility	0	12,000
	Military Construction, Air Force Total		767,132	661,249
	Alabama			
Def-Wide	Anniston Army Depot	Demilitarization Facility	18,000	18,000
Def-Wide	Fort Rucker	Construct 10mw Generation & Microgrid	0	24,000
	Alaska			
Def-Wide	Fort Greely	Communications Center	48,000	48,000
	Arizona			
Def-Wide	Fort Huachuca	Laboratory Building	33,728	33,728
Def-Wide	Yuma	SOF Hangar	49,500	49,500
	Arkansas			
Def-Wide	Fort Smith ANG	PV Arrays and Battery Storage	0	2,600
	California			
Def-Wide	Beale AFB	Bulk Fuel Tank	22,800	22,800
Def-Wide	Marine Corps Air Combat Center / Twenty Nine Palms	Install 10 Mw Battery Energy Storage for Various Buildings.	11,646	11,646
Def-Wide	Military Ocean Terminal	Military Ocea Terminal Concord Microgrid	29,000	29,000
Def-Wide	NAWS China Lake	Solar Energy Storage System	0	8,950
Def-Wide	NSA Monterey	Cogeneration Plant at B236	10,540	10,540
	Colorado			
Def-Wide	Fort Carson, Colorado	SOF Tactical Equipment Maintenance Facility	15,600	15,600
	Conus Unspecified			
Def-Wide	Conus Unspecified	Training Target Structure	14,400	14,400
	District of Columbia			
Def-Wide	Joint Base Anacostia Bolling	Industrial Controls System Modernization	0	8,749
Def-Wide	Joint Base Anacostia Bolling	Industrial Controls System Modernization	10,343	10,343
Def-Wide	Joint Base Anacostia Bolling	PV Carports	0	25,221
	Florida			
Def-Wide	Hurlburt Field	SOF Combat Aircraft Parking Apron-North	38,310	38,310
Def-Wide	Hurlburt Field	SOF Special Tactics Ops Facility (23 STS)	44,810	44,810
	Georgia			
Def-Wide	Fort Benning	Construct 4.8mw Generation & Microgrid	0	17,000
	Germany			
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Inc 9	200,000	200,000
	Italy			
Def-Wide	NSA Naples	Smart Grid—NSA Naples	3,490	3,490
	Japan			
Def-Wide	Def Fuel Support Point Tsurumi	Fuel Wharf	49,500	49,500
Def-Wide	Yokosuka	Kinnick High School Inc	30,000	0
	Kentucky			
Def-Wide	Fort Knox	Van Voorhis Elementary School	69,310	69,310
	Maryland			
Def-Wide	Bethesda Naval Hospital	MEDCEN Addition/Alteration Iner 4	180,000	100,000
Def-Wide	Fort Meade	NSAW Recapitalize Building #3 Inc	250,000	250,000
Def-Wide	NSA Bethesda	Nsab-16 Replace Chillers 3 Through 9	0	13,840
Def-Wide	NSA South Potomac	CBIRF/IHEODTPD/Housing Potable Water	18,460	18,460
	Missouri			
Def-Wide	Fort Leonard Wood	Hospital Replacement Inc 3	40,000	40,000
Def-Wide	St Louis	Next NGA West (N2W) Complex Phase 2 Inc	119,000	119,000
Def-Wide	Whiteman AFB	Install 10 Mw Combined Heat and Power Plant	17,310	17,310
	Nevada			
Def-Wide	Creech AFB	Central Standby Generators	32,000	32,000
	New Mexico			
Def-Wide	Kirtland AFB	Administrative Building	46,600	46,600
	North Carolina			
Def-Wide	Fort Bragg	SOF Group Headquarters	53,100	53,100
Def-Wide	Fort Bragg	SOF Military Working Dog Facility	17,700	17,700
Def-Wide	Fort Bragg	SOF Operations Facility	43,000	43,000
Def-Wide	Fort Bragg	SOTF Chilled Water Upgrade	0	6,100
	Ohio			

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)						
Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement		
Def-Wide	Wright-Patterson AFB	Construct Intelligence Facility Central Utility Plant.	0	35,000		
Def-Wide	Wright-Patterson AFB	Hydrant Fuel System	23,500	23,500		
Def-Wide	Tennessee Memphis ANG	PV Arrays and Battery Storage	0	4,780		
Def-Wide	Texas Fort Hood, Texas	Fuel Facilities	32,700	32,700		
Def-Wide	Virginia Joint Expeditionary Base Little Creek— Story	SOF Des Operations Fac. and Command Center ...	54,500	54,500		
Def-Wide	Joint Expeditionary Base Little Creek— Story	SOF NSWG-2 Nswtg Css Facilities	58,000	58,000		
Def-Wide	Nmc Portsmouth / Portsmouth	Retrofit Air Handling Units From Constant Volume Reheat to Variable Air Volume.	611	611		
Def-Wide	Wallops Island	Wallops Generation and Distribution Resiliency Improvements.	9,100	9,100		
	Washington					
Def-Wide	Joint Base Lewis-McChord	Fuel Facilities (Lewis Main)	10,900	10,900		
Def-Wide	Joint Base Lewis-McChord	Fuel Facilities (Lewis North)	10,900	10,900		
Def-Wide	Manchester	Bulk Fuel Storage Tanks Phase 1	82,000	82,000		
	Worldwide Unspecified					
Def-Wide	Unspecified Worldwide Locations	ERCIP Design	14,250	24,250		
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	5,840	5,840		
Def-Wide	Unspecified Worldwide Locations	Planning and Design	48,696	48,696		
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	53,620	53,620		
Def-Wide	Various Worldwide Locations	Planning and Design	97,030	97,030		
Def-Wide	Various Worldwide Locations	Unspecified Minor Construction	9,726	9,726		
	Military Construction, Defense-Wide Total		2,027,520	2,073,760		
	Worldwide Unspecified					
NATO	NATO Security Investment Program	NATO Security Investment Program	173,030	173,030		
	NATO Security Investment Program Total		173,030	173,030		
	Arizona					
Army NG	Tucson	National Guard Readiness Center	18,100	18,100		
	Colorado					
Army NG	Peterson AFB	National Guard Readiness Center	15,000	15,000		
	Indiana					
Army NG	Shelbyville	National Guard/Reserve Center Building Add/Al ...	12,000	12,000		
	Kentucky					
Army NG	Frankfort	National Guard/Reserve Center Building	15,000	15,000		
	Mississippi					
Army NG	Brandon	National Guard Vehicle Maintenance Shop	10,400	10,400		
	Nebraska					
Army NG	North Platte	National Guard Vehicle Maintenance Shop	9,300	9,300		
	New Jersey					
Army NG	Joint Base McGuire-Dix-Lakehurst	National Guard Readiness Center	15,000	15,000		
	Ohio					
Army NG	Columbus	National Guard Readiness Center	15,000	15,000		
	Oregon					
Army NG	Hermiston	Enlisted Barracks, Transient Training	9,300	25,035		
	Puerto Rico					
Army NG	Fort Allen	National Guard Readiness Center	37,000	37,000		
	South Carolina					
Army NG	Joint Base Charleston	National Guard Readiness Center	15,000	15,000		
	Tennessee					
Army NG	Mcminnville	National Guard Readiness Center	11,200	11,200		
	Texas					
Army NG	Fort Worth	Aircraft Maintenance Hangar Addition/Alt	6,000	6,000		
Army NG	Fort Worth	National Guard Vehicle Maintenance Shop	7,800	7,800		
	Utah					
Army NG	Nephi	National Guard Readiness Center	12,000	12,000		
	Virgin Islands					
Army NG	St. Croix	Army Aviation Support Facility (Aasf)	28,000	28,000		

SEC. 4601. MILITARY CONSTRUCTION				
(In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
Army NG	St. Croix	CST Ready Building	11,400	11,400
	Wisconsin			
Army NG	Appleton	National Guard Readiness Center Add/Alt	11,600	11,600
	Worldwide Unspecified			
Army NG	Unspecified Worldwide Locations	Planning and Design	29,593	29,593
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	32,744	32,744
Military Construction, Army National Guard Total			321,437	337,172
	Florida			
Army Res	Gainesville	ECS TEMF/Warehouse	36,000	36,000
	Massachusetts			
Army Res	Devens Reserve Forces Training Area	Automated Multipurpose Machine Gun Range	8,700	8,700
	North Carolina			
Army Res	Asheville	Army Reserve Center/Land	24,000	24,000
	Wisconsin			
Army Res	Fort McCoy	Scout Reconnaissance Range	14,600	14,600
Army Res	Fort McCoy	Transient Trainee Barracks	0	2,500
	Worldwide Unspecified			
Army Res	Unspecified Worldwide Locations	Planning and Design	1,218	1,218
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	3,819	3,819
Military Construction, Army Reserve Total			88,337	90,837
	Maryland			
N/MC Res	Reisterstown	Reserve Training Center, Camp Fretterd, MD	39,500	39,500
	Utah			
N/MC Res	Hill AFB	Naval Operational Support Center	25,010	25,010
	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Locations	MCNR Minor Construction	3,000	3,000
N/MC Res	Unspecified Worldwide Locations	MCNR Planning & Design	3,485	3,485
Military Construction, Naval Reserve Total			70,995	70,995
	Alabama			
Air NG	Montgomery Regional Airport (ANG) Base	F-35 Simulator Facility	11,600	11,600
	Guam			
Air NG	Joint Region Marianas	Space Control Facility #5	20,000	20,000
	Maryland			
Air NG	Joint Base Andrews	F-16 Mission Training Center	9,400	9,400
	Texas			
Air NG	Joint Base San Antonio	F-16 Mission Training Center	10,800	10,800
	Worldwide Unspecified			
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	9,000	9,000
Air NG	Various Worldwide Locations	Planning and Design	3,414	3,414
Military Construction, Air National Guard Total			64,214	64,214
	Texas			
AF Res	Fort Worth	F-35A Simulator Facility	14,200	14,200
	Worldwide Unspecified			
AF Res	Unspecified Worldwide Locations	Planning & Design	3,270	3,270
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction	5,647	5,647
Military Construction, Air Force Reserve Total			23,117	23,117
	Italy			
FH Con Army	Vicenza	Family Housing New Construction	84,100	84,100
	Kwajalein			
FH Con Army	Kwajalein Atoll	Family Housing Replacement Construction	32,000	32,000
	Worldwide Unspecified			
FH Con Army	Unspecified Worldwide Locations	Family Housing P & D	3,300	3,300
Family Housing Construction, Army Total			119,400	119,400

