

LOG ID	REV	MEMBER	MARKUP LOC	DESCRIPTION	MARKUP ACT
1071	1	Rogers, Mike	CHM	PROHIBITION ON PROVISION OF EQUIPMENT TO OTHER DEPARTMENTS AND AGENCIES FOR PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.	EB 1
1113	1	Moore, Blake D.	CHM	The A-10 electronic warfare (EW) modernization to keep pace with surface-to-air threat technology advancements.	EB 1
1415	3	McClain, Lisa C.	CHM	Congressional support for A-10 Wing Replacement Program	EB 1
1433	0	Brown, Anthony G.	CHM	Acquisition Strategy for F-35B/C Propulsion System	EB 1
940	0	Carbajal, Salud O.	CHM	Extend authorization of the FireGuard Program for 5 years.	EB 1
1448	0	Lamborn, Doug	CHM	This amendment will repeal Sec. 1676 of the FY18 NDAA. DOD has already studied this issue and determined further transferring of acq/budget authority for SM-3 Block1B, THAAD, AN/TPY-2 programs from MDA to Services would not produce any budgetary savings & create inefficiencies	EB 1
689	1	Wittman, Robert	CHM	Would establish special emergency authority for the Secretary of Defense to reimburse defense contractors should the Secretary of Defense deem contracted work cannot be completed due to a declared pandemic. Does not require it be used.	EB 1
717	0	Norcross, Donald	CHM	Implements GAO recommendations for improving transparency, programming, budgeting, and management controls in service acquisitions.	EB 1
747	1	Banks, Jim	CHM	Artificial Intelligence-Enabled Autonomous Systems	EB 1
773	2	Banks, Jim	CHM	Briefing on the value of foreign direct investment and global collaboration as part of the DoD technology innovation strategy.	EB 1
775	1	Banks, Jim	CHM	Briefing on a consortium focused on semiconductor supply and alignment of foreign direct investment to National Defense Strategy.	EB 1
801	1	Bergman, Jack	CHM	Directs the Secretary of Defense to submit a briefing assessing the countries of origin of procurements carried out in connection with major and critical defense acquisition programs.	EB 1
911	1	Gallego, Ruben	CHM	Directs the Secretary of Defense to provide a briefing on existing U.S efforts to help NATO allies and European partners secure national 5G communications networks.	EB 1

LOG ID	REV	MEMBER	MARKUP LOC	DESCRIPTION	MARKUP ACT
915	0	Slotkin, Elissa	CHM	Require DoD to develop a supply chain risk assessment framework, including transparency tools.	EB 1
921	1	Slotkin, Elissa	CHM	Directs Sec. Army to provide an assessment of microelectronics supply chain vulnerabilities and mitigation strategy for Army ground vehicles.	EB 1
970	0	Gallagher, Mike	CHM	Modifies competition requirements for Federal Prison Industries.	EB 1
980	2	Gallagher, Mike	CHM	Briefing on the desirability and feasibility expanding the Canadian ITAR exemption to other NTIB members	EB 1
983	3	Wittman, Robert	CHM	Would Prohibit PPE procurement from China, Russia, North Korea and Iran.	EB 1
1087	2	Houlahan, Chrissy	CHM	DRL on Securing Critical Mineral Supply Chains	EB 1
1132	0	Scott, Austin	CHM	The committee directs the Secretary of Defense to develop a plan on how to leverage new cross-enterprise AI technologies to improve DOD's predictive supply chain management for critical and essential materials and brief the HASC no later than March 1, 2022.	EB 1
1160	2	Moore, Blake D.	CHM	Directs the DOD to brief on the status of DOD's participation in and training related to the GSA E-Marketplace Platform	EB 1
1174	1	Moore, Blake D.	CHM	Industrial Base Analysis and Sustainment Support	EB 1
1182	0	Wilson, Joe	CHM	Directs the Secretary of Defense to provide a briefing on the General Services Administration's Fourth-Party Logistics Solutions program.	EB 1
1183	0	Jacobs, Sara	CHM	Extends the requirement to submit selected acquisition reports.	EB 1
1198	0	Brown, Anthony G.	CHM	Revision to Sec. 803, Diversity and inclusion reporting requirements for covered contractors.	EB 1
1227	0	Slotkin, Elissa	CHM	Directs the Secretary of Defense to specify methods and processes to track fluctuations in supply chain forecasting and demand requirements, and implement policies to encourage predictable demand requirements.	EB 1

LOG ID	REV	MEMBER	MARKUP LOC	DESCRIPTION	MARKUP ACT
1271	0	Brown, Anthony G.	CHM	Directs DOD to report on registered apprenticeship programs and corrosion prevention and control training.	EB 1
1276	1	Norcross, Donald	CHM	Modify DRL Refining Capacity in the United States (ID 73158)	EB 1
1305	1	Bice, Stephanie I.	CHM	Directs DOD to study existing capabilities and feasibility of using AI/ML to streamline DOD contracting process.	EB 1
1323	1	Luria, Elaine G.	CHM	Would direct SECNAV to provide a briefing to the House Committee on Armed Services by June 1, 2022 on the principal factors presenting risks to U.S. shipbuilding, specifically focusing on those factors that could lead to cost increases or supply chain vulnerabilities.	EB 1
1365	2	Jackson, Ronny	CHM	Briefing on security implications of Chinese government influence in U.S. agriculture systems and supply chains.	EB 1
870	4	Waltz, Michael	CHM	Directive to archive and standardize operational data from Afghanistan across the myriad of defense information systems and ensure access to such data across the Joint Force	EB 1
1056	0	Waltz, Michael	CHM	Amends section 522 of the Chairman's mark to clarify that Members of the the Guard are eligible to be notified of any designation by a military criminal investigation organization. Also requires former service members to be notified.	EB 1
701	0	Bacon, Don	CHM	Directs the Department of Defense to provide budget justification details for Operation and Maintenance account requests	EB 1
807	1	Turner, Michael	CHM	Directs the Secretary of Defense, in consultation with the Defense Security Cooperation Agency, to brief on the process and timeline to facilitate the foreign military sale of U.S. Abrams tanks to Poland.	EB 1
815	0	Banks, Jim	CHM	Amends employment parameters of individuals previously serving as Chief Management Officer.	EB 1
821	1	Crow, Jason	CHM	Includes the ATF to an existing reporting requirement that goes to the Department of the Treasury and adds an annual report to Congress on missing, lost, or stolen weapons, large amounts of ammunition, destructive devices, and explosives for the previous year.	EB 1
850	2	Moulton, Seth	CHM	This amendment would stand up a Defense Resource Budgeting and Allocation Commission to develop a consensus on an effective and strategic approach to Department of Defense resource budgeting and allocation.	EB 1
896	1	Gallagher, Mike	CHM	Assessment of United States military infrastructure in Diego Garcia	EB 1

LOG ID	REV	MEMBER	MARKUP LOC	DESCRIPTION	MARKUP ACT
899	2	Gallagher, Mike	CHM	Report on the strategic lift capabilities provided to the People's Liberation Army by civilian maritime and air transport assets	EB 1
946	0	Kelly, Trent	CHM	Require the Department of Defense to provide an unclassified budget display to identify the material readiness objectives for each major weapon system, as well as the funds obligated, budgeted, and programmed for the purpose of achieving the material readiness objectives.	EB 1
958	1	Gallagher, Mike	CHM	Report on PLA, US, and allied mine warfare capabilities and requirements	EB 1
1067	0	Murphy, Stephanie N.	CHM	Bill acknowledges importance of U.S. - Singapore defense cooperation.	EB 1
1119	3	McClain, Lisa C.	CHM	Directs the Secretary of Defense to report on Iranian material support to the Syrian Assad regime and the role this support may have played in the losses of U.S. or coalition forces.	EB 1
1126	1	DesJarlais, Scott	CHM	Requesting a report on China-Iran military ties from the Secretary of Defense	EB 1
1130	4	McClain, Lisa C.	CHM	Directs the Secretary of Defense to report on Iranian security forces tactics used to suppress opposition groups and violate human rights.	EB 1
1165	2	Jacobs, Sara	CHM	Directs the Special Inspector General of Afghanistan Reconstruction to conduct an evaluation of the performance of Afghan National Defense and Security Forces during the period beginning in February of 2020 and ending in August of 2021.	EB 1
1169	0	Lamborn, Doug	CHM	Requires the Secretary of Defense to report on Iranian military capabilities and the impact that removal of sanctions would have on such capabilities.	EB 1
1173	0	Kahele, Kaiali'i	CHM	Provides a technical fix to the Byrne Justice Assistance Grant (JAG) allocations to American Samoa and Northern Mariana Islands as individual jurisdictions like all other states and U.S. territories.	EB 1
1194	2	Bacon, Don	CHM	Report on operational energy readiness	EB 1
1285	1	Scott, Austin	CHM	This DRL directs the CJCS to provide the congressional defense committees a classified report by May 1, 2022 on the center of gravity of (1) the Russian Federation; (2) Peoples Republic of China; (3) Iran; (4) North Korea; and (5) Foreign Terrorist Organizations.	EB 1
1298	0	Jackson, Ronny	CHM	Prohibits any of the funds authorized by this act to be transferred to the Badr Organization.	EB 1

LOG ID	REV	MEMBER	MARKUP LOC	DESCRIPTION	MARKUP ACT
1300	0	Jackson, Ronny	CHM	Requires the Secretary of Defense to report on improvements of military capabilities of Iran-backed militias and the impact that removal of sanctions would have on such capabilities.	EB 1
1364	1	Speier, Jackie	CHM	Strategy for Preserving the Rights of Women and Girls in Afghanistan	EB 1
1382	1	McClain, Lisa C.	CHM	Directs the Secretary of Defense to report on Iranian material support to the Taliban and the role this support may have played in the losses of U.S. or coalition forces.	EB 1
1412	3	Hartzler, Vicky	CHM	Requires DOD to brief the House Armed Services Committee on the strategic decision to leave Bagram Air Base.	EB 1
1413	1	Hartzler, Vicky	CHM	Requires DOD to brief the House Armed Services Committee on the lack of contract maintenance support to the Afghan Air Force.	EB 1
1435	0	Rogers, Mike	CHM	Notification Relating to Overseas Humanitarian, Disaster, and Civic Aid Funds Obligated in Support of Operation Alliesrefuge.	EB 1

AMENDMENT TO H.R. 4350
OFFERED BY MR. ROGERS

At the appropriate place in title X, insert the following:

1 **SEC. 10 ____ . PROHIBITION ON PROVISION OF EQUIPMENT**
2 **TO OTHER DEPARTMENTS AND AGENCIES**
3 **FOR PROTECTION OF CERTAIN FACILITIES**
4 **AND ASSETS FROM UNMANNED AIRCRAFT.**

5 None of the funds authorized to be appropriated by
6 this Act or otherwise made available for fiscal year 2022
7 for the Department of Defense, may be obligated or ex-
8 pended to acquire, loan, transfer, sell, or otherwise provide
9 equipment to a department or Federal agency for use by
10 such department or agency in exercising authorities or
11 taking actions pursuant to section 210G of the Homeland
12 Security Act of 2002 (6 U.S.C. 124n).



**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by: Mr. Moore of Utah

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

A-10C Threat Warning System Modernization

The committee understands the A-10C aircraft supports the Air Force's close air support and forward air control missions, with fighter squadrons in both the active and reserve components. The committee also recognizes the increased risk associated with the combat search and rescue mission, which may require operations in dense or advanced threat environments. As identified in the 2012, A-10 Operational Viability and Sustainment Gap Analysis Report and subsequent requirements studies contained in the Air National Guard and Air Force Reserve Modernization Priorities Book, the existing threat warning system is inadequate and requires modernization. The committee also notes that Air Force Air Combat Command has formally defined a modernization requirement for installing a digital radar warning receiver system within the A-10 aircraft. To reduce costs and expedite fielding, the committee recommends fielding a digital radar warning system currently in production and already in operation on a number of existing Air Force aircraft. Existing digital radar warning receivers have the ability to integrate threat identification of the most sophisticated modern threats and are designed to be a form, fit, function replacement. Modernized electronic warfare suite subsystems, architecture, and countermeasures will enable the A-10 to conduct complex combat operations in the vast majority of today's contested environments.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services by March 31, 2022, on the Secretary's strategy to expeditiously integrate a digital radar warning receiver onto the A-10C fleet of aircraft.

**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by: Mrs. McClain

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

A-10 Wing Replacement Program

The committee believes that prudent modernization of the A-10 fleet provides the Air Force a cost- and mission-effective close air support capacity and capability that will meet joint force requirements. The committee continues to support the A-10 ATTACK wing replacement program, which will enable full fleet operations to 2030 and beyond. The committee believes that wing replacement for the planned fleet is a critical element of the fleet's sustainment and should be a high priority for the Air Force.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing the House Committee on Armed Services no later than January 31, 2022, regarding the planned timeline for completion of the re-winged of all planned aircraft in the A-10 fleet.

AMENDMENT TO H.R. 4350
OFFERED BY MR. BROWN OF MARYLAND

At the appropriate place in title II, insert the following new section:

1 **SEC. 2 ____ . ADVANCED PROPULSION SYSTEM ACQUISITION**
2 **STRATEGY FOR THE F-35B AND F-35C AIR-**
3 **CRAFT.**

4 (a) IN GENERAL.—Not later than 14 days after the
5 date on which the budget of the President for fiscal year
6 2023 is submitted to Congress pursuant to section 1105
7 of title 31, United States Code, the Secretary of the Navy,
8 in consultation with the Under Secretary of Defense for
9 Acquisition and Sustainment, shall submit to the congres-
10 sional defense committees a report on the integration of
11 the Adaptive Engine Transition Program (referred to in
12 this section as “AETP”) propulsion system or other ad-
13 vanced propulsion system into F-35B and F-35C aircraft.

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

16 (1) An analysis of the impact on combat effec-
17 tiveness and sustainment cost from increased thrust,
18 fuel efficiency, and thermal capacity for each variant
19 of the F-35, to include the improvements on accel-

1 eration, speed, range, and overall mission effective-
2 ness, of each advanced propulsion system.