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings	18,004	18,004
FH Ops Army	Unspecified Worldwide Locations	Housing Privatization Support	37,948	62,948
FH Ops Army	Unspecified Worldwide Locations	Leasing	123,841	123,841
FH Ops Army	Unspecified Worldwide Locations	Maintenance	97,789	97,789
FH Ops Army	Unspecified Worldwide Locations	Management	39,716	39,716
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	526	526
FH Ops Army	Unspecified Worldwide Locations	Services	8,135	8,135
FH Ops Army	Unspecified Worldwide Locations	Utilities	41,183	41,183
	Family Housing Operation And Maintenance, Army Total		367,142	392,142
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements	37,043	37,043
FH Con Navy	Unspecified Worldwide Locations	Planning & Design	3,128	3,128
FH Con Navy	Unspecified Worldwide Locations	USMC DPRJ/Guam Planning and Design	2,726	2,726
	Family Housing Construction, Navy And Marine Corps Total		42,897	42,897
	Worldwide Unspecified			
FH Ops Navy	Unspecified Worldwide Locations	Furnishings	17,977	17,977
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support	53,700	78,700
FH Ops Navy	Unspecified Worldwide Locations	Leasing	62,658	62,658
FH Ops Navy	Unspecified Worldwide Locations	Maintenance	85,630	110,630
FH Ops Navy	Unspecified Worldwide Locations	Management	51,006	51,006
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous	350	350
FH Ops Navy	Unspecified Worldwide Locations	Services	16,743	16,743
FH Ops Navy	Unspecified Worldwide Locations	Utilities	58,429	58,429
	Family Housing Operation And Maintenance, Navy And Marine Corps Total		346,493	396,493
	Worldwide Unspecified			
FH Con AF	Unspecified Worldwide Locations	Construction Improvements	94,245	94,245
FH Con AF	Unspecified Worldwide Locations	Planning & Design	2,969	2,969
	Family Housing Construction, Air Force Total		97,214	97,214
	Worldwide Unspecified			
FH Ops AF	Unspecified Worldwide Locations	Furnishings	25,805	25,805
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	23,175	23,175
FH Ops AF	Unspecified Worldwide Locations	Leasing	9,318	9,318
FH Ops AF	Unspecified Worldwide Locations	Maintenance	140,666	163,666
FH Ops AF	Unspecified Worldwide Locations	Management	64,732	99,732
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous	2,184	2,184
FH Ops AF	Unspecified Worldwide Locations	Services	7,968	7,968
FH Ops AF	Unspecified Worldwide Locations	Utilities	43,173	43,173
	Family Housing Operation And Maintenance, Air Force Total		317,021	377,021

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
	Worldwide Unspecified			
FH Ops DW	Unspecified Worldwide Locations	Furnishings	727	727
FH Ops DW	Unspecified Worldwide Locations	Leasing	49,856	49,856
FH Ops DW	Unspecified Worldwide Locations	Maintenance	32	32
FH Ops DW	Unspecified Worldwide Locations	Utilities	4,113	4,113
	Family Housing Operation And Maintenance, Defense-Wide Total		54,728	54,728
	Worldwide Unspecified			
FHIF	Unspecified Worldwide Locations	Administrative Expenses—FHIF	5,897	5,897
	DOD Family Housing Improvement Fund Total		5,897	5,897
	Worldwide Unspecified			
UHIF	Unspecified Worldwide Locations	Administrative Expenses—UHIF	600	600
	Unaccompanied Housing Improvement Fund Total		600	600
	Worldwide Unspecified			
BRAC—Air Force	Unspecified Worldwide Locations	DOD BRAC Activities—Air Force	109,222	109,222
BRAC—Army	Base Realignment & Closure, Army	Base Realignment and Closure	66,060	106,060
BRAC—Navy	Unspecified Worldwide Locations	Base Realignment & Closure	125,165	225,165
	Base Realignment and Closure—Total		300,447	440,447
	Total, Military Construction		7,813,563	7,813,563

1 SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	EDI: Minor Construction	3,970	3,970
Army	Unspecified Worldwide Locations	EDI: Planning and Design	11,903	11,903
	Military Construction, Army Total		15,873	15,873
	Spain			
Navy	Rota	EDI: EOD Boat Shop	31,760	31,760
Navy	Rota	EDI: Expeditionary Maintenance Facility	27,470	27,470
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning & Design	10,790	10,790
	Military Construction, Navy Total		70,020	70,020
	Germany			
AF	Ramstein	EDI: Rapid Airfield Damage Repair Storage	36,345	36,345
AF	Spangdahlem AB	EDI: Rapid Airfield Damage Repair Storage	25,824	25,824
	Romania			
AF	Campia Turzii	EDI: Dangerous Cargo Pad	11,000	11,000
AF	Campia Turzii	EDI: ECAOS DABS-FEV Storage Complex	68,000	68,000
AF	Campia Turzii	EDI: Parking Apron	19,500	19,500
AF	Campia Turzii	EDI: POL Increase Capacity	32,000	32,000
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	EDI: Unspecified Minor Military Construction	16,400	16,400

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
AF	Various Worldwide Locations	EDI: Planning & Design	54,800	54,800
	Military Construction, Air Force Total		263,869	263,869
	Total, Military Construction		349,762	349,762

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 2021 Request	House Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	137,800	137,800
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	15,602,000	15,602,000
Defense nuclear nonproliferation	2,031,000	2,111,000
Naval reactors	1,684,000	1,684,000
Federal salaries and expenses	454,000	454,000
Total, National nuclear security administration	19,771,000	19,851,000
Environmental and other defense activities:		
Defense environmental cleanup	4,983,608	5,773,708
Other defense activities	1,054,727	899,289
Total, Environmental & other defense activities	6,038,335	6,672,997
Total, Atomic Energy Defense Activities	25,809,335	26,523,997
Total, Discretionary Funding	25,947,135	26,661,797
Nuclear Energy		
Idaho site-wide safeguards and security	137,800	137,800
Total, Nuclear Energy	137,800	137,800
Stockpile Management		
Stockpile Major Modernization		
B61-12 Life extension program	815,710	815,710
W88 Alt 370	256,922	256,922
W80-4 Life extension program	1,000,314	1,000,314
W87-1 Modification Program	541,000	541,000
W93	53,000	53,000
Total, Stockpile Major Modernization	2,666,946	2,666,946
Stockpile services		
Production Operations	568,941	568,941
Stockpile Sustainment	998,357	998,357
Weapons Dismantlement and Disposition	50,000	50,000
Subtotal, Stockpile Services	1,617,298	1,617,298
Total, Stockpile Management	4,284,244	4,284,244
Weapons Activities		
Production Modernization		
Primary Capability Modernization		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2021 Request	House Authorized
Plutonium Modernization		
Los Alamos Plutonium Modernization		
Los Alamos Plutonium Operations	610,599	610,599
21-D-512 Plutonium Pit Production Project, LANL	226,000	226,000
Subtotal, Los Alamos Plutonium Modernization	836,599	836,599
Savannah River Plutonium Modernization		
Savannah River Plutonium Operations	200,000	200,000
21-D-511 Savannah River Plutonium Processing Facility, SRS	241,896	241,896
Subtotal, Savannah River Plutonium Modernization	441,896	441,896
Enterprise Plutonium Support	90,782	90,782
Total, Plutonium Modernization	1,369,277	1,369,277
High Explosives and Energetics	67,370	67,370
Total, Primary Capability Modernization	1,436,647	1,436,647
Secondary Capability Modernization	457,004	457,004
Tritium and Domestic Uranium Enrichment	457,112	457,112
Non-Nuclear Capability Modernization	107,137	107,137
Total, Production Modernization	2,457,900	2,457,900
Stockpile Research, Technology, and Engineering		
Assessment Science	773,111	773,111
Engineering and Integrated Assessments	337,404	337,404
Inertial Confinement Fusion	554,725	554,725
Advanced Simulation and Computing	732,014	732,014
Weapon Technology and Manufacturing Maturation	297,965	297,965
Academic Programs	86,912	86,912
Total, Stockpile Research, Technology, and Engineering	2,782,131	2,782,131
Infrastructure and Operations		
Operations of facilities	1,014,000	1,014,000
Safety and environmental operations	165,354	165,354
Maintenance and repair of facilities	792,000	792,000
Recapitalization:		
Infrastructure and safety	670,000	670,000
Capability based investments	149,117	149,117
Planning for Programmatic Construction (Pre-CD-1)	84,787	84,787
Total, Recapitalization	903,904	903,904
Construction:		
21-D-510 HE Synthesis, Formulation, and Production, PX	31,000	31,000
19-D-670 138kV Power Transmission System Replacement, NNSS	59,000	59,000
18-D-690 Lithium Processing Facility, Y-12	109,405	109,405
18-D-620 Exascale Computing Facility Modernization Project, LLNL	29,200	29,200
18-D-650 Tritium Finishing Facility, SRS	27,000	27,000
17-D-640, U1a Complex Enhancements Project, NNSS	160,600	160,600
15-D-612 Emergency Operations Center, LLNL	27,000	27,000
15-D-611 Emergency Operations Center, SNL	36,000	36,000
15-D-302, TA-55 Reinvestments Project, Phase 3, LANL	30,000	30,000
15-D-301, HE Science & Engineering Facility, PX	43,000	43,000
07-D-220-04 Transuranic Liquid Waste Facility, LANL	36,687	36,687
06-D-141 Uranium processing facility Y-12, Oak Ridge, TN	750,000	750,000
04-D-125 Chemistry and Metallurgy Research Replacement Project, LANL	169,427	169,427
Total, Construction	1,508,319	1,508,319
Total, Infrastructure and operations	4,383,577	4,383,577
Secure transportation asset		
Operations and equipment	266,390	266,390
Program direction	123,684	123,684
Total, Secure transportation asset	390,074	390,074
Defense Nuclear Security		
Operations and maintenance	815,895	815,895
Construction:		
17-D-710 West end protected area reduction project, Y-12	11,000	11,000
Total, Defense nuclear security	826,895	826,895
Information technology and cybersecurity	375,511	375,511

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2021 Request	House Authorized
Legacy contractor pensions	101,668	101,668
Total, Weapons Activities	15,602,000	15,602,000
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global material security		
International nuclear security	66,391	66,391
Domestic radiological security	101,000	131,000
Container breach in Seattle, WA		[30,000]
International radiological security	73,340	73,340
Nuclear smuggling detection and deterrence	159,749	159,749
Total, Global material security	400,480	430,480
Material management and minimization		
HEU reactor conversion	170,000	170,000
Nuclear material removal	40,000	40,000
Material disposition	190,711	190,711
Total, Material management & minimization	400,711	400,711
Nonproliferation and arms control	138,708	138,708
National Technical Nuclear Forensics R&D	40,000	40,000
Defense nuclear nonproliferation R&D		
Proliferation Detection	235,220	265,220
Nuclear verification and detection, next-gen technologies		[30,000]
Nuclear Detonation Detection	236,531	236,531
Nonproliferation Stewardship Program	59,900	59,900
LEU Research and Development	0	20,000
LEU R&D for Naval Pressurized Water Reactors		[20,000]
Total, Defense nuclear nonproliferation R&D	531,651	581,651
Nonproliferation Construction:		
18-D-150 Surplus Plutonium Disposition Project, SRS	148,589	148,589
Total, Nonproliferation construction	148,589	148,589
Total, Defense Nuclear Nonproliferation Programs	1,660,139	1,740,139
Legacy contractor pensions	14,348	14,348
Nuclear counterterrorism and incident response program	377,513	377,513
Use of Prior Year Balances	-21,000	-21,000
Total, Defense Nuclear Nonproliferation	2,031,000	2,111,000
Naval Reactors		
Naval reactors development	590,306	590,306
Columbia-Class reactor systems development	64,700	64,700
S&G Prototype refueling	135,000	135,000
Naval reactors operations and infrastructure	506,294	506,294
Construction:		
21-D-530 KL Steam and Condensate Upgrades	4,000	4,000
14-D-901 Spent fuel handling recapitalization project, NRF	330,000	330,000
Total, Construction	334,000	334,000
Program direction	53,700	53,700
Total, Naval Reactors	1,684,000	1,684,000
Federal Salaries And Expenses		
Program direction	454,000	454,000
Total, Office Of The Administrator	454,000	454,000
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,987	4,987
Richland:		
River corridor and other cleanup operations	54,949	235,949
Program restoration		[181,000]

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2021 Request	House Authorized
Central plateau remediation	498,335	658,335
Program restoration		[160,000]
Richland community and regulatory support	2,500	10,100
Program restoration		[7,600]
Total, Hanford site	555,784	904,384
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	50,000	50,000
Rad liquid tank waste stabilization and disposition	597,757	597,757
Tank farm activities	0	180,000
Program restoration		[180,000]
Construction:		
18-D-16 Waste treatment and immobilization plant—LBI/Direct feed LAW	609,924	779,924
Program restoration		[170,000]
Total, Construction	609,924	779,924
Total, Office of River Protection	1,257,681	1,607,681
Idaho National Laboratory:		
Idaho cleanup and waste disposition	257,554	257,554
Idaho community and regulatory support	2,400	2,400
Total, Idaho National Laboratory	259,954	259,954
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,764	1,764
Nuclear facility D & D		
Separations Process Research Unit	15,000	15,000
Nevada	60,737	60,737
Sandia National Laboratories	4,860	4,860
Los Alamos National Laboratory	120,000	165,000
Program increase		[45,000]
Total, NNSA sites and Nevada off-sites	202,361	247,361
Oak Ridge Reservation:		
OR Nuclear facility D & D	109,077	109,077
Total, OR Nuclear facility D & D	109,077	109,077
U233 Disposition Program	45,000	45,000
OR cleanup and disposition	58,000	58,000
Construction:		
17-D-401 On-site waste disposal facility	22,380	22,380
14-D-403 Outfall 200 Mercury Treatment Facility	20,500	20,500
Total, Construction	42,880	42,880
Total, OR cleanup and waste disposition	145,880	145,880
OR community & regulatory support	4,930	4,930
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	262,887	262,887
Savannah River Sites:		
Savannah River risk management operations		
Savannah River risk management operations	455,122	495,122
H-Canyon not placed into stand-by condition		[40,000]
Total, risk management operations	455,122	495,122
SR community and regulatory support	4,989	11,489
Secure payment in lieu of taxes funding		[6,500]
Radioactive liquid tank waste stabilization and disposition	970,332	970,332
Construction:		
20-D-402 Advanced Manufacturing Collaborative Facility (AMC)	25,000	25,000
18-D-402 Saltstone Disposal Unit #8/9	65,500	65,500
17-D-402 Saltstone Disposal Unit #7	10,716	10,716
Total, Construction	101,216	101,216
Total, Savannah River site	1,531,659	1,578,159
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	323,260	323,260
Construction:		
15-D-412 Utility Shaft	50,000	50,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2021 Request	House Authorized
21-D-401 Hoisting Capability Project	10,000	10,000
Total, Construction	60,000	60,000
Total, Waste Isolation Pilot Plant	383,260	383,260
Program direction	275,285	275,285
Program support	12,979	12,979
Technology development	25,000	25,000
Safeguards and Security		
Safeguards and Security	320,771	320,771
Total, Safeguards and Security	320,771	320,771
Prior year balances credited	-109,000	-109,000
Total, Defense Environmental Cleanup	4,983,608	5,773,708
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security	134,320	134,320
Program direction	75,368	75,368
Total, Environment, Health, safety and security	209,688	209,688
Independent enterprise assessments		
Independent enterprise assessments	26,949	26,949
Program direction	54,635	54,635
Total, Independent enterprise assessments	81,584	81,584
Specialized security activities	258,411	258,411
Office of Legacy Management		
Legacy management	293,873	138,435
Rejection of proposed transfer		[-155,438]
Program direction	23,120	23,120
Total, Office of Legacy Management	316,993	161,555
Defense related administrative support	183,789	183,789
Office of hearings and appeals	4,262	4,262
Subtotal, Other defense activities	1,054,727	899,289
Total, Other Defense Activities	1,054,727	899,289

1 **DIVISION E—NATIONAL ARTIFI-**
2 **CIAL INTELLIGENCE INITIA-**
3 **TIVE ACT OF 2020**

4 **SEC. 5001. SHORT TITLE.**

5 This division may be cited as the “National Artificial
6 Intelligence Initiative Act of 2020”.

7 **SEC. 5002. FINDINGS.**

8 Congress finds the following:

1 (1) Artificial intelligence is a tool that has the
2 potential to change and possibly transform every
3 sector of the United States economy and society.

4 (2) The Federal Government should continue to
5 play an important role advancing research, develop-
6 ment, standards, and education activities in artificial
7 intelligence through coordination and collaboration
8 between government, academia, and the private sec-
9 tor to leverage the intellectual, physical, and digital
10 resources of each stakeholder.

11 (3) The Federal Government lacks clear under-
12 standing of the capabilities of artificial intelligence
13 and its potential to affect various social and eco-
14 nomic sectors, including ethical concerns, national
15 security implications, and workforce impacts.

16 (4) Researchers from academia, Federal labora-
17 tories, and much of the private sector have limited
18 access to many high-quality datasets, computing re-
19 sources, or real-world testing environments to design
20 and deploy safe and trustworthy artificial intel-
21 ligence systems.

22 (5) There is a lack of standards and
23 benchmarking for artificial intelligence systems that
24 academia and the public and private sectors can use

1 to evaluate the performance of these systems before
2 and after deployment.

3 (6) Artificial intelligence is increasingly becom-
4 ing a highly interdisciplinary field with expertise re-
5 quired from a diverse range of scientific and other
6 scholarly disciplines that traditionally work inde-
7 pendently and continue to face cultural and institu-
8 tional barriers to large scale collaboration.

9 (7) Current Federal investments and funding
10 mechanisms are largely insufficient to incentivize
11 and support the large-scale interdisciplinary and
12 public-private collaborations that will be required to
13 advance trustworthy artificial intelligence systems in
14 the United States.

15 (8) The United States education pipeline for ar-
16 tificial intelligence fields faces significant challenges.
17 Not only does the artificial intelligence research field
18 lack the gender and racial diversity of the American
19 population as a whole, but it is failing to both retain
20 researchers and adequately support educators to
21 meet the demands of the next generation of students
22 studying artificial intelligence.

23 (9) In order to help drive forward advances in
24 trustworthy artificial intelligence across all sectors
25 and to the benefit of all Americans, the Federal

1 Government must provide sufficient resources and
2 use its convening power to facilitate the growth of
3 artificial intelligence human capital, research, and
4 innovation capacity in academia and other nonprofit
5 research organizations, companies of all sizes and
6 across all sectors, and within the Federal Govern-
7 ment.

8 **SEC. 5003. DEFINITIONS.**

9 In this division:

10 (1) **ADVISORY COMMITTEE.**—The term “Advi-
11 sory Committee” means the National Artificial Intel-
12 ligence Advisory Committee established under sec-
13 tion 5104(a).

14 (2) **AGENCY HEAD.**—The term “agency head”
15 means the head of any Executive agency (as defined
16 in section 105 of title 5, United States Code).

17 (3) **ARTIFICIAL INTELLIGENCE.**—The term “ar-
18 tificial intelligence” means a machine-based system
19 that can, for a given set of human-defined objectives,
20 make predictions, recommendations or decisions in-
21 fluencing real or virtual environments. Artificial in-
22 telligence systems use machine and human-based in-
23 puts to—

24 (A) perceive real and virtual environments;

1 (B) abstract such perceptions into models
2 through analysis in an automated manner; and

3 (C) use model inference to formulate op-
4 tions for information or action.

5 (4) INITIATIVE.—The term “Initiative” means
6 the National Artificial Intelligence Initiative estab-
7 lished under section 5101(a).

8 (5) INITIATIVE OFFICE.—The term “Initiative
9 Office” means the National Artificial Intelligence
10 Initiative Office established under section 5102(a).

11 (6) INSTITUTE.—The term “Institute” means
12 an Artificial Intelligence Research Institute de-
13 scribed in section 201(b)(1).

14 (7) INTERAGENCY COMMITTEE.—The term
15 “Interagency Committee” means the interagency
16 committee established under section 5103(a).

17 (8) K-12 EDUCATION.—The term “K-12 edu-
18 cation” means elementary school and secondary edu-
19 cation, as such terms are defined in section 8101 of
20 the Elementary and Secondary Education Act of
21 1965 (20 U.S.C. 7801).

22 (9) MACHINE LEARNING.—The term “machine
23 learning” means an application of artificial intel-
24 ligence that is characterized by providing systems
25 the ability to automatically learn and improve on the

1 basis of data or experience, without being explicitly
2 programmed.

3 **TITLE I—NATIONAL ARTIFICIAL**
4 **INTELLIGENCE INITIATIVE**

5 **SEC. 5101. NATIONAL ARTIFICIAL INTELLIGENCE INITIA-**
6 **TIVE.**

7 (a) ESTABLISHMENT; PURPOSES.—The President
8 shall establish and implement an initiative to be known
9 as the “National Artificial Intelligence Initiative”. The
10 purposes of the Initiative shall be to—

11 (1) ensure continued United States leadership
12 in artificial intelligence research and development;

13 (2) lead the world in the development and use
14 of trustworthy artificial intelligence systems in the
15 public and private sectors;

16 (3) maximize the benefits of artificial intel-
17 ligence systems for all American people; and

18 (4) prepare the present and future United
19 States workforce for the integration of artificial in-
20 telligence systems across all sectors of the economy
21 and society.

22 (b) INITIATIVE ACTIVITIES.—In carrying out the Ini-
23 tiative, the President, acting through the Initiative Office,
24 the Interagency Committee, and agency heads as the

1 President considers appropriate, shall carry out activities
2 that include the following:

3 (1) Sustained, consistent, and coordinated sup-
4 port for artificial intelligence research and develop-
5 ment through grants, cooperative agreements,
6 testbeds, and access to data and computing re-
7 sources.

8 (2) Support for the development of voluntary
9 standards, best practices, and benchmarks for the
10 development and use of trustworthy artificial intel-
11 ligence systems.

12 (3) Support for educational programs at all lev-
13 els, in both formal and informal learning environ-
14 ments, to prepare the American workforce and the
15 general public to be able to use and interact with ar-
16 tificial intelligence systems, as well as adapt to the
17 potentially transformative impact of artificial intel-
18 ligence on society and the economy.

19 (4) Support for interdisciplinary research, edu-
20 cation, and training programs for students and re-
21 searchers that promote learning in the methods and
22 systems used in artificial intelligence and foster
23 interdisciplinary perspectives and collaborations
24 among subject matter experts in relevant fields, in-
25 cluding computer science, mathematics, statistics,

1 engineering, social sciences, psychology, behavioral
2 science, ethics, security, legal scholarship, and other
3 disciplines that will be necessary to advance artificial
4 intelligence research and development responsibly.

5 (5) Support for partnerships to leverage knowl-
6 edge, computing resources, access to open datasets,
7 and other resources from industry, government, non-
8 profit organizations, Federal laboratories, State pro-
9 grams, and institutions of higher education to ad-
10 vance activities under the Initiative.

11 (6) Interagency planning and coordination of
12 Federal artificial intelligence research, development,
13 demonstration, standards engagement, and other ac-
14 tivities under the Initiative.

15 (7) Establish the public sector infrastructure
16 and artificial intelligence capabilities necessary to re-
17 spond to pressing national challenges, including eco-
18 nomic and public health emergencies such as
19 pandemics.

20 (8) Outreach to diverse stakeholders, including
21 citizen groups and industry, to ensure public input
22 is taken into account in the activities of the Initia-
23 tive.

24 (9) Leveraging existing Federal investments to
25 advance objectives of the Initiative.

1 (10) Support for a network of interdisciplinary
2 artificial intelligence research institutes, as described
3 in section 5201(b)(7)(B).

4 (11) Support opportunities for international co-
5 operation with strategic allies, as appropriate, on the
6 research and development, assessment, and re-
7 sources for trustworthy artificial intelligence systems
8 and the development of voluntary consensus stand-
9 ards for those systems.

10 **SEC. 5102. NATIONAL ARTIFICIAL INTELLIGENCE INITIA-**
11 **TIVE OFFICE.**

12 (a) IN GENERAL.—The Director of the Office of
13 Science and Technology Policy shall establish or designate,
14 and appoint a director of, an office to be known as the
15 “National Artificial Intelligence Initiative Office” to carry
16 out the responsibilities described in subsection (b) with re-
17 spect to the Initiative. The Initiative Office shall have suf-
18 ficient staff to carry out such responsibilities, including
19 staff detailed from the Federal departments and agencies
20 described in section 5103(c).