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

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

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

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

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

24 (4) An implementation plan to implement the
25 strategy described in paragraph (3).

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

4 (c) DEFINITIONS.—In this section:

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

6 (A) the F-35B; and

7 (B) the F-35C.

8 (2) The term “advanced propulsion system”
9 means:

10 (A) the Adaptive Engine Transition Pro-
11 gram propulsion system; or

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



AMENDMENT TO H.R. 4350
OFFERED BY MR. CARBAJAL OF CALIFORNIA

At the appropriate place in title V, insert the following:

1 **SEC. 5 ____ . CONTINUED NATIONAL GUARD SUPPORT FOR**
2 **FIREGUARD PROGRAM.**

3 The Secretary of Defense shall continue to support
4 the FireGuard program with National Guard personnel to
5 aggregate, analyze, and assess multi-source remote sens-
6 ing information for interagency partnerships in the initial
7 detection and monitoring of wildfires until September 30,
8 2026. After such date, the Secretary may not reduce such
9 support, or transfer responsibility for such support to an
10 interagency partner, until 30 days after the date on which
11 the Secretary submits to the Committees on Armed Serv-
12 ices of the Senate and House of Representatives written
13 notice of such proposed change, and reasons for such
14 change.



AMENDMENT TO H.R. 4350
OFFERED BY MR. LAMBORN OF COLORADO

Add at the appropriate place in subtitle D of title
XVI the following new section

1 **SEC. 16 ____ . REPEAL OF TRANSITION OF BALLISTIC MIS-**
2 **SILE DEFENSE PROGRAMS TO MILITARY DE-**
3 **PARTMENTS .**

4 Section 1676 of the National Defense Authorization
5 Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.
6 2431 note) is amended by striking subsection (b).



AMENDMENT TO H.R. 4350
OFFERED BY MR. WITTMAN OF VIRGINIA

At the appropriate place in title VIII, add the following new section:

1 **SEC. 8___. SPECIAL EMERGENCY REIMBURSEMENT AU-**
2 **THORITY.**

3 (a) IN GENERAL.—Subchapter II of chapter 134 of
4 title 10, United States Code, is amended by adding at the
5 end the following new section:

6 **“§ 2265. Special emergency reimbursement authority**

7 “(a) SPECIAL EMERGENCY REIMBURSEMENT AU-
8 THORITY.—

9 “(1) IN GENERAL.—Notwithstanding any other
10 provision of law, the Secretary of Defense may, in
11 accordance with paragraph (2) and subsection (c),
12 modify the terms and conditions of a covered con-
13 tract, without consideration, to reimburse a con-
14 tractor for the cost of any paid leave, including sick
15 leave, that such contractor provides to the employees
16 of such contractor or employees of subcontractors
17 (at any tier) of such contractor in response to a cov-
18 ered emergency to keep such employees or sub-

1 contractors in a ready state with respect to such cov-
2 ered contract.

3 “(2) REIMBURSEMENT REQUIREMENTS.—

4 “(A) ELIGIBLE EMPLOYEE AND SUB-
5 CONTRACT COSTS.—Reimbursements under this
6 subsection may be made only with respect to
7 employees of a contractor or employees of sub-
8 contractors (at any tier) of a contractor which,
9 for the relevant covered contract—

10 “(i) are unable to perform work on a
11 covered site due to facility closures or
12 other restrictions; and

13 “(ii) cannot telework because the du-
14 ties of such employee or contractor cannot
15 be performed remotely.

16 “(B) AVERAGE HOURS.—The number of
17 hours of paid leave for which the cost may be
18 reimbursement under this subsection may not
19 exceed an average of 40 hours per week per em-
20 ployee described in subparagraph (A).

21 “(C) BILL RATE.—The minimum applica-
22 ble contract billing rate under the relevant cov-
23 ered contract shall be used to calculate reim-
24 bursements under this subsection.

1 “(b) ENHANCED REIMBURSEMENT FOR SMALL BUSI-
2 NESS CONTRACTORS.—

3 “(1) IN GENERAL.—In addition to any reim-
4 bursement under subsection (a), the Secretary of
5 Defense may, in accordance with paragraph (2) and
6 subsection (c), modify the terms and conditions of a
7 covered contract, without consideration, to reimburse
8 a small business contractor for costs, other than
9 costs reimbursable under subsection (a), that are di-
10 rect costs of a covered emergency with respect to
11 which reimbursement is permitted under subsection
12 (a).

13 “(2) LIMITATIONS.—The Secretary of Defense
14 may reimburse a small business contractor under
15 this subsection to the extent that the relevant con-
16 tracting officer determines in writing that—

17 “(A) such reimbursement is necessary to
18 ensure the continuation of contractor perform-
19 ance during, or the resumption of contractor
20 performance after, the covered emergency;

21 “(B) the small business contractor miti-
22 gated the costs that may be reimbursed under
23 this subsection to the extent practicable; and

24 “(C) it is in the best interest of the United
25 States to reimburse such costs.

1 “(c) REIMBURSEMENT CONDITIONS.—

2 “(1) COST IDENTIFICATION.—A cost is eligible
3 for reimbursement under subsection (a) or (b) only
4 if the relevant contracting officer determines that
5 the records of the contractor to identify such cost as
6 a cost described in either such subsection such that
7 such contracting officer may audit such cost.

8 “(2) OTHER FEDERAL BENEFIT OFFSET.—

9 “(A) IN GENERAL.—Any reimbursement
10 under subsection (a) or (b) shall be reduced by
11 an amount equal to the total amount of any
12 other Federal payment, allowance, or tax or
13 other credit received for a cost that is reimburs-
14 able under such subsection.

15 “(B) NOTIFICATION.—A contractor that
16 receives a payment, allowance, or credit de-
17 scribed in subparagraph (A) for a cost which
18 such contractor seeks reimbursement under
19 subsection (a) or (b) shall submit to the rel-
20 evant contracting officer a notice of the receipt
21 of such payment, allowance, or credit—

22 “(i) prior to the execution of a con-
23 tract modification providing such reim-
24 bursement; and

1 “(ii) not later than 30 days after such
2 receipt.

3 “(C) POST REIMBURSEMENT.—A con-
4 tractor that receives a payment, allowance, or
5 credit described in subparagraph (A) for a cost
6 after the execution of a contract modification
7 under subsection (a) or (b) reimbursing such
8 cost, or that is unable to provide the notice re-
9 quired under subparagraph (B) in accordance
10 with clause (i) of such subparagraph, shall—

11 “(i) not later than 30 days after the
12 receipt of the payment, allowance, or cred-
13 it, notify the relevant contracting officer in
14 writing of such receipt; and

15 “(ii) agree to execute a contract modi-
16 fication to reduce the amount reimbursed
17 under subsections (a) and (b) by the
18 amount of such payment, allowance, or
19 credit.

20 “(3) APPROPRIATIONS AVAILABILITY.—Reim-
21 bursements under subsections (a) and (b) shall be
22 subject to the availability of appropriations.

23 “(d) COST ACCOUNTING STANDARDS.—For the pur-
24 poses of this section, a cognizant Federal agency official
25 shall provide a contractor subject to the cost accounting

1 standards issued pursuant to section 1502 of title 41 and
2 required to submit one or more disclosure statements, a
3 reasonable opportunity to amend any such disclosure
4 statements to reflect any costs that are reimbursable
5 under subsection (a).

6 “(e) DEFINITIONS.—In this section:

7 “(1) COGNIZANT FEDERAL AGENCY OFFI-
8 CIAL.—The term ‘cognizant Federal agency official’
9 has the meaning given such term in section 30.001
10 of title 48, Code of Federal Regulations.

11 “(2) COVERED CONTRACT.—The term ‘covered
12 contract’ means any contract, including a fixed-price
13 or cost-reimbursement contract, or any other agree-
14 ment for the procurement of goods or services by or
15 for the Department of Defense.

16 “(3) COVERED EMERGENCY.—The term ‘cov-
17 ered emergency’ means a declared pandemic which
18 prevents the employees of a contractor of the De-
19 partment of Defense or the employees of a subcon-
20 tractor (at any tier) of such a contractor from per-
21 forming work under a covered contract, as deter-
22 mined by the Secretary.

23 “(4) COVERED SITE.—The term ‘covered site’
24 means any government-owned, government-leased,
25 contractor-owned, or contractor-leased facility ap-

1 proved by the Federal Government for contract per-
2 formance.

3 “(5) DISCLOSURE STATEMENT.—The term ‘dis-
4 closure statement’ means a Disclosure Statement de-
5 scribed in section 9903.202–1(a) of title 48, Code of
6 Federal Regulations.

7 “(6) MINIMUM APPLICABLE CONTRACT BILLING
8 RATE.—The term ‘minimum applicable contract bill-
9 ing rate’ means a rate capturing the financial im-
10 pact incurred as a consequence of keeping the em-
11 ployees of a contractor or employees of subcontractors
12 (at any tier) of a contractor in a ready state,
13 including the base hourly pay rate of such employees
14 and employees of such subcontractors, indirect costs,
15 general and administrative expenses, and other rel-
16 evant costs.

17 “(7) READY STATE.—The term ‘ready state’
18 means able to mobilize in a timely manner to per-
19 form under a covered contract.

20 “(8) SMALL BUSINESS CONTRACTOR.—The
21 term ‘small business contractor’ means a contractor
22 for a covered contract that is a small business con-
23 cern (as such term is defined under section 3 of the
24 Small Business Act (15 U.S.C. 632)).”

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for subchapter II of chapter 134 of title 10, United States
3 Code, is amended by adding at the end the following new
4 item:

“2265. Special emergency reimbursement authority.”



AMENDMENT TO H.R. 4350
OFFERED BY MR. NORCROSS OF NEW JERSEY

At the appropriate place in title VIII, insert the following new section:

1 **SEC. 8 ____ . STANDARD GUIDELINES FOR EVALUATION OF**
2 **REQUIREMENTS FOR SERVICES CONTRACTS.**

3 (a) INCLUSION OF INVENTORY AND STANDARD
4 GUIDELINES IN BUDGET REQUEST.—Section 2329 of title
5 10, United States Code, is amended—

6 (1) in subsection (b)—

7 (A) in the matter preceding paragraph (1),
8 by striking “Effective October 1, 2021,” and
9 inserting “Effective February 1, 2022,”;

10 (B) by amending paragraph (4) to read as
11 follows:

12 “(4) be informed by the review the inventory re-
13 quired by section 2330a(c) using standard guidelines
14 developed under subsection (d).”; and

15 (C) in paragraph (5), by inserting “, ex-
16 cept with respect to information on services
17 contracts in support of contingency operations,
18 humanitarian assistance, disaster relief, in sup-
19 port of a national security emergency declared

1 with respect to a named operation, or entered
2 into pursuant to an international agreement
3 shall be excluded from such submission” before
4 the period at the end;

5 (2) by striking subsection (f); and

6 (3) redesignating subsection (g) as subsection
7 (f).

8 (b) STANDARD GUIDELINES.—Section 2329(d) of
9 title 10, United States Code, is amended—

10 (1) by striking “Each Services Requirements
11 Review Board” and inserting “(1) Each Services Re-
12 quirements Review Board”; and

13 (2) by adding at the end the following new
14 paragraph:

15 “(2) The Secretary of Defense shall establish and
16 issue standard guidelines within the Department of De-
17 fense for the evaluation of requirements for services con-
18 tracts. Any such guidelines issued—

19 “(A) shall be based on the checklist relating to
20 services contract approval established and in use by
21 the Department of the Army (as set forth in the re-
22 quest for services contract approval form updated as
23 of August 2012, or any successor form); and

24 “(B) shall be updated as necessary to incor-
25 porate applicable statutory changes to total force

1 management policies and procedures and any other
2 guidelines or procedures relating to the use Depart-
3 ment of Defense civilian employees to perform new
4 functions and functions that are performed by con-
5 tractors.

6 “(3) A general or flag officer, or a civilian employee
7 of the Department of Defense in the Senior Executive
8 Service, with responsibility for supervising requirements
9 owners shall certify—

10 “(A) that a task order or statement of work
11 being submitted to a contracting office is in compli-
12 ance with the standard guidelines;

13 “(B) that all appropriate statutory risk mitiga-
14 tion efforts have been made; and

15 “(C) that such task order or statement of work
16 does not include requirements formerly performed by
17 Department of Defense civilian employees.

18 “(4) A general or flag officer, or a civilian employee
19 of the Department of Defense in the Senior Executive
20 Service may not delegate the duties described in para-
21 graph (3) to an officer in a grade below O-7 (or a civilian
22 employee of the Department of Defense at or below grade
23 GS-15 of the General Schedule) without authorization
24 from the Assistant Secretary of the Department of De-
25 fense concerned.

1 “(5) The Inspector General of the Department of De-
2 fense may conduct annual audits to ensure compliance
3 with this section.”.

4 (c) REPEALS.—

5 (1) Section 235 of title 10, United States Code,
6 is repealed.

7 (2) Section 852 of the National Defense Au-
8 thorization Act for Fiscal Year 2018 (Public Law
9 115–92; 131 Stat. 1492; 10 U.S.C. 2329 note) is re-
10 pealed.



Amendment to H.R. 4350 National Defense Authorization Act for Fiscal Year 2022

Offered by: Mr. Jim Banks

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Artificial Intelligence-Enabled Autonomous Systems

The committee's Future of Defense Task Force 2020 report found that advancements in artificial intelligence will have an outsized impact on national security and the Department of Defense. The committee believes that to ensure technological and military superiority, the Department must lead in both developing and quickly integrating artificial intelligence capability into its systems and operational concepts, particularly its major defense acquisition programs to make them more reliable, networked, and effective.