21 (b) RESPONSIBILITIES.—The Director of the Initia-
22 tive Office shall—

23 (1) provide technical and administrative support
24 to the Interagency Committee and the Advisory
25 Committee;

1 (2) serve as the point of contact on Federal ar-
2 tificial intelligence activities for Federal departments
3 and agencies, industry, academia, nonprofit organi-
4 zations, professional societies, State governments,
5 and such other persons as the Initiative Office con-
6 siders appropriate to exchange technical and pro-
7 grammatic information;

8 (3) conduct regular public outreach to diverse
9 stakeholders, including through the convening of
10 conferences and educational events, the publication
11 of information about significant Initiative activities
12 on a publicly available website, and the dissemina-
13 tion of findings and recommendations of the Advi-
14 sory Committee, as appropriate; and

15 (4) promote access to and early adoption of the
16 technologies, innovations, lessons learned, and exper-
17 tise derived from Initiative activities to agency mis-
18 sions and systems across the Federal Government,
19 and to industry, including startup companies.

20 (c) FUNDING ESTIMATE.—The Director of the Office
21 of Science and Technology Policy shall develop an estimate
22 of the funds necessary to carry out the activities of the
23 Initiative Coordination Office, including an estimate of
24 how much each participating Federal department and
25 agency described in section 5103(c) will contribute to such

1 funds, and submit such estimate to Congress not later
2 than 90 days after the enactment of this Act. The Director
3 shall update this estimate each year based on participating
4 agency investments in artificial intelligence.

5 **SEC. 5103. COORDINATION BY INTERAGENCY COMMITTEE.**

6 (a) INTERAGENCY COMMITTEE.—The Director of the
7 Office of Science and Technology Policy, acting through
8 the National Science and Technology Council, shall estab-
9 lish or designate an Interagency Committee to coordinate
10 Federal programs and activities in support of the Initia-
11 tive.

12 (b) CO-CHAIRS.—The Interagency Committee shall
13 be co-chaired by the Director of the Office of Science and
14 Technology Policy and, on an annual rotating basis, a rep-
15 resentative from the National Institute of Standards and
16 Technology, the National Science Foundation, or the De-
17 partment of Energy, as selected by the Director of the
18 Office of Science and Technology Policy.

19 (c) AGENCY PARTICIPATION.—The Committee shall
20 include representatives from—

- 21 (1) the National Institute of Standards and
22 Technology;
- 23 (2) the National Science Foundation;
- 24 (3) the Department of Energy;

- 1 (4) the National Aeronautics and Space Admin-
2 istration;
- 3 (5) the Department of Defense;
- 4 (6) the Defense Advanced Research Projects
5 Agency;
- 6 (7) the Department of Commerce;
- 7 (8) the Office of the Director of National Intel-
8 ligence;
- 9 (9) the Office of Management and Budget;
- 10 (10) the Office of Science and Technology Pol-
11 icy;
- 12 (11) the Department of Health and Human
13 Services;
- 14 (12) the Department of Education;
- 15 (13) the Department of Labor;
- 16 (14) the Department of the Treasury;
- 17 (15) the General Services Administration;
- 18 (16) the Department of Transportation;
- 19 (17) the Department of State;
- 20 (18) the Department of Veterans Affairs; and
- 21 (19) any other Federal agency as considered
22 appropriate by the Director of the Office of Science
23 and Technology Policy.
- 24 (d) RESPONSIBILITIES.—The Interagency Committee
25 shall—

1 (1) provide for interagency coordination of Fed-
2 eral artificial intelligence research, development, and
3 demonstration activities, development of voluntary
4 consensus standards and guidelines for research, de-
5 velopment, testing, and adoption of ethically devel-
6 oped, safe, and trustworthy artificial intelligence sys-
7 tems, and education and training activities and pro-
8 grams of Federal departments and agencies under-
9 taken pursuant to the Initiative;

10 (2) not later than 2 years after the date of the
11 enactment of this Act, develop a strategic plan for
12 artificial intelligence (to be updated not less than
13 every 3 years) that—

14 (A) establishes goals, priorities, and
15 metrics for guiding and evaluating the Initia-
16 tive’s activities; and

17 (B) describes how the agencies carrying
18 out the Initiative will—

19 (i) determine and prioritize areas of
20 artificial intelligence research, develop-
21 ment, and demonstration requiring Federal
22 Government leadership and investment;

23 (ii) support long-term funding for
24 interdisciplinary artificial intelligence re-

1 search, development, demonstration, edu-
2 cation and public outreach activities;

3 (iii) support research and other activi-
4 ties on ethical, legal, environmental, safety,
5 security, and other appropriate societal
6 issues related to artificial intelligence;

7 (iv) provide or facilitate the avail-
8 ability of curated, standardized, secure,
9 representative, and privacy-protected data
10 sets for artificial intelligence research and
11 development;

12 (v) provide or facilitate the necessary
13 computing, networking, and data facilities
14 for artificial intelligence research and de-
15 velopment;

16 (vi) support and coordinate Federal
17 education and workforce activities related
18 to artificial intelligence;

19 (vii) reduce barriers to transferring
20 artificial intelligence systems from the lab-
21 oratory into application for the benefit of
22 society and United States competitiveness;

23 (viii) support and coordinate the net-
24 work of artificial intelligence research insti-
25 tutes described in section 5201(b)(7)(B);

1 (ix) in consultation with the Council
2 of Economic Advisers, measure and track
3 the contributions of artificial intelligence to
4 United States economic growth and other
5 societal indicators; and

6 (x) leverage the resources of the Ini-
7 tiative to respond to pressing national
8 challenges, including economic and public
9 health emergencies such as pandemics;

10 (3) propose an annually coordinated interagency
11 budget for the Initiative to the Office of Manage-
12 ment and Budget that is intended to ensure that the
13 balance of funding across the Initiative is sufficient
14 to meet the goals and priorities established for the
15 Initiative; and

16 (4) in carrying out this section, take into con-
17 sideration the recommendations of the Advisory
18 Committee, existing reports on related topics, and
19 the views of academic, State, industry, and other ap-
20 propriate groups.

21 (e) ANNUAL REPORT.—For each fiscal year begin-
22 ning with fiscal year 2022, not later than 90 days after
23 submission of the President’s annual budget request for
24 such fiscal year, the Interagency Committee shall prepare
25 and submit to the Committee on Science, Space, and

1 Technology of the House of Representatives and the Com-
2 mittee on Commerce, Science, and Transportation of the
3 Senate a report that includes—

4 (1) a summarized budget in support of the Ini-
5 tiative for such fiscal year and the preceding fiscal
6 year, including a disaggregation of spending for each
7 Federal agency participating in the Initiative and for
8 the development and acquisition of any research fa-
9 cilities and instrumentation; and

10 (2) an assessment of how Federal agencies are
11 implementing the plan described in subsection
12 (d)(2), and a description of those efforts.

13 **SEC. 5104. NATIONAL ARTIFICIAL INTELLIGENCE ADVI-**
14 **SORY COMMITTEE.**

15 (a) **IN GENERAL.**—The Secretary of Energy shall, in
16 consultation with the Director of the Office of Science and
17 Technology Policy, establish an advisory committee to be
18 known as the “National Artificial Intelligence Advisory
19 Committee”.

20 (b) **QUALIFICATIONS.**—The Advisory Committee
21 shall consist of members, appointed by the Secretary of
22 Energy, who are representing broad and interdisciplinary
23 expertise and perspectives, including from academic insti-
24 tutions, companies across diverse sectors, nonprofit and
25 civil society entities, and Federal laboratories, that are

1 qualified to provide advice and information on science and
2 technology research, development, ethics, standards, edu-
3 cation, technology transfer, commercial application, secu-
4 rity, and economic competitiveness related to artificial in-
5 telligence.

6 (c) MEMBERSHIP CONSIDERATION.—In selecting the
7 members of the Advisory Committee, the Secretary of En-
8 ergy may seek and give consideration to recommendations
9 from the Congress, industry, nonprofit organizations, the
10 scientific community (including the National Academy of
11 Sciences, scientific professional societies, and academic in-
12 stitutions), the defense community, and other appropriate
13 organizations.

14 (d) DUTIES.—The Advisory Committee shall advise
15 the President and the Initiative Office on matters related
16 to the Initiative, including recommendations related to—

17 (1) the current state of United States competi-
18 tiveness and leadership in artificial intelligence, in-
19 cluding the scope and scale of United States invest-
20 ments in artificial intelligence research and develop-
21 ment in the international context;

22 (2) the progress made in implementing the Ini-
23 tiative, including a review of the degree to which the
24 Initiative has achieved the goals under the metrics

1 established by the Interagency Committee under sec-
2 tion 5103(d)(2);

3 (3) the state of the science around artificial in-
4 telligence, including progress towards artificial gen-
5 eral intelligence;

6 (4) the need to update the Initiative;

7 (5) the balance of activities and funding across
8 the Initiative;

9 (6) whether the strategic plan developed or up-
10 dated by the Interagency Committee established
11 under section 5103(d)(2) is helping to maintain
12 United States leadership in artificial intelligence;

13 (7) the management, coordination, and activi-
14 ties of the Initiative;

15 (8) whether ethical, legal, safety, security, and
16 other appropriate societal issues are adequately ad-
17 dressed by the Initiative; and

18 (9) opportunities for international cooperation
19 with strategic allies on artificial intelligence research
20 activities and standards development.

21 (e) REPORTS.—Not later than 1 year after the date
22 of the enactment of this Act, and not less frequently than
23 once every 3 years thereafter, the Advisory Committee
24 shall submit to the President, the Committee on Science,
25 Space, and Technology of the House of Representatives,

1 and the Committee on Commerce, Science, and Transpor-
2 tation of the Senate, a report on the Advisory Committee's
3 findings and recommendations under subsection (d).

4 (f) TRAVEL EXPENSES OF NON-FEDERAL MEM-
5 BERS.—Non-Federal members of the Advisory Committee,
6 while attending meetings of the Advisory Committee or
7 while otherwise serving at the request of the head of the
8 Advisory Committee away from their homes or regular
9 places of business, may be allowed travel expenses, includ-
10 ing per diem in lieu of subsistence, as authorized by sec-
11 tion 5703 of title 5, United States Code, for individuals
12 in the Government serving without pay. Nothing in this
13 subsection shall be construed to prohibit members of the
14 Advisory Committee who are officers or employees of the
15 United States from being allowed travel expenses, includ-
16 ing per diem in lieu of subsistence, in accordance with ex-
17 isting law.

18 (g) FACA EXEMPTION.—The Secretary of Energy
19 shall charter the Advisory Committee in accordance with
20 the Federal Advisory Committee Act (5 U.S.C. App.), ex-
21 cept that the Advisory Committee shall be exempt from
22 section 14 of such Act.

1 **SEC. 5105. NATIONAL ACADEMIES ARTIFICIAL INTEL-**
2 **LIGENCE IMPACT STUDY ON WORKFORCE.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of the enactment of this Act, the National Science
5 Foundation shall enter into a contract with the National
6 Research Council of the National Academies of Sciences,
7 Engineering, and Medicine to conduct a study of the cur-
8 rent and future impact of artificial intelligence on the
9 workforce of the United States across sectors.

10 (b) CONTENTS.—The study shall address—

11 (1) workforce impacts across sectors caused by
12 the increased adoption of artificial intelligence, auto-
13 mation, and other related trends;

14 (2) workforce needs and employment opportuni-
15 ties generated by the increased adoption of artificial
16 intelligence across sectors;

17 (3) research gaps and data needed to better un-
18 derstand and track both workforce impacts and
19 workforce needs and opportunities generated by
20 adoption of artificial intelligence systems across sec-
21 tors; and

22 (4) recommendations to address the challenges
23 and opportunities described in paragraphs (1), (2),
24 and (3).