Thus, the committee directs the Secretary of Defense to brief the House Armed Services Committee no later than March 31, 2022, on the following:

1. How the Department plans to integrate artificial intelligence-enabled autonomous systems into its future operational concepts;
2. How the Department evaluates the need and feasibility of integrating artificial intelligence capability into its current and future major defense acquisition programs;
3. How the Department evaluates artificial intelligence-enabled autonomous systems as an alternative to major defense acquisition programs;
4. The potential use of artificial intelligence-enabled systems and programs to ensure connectivity and interoperability between existing and future systems, particularly in support of the Joint All Domain Command and Control concept;
5. The Department's efforts to leverage universities and non-traditional companies to advance these objectives.

Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022

Offered by: Mr. Banks

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Value of Foreign Direct Investment and Engaging Allies in Rapid Innovation

The Committee is encouraged by the Under Secretary of Defense for Acquisition and Sustainment's efforts to integrate foreign direct investment and global collaboration with trusted allies and partners and the Under Secretary of Defense for Research and Engineering's work with allies and partners on foreign comparative testing, which both help the Department pursue rapid innovation and fielding of new technologies, and secure global supply chains, procurement and sustainment strategies.

The Committee directs the Under Secretary of Defense for Acquisition and Sustainment and the Under Secretary of Defense for Research and Engineering to jointly provide a briefing to the Committee by March 1, 2022 on the Department's ongoing efforts, including the role the Department plays in the Committee on Foreign Investment in the United States process and foreign comparative testing, and how they work together to identify promising innovative technology in support of National Defense Strategy priority areas and promote strategic engagements between foreign governments, institutions, and private sector entities from allied countries that improve the Department's access to and sustainment of technologies that are critical to national security.

**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by: Mr. Jim Banks

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Creation of a consortium focused on semiconductor supply and alignment of foreign direct investment to National Defense Strategy.

The Committee encourages the Department of Defense to support a consortium comprised of U.S. entities and entities originating from allied countries to focus on semiconductor research and development, securing global supply chains, and alignment of foreign direct investment with the National Defense Strategy (NDS). Therefore, the committee directs a briefing to the House Committee on Armed Services from the Undersecretary of Acquisition and Sustainment on semiconductor research and development by February 1, 2022.

Amendment to H.R. 4350 National Defense Authorization Act for Fiscal Year 2022

Offered by: Mr. Bergman of Michigan

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

[Sourcing in Major and Critical Defense Acquisition Programs]

The committee continues to emphasize the importance of aligning the Department of Defense acquisition processes with the standards of the Buy American Act (Public Law 72-428). In the committee report accompanying the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (H. Rept. 116-442), the committee required a report assessing the source content of procurement carried out in support of major defense acquisition programs (MDAPs). The committee received that report more than a month after its required due date. Further, the findings were heavily qualified by references to constraints of collecting underlying data. The committee appreciates the Department's proactive coordination with the Secretaries of the military departments to conduct in-depth reviews of certain MDAPs, as described in the report. However, the relatively short timeframe for those in-depth reviews resulted in a cursory section of the report that restated problems and offered few practical solutions.

Therefore, the committee directs the Under Secretary of Defense for Acquisition and Sustainment to provide a briefing to the House Committee on Armed Services, not later than March 1, 2022, to update the assessments performed in the prior report. Specifically, the briefing shall discuss year-over-year changes to:

(1) the proportion of items and services procured in connection with an MDAP, or other critical government acquisition programs that the Secretary identifies, such as program elements of the national security space and strategic architecture, or other critical government acquisition programs manufactured or developed in the United States which are substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States; and

(2) the components of the programs captured in (1) that are sole sourced from a foreign supplier, including those sourced from a member of the North Atlantic Treaty Organization or a country that otherwise qualifies for a waiver under the Buy American Act. The briefing shall also address the extent to which such procurement is developed from ideas, concepts, or information originating from individuals or companies inside the United States. Finally, the briefing shall include a detailed set of options, including realistic cost and timing estimates, to overcome the challenges of data analysis and supply chain illumination that the prior report identified in connection with the in-depth reviews. In developing those

potential courses of action, the briefing shall consider relevant software, services, and other tools available in and from the private sector.

Amendment to H.R. 4350 National Defense Authorization Act for Fiscal Year 2022

Offered by: Mr. Gallego of Arizona

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Securing Allies' 5G Networks

The committee recognizes the importance of 5G telecommunications networks and the role that this next generation technology plays in the national security community. The committee also recognizes that foreign strategic competitors have the potential to exploit communications technology to influence democratic processes, whether through political and economic leverage and subversion or technological espionage and trade secret theft. The committee believes that the United States should use its defense, military, and intelligence apparatus and economy of scale to encourage and incentivize treaty allies and close partners to adopt secure communications and follow best practices to defend against malign influence, including disinformation and misinformation from strategic competitors like China and Russia.

Therefore the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services, not later than March 1, 2022, on existing United States efforts to help NATO allies secure national 5G communications networks. The briefing shall include: (1) the status and membership of the NATO Multinational 5G Working Group (MM5G); (2) the United States' goals and objectives for participating in the Working Group; (3) opportunities to expand the Working Group to include other allies within the NATO Alliance; (4) challenges and/or barriers to allies developing a shared understanding of standards, military use cases, and risks that certain providers pose to their systems; (5) existing cooperation with the United States' European partners and how those relationships can improve efforts to help NATO allies secure their 5G networks; and (6) existing arrangements and new opportunities for strengthening cooperation between the Department of Defense and other federal agencies in helping allies secure their 5G networks.

AMENDMENT TO H.R. 4350
OFFERED BY MS. SLOTKIN OF MICHIGAN

At the appropriate place in title VIII, insert the following new section:

1 **SEC. 8 ____. DEFENSE SUPPLY CHAIN RISK ASSESSMENT**
2 **FRAMEWORK.**

3 (a) IN GENERAL.—Not later than one year after the
4 date of the enactment of this Act, the Secretary of Defense
5 shall establish a framework, which may be included as part
6 of a framework developed under section 2509 of title 10,
7 United States Code, and pursuant to recommendations
8 provided under section 5 of Executive Order 14017 (86
9 Fed. Reg. 11849, relating to America’s supply chains), to
10 consolidate the information relating to risks to the defense
11 supply chain that is collected by the elements of the De-
12 partment of Defense to—

13 (1) enable Department-wide risk assessments of
14 the defense supply chain; and

15 (2) support the development of strategies to
16 mitigate risks to the defense supply chain.

17 (b) FRAMEWORK REQUIREMENTS.—The framework
18 established under subsection (a) shall—

1 (1) provide for the collection, management, and
2 storage of data from the supply chain risk manage-
3 ment processes of the Department of Defense;

4 (2) provide for the collection of reports on sup-
5 ply chain risk management from the military depart-
6 ments and Defense Agencies, and the dissemination
7 of such reports to the components of the military de-
8 partments and Defense Agencies involved in the
9 management of supply chain risk;

10 (3) enable all elements of the Department to
11 analyze the information collected by such framework
12 to identify risks to the defense supply chain;

13 (4) enable the Department to—

14 (A) assess the capabilities of foreign adver-
15 saries (as defined in section 8(c) of the Secure
16 and Trusted Communications Networks Act of
17 2019 (47 U.S.C. 1607(c))) to affect the defense
18 supply chain;

19 (B) analyze the ability of the industrial
20 base of the United States to meet the needs of
21 the defense supply chain;

22 (C) track global technology trends that
23 could affect the defense supply chain, as deter-
24 mined by the Secretary of Defense; and

1 (D) assess the risks posed by emerging
2 threats to the defense supply chain;

3 (5) support the identification of technology in
4 which the Department may invest to reduce risks to
5 the defense supply chain, including by improving the
6 resilience of the defense supply; and

7 (6) provide for—

8 (A) a map of the supply chains for major
9 end items that supports analysis, monitoring,
10 and reporting with respect to high-risk sub-
11 contractors and risks to such supply chain; and

12 (B) the use of a covered application de-
13 scribed in subsection (c) in the creation of such
14 map to assess risks to the supply chain for
15 major end items by business sector, vendor,
16 program, part, or technology.

17 (c) COVERED APPLICATION DESCRIBED.—The cov-
18 ered application described in this subsection is a covered
19 application that includes the following elements:

20 (1) A centralized database that consolidates
21 multiple disparate data sources into a single reposi-
22 tory to ensure the consistent availability of data.

23 (2) Centralized reporting to allow for efficient
24 mitigation and remediation of identified supply chain
25 vulnerabilities.

1 (3) Broad interoperability with other software
2 and systems to ensure support for the analytical ca-
3 pabilities of user across the Department.

4 (4) Scalable technology to support multiple
5 users, access controls for security, and functionality
6 designed for information-sharing and collaboration.

7 (d) GUIDANCE.—Not later than 180 days after the
8 framework required under subsection (a) is established,
9 and regularly thereafter, the Secretary of Defense shall
10 issue guidance on mitigating risks to the defense supply
11 chain.

12 (e) REPORTS.—

13 (1) PROGRESS REPORT.—Not later than 180
14 days after the date of the enactment of this Act, the
15 Secretary of Defense shall submit to the congress-
16 sional defense committees a report on the progress
17 of establishing the framework as required under sub-
18 section (a).

19 (2) FINAL REPORT.—Not later than one year
20 after the date of the enactment of this Act, the Sec-
21 retary of Defense shall submit to the congressional
22 defense committees a report describing the frame-
23 work established under subsection (a) and the orga-
24 nizational structure to manage and oversee the
25 framework.

1 (f) DEFINITIONS.—In this section:

2 (1) COVERED APPLICATION.—The term “cov-
3 ered application” means a software-as-a-service ap-
4 plication that uses decision science, commercial data,
5 and machine learning techniques.

6 (2) DEFENSE AGENCY; MILITARY DEPART-
7 MENT.—The terms “Defense Agency” and “military
8 department” have the meanings given such terms in
9 section 101 of title 10, United States Code.

10 (3) HIGH-RISK SUBCONTRACTORS.—The term
11 “high-risk subcontractor” means a subcontractor at
12 any tier that supplies major end items for the De-
13 partment of Defense.

14 (4) MAJOR END ITEM.—The term “major end
15 item” means an item subject to a unique item-level
16 traceability requirement at any time in the life cycle
17 of such item under Department of Defense Instruc-
18 tion 8320.04, titled “Item Unique Identification
19 (IUID) Standards for Tangible Personal Property”
20 and dated September 3, 2015, or any successor in-
21 struction.



Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022

Offered by: Ms. Slotkin of Michigan

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Assessment and Mitigation Strategy for Microelectronics Supply Chain Vulnerabilities for Army Ground Vehicles

The committee directs the Secretary of the Army, in consultation with the Army Venture Capital Initiative, to conduct an assessment of the risks and vulnerabilities in the supply of microelectronics for use in current and next-generation ground vehicles and submit a strategy to the congressional defense committees by September 1, 2022, to address the risks and vulnerabilities identified, and considers the development of a secure, domestic supply chain for microelectronics for ground vehicles. The strategy should include:

- 1) How to best leverage public-private partnerships to achieve greater security in microelectronics supply chains.
- 2) How to best incorporate private capital and investment in domestic microelectronics manufacturing to support the development of secure, domestic supply chains for microelectronics for ground vehicles.
- 3) The commercial automobile industry's challenges throughout 2021 in securing microelectronics for vehicles, and whether the Army should engage and cooperate with the domestic commercial automobile industry to potentially seek commercial investment to develop a secure, domestic supply chain for microelectronics for use in both military and commercial vehicles to take advantage of economies of scale.

To develop this strategy, the Secretary of the Army shall consult with the Army Venture Capital Initiative, established pursuant to Section 8150 of the Fiscal Year 2002 National Defense Authorization Act (P.L. 107-117).

AMENDMENT TO H.R. _____**OFFERED BY MR. GALLAGHER OF WISCONSIN****National Defense Authorization Act for Fiscal Year 2022**

At the appropriate place in title VIII, insert the following:

1 **SEC. 8 ____ . COMPETITION REQUIREMENTS FOR PURCHASES**
2 **FROM FEDERAL PRISON INDUSTRIES.**

3 (a) **COMPETITION REQUIREMENTS FOR PURCHASES**
4 **FROM FEDERAL PRISON INDUSTRIES.**—Section 3905 of
5 title 10, United States Code, as transferred and redesign-
6 nated by section 1838(b) of the National Defense Author-
7 ization Act for Fiscal Year 2021 (Public Law 116–283),
8 is amended by striking subsections (a) and (b) and insert-
9 ing the following new sections:

10 “(a) **MARKET RESEARCH.**—Before purchasing a
11 product listed in the latest edition of the Federal Prison
12 Industries catalog published under section 4124(d) of title
13 18, the Secretary of Defense shall conduct market re-
14 search to determine whether such product—

15 “(1) is comparable to products available from
16 the private sector; and

1 “(2) best meets the needs of the Department of
2 Defense in terms of price, quality, and time of deliv-
3 ery.

4 “(b) COMPETITION REQUIREMENT.—If the Secretary
5 determines that a Federal Prison Industries product is not
6 comparable to products available from the private sector
7 and does not best meet the needs of the Department of
8 Defense in terms of price, quality, or time of delivery, the
9 Secretary shall use competitive procedures or make an in-
10 dividual purchase under a multiple award contract for the
11 procurement of the product. In conducting such a competi-
12 tion or making such a purchase, the Secretary shall con-
13 sider a timely offer from Federal Prison Industries.”.

14 (b) EFFECTIVE DATE.—The amendment made by
15 subsection (a) shall take effect on February 1, 2022.



**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by:

Mr. Gallagher of Wisconsin

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Expansion of Canadian ITAR Exception to NTIB Members

The Committee believes that the unique and close relationship between the United States and Canada has provided significant advantages to both nations' security and economic well-being. In particular, the committee notes Canada's exemption from the International Traffic in Arms Regulations (ITAR). The committee is aware of proposals to provide a similar exemption for other members of the National Technological Industrial Base (NTIB), and arguments that such an exemption could be beneficial. Therefore, the committee directs the Secretary of Defense, in coordination with the Secretary of State, to brief the House Committee on Armed Services on the feasibility and desirability of expanding the Canadian ITAR exemption to other members of the NTIB no later than January 1, 2022.