25 (c) STAKEHOLDERS.—In conducting the study, the
26 National Academies of Sciences, Engineering, and Medi-

1 cine shall seek input from a wide range of stakeholders
2 in the public and private sectors.

3 (d) REPORT TO CONGRESS.—The contract entered
4 into under subsection (a) shall require the National Acad-
5 emies of Sciences, Engineering, and Medicine, not later
6 than 2 years after the date of the enactment of this Act,
7 to—

8 (1) submit to the Committee on Science, Space,
9 and Technology of the House of Representatives and
10 the Committee on Commerce, Science, and Trans-
11 portation of the Senate a report containing the find-
12 ings and recommendations of the study conducted
13 under subsection (a); and

14 (2) make a copy of such report available on a
15 publicly accessible website.

16 **SEC. 5106. GAO REPORT ON COMPUTATIONAL NEEDS.**

17 (a) IN GENERAL.—Not later than 1 year after the
18 date of the enactment of this Act, the Comptroller General
19 of the United States shall conduct a study of artificial in-
20 telligence computer hardware and computing required in
21 order to maintain U.S. leadership in artificial intelligence
22 research and development. The Comptroller General
23 shall—

24 (1) assess the composition of civilian computing
25 resources supported by the Federal Government at

1 universities and Federal Laboratories, including pro-
2 grams with laboratory computing, high performance
3 computing, cloud computing, quantum computing,
4 edge computing, and other computing resources;

5 (2) evaluate projected needs for computing con-
6 sumption and performance required by the public
7 and private sector for the training, auditing, valida-
8 tion, testing, and use of artificial intelligence over
9 the next five years; and

10 (3) offer recommendations to meet these pro-
11 jected needs.

12 **SEC. 5107. NATIONAL AI RESEARCH RESOURCE TASK**
13 **FORCE.**

14 (a) ESTABLISHMENT OF TASK FORCE.—

15 (1) ESTABLISHMENT.—

16 (A) IN GENERAL.—The Director of the
17 National Science Foundation, in coordination
18 with the Office of Science and Technology Pol-
19 icy, shall establish a task force—

20 (i) to investigate the feasibility and
21 advisability of establishing and sustaining
22 a national artificial intelligence research
23 resource; and

1 (ii) to propose a roadmap detailing
2 how such resource should be established
3 and sustained.

4 (B) DESIGNATION.—The task force estab-
5 lished by subparagraph (A) shall be known as
6 the “National Artificial Intelligence Research
7 Resource Task Force” (in this section referred
8 to as the “Task Force”).

9 (2) MEMBERSHIP.—

10 (A) COMPOSITION.—The Task Force shall
11 be composed of 12 members selected by the co-
12 chairpersons of the Task Force from among
13 technical experts in artificial intelligence or re-
14 lated subjects, of whom—

15 (i) 4 shall be representatives from the
16 Interagency Committee established in sec-
17 tion 5103, including the co-chairpersons of
18 the Task Force;

19 (ii) 4 shall be representatives from in-
20 stitutions of higher education (as such
21 term is defined in section 101 of the High-
22 er Education Act of 1965 (20 U.S.C.
23 1001)); and

24 (iii) 4 shall be representatives from
25 private organizations.

1 (B) APPOINTMENT.—Not later than 120
2 days after enactment of this Act, the co-chair-
3 persons of the Task Force shall appoint mem-
4 bers to the Task Force pursuant to subpara-
5 graph (A).

6 (C) TERM OF APPOINTMENT.—Members of
7 the Task Force shall be appointed for the life
8 of the Task Force.

9 (D) VACANCY.—Any vacancy occurring in
10 the membership of the Task Force shall be
11 filled in the same manner in which the original
12 appointment was made.

13 (E) CO-CHAIRPERSONS.—The Director of
14 the Office of Science and Technology Policy and
15 the Director of the National Sciences Founda-
16 tion, or their designees, shall be the co-chair-
17 persons of the Task Force. If the role of the
18 Director of the National Science Foundation is
19 vacant, the Chair of the National Science Board
20 shall act as a co-chairperson of the Task Force.

21 (F) EXPENSES FOR NON-FEDERAL MEM-
22 BERS.—Non-Federal Members of the Task
23 Force shall be allowed travel expenses, includ-
24 ing per diem in lieu of subsistence, at rates au-
25 thorized for employees under subchapter I of

1 chapter 57 of title 5, United States Code, while
2 away from their homes or regular places of
3 business in the performance of services for the
4 Task Force.

5 (b) ROADMAP AND IMPLEMENTATION PLAN.—

6 (1) IN GENERAL.—The Task Force shall de-
7 velop a coordinated roadmap and implementation
8 plan for creating and sustaining a National Artificial
9 Intelligence Research Resource.

10 (2) CONTENTS.—The roadmap and plan re-
11 quired by paragraph (1) shall include the following:

12 (A) Goals for establishment and
13 sustainment of a national artificial intelligence
14 research resource and metrics for success.

15 (B) A plan for ownership and administra-
16 tion of the National Artificial Intelligence Re-
17 search Resource, including—

18 (i) an appropriate agency or organiza-
19 tion responsible for the implementation,
20 deployment, and administration of the Re-
21 source; and

22 (ii) a governance structure for the re-
23 source, including oversight and decision-
24 making authorities.

1 (C) A model for governance and oversight
2 to establish strategic direction, make pro-
3 grammatic decisions, and manage the allocation
4 of resources;

5 (D) Capabilities required to create and
6 maintain a shared computing infrastructure to
7 facilitate access to computing resources for re-
8 searchers across the country, including
9 scalability, secured access control, resident data
10 engineering and curation expertise, provision of
11 curated, data sets, compute resources, edu-
12 cational tools and services, and a user interface
13 portal.

14 (E) An assessment of, and recommend so-
15 lutions to, barriers to the dissemination and use
16 of high-quality government data sets as part of
17 the national artificial intelligence research re-
18 source.

19 (F) An assessment of security require-
20 ments associated with the national artificial in-
21 telligence research resource and its research
22 and recommend a framework for the manage-
23 ment of access controls.

24 (G) An assessment of privacy and civil lib-
25 erties requirements associated with the national

1 artificial intelligence research resource and its
2 research.

3 (H) A plan for sustaining the resources,
4 including through Federal funding and partner-
5 ships with the private sector.

6 (I) The parameters for the establishment
7 and sustainment of the national artificial intel-
8 ligence resource, including agency roles and re-
9 sponsibilities and milestones to implement the
10 resource.

11 (c) CONSULTATIONS.—In conducting its duties re-
12 quired under subsection (b), the Task Force shall consult
13 with the following:

14 (1) The National Science Foundation.

15 (2) The Office of Science and Technology Pol-
16 icy.

17 (3) The National Academies of Sciences, Engi-
18 neering, and Medicine.

19 (4) The National Institute of Standards and
20 Technology.

21 (5) The Defense Advanced Research Projects
22 Agency.

23 (6) The Intelligence Advanced Research
24 Projects Activity.

25 (7) The Department of Energy.

1 (8) The Department of Defense.

2 (9) The General Services Administration.

3 (10) Private industry.

4 (11) Institutions of higher education.

5 (12) Such other persons as the Task Force con-
6 siders appropriate.

7 (d) STAFF.—Staff of the Task Force shall comprise
8 detailees with expertise in artificial intelligence, or related
9 fields from the Office of Science and Technology Policy,
10 the National Science Foundation, or any other agency the
11 co-chairs deem appropriate, with the consent of the head
12 of the agency. The co-chairs shall also be authorized to
13 hire staff from outside the Federal government for the du-
14 ration of the task force.

15 (e) TASK FORCE REPORTS.—

16 (1) INITIAL REPORT.—Not later than 12
17 months after the date on which all of the appoint-
18 ments have been made under subsection (a)(2)(B),
19 the Task Force shall submit to Congress and the
20 President an interim report containing the findings,
21 conclusions, and recommendations of the Task
22 Force. The report shall include specific recommenda-
23 tions regarding steps the Task Force believes nec-
24 essary for the establishment and sustainment of a
25 national artificial intelligence research resource.

1 (2) FINAL REPORT.—Taking into account the
2 findings of the Government Accountability Office re-
3 port required in section 106 of this Act, not later
4 than 6 months after the submittal of the interim re-
5 port under paragraph (1), the Task Force shall sub-
6 mit to Congress and the President a final report
7 containing the findings, conclusions, and rec-
8 ommendations of the Task Force, including the spe-
9 cific recommendations required by subsection (b).

10 (f) TERMINATION.—

11 (1) IN GENERAL.—The Task Force shall termi-
12 nate 90 days after the date on which it submits the
13 final report under subsection (e)(2).

14 (2) RECORDS.—Upon termination of the Task
15 Force, all of its records shall become the records of
16 the National Archives and Records Administration.

17 (g) DEFINITIONS.—In this section:

18 (1) NATIONAL ARTIFICIAL INTELLIGENCE RE-
19 SEARCH RESOURCE AND RESOURCE.—The terms
20 “National Artificial Intelligence Research Resource”
21 and “Resource” mean a system that provides re-
22 searchers and students across scientific fields and
23 disciplines with access to compute resources, co-lo-
24 cated with publicly-available, artificial intelligence-
25 ready government and non-government data sets and

1 a research environment with appropriate educational
2 tools and user support.

3 (2) OWNERSHIP.—The term “ownership”
4 means responsibility and accountability for the im-
5 plementation, deployment, and ongoing development
6 of the National Artificial Intelligence Research Re-
7 source, and for providing staff support to that ef-
8 fort.

9 **SEC. 5108. SENSE OF CONGRESS.**

10 It is the sense of Congress that—

11 (1) artificial intelligence systems have the po-
12 tential to transform every sector of the United
13 States economy, boosting productivity, enhancing
14 scientific research, and increasing U.S. competitive-
15 ness; and

16 (2) the United States Government should use
17 this Initiative to enable the benefits of trustworthy
18 artificial intelligence while preventing the creation
19 and use of artificial intelligence systems that behave
20 in ways that cause harm, including—

21 (A) high-risk systems that lack sufficient
22 robustness to prevent adversarial attacks;

23 (B) high-risk systems that harm the pri-
24 vacy or security of users or the general public;
25 and

1 (C) artificial general intelligence systems
2 that may become self-aware or uncontrollable.

3 **TITLE II—NATIONAL ARTIFICIAL**
4 **INTELLIGENCE RESEARCH IN-**
5 **STITUTES**

6 **SEC. 5201. NATIONAL ARTIFICIAL INTELLIGENCE RE-**
7 **SEARCH INSTITUTES.**

8 (a) IN GENERAL.—As part of the Initiative, the Di-
9 rector of the National Science Foundation shall establish
10 a program to award financial assistance for the planning,
11 establishment, and support of Institutes (as described in
12 subsection (b)(2)) in accordance with this section.

13 (b) FINANCIAL ASSISTANCE TO ESTABLISH AND
14 SUPPORT NATIONAL ARTIFICIAL INTELLIGENCE RE-
15 SEARCH INSTITUTES.—

16 (1) IN GENERAL.—Under the Initiative, the
17 Secretary of Energy, the Secretary of Commerce,
18 the Director of the National Science Foundation,
19 and every other agency head may award financial
20 assistance to an eligible entity, or consortia thereof,
21 as determined by an agency head, to establish and
22 support an Institute.

23 (2) ARTIFICIAL INTELLIGENCE INSTITUTES.—
24 An Institute described in this subsection is an artifi-
25 cial intelligence research institute that—

1 (A) is focused on—

2 (i) a particular economic or social sec-
3 tor, including health, education, manufac-
4 turing, agriculture, security, energy, and
5 environment, and includes a component
6 that addresses the ethical, societal, safety,
7 and security implications relevant to the
8 application of artificial intelligence in that
9 sector; or

10 (ii) a cross-cutting challenge for artifi-
11 cial intelligence systems, including trust-
12 worthiness, or foundational science;

13 (B) requires partnership among public and
14 private organizations, including, as appropriate,
15 Federal agencies, research universities, commu-
16 nity colleges, nonprofit research organizations,
17 Federal laboratories, State, local, and tribal
18 governments, and industry (or consortia there-
19 of);

20 (C) has the potential to create an innova-
21 tion ecosystem, or enhance existing ecosystems,
22 to translate Institute research into applications
23 and products, as appropriate to the topic of
24 each Institute;

1 (D) supports interdisciplinary research and
2 development across multiple institutions and or-
3 ganizations involved in artificial intelligence re-
4 search and related disciplines, including phys-
5 ics, engineering, mathematical sciences, com-
6 puter and information science, robotics, biologi-
7 cal and cognitive sciences, material science, so-
8 cial and behavioral sciences, cybersecurity, and
9 technology ethics;

10 (E) supports interdisciplinary education
11 activities, including curriculum development, re-
12 search experiences, and faculty professional de-
13 velopment across two-year, undergraduates,
14 masters, and doctoral level programs; and

15 (F) supports workforce development in ar-
16 tificial intelligence related disciplines in the
17 United States, including broadening participa-
18 tion of underrepresented communities.

19 (3) USE OF FUNDS.—Financial assistance
20 awarded under paragraph (1) may be used by an In-
21 stitute for—

22 (A) managing and making available to re-
23 searchers accessible, curated, standardized, se-
24 cure, and privacy protected data sets from the
25 public and private sectors for the purposes of

1 training and testing artificial intelligence sys-
2 tems and for research using artificial intel-
3 ligence systems, pursuant to section 5301(b)
4 and 5301(e);

5 (B) developing and managing testbeds for
6 artificial intelligence systems, including sector-
7 specific test beds, designed to enable users to
8 evaluate artificial intelligence systems prior to
9 deployment;

10 (C) conducting research and education ac-
11 tivities involving artificial intelligence systems
12 to solve challenges with social, economic, health,
13 scientific, and national security implications;

14 (D) providing or brokering access to com-
15 puting resources, networking, and data facilities
16 for artificial intelligence research and develop-
17 ment relevant to the Institute's research goals;

18 (E) providing technical assistance to users,
19 including software engineering support, for arti-
20 ficial intelligence research and development rel-
21 evant to the Institute's research goals;

22 (F) engaging in outreach and engagement
23 to broaden participation in artificial intelligence
24 research and workforce; and

1 (G) such other activities that an agency
2 head, whose agency's missions contribute to or
3 are affected by artificial intelligence, considers
4 consistent with the purposes described in sec-
5 tion 5101(a).

6 (4) DURATION.—

7 (A) INITIAL PERIODS.—An award of finan-
8 cial assistance under paragraph (1) shall be
9 awarded for an initial period of 5 years.

10 (B) EXTENSION.—An established Institute
11 may apply for, and the agency head may grant,
12 extended funding for periods of 5 years on a
13 merit-reviewed basis using the merit review cri-
14 teria of the sponsoring agency.

15 (5) APPLICATION FOR FINANCIAL ASSIST-
16 ANCE.—

17 (A) IN GENERAL.—A person or group of
18 persons seeking financial assistance under para-
19 graph (1) shall submit to an agency head an
20 application at such time, in such manner, and
21 containing such information as the agency head
22 may require.

23 (B) REQUIREMENTS.—An application sub-
24 mitted under subparagraph (A) for an Institute
25 shall, at a minimum, include the following:

1 (i) A plan for the Institute to in-
2 clude—

3 (I) the proposed goals and activi-
4 ties of the Institute;

5 (II) how the Institute will form
6 partnerships with other research insti-
7 tutions, industry, and nonprofits to le-
8 verage expertise in artificial intel-
9 ligence and access to data, including
10 non-governmental data and computing
11 resources;

12 (III) how the institute will sup-
13 port long-term and short-term edu-
14 cation and workforce development in
15 artificial intelligence, including broad-
16 ening participation of underrep-
17 resented communities; and

18 (IV) a plan for how the Institute
19 will transition from planning into op-
20 erations.

21 (ii) A description of the anticipated
22 sources and nature of any non-Federal
23 contributions, including privately held data
24 sets, computing resources, and other types
25 of in-kind support.

1 (iii) A description of the anticipated
2 long-term impact of such Institute.

3 (6) COMPETITIVE, MERIT REVIEW.—In award-
4 ing financial assistance under paragraph (1), the
5 agency head shall—

6 (A) use a competitive, merit review process
7 that includes peer review by a diverse group of
8 individuals with relevant expertise from both
9 the private and public sectors; and

10 (B) ensure the focus areas of the Institute
11 do not substantially duplicate the efforts of any
12 other Institute.

13 (7) COLLABORATION.—

14 (A) IN GENERAL.—In awarding financial
15 assistance under paragraph (1), an agency head
16 may collaborate with Federal departments and
17 agencies whose missions contribute to or are af-
18 fected by artificial intelligence systems, includ-
19 ing the agencies outlined in section 5103(c).

20 (B) COORDINATING NETWORK.—The Di-
21 rector of the National Science Foundation shall
22 establish a network of Institutes receiving fi-
23 nancial assistance under this subsection, to be
24 known as the “Artificial Intelligence Leadership
25 Network”, to coordinate cross-cutting research

1 and other activities carried out by the Insti-
2 tutes.

3 (C) FUNDING.—The head of an agency
4 may request, accept, and provide funds from
5 other Federal departments and agencies, State,
6 United States territory, local, or tribal govern-
7 ment agencies, private sector for-profit entities,
8 and nonprofit entities, to be available to the ex-
9 tent provided by appropriations Acts, to support
10 an Institute’s activities. The head of an agency
11 may not give any special consideration to any
12 agency or entity in return for a donation.

13 **TITLE III—NATIONAL INSTITUTE**
14 **OF STANDARDS AND TECH-**
15 **NOLOGY ARTIFICIAL INTEL-**
16 **LIGENCE ACTIVITIES**

17 **SEC. 5301. NATIONAL INSTITUTE OF STANDARDS AND**
18 **TECHNOLOGY ACTIVITIES.**

19 (a) IN GENERAL.—As part of the Initiative, the Di-
20 rector of the National Institute of Standards and Tech-
21 nology shall—

22 (1) support measurement research and develop-
23 ment of best practices and voluntary standards for
24 trustworthy artificial intelligence systems, including
25 for—

1 (A) privacy and security, including for
2 datasets used to train or test artificial intel-
3 lligence systems and software and hardware
4 used in artificial intelligence systems;

5 (B) advanced computer chips and hard-
6 ware designed for artificial intelligence systems;

7 (C) data management and techniques to
8 increase the usability of data, including strate-
9 gies to systematically clean, label, and stand-
10 ardize data into forms useful for training artifi-
11 cial intelligence systems and the use of com-
12 mon, open licenses;

13 (D) safety and robustness of artificial in-
14 telligence systems, including assurance,
15 verification, validation, security, control, and
16 the ability for artificial intelligence systems to
17 withstand unexpected inputs and adversarial at-
18 tacks;

19 (E) auditing mechanisms and benchmarks
20 for accuracy, transparency, verifiability, and
21 safety assurance for artificial intelligence sys-
22 tems;

23 (F) applications of machine learning and
24 artificial intelligence systems to improve other
25 scientific fields and engineering;

1 (G) model documentation, including per-
2 formance metrics and constraints, measures of
3 fairness, training and testing processes, and re-
4 sults;

5 (H) system documentation, including con-
6 nections and dependences within and between
7 systems, and complications that may arise from
8 such connections; and

9 (I) all other areas deemed by the Director
10 to be critical to the development and deploy-
11 ment of trustworthy artificial intelligence;

12 (2) produce curated, standardized, representa-
13 tive, secure, and privacy protected data sets for arti-
14 ficial intelligence research, development, and use,
15 prioritizing data for high-value, high-risk research;

16 (3) support one or more institutes as described
17 in section 5201(a) for the purpose of advancing the
18 field of artificial intelligence;

19 (4) support and strategically engage in the de-
20 velopment of voluntary consensus standards, includ-
21 ing international standards, through open, trans-
22 parent, and consensus-based processes;

23 (5) taking into account the findings from the
24 National Academies study in section 5105, develop
25 taxonomies and lexica to describe artificial intel-

1 ligence tasks, knowledge, skills, abilities, com-
2 petencies, and work roles to guide career develop-
3 ment, education, and training activities in industry,
4 academia, nonprofit organizations, and the Federal
5 government, identify workforce gaps in the public
6 and private sector, and create criteria and measure-
7 ment for credentials in artificial intelligence-related
8 careers; and

9 (6) enter into and perform such contracts, in-
10 cluding cooperative research and development ar-
11 rangements and grants and cooperative agreements
12 or other transactions, as may be necessary in the
13 conduct of the work of the National Institute of
14 Standards and Technology and on such terms as the
15 Director considers appropriate, in furtherance of the
16 purposes of this division.

17 (b) RISK MANAGEMENT FRAMEWORK.—Not later
18 than 2 years after the date of the enactment of this Act,
19 the Director shall work to develop, and periodically up-
20 date, in collaboration with other public and private sector
21 organizations, including the National Science Foundation
22 and the Department of Energy, a voluntary risk manage-
23 ment framework for the trustworthiness of artificial intel-
24 ligence systems. The framework shall—

1 (1) identify and provide standards, guidelines,
2 best practices, methodologies, procedures, and pro-
3 cesses for assessing the trustworthiness of, and miti-
4 gating risks to, artificial intelligence systems;

5 (2) establish common definitions and character-
6 izations for aspects and levels of trustworthiness, in-
7 cluding explainability, transparency, safety, privacy,
8 security, robustness, fairness, bias, ethics, validation,
9 verification, interpretability, and other properties re-
10 lated to artificial intelligence systems that are com-
11 mon across all sectors;

12 (3) provide guidance and implementation steps
13 for risk management of artificial intelligence sys-
14 tems;

15 (4) provide sector-specific case studies of imple-
16 mentation of the framework;

17 (5) align with voluntary consensus standards,
18 including international standards, to the fullest ex-
19 tent possible;

20 (6) incorporate voluntary consensus standards
21 and industry best practices; and

22 (7) not prescribe or otherwise require—

23 (A) the use of specific solutions; or

24 (B) the use of specific information or com-
25 munications technology products or services.

1 (c) DATA SHARING AND DOCUMENTATION BEST
2 PRACTICES.—Not later than 1 year after the date of en-
3 actment of this Act, the Director shall, in collaboration
4 with other public and private sector organizations, develop
5 guidance to facilitate the creation of voluntary data shar-
6 ing arrangements between industry, federally funded re-
7 search centers, and Federal agencies for the purpose of
8 advancing artificial intelligence research and technologies,
9 including—

10 (1) options for partnership models between gov-
11 ernment entities, industry, universities, and non-
12 profits that incentivize each party to share the data
13 they collected; and

14 (2) best practices for datasets used to train ar-
15 tificial intelligence systems, including—

16 (A) standards for metadata that describe
17 the properties of datasets, including—

18 (i) the origins of the data;

19 (ii) the intent behind the creation of
20 the data;

21 (iii) authorized uses of the data;

22 (iv) descriptive characteristics of the
23 data, including what populations are in-
24 cluded and excluded from the datasets; and

1 (v) any other properties as determined
2 by the Director; and

3 (B) standards for privacy and security of
4 datasets with human characteristics.