AMENDMENT TO H.R. 4350
OFFERED BY MR. WITTMAN OF VIRGINIA

At the appropriate place in title VIII, insert the following new section:

1 **SEC. 8 ____ . PROHIBITION ON PROCUREMENT OF PERSONAL**
2 **PROTECTIVE EQUIPMENT FROM NON-ALLIED**
3 **FOREIGN NATIONS.**

4 (a) PROHIBITION.—

5 (1) IN GENERAL.—Chapter 137 of title 10,
6 United States Code, is amended by adding at the
7 end the following new section:

8 **“§ 2339d. Prohibition on procurement of personal**
9 **protective equipment and certain other**
10 **items from non-allied foreign nations**

11 “(a) IN GENERAL.—Except as provided in subsection
12 (c), the Secretary of Defense may not procure any covered
13 item from any covered nation.

14 “(b) APPLICABILITY.—Subsection (a) shall apply to
15 prime contracts and subcontracts at any tier.

16 “(c) EXCEPTIONS.—

17 “(1) IN GENERAL.—Subsection (a) does not
18 apply under the following circumstances:

1 “(A) If the Secretary of Defense deter-
2 mines that covered materials of satisfactory
3 quality and quantity, in the required form, can-
4 not be procured as and when needed from na-
5 tions other than covered nations to meet re-
6 quirements at a reasonable price.

7 “(B) The procurement of a covered item
8 for use outside of the United States.

9 “(C) Purchases for amounts not greater
10 than \$150,000.

11 “(2) LIMITATION.—A proposed purchase or
12 contract for an amount greater than \$150,000 may
13 not be divided into several purchases or contracts for
14 lesser amounts in order to qualify for this exception.

15 “(d) DEFINITIONS.—In this section:

16 “(1) COVERED ITEM.—The term ‘covered item’
17 means an article or item of—

18 “(A) personal protective equipment for use
19 in preventing spread of communicable disease,
20 such as by exposure to infected individuals or
21 contamination or infection by infectious mate-
22 rial (including surgical masks, respirator masks
23 and electric-powered air purifying respirators
24 and required filters, face shields and protective
25 eyewear, surgical and isolation gowns, and head

1 and foot coverings) or clothing, and the mate-
2 rials and components thereof, other than sen-
3 sors, electronics, or other items added to and
4 not normally associated with such personal pro-
5 tective equipment or clothing; or

6 “(B) sanitizing and disinfecting wipes,
7 testing swabs, gauze, and bandages.

8 “(2) COVERED NATION.—The term ‘covered na-
9 tion’ means—

10 “(A) the Democratic People’s Republic of
11 North Korea;

12 “(B) the People’s Republic of China;

13 “(C) the Russian Federation; and

14 “(D) the Islamic Republic of Iran.”.

15 (2) CLERICAL AMENDMENT.—The table of sec-
16 tions at the beginning of such chapter is amended
17 by inserting after the item relating to section 2339c
18 the following:

“2339d. Prohibition on procurement of personal protective equipment and cer-
tain other items from non-allied foreign nations.”.

19 (b) FUTURE TRANSFER.—

20 (1) TRANSFER AND REDESIGNATION.—Section
21 2339d of title 10, United States Code, as added by
22 subsection (a), is transferred to subchapter I of
23 chapter 283 of such title, added after section 3881,
24 as transferred and redesignated by section 1837(b)

1 of the William M. (Mac) Thornberry National De-
2 fense Authorization Act for Fiscal Year 2021 (Pub-
3 lic Law 116–283), and redesignated as section 3882.

4 (2) CLERICAL AMENDMENTS.—

5 (A) TARGET CHAPTER TABLE OF SEC-
6 TIONS.—The table of sections at the beginning
7 of chapter 283 of title 10, United States Code,
8 as added by section 1837(a) of the William M.
9 (Mac) Thornberry National Defense Authoriza-
10 tion Act for Fiscal Year 2021 (Public Law
11 116–283), is amended by inserting after the
12 item related to section 3881 the following new
13 item:

“3882. Prohibition on procurement of personal protective equipment and certain
other items from non-allied foreign nations.”.

14 (B) ORIGIN CHAPTER TABLE OF SEC-
15 TIONS.—The table of sections at the beginning
16 of chapter 137 of title 10, United States Code,
17 as amended by subsection (a), is further
18 amended by striking the item relating to section
19 2339d.

20 (3) EFFECTIVE DATE.—The transfer, redesign-
21 nation, and amendments made by this subsection
22 shall take effect on January 1, 2022.

23 (4) REFERENCES; SAVINGS PROVISION; RULE
24 OF CONSTRUCTION.—Sections 1883 through 1885 of

1 the William M. (Mac) Thornberry National Defense
2 Authorization Act for Fiscal Year 2021 (Public Law
3 116–283) shall apply with respect to the transfers,
4 redesignations, and amendments made under this
5 subsection as if such transfers, redesignations, and
6 amendments were made under title XVIII of such
7 Act.



Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022

Offered by: Mrs. Houlahan

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Securing Critical Mineral Supply Chains

The committee applauds the Department of Defense for recognizing that critical minerals are imperative to national security and developing a strategy to mitigate dangerous supply chain vulnerabilities. The committee supports the Department's significant investments into the defense industrial base to establish the domestic production of rare earth elements (REEs), materials necessary for important weapon systems, civilian technology, and increasing renewable energy needs. The committee is concerned, however, that the Department has refrained from addressing supply chain shortfalls for other minerals identified by the government as critical to national security and susceptible to disruption. In 2018, the Secretary of Interior identified 35 critical minerals with significant foreign reliance but essential to the national defense. The committee notes that disruptions to the supply chains for tin, tantalum, tungsten, and niobium would expose the United States to national security vulnerabilities that foreign adversaries are capable of exploiting. As such, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by June 30, 2022 on the progress of the Department's efforts to understand the disruptions to the supply chain that shortfalls of these and other critical materials cause and update the committee on strategies to mitigate current and potential supply chain vulnerabilities.

**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by: Mr. Scott of Georgia

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Supply Chain Management Leveraging Cross Domain Artificial Intelligence Technologies

The committee supports Department of Defense (DOD) and its Joint Artificial Intelligence Center (JAIC) efforts to accelerate the delivery and adoption of Artificial Intelligence capabilities across the department, its services, and agencies. The Defense Critical Supply Chain Task Force believed DOD must use the available tools, scale efforts, and partner with industry to achieve supply chain transparency and make strategic assessments. The Task Force also believed that DOD could leverage artificial intelligence (AI) and machine learning to collect multiple inputs, connect disparate data sets, and then share with the services to identify and address obsolescence or single-source risks.

Therefore, the committee directs the Secretary of Defense to develop a plan on how to leverage new cross-enterprise AI technologies to improve DOD's predictive supply chain management for critical and essential materials and brief the House Committee on Armed Services on its plan no later than March 1, 2022. The plan will include at a minimum the use of AI in the following elements: providing visibility into all supply chains, service patterns and their external drivers; ability to assess and rate Defense Industrial Base and Organic Industrial Base suppliers; ability to quickly link data within and across DOD; and predict impending supply constraints; optimize inventories, ordering and transport to increase mission readiness.

Amendment to H.R. 4350 National Defense Authorization Act for Fiscal Year 2022

Offered by: Mr. Moore of Utah

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

GSA E-Commerce Clarification

In its final report on increasing competition and streamlining the acquisition process, the Section 809 Panel, established by the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92), recommended that the Department of Defense use e-commerce portals as a tool to gain transparency and improve management of micro-purchases, including achieving visibility into AbilityOne and Federal Prisons Industries spending patterns. When Congress established a program to procure commercial products through commercial e-commerce portals in Section 846 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), it stated that the purpose of the pilot was to enhance competition, enable market research, and ensure reasonable pricing of commercial products. In the joint explanatory statement accompanying the bill, Congress expressed its expectation that the Department of Defense would participate in the initial rollout phase of the e-commerce portal. In June 2020, the U.S. General Services Administration awarded contracts to three e-marketplace platform providers for a proof-of-concept, but to date, no Department of Defense acquisition offices have volunteered to participate in the program.

In order to achieve the assessment that can only be gained by testing the current proof-of-concept, the Committee expects that the Under Secretary for Acquisition and Sustainment collaborate with the General Services Administration to educate acquisition professionals within each service branch and related Defense acquisition activities on the availability, operation, and intent of the GSA Commercial Platforms Initiative. Therefore, the committee directs the Under Secretary to submit a brief to the House Committee on Armed Services by March 1, 2022, on the training it is providing acquisition professionals, to include: (1) an assessment of workforce hesitation to participate in the proof-of-concept; (2) information on how to use the platform providers, and the extent to which the current proof-of-concept meets statutory requirements, Department of Defense acquisition regulations and directives; and (3) other relevant information to ensure the Department of Defense agencies are aware of and have the maximum opportunity to use-the proof-of-concept for micro-purchase acquisitions of commercial items.

**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by: Mr. Moore of Utah

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Industrial Base Analysis and Sustainment Support

The Committee notes Congressional support over the past several fiscal years for Industrial Base Analysis and Sustainment (IBAS) funding addressing several specific domestic defense industrial base and supply chain shortfalls, particularly in the areas of radar resiliency and directed energy systems.

The committee strongly supports IBAS initiatives being overseen and coordinated on a Defense-wide basis by the Office of the Assistant Secretary of Defense for Industrial Policy, and is concerned that the Department may be leaving the individual military services to deal with their own individual supply chain or industrial base concerns. If allowed to proceed, this approach would represent a step-backwards in assuring our fragile defense industrial base, and would imperil important advances that have been made in recent years to address supply chain resiliency and future sustainment of critical defense radar systems.

Therefore, the Committee directs the Secretary of Defense to report to the Congressional defense committees no later than March 1, 2022 on a five-year plan to support current and future IBAS projects with a particular emphasis on how it intends to assure a coordinated and robust domestic industrial base and supply chain with a particular focus on sustainment of radar and directed energy systems.

Amendment to H.R. 4350

National Defense Authorization Act for Fiscal Year 2022

Offered by: Mr. Wilson of South Carolina

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Department of Defense use of GSA's Fourth-Party Logistics (4PL) program

The committee notes the Department of Defense's continued successful use of the General Services Administration's (GSA's) long-standing Fourth-Party Logistics (4PL) program to provide crucial industrial supplies and services to the U.S. Military worldwide. For over ten years, the 4PL program has allowed the Department of Defense to leverage GSA's acquisition expertise and experience in fulfilling the military's industrial product requirements. Through the 4PL program, GSA has worked with the Army, Navy, Air Force, and Marine Corps to strengthen their global supply chain across 70 countries.

To make certain that the 4PL program achieves its objectives, GSA conducts comprehensive competitive solicitations among qualified providers. GSA has awarded contracts to qualified industrial supply companies through fair and open competition comporting fully with the Competition in Contracting Act of 1984 (41 U.S.C. 253). GSA extends its reach by selecting companies with strong supply chain, broad product inventory, financial and logistic strength, global reach and rigorous compliance to all procurement regulations. In addition, the 4PL program is incredibly cost-effective for the government. While the companies under contract maintain millions of dollars' worth of product inventory, the military only pays when it needs an item.

GSA's 4PL program, which provides cost-effective, reliable products and services when they are needed, is a significant asset to the Department of Defense. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services no later than January 30, 2022, on the status and further access and expansion of the Fourth Party Logistics Solutions program for the military services.

AMENDMENT TO H.R. 4350
OFFERED BY MS. JACOBS OF CALIFORNIA

At the appropriate place in title VIII, add the following:

1 **SEC. 8 ____. EXTENSION OF REQUIREMENT TO SUBMIT SE-**
2 **LECTED ACQUISITION REPORTS.**

3 (a) REPEAL OF TERMINATION.—Section 2432 of title
4 10, United States Code, is amended by striking subsection
5 (j).

6 (b) REPEAL OF TERMINATION OF CERTAIN ADDI-
7 TIONAL REPORTS.—Section 1051(x) of the National De-
8 fense Authorization Act for Fiscal Year 2018 is amended
9 by striking paragraph (4).



AMENDMENT TO H.R. 4350
OFFERED BY MR. BROWN OF MARYLAND

Strike section 803 and insert the following:

1 **SEC. 803. DIVERSITY AND INCLUSION REPORTING RE-**
2 **QUIREMENTS FOR COVERED CONTRACTORS.**

3 (a) IN GENERAL.—Subchapter V of chapter 325 of
4 title 10, United States Code, is amended by inserting after
5 section 4892 the following new section:

6 **“§ 4893. Diversity and inclusion reporting require-**
7 **ments for covered contractors**

8 “(a) COVERED CONTRACTOR REPORTS.—

9 “(1) IN GENERAL.—The Secretary of Defense
10 shall require each covered contractor awarded a
11 major contract to submit to the Secretary of Defense
12 by the last day of each full fiscal year that occurs
13 during the period of performance of any major con-
14 tract a report on diversity and inclusion.

15 “(2) ELEMENTS.—Each report under para-
16 graph (1) shall include, for the fiscal year covered by
17 the report—

18 “(A) a description of each major contract
19 with a period of performance during the fiscal
20 year covered by the report, including the period

1 of performance, expected total value, and value
2 to date of each major contract;

3 “(B) the total value of payments received
4 under all major contracts of each covered con-
5 tractor during such fiscal year;

6 “(C) the total number of participants in
7 the board of directors of each covered con-
8 tractor, nominees for the board of directors of
9 the covered contractor, and the senior leaders of
10 the covered contractor, disaggregated by demo-
11 graphic classifications

12 “(D) with respect to employees of each
13 covered contractor—

14 “(i) the total number of such employ-
15 ees; and

16 “(ii) the number of such employees
17 (expressed as a numeral and as a percent-
18 age of the total number), identified by
19 membership in demographic classification
20 and major occupational group;

21 “(E) the value of first-tier subcontracts
22 under each major contract entered into during
23 such fiscal year;

24 “(F) with respect to employees of each cov-
25 ered subcontractor—

1 “(i) the total number of such employ-
2 ees;

3 “(ii) the number of such employees
4 (expressed as a numeral and as a percent-
5 age of the total number), identified by
6 membership in demographic classification
7 and major occupational group;

8 “(G) whether the board of directors of the
9 covered contractor has, as of the date on which
10 the covered contractor submits a report under
11 this section, adopted any policy, plan, or strat-
12 egy to promote racial, ethnic, and gender diver-
13 sity among the members of the board of direc-
14 tors of the covered contractor, nominees for the
15 board of directors of the covered contractor, or
16 the senior leaders of the covered contractor; and

17 “(H) a description of participation by the
18 contractor in diversity programs, to include
19 hours spent, funds expended in support of, and
20 the number of unique relationships established
21 by each such diversity program.