5 (d) STAKEHOLDER OUTREACH.—In carrying out the
6 activities under this subsection, the Director shall—

7 (1) solicit input from university researchers,
8 private sector experts, relevant Federal agencies,
9 Federal laboratories, State and local governments,
10 civil society groups, and other relevant stakeholders;

11 (2) solicit input from experts in relevant fields
12 of social science, technology ethics, and law; and

13 (3) provide opportunity for public comment on
14 guidelines and best practices developed as part of
15 the Initiative, as appropriate.

16 **TITLE IV—NATIONAL SCIENCE**
17 **FOUNDATION ARTIFICIAL IN-**
18 **TELLIGENCE ACTIVITIES**

19 **SEC. 5401. ARTIFICIAL INTELLIGENCE RESEARCH AND**
20 **EDUCATION.**

21 (a) IN GENERAL.—As part of the Initiative, the Di-
22 rector of the National Science Foundation shall fund re-
23 search and education activities in artificial intelligence sys-
24 tems and related fields, including competitive awards or

1 grants to institutions of higher education or eligible non-
2 profit organizations (or consortia thereof).

3 (b) USES OF FUNDS.—In carrying out the activities
4 under subsection (a), the Director of the National Science
5 Foundation shall—

6 (1) support research, including interdisciplinary
7 research on artificial intelligence systems and related
8 areas;

9 (2) support collaborations among researchers
10 across disciplines, including between social scientists
11 and computer and data scientists, to advance re-
12 search critical to the development and deployment of
13 trustworthy artificial intelligence systems, including
14 support for interdisciplinary research relating ad-
15 vances in artificial intelligence to changes in the fu-
16 ture workplace, in a social and economic context;

17 (3) use the existing programs of the National
18 Science Foundation, in collaboration with other Fed-
19 eral departments and agencies, as appropriate to—

20 (A) improve the teaching and learning of
21 artificial intelligence systems at all levels of
22 education; and

23 (B) increase participation in artificial intel-
24 ligence related fields, including by individuals
25 identified in sections 33 and 34 of the Science

1 and Engineering Equal Opportunity Act (42
2 U.S.C. 1885a, 1885b);

3 (4) engage with institutions of higher edu-
4 cation, research communities, industry, Federal lab-
5 oratories, nonprofit organizations, State and local
6 governments, and potential users of information pro-
7 duced under this section, including through the con-
8 vening of workshops and conferences, to leverage the
9 collective body of knowledge across disciplines rel-
10 evant to artificial intelligence, facilitate new collabo-
11 rations and partnerships, and identify emerging re-
12 search needs;

13 (5) support partnerships among institutions of
14 higher education and industry that facilitate collabo-
15 rative research, personnel exchanges, and workforce
16 development with respect to artificial intelligence
17 systems;

18 (6) ensure adequate access to research and edu-
19 cation infrastructure with respect to artificial intel-
20 ligence systems, including through the development
21 of new computing resources and partnership with
22 the private sector for the provision of cloud-based
23 computing services;

24 (7) conduct prize competitions, as appropriate,
25 pursuant to section 24 of the Stevenson-Wydler

1 Technology Innovation Act of 1980 (15 U.S.C.
2 3719);

3 (8) coordinate research efforts funded through
4 existing programs across the directorates of the Na-
5 tional Science Foundation;

6 (9) provide guidance on data sharing by grant-
7 ees to public and private sector organizations con-
8 sistent with the standards and guidelines developed
9 under section 5301(c); and

10 (10) evaluate opportunities for international
11 collaboration with strategic allies on artificial intel-
12 ligence research and development.

13 (c) ARTIFICIAL INTELLIGENCE RESEARCH
14 GRANTS.—

15 (1) IN GENERAL.—The Director shall award
16 grants for research on artificial intelligence systems.
17 Research areas may include—

18 (A) artificial intelligence systems, including
19 machine learning, computer vision, robotics,
20 and hardware for accelerating artificial intel-
21 ligence systems;

22 (B) artificial intelligence-enabled systems;

23 (C) fields and research areas that will con-
24 tribute to the advancement of artificial intel-
25 ligence systems, including information theory,

1 causal and statistical inference, data mining, in-
2 formation extraction, human-robot interaction,
3 and intelligent interfaces;

4 (D) fields and research areas that increase
5 understanding of human characteristics relevant
6 to artificial intelligence systems, including com-
7 putational neuroscience, reasoning and rep-
8 resentation, speech and language, multi-agent
9 systems, intelligent interfaces, human-artificial
10 intelligence cooperation, and artificial intel-
11 ligence-augmented human problem solving;

12 (E) fields and research areas that increase
13 understanding of learning, adaptability, and re-
14 siliance beyond the human cognitive model, in-
15 cluding topics in developmental biology, zoology,
16 botany, morphological computation, and
17 organismal systems;

18 (F) fields and research areas that will con-
19 tribute to the development and deployment of
20 trustworthy artificial intelligence systems, in-
21 cluding—

22 (i) algorithmic explainability;

23 (ii) methods to assess, characterize,
24 and reduce bias in datasets and artificial
25 intelligence systems; and

1 (iii) safety and robustness of artificial
2 intelligence systems, including assurance,
3 verification, validation, security, and con-
4 trol;

5 (G) privacy and security, including for
6 datasets used for the training and inference of
7 artificial intelligence systems, and software and
8 hardware used in artificial intelligence systems;

9 (H) fields and research areas that address
10 the application of artificial intelligence systems
11 to scientific discovery and societal challenges,
12 including economic and public health emer-
13 gencies;

14 (I) societal, ethical, safety, education,
15 workforce, and security implications of artificial
16 intelligence systems, including social impact of
17 artificial intelligence systems on different
18 groups within society, especially historically
19 marginalized groups; and

20 (J) qualitative and quantitative forecasting
21 of future capabilities, applications, and impacts.

22 (2) ENGINEERING SUPPORT.—In soliciting pro-
23 posals for funding under this section, the Director
24 shall permit applicants to include in their proposed

1 budgets funding for software engineering support to
2 assist with the proposed research.

3 (3) ETHICS.—

4 (A) SENSE OF CONGRESS.—It is the sense
5 of Congress that—

6 (i) a number of emerging areas of re-
7 search, including artificial intelligence,
8 have potential ethical, social, safety, and
9 security implications that might be appar-
10 ent as early as the basic research stage;

11 (ii) the incorporation of ethical, social,
12 safety, and security considerations into the
13 research design and review process for
14 Federal awards may help mitigate poten-
15 tial harms before they happen;

16 (iii) the National Science Founda-
17 tion's intent to enter into an agreement
18 with the National Academies of Sciences,
19 Engineering, and Medicine to conduct a
20 study and make recommendations with re-
21 spect to governance of research in emerg-
22 ing technologies is a positive step toward
23 accomplishing this goal; and

24 (iv) the National Science Foundation
25 should continue to work with stakeholders

1 to understand and adopt policies that pro-
2 mote best practices for governance of re-
3 search in emerging technologies at every
4 stage of research.

5 (B) ETHICS STATEMENTS.—

6 (i) IN GENERAL.—Not later than 18
7 months after the date of enactment of this
8 Act, the Director shall amend grant pro-
9 posal instructions to include a requirement
10 for an ethics statement to be included as
11 part of any proposal for funding prior to
12 making the award. Such statement shall be
13 considered by the Director in the review of
14 proposals, taking into consideration any
15 relevant input from the peer-reviewers for
16 the proposal, and shall factor into award
17 decisions as deemed necessary by the Di-
18 rector.

19 (ii) CONTENTS.—Such statements
20 may include, as appropriate—

21 (I) the potential societal benefits
22 of the research;

23 (II) any foreseeable or quantifi-
24 able risks to society, including how
25 the research could enable products,

1 technologies, or other outcomes that
2 could intentionally or unintentionally
3 cause significant societal harm; and

4 (III) how technical or social solu-
5 tions can mitigate such risks and, as
6 appropriate, a plan to implement such
7 mitigation measures.

8 (iii) GUIDANCE.—The Director shall
9 issue clear guidance on what constitutes a
10 foreseeable or quantifiable risk described in
11 clause (ii)(II), and to the extent practical
12 harmonize this policy with existing ethical
13 policies or related requirements for human
14 subjects.

15 (iv) ANNUAL REPORTS.—The Director
16 shall encourage grantees to update their
17 ethics statements as appropriate as part of
18 the annual reports required by all grantees
19 under the grant terms and conditions.

20 (d) EDUCATION.—

21 (1) IN GENERAL.—The Director of the National
22 Science Foundation shall award grants for education
23 programs at the K-12, community college, under-
24 graduate, graduate, postdoctoral, adult learning, and
25 retraining stages of education that—

1 (A) support the development of a diverse
2 workforce pipeline for science and technology
3 with respect to artificial intelligence systems;

4 (B) increase awareness of ethical, social,
5 safety, and security implications of artificial in-
6 telligence systems; and

7 (C) promote the widespread understanding
8 of artificial intelligence principles and methods
9 to create an educated workforce and general
10 public able to use products enabled by artificial
11 intelligence systems and adapt to future societal
12 and economic changes caused by artificial intel-
13 ligence systems.

14 (2) USE OF FUNDS.—Grants awarded under
15 this section for education activities referred to in
16 paragraph (1) may be used for—

17 (A) collaborative interdisciplinary research,
18 development, testing, and dissemination of K-
19 12, undergraduate, and community college cur-
20 riculum development, dissemination, and other
21 educational tools and methods in artificial intel-
22 ligence related fields;

23 (B) curriculum development in the field of
24 technology ethics;

1 (C) support for informal education activi-
2 ties for K-12 students to engage with artificial
3 intelligence systems, including mentorship pro-
4 grams for underrepresented populations;

5 (D) efforts to achieve equitable access to
6 K-12 artificial intelligence education for popu-
7 lations and geographic areas traditionally
8 underrepresented in the artificial intelligence
9 field;

10 (E) training and professional development
11 programs, including innovative pre-service and
12 in-service programs, in artificial intelligence and
13 related fields for K-12 teachers;

14 (F) efforts to improve the retention rate
15 for researchers focusing on artificial intelligence
16 systems at institutions of higher learning and
17 other nonprofit research institutions;

18 (G) outreach programs to educate the gen-
19 eral public about the uses of artificial intel-
20 ligence and its societal implications;

21 (H) assessments of activities conducted
22 under this subsection; and

23 (I) any other relevant activities the Direc-
24 tor determines will accomplish the aim de-
25 scribed in paragraph (1).

1 (3) ARTIFICIAL INTELLIGENCE TRAINEESHIPS
2 AND FELLOWSHIPS.—

3 (A) ARTIFICIAL INTELLIGENCE
4 TRAINEESHIPS.—

5 (i) IN GENERAL.—The Director of the
6 National Science Foundation shall award
7 grants to institutions of higher education
8 to establish traineeship programs for grad-
9 uate students who pursue artificial intel-
10 ligence-related research leading to a mas-
11 ters or doctorate degree by providing fund-
12 ing and other assistance, and by providing
13 graduate students opportunities for re-
14 search experiences in government or indus-
15 try related to the students' artificial intel-
16 ligence studies.

17 (ii) USE OF FUNDS.—An institution
18 of higher education shall use grant funds
19 provided under clause (i) for the purposes
20 of—

21 (I) providing traineeships to stu-
22 dents who are pursuing research in
23 artificial intelligence leading to a mas-
24 ters or doctorate degree;

1 (II) paying tuition and fees for
2 students receiving traineeships who
3 are citizens, nationals, or lawfully ad-
4 mitted permanent resident aliens of
5 the United States;

6 (III) creating and requiring
7 courses or training programs in tech-
8 nology ethics for students receiving
9 traineeships;

10 (IV) creating opportunities for
11 research in technology ethics for stu-
12 dents receiving traineeships;

13 (V) establishing scientific intern-
14 ship programs for students receiving
15 traineeships in artificial intelligence at
16 for-profit institutions, nonprofit re-
17 search institutions, or government lab-
18 oratories; and

19 (VI) other costs associated with
20 the administration of the program.