22 “(b) ANNUAL SUMMARY REPORT.—

23 “(1) REPORT REQUIRED.—Not later than 60
24 days after the first day of each fiscal year, the Sec-
25 retary shall submit to the congressional defense com-

1 mittees a report summarizing the reports submitted
2 pursuant to subsection (a).

3 “(2) ELEMENTS.—Each report under para-
4 graph (1) shall include—

5 “(A) an index of the reports submitted
6 pursuant to subsection (a);

7 “(B) a compilation of the data described in
8 such subsection, disaggregated as described in
9 such subsection;

10 “(C) an aggregation of the data provided
11 in such reports; and

12 “(D) a narrative that analyzes the infor-
13 mation disclosed in such reports and identifies
14 any year-to-year trends in such information.

15 “(c) PUBLIC AVAILABILITY.—Each report required
16 under this subsection shall be posted on a single publicly
17 available website of the Department of Defense and made
18 available in a machine-readable format that is
19 downloadable, searchable, and sortable.

20 “(d) DEFINITIONS.—In this section:

21 “(1) COVERED CONTRACTOR.—The term ‘cov-
22 ered contractor’ means a contractor awarded a
23 major contract.

24 “(2) COVERED SUBCONTRACTOR.—The term
25 ‘covered subcontractor’ means a subcontractor per-

1 forming a subcontract that is one of the 10 highest
2 aggregate value subcontracts under a major con-
3 tract.

4 “(3) DEMOGRAPHIC CLASSIFICATIONS.—The
5 term ‘demographic classifications’ means classifica-
6 tions by race, gender, veteran status, or ethnicity.

7 “(4) DIVERSITY PROGRAM.—The term ‘diver-
8 sity program’ means—

9 “(A) a program conducted under section
10 3904 of this title;

11 “(B) a mentor-protege relationship estab-
12 lished under section 831 of the National De-
13 fense Authorization Act for Fiscal Year 1991;

14 “(C) a program conducted under section
15 2192a of this title; or

16 “(D) any other program designated by the
17 Secretary of Defense as designed to increase
18 the diversity of the workforce of the defense in-
19 dustrial base.

20 “(5) MAJOR CONTRACT.—The term ‘major con-
21 tract’ has the meaning given the term in section
22 2342 of this title.

23 “(6) MAJOR OCCUPATIONAL GROUP.—The term
24 ‘major occupational group’ means a major occupa-

1 tional group as defined by the Bureau of Labor Sta-
2 tistics.

3 “(7) SENIOR LEADER.—The term ‘senior lead-
4 er’ means—

5 “(A) the president of a covered contractor;

6 “(B) any vice president in charge of a
7 principal business unit, division, or function of
8 a covered contractor;

9 “(C) any other officer of a covered con-
10 tractor who performs a policy-making function;
11 or

12 “(D) an individual responsible for the di-
13 rect or indirect management of more than 200
14 individuals.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 for subchapter V of chapter 325 of title 10, United States
17 Code, is amended by adding after the item related to sec-
18 tion 4892 the following:

“4893. Diversity and inclusion reporting requirements for covered contractors.”.

19 (c) EFFECTIVE DATE AND APPLICABILITY.—The
20 amendments made by this section shall take effect on July
21 1, 2022, and shall apply with respect to contracts entered
22 into on or after July 1, 2022.



AMENDMENT TO H.R. 4350
OFFERED BY MS. SLOTKIN OF MICHIGAN

At the appropriate place in title VIII, add the following new section:

1 **SEC. 8 ____ . REDUCTION OF FLUCTUATIONS OF SUPPLY AND**
2 **DEMAND FOR CERTAIN COVERED ITEMS.**

3 (a) SUPPLY AND DEMAND REQUIREMENTS.—Not
4 later than one year after the date of the enactment of this
5 Act, the Secretary of Defense shall—

6 (1) specify methods and processes to track and
7 reduce fluctuations in supply chain forecasting and
8 demand requirements of the Office of the Secretary
9 of Defense, each military department, and the De-
10 fense Logistics Agency for covered items; and

11 (2) implement policies to encourage predictable
12 demand requirements for covered items for the Of-
13 fice of the Secretary of Defense, each military de-
14 partment, and the Defense Logistics Agency.

15 (b) REPORT.—Not later than 15 months after the
16 date of the enactment of this Act, and quarterly there-
17 after, each Secretary of a military department and the Di-
18 rector of the Defense Logistics Agency shall submit to the
19 Undersecretary of Defense for Acquisition and

1 Sustainment a report on the fluctuations in supply chain
2 forecasting and demand requirements for each covered
3 item, expressed as a percentage.

4 (c) COVERED ITEM DEFINED.—In this section, the
5 term “covered item” means a covered item described in
6 subparagraph (B), (C), or (E) of subsection (b)(1) or sub-
7 section (b)(2) of section 2533a of title 10, United States
8 Code.



Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022

Offered by: Mr. Brown

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Registered Apprenticeship Program Corrosion Prevention and Control Training

The Committee notes the importance of investing in training and professional activities for civilian employees and military personnel to perform corrosion prevention and control (CPC) work. In the committee report accompanying the National Defense Authorization Act of 2020 (H. Rept. 116-442), the committee directed the Assistant Secretary of Defense for Sustainment to assess the capability and capacity of the Department of Defense workforce to perform CPC work, including the application of preventative coatings. In its assessment, the Department determined the need for additional training facility capacity yet noted that the “high initial investment and reoccurring costs as well as the implementation risks associated with establishing a physical painting training preclude recommending this option.” Therefore, the committee encourages the Department to take advantage of existing registered apprenticeship programs to train personnel and directs the Assistant Secretary of Defense for Sustainment to brief the House Committee on Armed Services not later than March 14, 2022 on inclusion of registered apprenticeship programs in its plan to increase CPC training capacity.

**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by: Mr. Norcross

In the portion of the report to accompany H.R. 4350 titled “Refining Capacity in the United States”, strike the following text: “for these technologies”

In the portion of the report to accompany H.R. 4350 titled “Refining Capacity in the United States”, strike the following text: “small”

In the portion of the report to accompany H.R. 4350 titled “Refining Capacity in the United States”, strike the following text: “potential impacts” and insert the following new text “national security implications of diminished regional diversity of refining capacity attributable to closures over the last several years, any financial impacts of those closures, the potential impacts of the closures”.

In the portion of the report to accompany H.R. 4350 titled “Refining Capacity in the United States”, insert at after “foreign sources of fossil fuels” the following new text: “, including finished petroleum products.”.

Amendment to H.R. 4350 National Defense Authorization Act for Fiscal Year 2022

Offered by: Mrs. Bice of Oklahoma

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Artificial Intelligence and Machine Learning in the Defense Contracting Process

The Committee notes its continued encouragement of Department of Defense efforts to experiment with new capabilities that incorporate artificial intelligence and machine learning to increase efficiencies in Department of Defense contracting processes. The military services have utilized these technologies to streamline procurement decision activities related to identifying cost data, determining pricing methods, and verifying price estimates. These efforts have demonstrated the potential for artificial intelligence and machine learning to enhance efficiency and produce cost savings. However, in order to evaluate the scalability, full range of benefits, and appropriate safeguards for the application of existing technologies and emerging capabilities to Department of Defense contracting processes, deeper evaluation is needed.

Therefore, the Committee directs the Secretary of Defense to submit a briefing to the House Armed Services Committee, no later than March 31, 2022 that shall include:

1. Identification of any artificial intelligence and machine learning applications currently used within the Department of Defense to assist contracting processes;
2. Assessment of the feasibility, costs, and benefits of more broadly employing artificial intelligence and machine learning technologies to further streamline the Department's contracting processes and improve efficiencies;
3. Identification of ongoing research into artificial intelligence and machine learning related to contracting practices, as well as market research on the current availability of such technologies; and
4. Evaluation of whether artificial intelligence and machine learning could reduce the time required to execute contracting processes, and to identify whether such technologies could provide the Department with cost savings when balanced with the costs associated with safeguarding the technology and training the workforce.

Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022

Offered by: Ms. Luria of Virginia

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Shipbuilding and Naval Capability

The committee remains concerned by the challenges facing the shipbuilding industry in the United States. The acquisition and development of a capable fleet, both military and commercial, will be critical in addressing the threats from near peer adversaries and advancing other national security interests over the next five to ten years. Although the committee acknowledges that the Navy has provided previous reports about sourcing of specific components, the committee believes a broader report is warranted in light of the wide-ranging supply chain disruptions that the COVID-19 pandemic precipitated.

Therefore, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services by June 1, 2022 on the principal factors presenting risks to U.S. shipbuilding, specifically focusing on those factors that could lead to cost increases or supply chain vulnerabilities, and recommendations to reduce those risks.

Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022

Offered by: Mr. Jackson of Texas

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

National Security Implications of Chinese Influence on Agriculture

In general, the committee is concerned about foreign influence, including the influence of the government of the People's Republic of China, in critical U.S. supply chains. The committee is further concerned whether there is such influence in agricultural supply chains that could impact the food for U.S. servicemembers and have national security implications. Therefore, the committee directs the Secretary of Defense to submit a briefing to the House Committee on Armed Services no later than March 1, 2022, on the vulnerability of Department of Defense food supply chains to foreign influence, and any mitigation plans to avoid national security implications of such influence.

AMENDMENT TO H.R. 4350
OFFERED BY MR. WALTZ OF FLORIDA

At the appropriate place in title X, insert the following:

1 **SEC. 10 ____ . TREATMENT OF OPERATIONAL DATA FROM AF-**
2 **GHANISTAN.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—

5 (1) an immense amount of operational data and
6 intelligence has been developed over the past two
7 decades of war in Afghanistan; and

8 (2) this information is valuable and must be ap-
9 propriately retained.

10 (b) OPERATIONAL DATA.—The Secretary of Defense
11 shall—

12 (1) archive and standardize operational data
13 from Afghanistan across the myriad of defense infor-
14 mation systems; and

15 (2) ensure the Afghanistan operational data is
16 structured, searchable, and usable across the joint
17 force.

18 (c) BRIEFING.—Not later than March 4, 2022, the
19 Under Secretary of Defense for Intelligence and Security

1 shall provide a briefing to the Committee on Armed Serv-
2 ices of the House of Representatives on how the Depart-
3 ment of Defense has removed, retained, and assured long-
4 term access to operational data from Afghanistan across
5 each military department and command. Such briefing
6 shall address—

7 (1) the manner in which the Department of De-
8 fense is standardizing and archiving intelligence and
9 operational data from Afghanistan across the myriad
10 of defense information systems; and

11 (2) the manner in which the Department is en-
12 suring access to Afghanistan operational data across
13 the joint force.

In the Intelligence and Special Operations Sub-
committee Mark, strike LogID 73456 -- Briefing on Data
and Intelligence from Military Operations in Afghanistan.



AMENDMENT TO H.R. 4350
OFFERED BY MR. WALTZ OF FLORIDA

In section 1567b of title 10, United States Code, as proposed to be added by section 522 (Log 73178)—

(1) insert “and reserve components” after “member of the armed forces” each place it appears (including in headings); and

(2) in subsection (b), strike “any member of” and insert “any member or former member of”.



AMENDMENT TO H.R. 4350
OFFERED BY MR. BACON OF NEBRASKA

At the appropriate place in title III, insert the following:

1 **SEC. 3 ____ . BUDGET JUSTIFICATION FOR OPERATION AND**
2 **MAINTENANCE.**

3 (a) SUBACTIVITY GROUP BY FUTURE YEARS.—Sec-
4 tion 233 of title 10, United States Code, is amended—

5 (1) by redesignating subsection (c) as sub-
6 section (e); and

7 (2) by inserting after subsection (b) the fol-
8 lowing new subsection (c):

9 “(c) SUBACTIVITY GROUPS.—The Secretary of De-
10 fense, in consultation with the Secretary of each of the
11 military departments, shall include in the materials sub-
12 mitted to Congress by the Secretary of Defense in support
13 of the President’s budget, in an unclassified format, the
14 total amount projected for each individual subactivity
15 group, as detailed in the future years defense program
16 pursuant to section 221 of this title.”

17 (b) BUDGET SUBMISSION DISPLAY.—Section 233 of
18 title 10, United States Code, is further amended by insert-

1 ing after subsection (c), as added by subsection (a), the
2 following new subsection:

3 “(d) BUDGET DISPLAY.—The Secretary of Defense,
4 in consultation with the Secretary of each of the military
5 departments, shall include in the O&M justification docu-
6 ments a budget display to provide for discussion and eval-
7 uation of the resources required to meet material readi-
8 ness objectives, as identified in the metrics required by
9 section 118 of this title, together with any associated risks
10 to the supply chain. For each major weapon system, by
11 designated mission design series, variant, or class, the
12 budget display required under this subsection for the
13 budget year shall include each of the following:

14 “(1) The material availability objective estab-
15 lished in accordance with the requirements of section
16 118 of this title.

17 “(2) The funds obligated by subactivity group
18 within the operation and maintenance accounts for
19 the second fiscal year preceding the budget year for
20 the purpose of achieving the material readiness ob-
21 jectives identified in accordance with section 118 of
22 this title.

23 “(3) The funds estimated to be obligated by
24 subactivity group within the operation and mainte-
25 nance accounts for the fiscal year preceding the

1 budget year for the purpose of achieving the mate-
2 rial readiness objectives identified in accordance with
3 section 118 of this title.

4 “(4) The funds budgeted and programmed
5 across the future years defense program within the
6 operation and maintenance accounts by subactivity
7 group for the purpose of achieving the material
8 readiness objectives identified in accordance with
9 section 118 of this title.

10 “(5) A narrative discussing the performance of
11 the Department against established material readi-
12 ness objectives for each major weapon system by
13 mission design series, variant, or class.”.

14 (c) IMPLEMENTATION DEADLINE.—The Secretary of
15 Defense shall ensure that the budget display requirements
16 required under the amendments made by this section are
17 included in the budget request for fiscal year 2023 and
18 all fiscal years thereafter.

19 (d) CONFORMING REPEAL.—Section 357 of the John
20 S. McCain National Defense Authorization Act for Fiscal
21 Year 2019 (Public Law 115–232; 10 U.S.C. 221 note) is
22 repealed.



Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022

Offered by: Mr. Turner

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Briefing on Foreign Military Sales to Poland

The Committee continues to place high priority on deterring Russian aggressive action on NATO's Eastern flank and in empowering our allies in the region. Since the illegal seizure of Ukraine's Crimea region, Russia has supported continued conflict in Ukraine's Donbas province, massed and maintained armed forces on Ukraine's Eastern borders, harassed NATO allies and activities in the Black Sea, and discussed integration of Russian and Belarusian military forces on Poland's border.

Poland has become the anchor of NATO's deterrence strategy on the Eastern European flank and the United States' strongest ally. It continues to meet defense budget targets in accordance with the Wales Summit Declaration by which the NATO member states agreed to spend 2 percent of their Gross Domestic Product on defense, 20 percent of which is spent on major equipment, including related research and development. Poland has also aggressively pursued modernization of its military capability, emphasizing interoperability with U.S. Army and Air Force capabilities based in Poland.

The Committee approves of Poland's recent decision to purchase 250 of the most modern versions of the U.S. Abrams main battle tank to increase the capability of its armored forces. This will enhance NATO's ability to deter Russian aggression on its Eastern flank and the Committee encourages the Administration to facilitate this foreign military sale as soon as possible.

Therefore, the Committee directs the Secretary of Defense, in consultation with the Director, Defense Security Cooperation Agency, to brief the congressional defense committees not later than December 31, 2021 on the process and timeline to facilitate the foreign military sales of U.S. Abrams tanks to Poland.

AMENDMENT TO H.R. 4350
OFFERED BY MR. BANKS OF INDIANA

At the appropriate place in title IX, insert the following new section:

1 **SEC. 9 ____ . IMPLEMENTATION OF REPEAL OF CHIEF MAN-**
2 **AGEMENT OFFICER OF THE DEPARTMENT OF**
3 **DEFENSE.**

4 Section 901(b)(1) of the William M. (Mac) Thorn-
5 berry National Defense Authorization Act for Fiscal Year
6 2021 (Public Law 116–283) is amended by striking “, ex-
7 cept that any officer or employee so designated may not
8 be an individual who served as the Chief Management Of-
9 ficer before the date of the enactment of this Act”.



AMENDMENT TO H.R. 4350
OFFERED BY MR. CROW OF COLORADO

At the appropriate place in title III, insert the following:

1 **SEC. 3 ____ . ANNUAL REPORT ON MISSING, LOST, AND STO-**
2 **LEN WEAPONS, LARGE AMOUNTS OF AMMU-**
3 **NITION, DESTRUCTIVE DEVICES, AND EXPLO-**
4 **SIVE MATERIAL.**

5 (a) IN GENERAL.—Section 2722 of title 10, United
6 States Code, is amended—

7 (1) in the section heading, by striking “**report**
8 **to Secretary of the Treasury**” and inserting
9 “**reporting requirements**”;

10 (2) in subsection (a), by inserting “and the Di-
11 rector of the Bureau of Alcohol, Tobacco, and Fire-
12 arms” after “Secretary of the Treasury”;

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 (c):

17 “(c) ANNUAL REPORT.—Not later than December 31
18 each year, the Secretary shall submit to the congressional

1 defense committees a report that includes, for the pre-
2 ceding year—

3 “(1) all instances of missing, lost, or stolen
4 weapons, large amounts of ammunition, destructive
5 devices, or explosive material from the stocks of the
6 Department of Defense;

7 “(2) for each item identified under paragraph
8 (1), the type, quantity, and serial number, broken
9 down by armed force and component; and

10 “(3) such other information the Secretary de-
11 termines appropriate.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of chapter 161 of such title is amended
14 by striking the item relating to section 2722 and inserting
15 the following new item:

“2722. Theft or loss of ammunition, destructive devices, and explosives: report-
ing requirements.”.



AMENDMENT TO H.R. 4350
OFFERED BY MR. MOULTON OF MASSACHUSETTS

At the appropriate place in title X, insert the following:

1 **SEC. 10 ____ . DEFENSE RESOURCE BUDGETING AND ALLO-**
2 **CATION COMMISSION.**

3 (a) **ESTABLISHMENT.**—There is established a com-
4 mission, to be known as the “Defense Resource Budgeting
5 and Allocation Commission”. The purpose of the Commis-
6 sion is to develop a consensus on an effective and strategic
7 approach to Department of Defense resource budgeting
8 and allocation, including—

9 (1) by conducting an examination of the plan-
10 ning, programming, budgeting, and execution meth-
11 odology of the Department; and

12 (2) by considering potential alternatives to such
13 methodology to maximize the ability of the Depart-
14 ment to equip itself in a timely manner to respond
15 to current and emerging threats.

16 (b) **MEMBERSHIP.**—

17 (1) **COMPOSITION.**—

1 (A) IN GENERAL.—Subject to subpara-
2 graph (B), the Commission shall be composed
3 of the following members:

4 (i) The Deputy Secretary of Defense.

5 (ii) The Director of Cost Assessment
6 and Program Evaluation for the Depart-
7 ment of Defense.

8 (iii) The Comptroller/Chief Financial
9 Officer for the Department of Defense.

10 (iv) The Deputy Director of the Office
11 of Management and Budget.

12 (v) Three members appointed by the
13 majority leader of the Senate, in consulta-
14 tion with the Chairman of the Committee
15 on Armed Services of the Senate, one of
16 whom shall be a member of the Senate and
17 two of whom shall not be.

18 (vi) Two members appointed by the
19 minority leader of the Senate, in consulta-
20 tion with the Ranking Member of the Com-
21 mittee on Armed Services of the Senate,
22 one of whom shall be a member of the Sen-
23 ate and one of whom shall not be.

24 (vii) Three members appointed by the
25 Speaker of the House of Representatives,

1 in consultation with the Chairman of the
2 Committee on Armed Services of the
3 House of Representatives, one of whom
4 shall be a member of the House of Rep-
5 resentatives and two of whom shall not be.

6 (viii) Two members appointed by the
7 minority leader of the House of Represent-
8 atives, in consultation with the ranking
9 member of the Committee On Armed Serv-
10 ices Of The House Of Representatives, one
11 of whom shall be a Member of the House
12 of Representatives and one of whom shall
13 not be

14 (B) EXPERTISE.—The members of the
15 Commission who are not members of Congress
16 and who are appointed under clauses (v)
17 through (viii) of subparagraph (A) shall be indi-
18 viduals who are nationally recognized for exper-
19 tise, knowledge, or experience in—

20 (i) planning, programming, budgeting,
21 and execution methodology;

22 (ii) budgeting methodologies and inno-
23 vation; or

24 (iii) the implementation or oversight
25 of Department of Defense budgeting.

1 (C) CONFLICTS OF INTEREST.—An official
2 who appoints members of the Commission may
3 not appoint an individual as a member of the
4 Commission if such individual possesses any
5 personal or financial interest in the discharge of
6 any of the duties of the Commission.

7 (D) SECURITY CLEARANCES.—All mem-
8 bers of the Commission described in subpara-
9 graph (A) shall possess an appropriate security
10 clearance in accordance with applicable provi-
11 sions of law concerning the handling of classi-
12 fied information.

13 (2) CO-CHAIRS.—The Commission shall have
14 two co-chairs, selected from among the members of
15 the Commission. One co-chair of the Commission
16 shall be a member of the Democratic Party, and one
17 co-chair shall be a member of the Republican Party.
18 The individuals who serve as the co-chairs of the
19 Commission shall be jointly agreed upon by the
20 President, the majority leader of the Senate, the mi-
21 nority leader of the Senate, the Speaker of the
22 House of Representatives, and the minority leader of
23 the House of Representatives.

24 (c) APPOINTMENT; INITIAL MEETING.—

1 (1) APPOINTMENT.—Members of the Commis-
2 sion shall be appointed not later than 45 days after
3 the date of the enactment of this Act.

4 (2) INITIAL MEETING.—The Commission shall
5 hold its initial meeting on or before the date that is
6 60 days after the date of the enactment of this Act.

7 (d) MEETINGS; QUORUM; VACANCIES.—

8 (1) IN GENERAL.—After its initial meeting, the
9 Commission shall meet upon the call of the co-chairs
10 of the Commission.

11 (2) QUORUM.—Seven members of the Commis-
12 sion shall constitute a quorum for purposes of con-
13 ducting business, except that two members of the
14 Commission shall constitute a quorum for purposes
15 of receiving testimony.

16 (3) VACANCIES.—Any vacancy in the Commis-
17 sion shall not affect its powers, but shall be filled in
18 the same manner in which the original appointment
19 was made.

20 (4) QUORUM WITH VACANCIES.—If vacancies in
21 the Commission occur on any day that is 45 days
22 after the date of the enactment of this Act, a
23 quorum shall consist of a majority of the members
24 of the Commission as of such day.

25 (e) ACTIONS OF COMMISSION.—

1 (1) IN GENERAL.—The Commission shall act by
2 resolution agreed to by a majority of the members
3 of the Commission voting and present.

4 (2) PANELS.—The Commission may establish
5 panels composed of less than the full membership of
6 the Commission for purposes of carrying out the du-
7 ties of the Commission under this title. The actions
8 of any such panel shall be subject to the review and
9 control of the Commission. Any findings and deter-
10 minations made by such a panel shall not be consid-
11 ered the findings and determinations of the Commis-
12 sion unless approved by the Commission.

13 (3) DELEGATION.—Any member, agent, or staff
14 of the Commission may, if authorized by the co-
15 chairs of the Commission, take any action which the
16 Commission is authorized to take pursuant to this
17 title.

18 (f) DUTIES.—The duties of the Commission are as
19 follows:

20 (1) To define the core objectives and priorities
21 of the strategic approach referred to in subsection
22 (a).

23 (2) To weigh the costs and benefits of various
24 strategic options for the Department of Defense to
25 budget and allocate resources, including the plan-

1 ning, programming, budgeting, and execution meth-
2 odology in effect as of the date of the enactment of
3 this Act.

4 (3) To evaluate whether the strategic options
5 described in paragraph (2) are exclusive or com-
6 plementary, the best means for executing such op-
7 tions, and how the Department of Defense should
8 incorporate and implement such options within its
9 budgeting methodology and strategy.

10 (4) To review and make determinations on the
11 difficult choices present within such options, includ-
12 ing how the Department can budget at the speed of
13 relevance to address current and emerging threats
14 while maintaining an appropriate degree of oversight
15 from Congress.

16 (5) To review adversarial budgeting methodolo-
17 gies and strategies to understand if and how adver-
18 saries are able to meet current and future threats
19 more or less successfully than the United States.

20 (6) To evaluate the effectiveness of the current
21 resource budgeting and allocation methodology to
22 meet current and emerging threats to the national
23 security of the United States.

24 (7) In weighing the options for defending the
25 United States, to consider possible structures and

1 authorities that need to be established, revised, or
2 augmented within the Federal Government.

3 (g) POWERS OF COMMISSION.—

4 (1) IN GENERAL.—

5 (A) HEARINGS; SUBPOENAS.—The Com-
6 mission or, on the authorization of the Commis-
7 sion, any subcommittee or member thereof,
8 may, for the purpose of carrying out the provi-
9 sions of this section—

10 (i) hold such hearings and sit and act
11 at such times and places, take such testi-
12 mony, receive such evidence, and admin-
13 ister such oaths; and

14 (ii) require, by subpoena or otherwise,
15 the attendance and testimony of such wit-
16 nesses and the production of such books,
17 records, correspondence, memoranda, pa-
18 pers, and documents, as the Commission
19 or such designated subcommittee or des-
20 ignated member considers necessary.

21 (B) SERVICE OF SUBPOENAS.—Subpoenas
22 may be issued under subparagraph (A)(ii)
23 under the signature of the co-chairs of the
24 Commission, and may be served by any person
25 designated by such co-chairs.

1 (C) FAILURE OF WITNESSES TO AP-
2 PEAR.—The provisions of sections 102 through
3 104 of the Revised Statutes of the United
4 States (2 U.S.C. 192-194) shall apply in the
5 case of any failure of a witness to comply with
6 any subpoena or to testify when summoned
7 under authority of this section.

8 (2) CONTRACTING.—The Commission may, to
9 such extent and in such amounts as are provided in
10 advance in appropriation Acts, enter into contracts
11 to enable the Commission to discharge its duties
12 under this title.

13 (3) INFORMATION FROM FEDERAL AGENCIES.—
14 The Commission may secure directly from any execu-
15 tive department, agency, bureau, board, commis-
16 sion, office, independent establishment, or instru-
17 mentality of the Government information, sugges-
18 tions, estimates, and statistics for the purposes of
19 this title. Each such department, agency, bureau,
20 board, commission, office, establishment, or instru-
21 mentality shall, to the extent authorized by law, fur-
22 nish such information, suggestions, estimates, and
23 statistics directly to the Commission, upon request
24 of the co-chairs of the Commission. The Commission
25 shall handle and protect all classified information

1 provided to it under this paragraph in accordance
2 with applicable statutes and regulations.