21 (B) ARTIFICIAL INTELLIGENCE FELLOW-
22 SHIPS.—The Director of the National Science
23 Foundation shall award fellowships to masters
24 and doctoral students and postdoctoral re-
25 searchers at institutions of higher education

1 who are pursuing degrees or research in artifi-
2 cial intelligence and related fields, including in
3 the field of technology ethics. In making such
4 awards, the Director shall—

5 (i) ensure recipients of artificial intel-
6 ligence fellowships are citizens, nationals,
7 or lawfully admitted permanent resident
8 aliens of the United States; and

9 (ii) conduct outreach, including
10 through formal solicitations, to solicit pro-
11 posals from students and postdoctoral re-
12 searchers seeking to carry out research in
13 aspects of technology ethics with relevance
14 to artificial intelligence systems.

15 (C) FACULTY RECRUITMENT FELLOW-
16 SHIPS.—

17 (i) IN GENERAL.—The Director of the
18 National Science Foundation shall estab-
19 lish a program to award grants to institu-
20 tions of higher education to recruit and re-
21 tain tenure-track or tenured faculty in ar-
22 tificial intelligence and related fields.

23 (ii) USE OF FUNDS.—An institution
24 of higher education shall use grant funds

1 provided under clause (i) for the purposes
2 of—

3 (I) recruiting new tenure-track or
4 tenured faculty members to that con-
5 duct research and teaching in artifi-
6 cial intelligence and related fields and
7 research areas, including technology
8 ethics; and

9 (II) paying salary and benefits
10 for the academic year of newly re-
11 cruited tenure-track or tenured fac-
12 ulty members for a duration of up to
13 three years.

14 (D) FACULTY TECHNOLOGY ETHICS FEL-
15 LOWSHIPS.—

16 (i) IN GENERAL.—The Director of the
17 National Science Foundation shall estab-
18 lish a program to award fellowships to ten-
19 ure-track and tenured faculty in social and
20 behavioral sciences, ethics, law, and related
21 fields to develop new research projects and
22 partnerships in technology ethics, in col-
23 laboration with faculty conducting empir-
24 ical research in artificial intelligence and
25 related fields.

1 (ii) PURPOSES.—The purposes of such
2 fellowships are to enable researchers in so-
3 cial and behavioral sciences, ethics, law,
4 and related fields to establish new research
5 and education partnerships with research-
6 ers in artificial intelligence and related
7 fields; learn new techniques and acquire
8 systematic knowledge in artificial intel-
9 ligence and related fields; shift their re-
10 search to focus on technology ethics; and
11 mentor and advise graduate students and
12 postdocs pursuing research in technology
13 ethics.

14 (iii) USES OF FUNDS.—A fellowship
15 may include salary and benefits for up to
16 one academic year and additional expenses
17 to support coursework or equivalent train-
18 ing in artificial intelligence systems.

19 (E) UPDATE TO ROBERT NOYCE TEACHER
20 SCHOLARSHIP PROGRAM.—Section 10(i)(5) of
21 the National Science Foundation Authorization
22 Act of 2002 (42 U.S.C. 1862n–1(i)(5)) is
23 amended by inserting “and artificial intel-
24 ligence” after “computer science”.

1 (4) UPDATE TO ADVANCED TECHNOLOGICAL
2 EDUCATION PROGRAM.—

3 (A) IN GENERAL.—Section 3(b) of the Sci-
4 entific and Advanced-Technology Act of 1992
5 (42 U.S.C. 1862(i)) is amended by striking
6 “10” and inserting “12”.

7 (B) ARTIFICIAL INTELLIGENCE CENTERS
8 OF EXCELLENCE.—The Director of the Na-
9 tional Science Foundation shall establish na-
10 tional centers of scientific and technical edu-
11 cation to advance education and workforce de-
12 velopment in areas related to artificial intel-
13 ligence pursuant to Section 3 of the Scientific
14 and Advanced-Technology Act of 1992 (42
15 U.S.C. 1862(i)). Activities of such centers may
16 include—

17 (i) the development, dissemination,
18 and evaluation of curriculum and other
19 educational tools and methods in artificial
20 intelligence related fields and research
21 areas, including technology ethics;

22 (ii) the development and evaluation of
23 artificial intelligence related certifications
24 for 2-year programs; and

1 (iii) interdisciplinary science and engi-
2 neering research in employment-based
3 adult learning and career retraining re-
4 lated to artificial intelligence fields.

5 **TITLE V—DEPARTMENT OF EN-**
6 **ERGY ARTIFICIAL INTEL-**
7 **LIGENCE RESEARCH PRO-**
8 **GRAM**

9 **SEC. 5501. DEPARTMENT OF ENERGY ARTIFICIAL INTEL-**
10 **LIGENCE RESEARCH PROGRAM.**

11 (a) IN GENERAL.—The Secretary shall carry out a
12 cross-cutting research and development program to ad-
13 vance artificial intelligence tools, systems, capabilities, and
14 workforce needs and to improve the reliability of artificial
15 intelligence methods and solutions relevant to the mission
16 of the Department. In carrying out this program, the Sec-
17 retary shall coordinate across all relevant offices and pro-
18 grams at the Department, including the Office of Science,
19 the Office of Energy Efficiency and Renewable Energy,
20 the Office of Nuclear Energy, the Office of Fossil Energy,
21 the Office of Electricity, the Office of Cybersecurity, En-
22 ergy Security, and Emergency Response, the Advanced
23 Research Projects Agency-Energy, and any other relevant
24 office determined by the Secretary.

1 (b) RESEARCH AREAS.—In carrying out the program
2 under subsection (a), the Secretary shall award financial
3 assistance to eligible entities to carry out research projects
4 on topics including—

5 (1) the application of artificial intelligence sys-
6 tems to improve large-scale simulations of natural
7 and other phenomena;

8 (2) the study of applied mathematics, computer
9 science, and statistics, including foundations of
10 methods and systems of artificial intelligence, causal
11 and statistical inference, and the development of al-
12 gorithms for artificial intelligence systems;

13 (3) the analysis of existing large-scale datasets
14 from science and engineering experiments and sim-
15 ulations, including energy simulations and other pri-
16 orities at the Department as determined by the Sec-
17 retary using artificial intelligence tools and tech-
18 niques;

19 (4) the development of operation and control
20 systems that enhance automated, intelligent deci-
21 sionmaking capabilities;

22 (5) the development of advanced computing
23 hardware and computer architecture tailored to arti-
24 ficial intelligence systems, including the codesign of
25 networks and computational hardware;

1 (6) the development of standardized datasets
2 for emerging artificial intelligence research fields
3 and applications, including methods for addressing
4 data scarcity; and

5 (7) the development of trustworthy artificial in-
6 telligence systems, including—

7 (A) algorithmic explainability;

8 (B) analytical methods for identifying and
9 mitigating bias in artificial intelligence systems;
10 and

11 (C) safety and robustness, including assur-
12 ance, verification, validation, security, and con-
13 trol.

14 (c) **TECHNOLOGY TRANSFER.**—In carrying out the
15 program under subsection (a), the Secretary shall support
16 technology transfer of artificial intelligence systems for the
17 benefit of society and United States economic competitive-
18 ness.

19 (d) **FACILITY USE AND UPGRADES.**—In carrying out
20 the program under subsection (a), the Secretary shall—

21 (1) make available high-performance computing
22 infrastructure at national laboratories;

23 (2) make any upgrades necessary to enhance
24 the use of existing computing facilities for artificial

1 intelligence systems, including upgrades to hard-
2 ware;

3 (3) establish new computing capabilities nec-
4 essary to manage data and conduct high perform-
5 ance computing that enables the use of artificial in-
6 telligence systems; and

7 (4) maintain and improve, as needed, net-
8 working infrastructure, data input and output mech-
9 anisms, and data analysis, storage, and service capa-
10 bilities.

11 (e) ETHICS.—

12 (1) IN GENERAL.—Not later than 18 months
13 after the date of enactment of this Act, the Sec-
14 retary shall amend grant proposal instructions to in-
15 clude a requirement for an ethics statement to be in-
16 cluded as part of any proposal for funding prior to
17 making the award. Such statement shall be consid-
18 ered by the Secretary in the review of proposals, tak-
19 ing into consideration any relevant input from the
20 peer-reviewers for the proposal, and shall factor into
21 award decisions as deemed necessary by the Sec-
22 retary. Such statements may include, as appro-
23 priate—

24 (A) the potential societal benefits of the re-
25 search;

1 (B) any foreseeable or quantifiable risks to
2 society, including how the research could enable
3 products, technologies, or other outcomes that
4 could intentionally or unintentionally cause sig-
5 nificant societal harm; and

6 (C) how technical or social solutions can
7 mitigate such risks and, as appropriate, a plan
8 to implement such mitigation measures.

9 (2) GUIDANCE.—The Secretary shall issue clear
10 guidance on what constitutes risks as described in
11 section (1)(B), and to the extent practical harmonize
12 this policy with existing ethical policies or related re-
13 quirements for human subjects.

14 (3) ANNUAL REPORTS.—The Secretary shall
15 encourage awardees to update their ethics state-
16 ments as appropriate as part of the annual reports
17 required by all awardees under the grant terms and
18 conditions.

19 (f) RISK MANAGEMENT.—The Secretary shall review
20 agency policies for risk management in artificial intel-
21 ligence related projects and issue as necessary policies and
22 principles that are consistent with the framework devel-
23 oped under section 5301(b).

24 (g) DATA PRIVACY AND SHARING.—The Secretary
25 shall review agency policies for data sharing with other

1 public and private sector organizations and issue as nec-
2 essary policies and principles that are consistent with the
3 standards and guidelines submitted under section 5301(e).
4 In addition, the Secretary shall establish a streamlined
5 mechanism for approving research projects or partner-
6 ships that require sharing sensitive public or private data
7 with the Department.

8 (h) PARTNERSHIPS WITH OTHER FEDERAL AGEN-
9 CIES.—The Secretary may request, accept, and provide
10 funds from other Federal departments and agencies,
11 State, United States territory, local, or Tribal government
12 agencies, private sector for-profit entities, and nonprofit
13 entities, to be available to the extent provided by appro-
14 priations Acts, to support a research project or partner-
15 ship carried out under this section. The Secretary may not
16 give any special consideration to any agency or entity in
17 return for a donation.

18 (i) STAKEHOLDER ENGAGEMENT.—In carrying out
19 the activities authorized in this section, the Secretary
20 shall—

21 (1) collaborate with a range of stakeholders in-
22 cluding small businesses, institutes of higher edu-
23 cation, industry, and the National Laboratories;

1 (2) leverage the collective body of knowledge
2 from existing artificial intelligence and machine
3 learning research; and

4 (3) engage with other Federal agencies, re-
5 search communities, and potential users of informa-
6 tion produced under this section.

7 (j) DEFINITIONS.—In this section:

8 (1) SECRETARY.—The term “Secretary” means
9 the Secretary of Energy.

10 (2) DEPARTMENT.—The term “Department”
11 means the Department of Energy.

12 (3) NATIONAL LABORATORY.—The term “na-
13 tional laboratory” has the meaning given such term
14 in section 2 of the Energy Policy Act of 2005 (42
15 U.S.C. 15801).

16 (4) ELIGIBLE ENTITIES.—The term “eligible
17 entities” means—

18 (A) an institution of higher education;

19 (B) a National Laboratory;

20 (C) a Federal research agency;

21 (D) a State research agency;

22 (E) a nonprofit research organization;

23 (F) a private sector entity; or

24 (G) a consortium of 2 or more entities de-
25 scribed in subparagraph (A) through (F).

Amend the title so as to read: “A bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.”.