3 (4) ASSISTANCE FROM FEDERAL AGENCIES.—

4 (A) The Secretary of Defense shall provide
5 to the Commission, on a nonreimbursable basis,
6 such administrative services, funds, staff, facili-
7 ties, and other support services as are necessary
8 for the performance of the Commission's duties
9 under this title.

10 (B) The Director of the Office of Manage-
11 ment and Budget may provide the Commission,
12 on a nonreimbursable basis, with such adminis-
13 trative services, staff, and other support serv-
14 ices as the Commission may request. In addi-
15 tion to the assistance set forth in paragraphs
16 (1) and (2), other departments and agencies of
17 the United States may provide the Commission
18 such services, funds, facilities, staff, and other
19 support as such departments and agencies con-
20 sider advisable and as may be authorized by
21 law.

22 (C) The Commission shall receive the full
23 and timely cooperation of any official, depart-
24 ment, or agency of the United States Govern-
25 ment whose assistance is necessary, as jointly

1 determined by the co-chairs selected under sub-
2 section (b)(2), or the fulfillment of the duties of
3 the Commission, including the provision of full
4 and current briefings and analyses.

5 (5) POSTAL SERVICES.—The Commission may
6 use the United States postal services in the same
7 manner and under the same conditions as the de-
8 partments and agencies of the United States.

9 (6) GIFTS.—No member or staff of the Com-
10 mission may receive a gift or benefit by reason of
11 the service of such member or staff to the Commis-
12 sion.

13 (h) STAFF OF COMMISSION.—

14 (1) IN GENERAL.—

15 (A) DETAILEES.—Any Federal Govern-
16 ment employee may be detailed to the Commis-
17 sion without reimbursement from the Commis-
18 sion, and such detailee shall retain the rights,
19 status, and privileges of his or her regular em-
20 ployment without interruption.

21 (B) SECURITY CLEARANCE.—All staff of
22 the Commission shall possess a security clear-
23 ance in accordance with applicable laws and
24 regulations concerning the handling of classified
25 information.

1 (2) CONSULTANT SERVICES.—(A) The Commis-
2 sion may procure the services of experts and consult-
3 ants in accordance with section 3109 of title 5,
4 United States Code, but at rates not to exceed the
5 daily rate paid a person occupying a position at level
6 IV of the Executive Schedule under section 5315 of
7 such title. (B) All experts and consultants employed
8 by the Commission shall possess a security clearance
9 in accordance with applicable laws and regulations
10 concerning the handling of classified information.

11 (i) COMPENSATION AND TRAVEL EXPENSES.—

12 (1) COMPENSATION.—

13 (A) IN GENERAL.—Except as provided in
14 subparagraph (B), each member of the Com-
15 mission may be compensated at not to exceed
16 the daily equivalent of the annual rate of basic
17 pay in effect for a position at level IV of the
18 Executive Schedule under section 5315 of title
19 5, United States Code, for each day during
20 which that member is engaged in the actual
21 performance of the duties of the Commission
22 under this title.

23 (B) OFFICERS OR EMPLOYEES OF UNITED
24 STATES.—Members of the Commission who are
25 officers or employees of the United States or

1 Members of Congress shall receive no additional
2 pay by reason of their service on the Commis-
3 sion.

4 (2) TRAVEL EXPENSES.—While away from
5 their homes or regular places of business in the per-
6 formance of services for the Commission, members
7 of the Commission may be allowed travel expenses,
8 including per diem in lieu of subsistence, in the
9 same manner as persons employed intermittently in
10 the Government service are allowed expenses under
11 section 5703 of title 5, United States Code.

12 (j) TREATMENT OF INFORMATION RELATING TO NA-
13 TIONAL SECURITY.—

14 (1) IN GENERAL.—The Secretary of Defense
15 shall assume responsibility for the handling and dis-
16 position of any information related to the national
17 security of the United States that is received, con-
18 sidered, or used by the Commission under this title.
19 Any information related to the national security of
20 the United States that is provided to the Commis-
21 sion by the congressional armed services committees
22 may not be further provided or released without the
23 approval of the chairman of such committees.

24 (2) ACCESS AFTER TERMINATION OF COMMIS-
25 SION.—Notwithstanding any other provision of law,

1 after the termination of the Commission under sub-
2 section (k)(2), only the members and designated
3 staff of the Committees on Armed Services of the
4 Senate and House of Representatives, the Secretary
5 of Defense (and the designees of the Secretary), and
6 such other officials of the executive branch as the
7 President may designate shall have access to infor-
8 mation related to the national security of the United
9 States that is received, considered, or used by the
10 Commission.

11 (k) FINAL REPORT; TERMINATION.—

12 (1) FINAL REPORT.—Not later than September
13 1, 2022, the Commission shall submit to the Com-
14 mittees on Armed Services of the Senate and House
15 of Representatives, the Secretary of Defense, and
16 the Director of Office of Management and Budget a
17 final report containing the findings of the Commis-
18 sion.

19 (2) TERMINATION.—

20 (A) IN GENERAL.—The Commission, and
21 all the authorities of this section, shall termi-
22 nate at the end of the 120-day period beginning
23 on the date on which the final report under
24 paragraph (1) is submitted to the congressional
25 armed services committees.

1 (B) CONCLUSION OF ACTIVITIES.—The
2 Commission may use the 120-day period re-
3 ferred to in subparagraph (A) for the purposes
4 of concluding its activities, including providing
5 testimony to Congress concerning the final re-
6 port referred to in that paragraph and dissemi-
7 nating the report.

8 (I) ASSESSMENTS OF FINAL REPORT.—Not later
9 than 60 days after receipt of the final report under sub-
10 section (k)(1), the Secretary of Defense and the Director
11 of the Office of Management and Budget shall each sub-
12 mit to the Committees on Armed Service of the Senate
13 and House of Representatives an assessment by the Direc-
14 tor or the Secretary, as the case may be, of the final re-
15 port. Each such assessment shall include such comments
16 on the findings and recommendations contained in the
17 final report, as the Director or Secretary, as the case may
18 be, considers appropriate.



AMENDMENT TO H.R. 4350
OFFERED BY MR. GALLAGHER OF WISCONSIN

At the appropriate place in title X, insert the following:

1 **SEC. 10 ____ . ASSESSMENT OF UNITED STATES MILITARY IN-**
2 **FRASTRUCTURE IN DIEGO GARCIA, BRITISH**
3 **INDIAN OCEAN TERRITORY.**

4 Not later than 180 days after the date of the enact-
5 ment of this Act, the Secretary of Defense shall submit
6 to the congressional defense committees a report con-
7 taining the independent assessment of the Secretary with
8 respect to each of the following:

9 (1) The manner in which Diego Garcia, British
10 Indian Ocean Territory, could contribute to the exe-
11 cution of the operational and contingency plans of
12 the Department of Defense, as well as the peacetime
13 forward posture of the Department.

14 (2) The operational benefits of hardening facili-
15 ties on Diego Garcia, including the installation of an
16 Integrated Air and Missile Defense system.

17 (3) The operational benefits of storing muni-
18 tions on Diego Garcia.

1 (4) Potential tradeoffs and costs associated
2 with hardening facilities or prepositioning munitions
3 on Diego Garcia.

4 (5) Any additional infrastructure required in
5 Diego Garcia to better support the requirements of
6 the combatant commands.

7 (6) The potential to collaborate with the gov-
8 ernments of allies of the United States to invest in
9 the military infrastructure on Diego Garcia.



Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022

Offered by:

Mr. Gallagher of Wisconsin

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

PLA Civilian Strategic Mobility Capacity

The Committee remains focused on deterring Chinese aggression, and particularly the threat of military force against Taiwan. To that end, the Committee is concerned by the recent reports surrounding the People's Liberation Army Navy's (PLAN's) potential use of civilian vessels to expand the size of its amphibious lift capacity as well as the potential use of other non-military, state-owned or private assets to assist in the invasion of Taiwan. Consequently, the Committee directs the Commander of U.S. Indo-Pacific Command to submit a report to the congressional defense committees no later than January 1, 2022, including:

1. An assessment of the People's Liberation Army Navy amphibious transport capacity, including an analysis of the role that commercial ferries and other relevant private or publicly-owned vessels could play during an invasion of Taiwan;
2. An assessment of the potential use of civilian airliners for military purposes, including to support of an invasion of Taiwan;
3. An analysis of how the capabilities outlined in paragraphs (1) and (2) could impact the ability of the People's Republic of China to execute a successful invasion of Taiwan, the operational planning assumptions of Indo-Pacific command, and any required capability or force structure changes to successfully prevent a fait accompli against Taiwan.

AMENDMENT TO H.R. 4350
OFFERED BY MR. KELLY OF MISSISSIPPI

At the appropriate place in subtitle A of title X, insert the following:

1 **SEC. 10 ____ . BUDGET JUSTIFICATION FOR OPERATION AND**
2 **MAINTENANCE.**

3 (a) SUBACTIVITY GROUP BY FUTURE YEARS.—Sec-
4 tion 233 of title 10, United States Code, is amended—

5 (1) by redesignating subsection (c) as sub-
6 section (e); and

7 (2) by inserting after subsection (b) the fol-
8 lowing new subsection (c):

9 “(c) SUBACTIVITY GROUPS.—The Secretary of De-
10 fense, in consultation with the Secretary of each of the
11 military departments, shall include in the materials sub-
12 mitted to Congress by the Secretary of Defense in support
13 of the President’s budget, in an unclassified format, the
14 total amount projected for each individual subactivity
15 group, as detailed in the future years defense program
16 pursuant to section 221 of this title.”

17 (b) BUDGET SUBMISSION DISPLAY.—Section 233 of
18 title 10, United States Code, is further amended by insert-

1 ing after subsection (c), as added by subsection (a), the
2 following new subsection:

3 “(d) BUDGET DISPLAY.—The Secretary of Defense,
4 in consultation with the Secretary of each of the military
5 departments, shall include in the O&M justification docu-
6 ments a budget display to provide for discussion and eval-
7 uation of the resources required to meet material readi-
8 ness objectives, as identified in the metrics required by
9 section 118 of this title. For each major weapon system,
10 by designated mission design series, variant, or class, the
11 budget display required under this subsection for the
12 budget year shall include each of the following:

13 “(1) The material availability objective estab-
14 lished in accordance with the requirements of section
15 118 of this title.

16 “(2) The funds obligated by subactivity group
17 within the operation and maintenance accounts for
18 the second fiscal year preceding the budget year.

19 “(3) The funds estimated to be obligated by
20 subactivity group within the operation and mainte-
21 nance accounts for the fiscal year preceding the
22 budget year.

23 “(4) The funds budgeted and programmed
24 across the future years defense program within the

1 operation and maintenance accounts by subactivity
2 group.

3 “(5) A narrative discussing the performance of
4 the Department against established material readi-
5 ness objectives for each major weapon system by
6 mission design series, variant, or class (and any re-
7 lated supply chain risks) and any specific actions or
8 investments the Department intends to take to
9 achieve the material readiness objectives for each
10 such system.”.

11 (c) IMPLEMENTATION DEADLINE.—The Secretary of
12 Defense shall ensure that the budget display requirements
13 required under the amendments made by this section are
14 included in the budget request for fiscal year 2023 and
15 all fiscal years thereafter.

16 (d) CONFORMING REPEAL .—Section 357 of the
17 John S. McCain National Defense Authorization Act for
18 Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 221
19 note) is repealed.



**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by:

Mr. Gallagher of Wisconsin

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Mine Warfare

Given advances in mine warfare and the important role it could play in a high-intensity conflict, the committee is concerned about the People's Liberation Army Navy (PLAN) in both mine warfare capability and capacity. The committee requires additional information regarding the U.S. Navy's own offensive and defensive mine warfare capabilities. Therefore, the Committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services, not later than March 1, 2022, detailing the projected impact to U.S. operational plans of PLAN mine warfare operations, including but not limited to, a conflict over Taiwan. The briefing should examine the following questions:

- (1) What would be the objectives of Chinese employment of mine warfare in an invasion of Taiwan?
- (2) Do present PLAN mine warfare capabilities allow the People's Republic of China to meet the objectives described in paragraph (1)?
- (3) What countermeasures are Taiwan, the United States, and other partners able to employ that might reduce the effectiveness of the PLAN's mine warfare?
- (4) What would be the optimal use of U.S. and Taiwanese offensive and defense mine warfare capabilities to contribute to efforts to deny a fait accompli against Taiwan?
- (5) Do either the U.S. or Taiwanese Navy currently maintain the capabilities described in paragraph (4)? If not, what resources, platforms, or ordinances would be required to obtain said capabilities?
- (6) How would the additions described in paragraph (5) contribute to the ability of the Department of Defense to execute its operational plans?

AMENDMENT TO H.R. 4350
OFFERED BY MRS. MURPHY OF FLORIDA

At the appropriate place in subtitle E of title XII,
insert the following:

1 **SEC. 12 ____ . SENSE OF CONGRESS ON ENHANCING DEFENSE**
2 **AND SECURITY COOPERATION WITH SINGA-**
3 **PORE.**

4 It is the sense of Congress as follows:

5 (1) The United States and Singapore have built
6 a strong, enduring, and forward-looking strategic
7 partnership based on long-standing and mutually
8 beneficial cooperation, including through security,
9 defense, economic, and people-to-people ties.

10 (2) Robust security cooperation between the
11 United States and Singapore is crucial to promoting
12 peace and stability in the Indo-Pacific region.

13 (3) The status of Singapore as a “Major Secu-
14 rity Cooperation Partner” of the United States, as
15 recognized in the Strategic Framework Agreement
16 between the United States and the Republic of
17 Singapore for a Closer Partnership in Defense and
18 Security, done at Washington, D.C. on July 12,
19 2005, plays an important role in the global network

1 of strategic partnerships, especially in promoting
2 maritime security and countering terrorism.

3 (4) The United States values Singapore's provi-
4 sion of access to its military facilities, which sup-
5 ports the continued security presence of the United
6 States in Southeast Asia and across the Indo-Pacific
7 region.

8 (5) The United States should continue to wel-
9 come the presence of the military forces of Singa-
10 pore in the United States for exercises and training,
11 and should consider opportunities to expand such ac-
12 tivities at additional locations in the United States
13 as appropriate, including through cooperation mech-
14 anisms such as the memorandum of understanding
15 agreed to by the United States and Singapore in De-
16 cember 2019 to establish a fighter jet training de-
17 tachment in Guam.

18 (6) The United States should continue to
19 strengthen all aspects of the bilateral defense rela-
20 tionship with Singapore, which benefitted from the
21 signing of the 2015 enhanced Defense Cooperation
22 Agreement to expand cooperation in the military,
23 policy, strategic and technology spheres, as well as
24 cooperation in non-conventional security areas such
25 as piracy and transnational terrorism, humanitarian

1 assistance and disaster relief, cyber-security, and
2 biosecurity.

3 (7) As the United States and Singapore have
4 renewed the 1990 Memorandum of Understanding
5 Regarding the United States Use of Facilities in
6 Singapore and mark the 55th anniversary of bilat-
7 eral relations in 2021, the United States should—

8 (A) continue to enhance defense and secu-
9 rity cooperation with Singapore to promote
10 peace and stability in the Indo-Pacific region
11 based on common interests and shared values;

12 (B) reinforce the status of Singapore as a
13 major security cooperation partner of the
14 United States; and

15 (C) explore additional steps to better facili-
16 tate interoperability between the United States
17 Armed Forces and the military forces of Singa-
18 pore to promote peace and stability in the Indo-
19 Pacific region.



**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by: Mrs. McClain

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Report on Iranian Support for the Assad Regime

By March 1, 2022, the Committee directs the Secretary of Defense to submit a report to the Committees on Armed Services of the House of Representatives and the Senate that includes a detailed description of ongoing or recent Iranian material support for the government of Bashar al-Assad and the role this support may have played in the losses of American or coalition forces.

AMENDMENT TO H.R. 4350
OFFERED BY MR. DESJARLAIS OF TENNESSEE

At the appropriate place in subtitle C of title XII,
insert the following:

1 **SEC. 12 ____ . REPORT ON IRAN-CHINA MILITARY TIES.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, and annually thereafter for 4 years, the
4 Secretary of Defense shall submit to the Committees on
5 Armed Services of the House of Representatives and the
6 Senate a report that includes a detailed assessment of—

7 (1) military ties between China and Iran since
8 the expiration of United Nations Security Resolution
9 2231 in October 2020, including in the form of joint
10 drills, weapons transfers, military visits, illicit pro-
11 curement activities, and other sources of Chinese
12 material support for Iranian military capabilities;
13 and

14 (2) the direct or indirect impact that the sus-
15 pension, issuance, or revocation of any waiver, li-
16 cense, or suspension of economic sanctions on Iran
17 may have on the use or effectiveness of such tools.



**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by: Mrs. McClain

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Report on Iranian Support for Military Forces Committing Severe Human Rights
Abuses

By March 1, 2022, the Committee directs the Secretary of Defense to submit a report to the committees on Armed Services of the House of Representatives and the Senate that includes a detailed assessment of tactics used by Iran's internal security forces, including the Basij, Ansar Hezbollah, and law enforcement forces including all subunits and special forces, as well as any religious police to suppress opposition groups or violate human rights.

Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022

Offered by: Ms. Jacobs

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

SIGAR Performance Evaluation of the Afghan National Security and Defense Forces

The committee recognizes the value of the Special Inspector General for Afghanistan Reconstruction's assessments of United States engagement in Afghanistan. The committee also notes the Afghan National Security and Defense Forces (ANDSF)'s inability to defend Afghanistan following the withdrawal of U.S. military personnel. Therefore, the committee directs the Special Inspector General for Afghanistan Reconstruction to conduct an evaluation of the performance of the ANDSF for the period between February 2020 and August 2021. The committee also directs the Special Inspector General for Afghanistan Reconstruction to submit a report to the Committees on Armed Services of the Senate and the House of Representatives and the Secretary of Defense by March 1, 2022, on the findings of such evaluation, including why the ANDSF proved unable to defend Afghanistan from the Taliban following the withdrawal of U.S. military personnel; the impact of the withdrawal of U.S. military personnel had on the performance of the ANDSF; elements of the U.S. military's efforts since 2001 to provide training, assistance, and advising to the ANDSF that impacted the ANDSF's performance following the U.S. military withdrawal; the current status of U.S.-provided equipment to the ANDSF; the current status of U.S.-trained ANDSF personnel; and any other matters the Special Inspector General for Afghanistan Reconstruction deems appropriate. The report shall be provided in unclassified form, but may include a classified appendix.

Provided further, the Secretary of Defense shall, insofar as is practicable and not in contravention of any existing law, furnish all such information or assistance to the Special Inspector General as the Special Inspector General may request for the purpose of conducting the evaluation required by this section.

AMENDMENT TO H.R. 4350
OFFERED BY MR. LAMBORN OF COLORADO

At the appropriate place in subtitle C of title XII,
insert the following:

1 **SEC. 12 ____ . REPORT ON IRANIAN MILITARY CAPABILITIES.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, and every 180 days thereafter, the Sec-
4 retary of Defense shall submit to the Committees on
5 Armed Services of the House of Representatives and the
6 Senate a report that includes a detailed description of—

7 (1) improvements to Iranian military capabili-
8 ties in the preceding 180-day period, including capa-
9 bilities of the Islamic Revolutionary Guard Corps,
10 the Quds Force, the Artesh, and the Basij, as well
11 as those of its terrorist proxies; and

12 (2) the direct or indirect impact that the sus-
13 pension, issuance, or revocation of any waiver, li-
14 cense, or suspension of economic sanctions on Iran
15 may have on such capabilities.



AMENDMENT TO H.R. 4350
OFFERED BY MR. KAHELE OF HAWAII

At the appropriate place in title LX, insert the following:

1 **SEC. 60 ____ . DEFINITION OF STATE FOR PURPOSES OF OM-**
2 **NIBUS CRIME CONTROL AND SAFE STREETS**
3 **ACT OF 1968.**

4 Section 901(a)(2) of title I of the Omnibus Crime
5 Control and Safe Streets Act of 1968 (34 U.S.C.
6 10251(a)(2)) is amended by striking “Northern Mariana
7 Islands” and all that follows through “Commonwealth of
8 the Northern Mariana Islands.” and inserting “Northern
9 Mariana Islands;”.



Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022

Offered by Mr. Bacon of Nebraska

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Operational Energy Readiness

The Committee is concerned about the Department's pattern of ignoring potential logistical challenges that could occur in a conflict while conducting major overseas exercises. Exercises in the European Command and Indo-Pacific Command areas of responsibility have neglected to fully account for the challenges posed by a contested logistics environments and fuel supplies subject to the control of adversaries assumed in such exercises. Logistical assumptions and caveats represent substantial tactical and strategic assumptions that may not reflect combat conditions and which may diminish the value of field exercises in learning to overcome these challenges.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by March 1, 2022 on exercises in the European Command and Indo-Pacific Command areas of responsibility where fuel supplies for combat and non-combat units actively participating in such exercises originated from sources that could be disrupted or made completely unavailable by the notional adversary portrayed in such exercise.

**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by: Mr. Scott of Georgia

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Report on Centers of Gravity of Select Countries and Foreign Terrorist Organizations

The committee notes that the military term “center of gravity” as “the source of power that provides moral or physical strength, freedom of action, or will to act.”

Therefore, the committee directs the Chairman of the Joint Chiefs of Staff to provide a report no later than May 1, 2022 to the congressional defense committees on the Chairman’s assessments regarding the military centers of gravity for each of the following countries and organizations: (1) the Russian Federation; (2) Peoples Republic of China; (3) Iran; (4) North Korea; and (5) each of the Foreign Terrorist Organizations designated by the Secretary of State, in accordance with section 219 of the Immigration and Nationality Act as amended, that the Chairman considers to be a military threat to the United States. The report may be delivered in classified form.

AMENDMENT TO H.R. 4350
OFFERED BY MR. JACKSON OF TEXAS

At the appropriate place in subtitle C of title XII,
insert the following:

1 **SEC. 12___ . PROHIBITION OF TRANSFERS TO BADR ORGA-**
2 **NIZATION.**

3 None of the amounts authorized to be appropriated
4 by this Act or otherwise made available to the Department
5 of Defense may be made available, directly or indirectly,
6 to the Badr Organization.



AMENDMENT TO H.R. 4350
OFFERED BY MR. JACKSON OF TEXAS

At the appropriate place in subtitle C of title XII,
insert the following:

1 **SEC. 12 . REPORT ON IRANIAN TERRORIST PROXIES.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, and every 180 days thereafter, the Sec-
4 retary of Defense shall submit to the Committees on
5 Armed Services of the House of Representatives and the
6 Senate a report that includes a detailed description of—

7 (1) improvements to the military capabilities of
8 Iran-backed militias, including Lebanese Hezbollah,
9 Asa'ib ahl al-Haq, Harakat Hezbollah al-Nujaba,
10 Kata'ib Sayyid al-Shuhada, Kata'ib al-Imam Ali,
11 Kata'ib Hezbollah, the Badr Organization, the
12 Fatemiyoun, the Zainabiyoun, and Ansar Allah (also
13 known as the Houthis); and

14 (2) the direct or indirect impact that the sus-
15 pension, issuance, or revocation of any waiver, li-
16 cense, or suspension of economic sanctions on Iran
17 may have on such capabilities.



Amendment to H.R. 4350 National Defense Authorization Act for Fiscal Year 2022

Offered by: Ms. Speier of California

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Strategy for Preserving the Rights of Women and Girls in Afghanistan

The committee is concerned about the impact of the withdrawal of U.S. forces from Afghanistan on Afghan women and girls. The committee notes that the U.S. military has many capabilities that could be used to support regional security partners. Therefore, the committee directs the Secretary of Defense, in coordination and consultation with the Secretary of State, to submit a report to the House Committee on Armed Services and House Committee on Foreign Affairs by March 1, 2022, including a comprehensive strategy for how U.S. military capabilities and partnerships could be used to promote the protection of the rights of women and girls in Afghanistan. The strategy should include:

(1) an analysis of any programs in the region that could be leveraged to protect the rights of women and girls, preserve the gains made by women and girls, and best ensure the meaningful participation of Afghan women in any transitional security arrangements and any future political or peace processes, in accordance with the Women, Peace and Security Act of 2017 (Public Law 115–68; 22 U.S.C. 2151).

(2) an assessment of military capabilities that could be used to assist with State Department-led efforts to protect the rights of Afghan women and girls relating to Afghanistan and the region.

(3) an assessment of additional statutory authority needed to permit the effective use of Department of Defense capabilities to protect the rights of women and girls and ensure opportunity of meaningful participation in any future Afghan political processes.

(4) ways to ensure that activities carried out under the strategy employ rigorous monitoring and evaluation methodologies and are informed by gender analysis as defined by the Women’s Entrepreneurship and Economic Empowerment Act of 2018 (Public Law 115–428) and required by the U.S. Strategy on Women, Peace, and Security.

Such strategy must be submitted in an unclassified format but may contain a classified annex.

**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by: Mrs. McClain

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Report on Iranian Support for the Taliban in Afghanistan

By March 1, 2022, the committee directs the Secretary of Defense to submit to the Committees on Armed Services of the House of Representatives and the Senate a report that includes a detailed description of ongoing or recent Iranian material support for the Taliban and the role this support may have played in the losses of American or coalition forces.

**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by Mrs. Hartzler of Missouri

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Bagram Air Base

The committee notes the strategic and tactical importance of Bagram Air Base during Operation Enduring Freedom. The committee also notes that the U.S. military retrograded from Bagram Air Base in July 2021 as part of the withdrawal from Afghanistan, leaving the Hamid Karzai International Airport in Kabul the only airfield accessible to the United States and our partners. The committee is interested in understanding the strategic decision behind leaving Bagram Air Base. Therefore, the committee directs the Secretary of Defense brief the House Committee on Armed Services by November 1, 2021, on the Department of Defense's decision to leave Bagram Air Base.

**Amendment to H.R. 4350
National Defense Authorization Act for Fiscal Year 2022**

Offered by Mrs. Hartzler of Missouri

In the appropriate place in the report to accompany H.R. 4350, insert the following new Directive Report Language:

Aviation Contractor Support to the Afghan Air Force

The committee notes that the defeat of the Afghan Air Force was largely due to the inability of the Afghan Air Force to properly maintain its fleet of aircraft without U.S. contracted maintenance support. During the May 12, 2021 House Committee on Armed Services hearing, the Department of Defense was asked to provide the committee with a plan on how it would continue to provide maintenance support to the Afghan Air Force to include the possibility of any in country support provided by U.S. contracted personnel. This information was never provided to the committee. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services by November 1, 2021, on the Department of Defense's plan to provide contractor support to the Afghan Air Force. This briefing should include, but not be limited to, why the plan was not executed and the effects that had on the Afghan Air Force.

AMENDMENT TO H.R. 4350
OFFERED BY MR. ROGERS OF ALABAMA

At the appropriate place in title XIII, insert the following:

1 **SEC. 13 ____ . NOTIFICATION RELATING TO OVERSEAS HU-**
2 **MANITARIAN, DISASTER, AND CIVIC AID**
3 **FUNDS OBLIGATED IN SUPPORT OF OPER-**
4 **ATION ALLIES REFUGE.**

5 Not later than 30 days after the date on which more
6 than \$100,000,000 of the amounts authorized to be ap-
7 propriated by the Act for overseas humanitarian, disaster,
8 and civic aid are obligated for expenses in support of Oper-
9 ation Allies Refuge, and every 90 days thereafter until all
10 such funds are obligated for Operation Allies Refuge, the
11 Secretary of Defense shall submit to the congressional de-
12 fense committees a notification that includes—

13 (1) the costs associated with the provision of
14 transportation, housing, medical services, and other
15 sustainment expenses for Afghan special immigrant
16 visa applicants and other Afghans at risk; and

17 (2) whether funds were obligated under a reim-
18 bursable or non-reimbursable basis.

