

**H.R. 2670—NATIONAL DEFENSE  
AUTHORIZATION ACT FOR FISCAL YEAR  
2024**

**SUBCOMMITTEE ON STRATEGIC  
FORCES**

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# **SUMMARY OF BILL LANGUAGE**

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**DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

**TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

**LEGISLATIVE PROVISIONS**

**SUBTITLE D—PLANS, REPORTS, AND OTHER MATTERS**

Section 241—Hypersonic Testing Strategy and Evaluation of Potential Hypersonic Test Ranges

This section would limit the Department of Defense to 90 percent of the funds made available for fiscal year 2024 for travel by the Under Secretary of Defense for Policy until the submission of a strategy for hypersonic testing, as required by section 237 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117-263), and require the strategy to be updated biennially through 2030.

Further, the committee understands that current long-range flight test infrastructure is not sufficient to support hypersonic flight test demand, and that additional testing capabilities are required to fully test missile end-game performance. Accordingly, this section would also require the Department of Defense to study at least two additional corridors for testing long-distance hypersonic systems and to initiate any activities required by the National Environmental Policy Act of 1969 necessary for such testing.

**TITLE XVI—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS**

## LEGISLATIVE PROVISIONS

### SUBTITLE A—SPACE ACTIVITIES

#### Section 1601—Classification Review of Space Major Defense Acquisition Programs

This section would amend chapter 135 of title 10, United States Code, to require review of the classification guidance to make sure that it remains appropriate before granting Milestone B approval of space major defense acquisition programs.

#### Section 1603—Plan to Improve Threat-Sharing Arrangements with Commercial Space Operators

This section would require a plan for threat sharing with commercial space operators.

#### Section 1604—Process and Plan for Space Force Space Situational Awareness

This section would require the Assistant Secretary of the Air Force for Space Acquisition and Integration, in consultation with the Chief of Space Operations, to establish a process to identify and evaluate commercial space situational awareness capabilities. It would also require them to develop and implement a plan to integrate the unified data library into Space Force operational systems.

### SUBTITLE B—NUCLEAR FORCES

#### Section 1621—Establishment of Major Force Program for Nuclear Command, Control, and Communications Programs

This section would require the Department of Defense to establish a major force program for nuclear command, control, and communications (NC3) programs to aggregate and better track sustainment and modernization efforts across the NC3 enterprise.

#### Section 1623—Repeal of Requirement for Review of Nuclear Deterrence Postures

This section would eliminate a duplicative reporting requirement contained in section 1753 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

#### Section 1624—Pilot Program on Development of Reentry Vehicles and Related Systems

This section would authorize the Air Force to establish a pilot program related to the development of reentry vehicles.

Section 1625—Integrated Master Schedule for the Sentinel Missile Program of the Air Force

This section would require the submission of an integrated master schedule for the Sentinel missile program, as well as quarterly briefings on the program's progress.

Section 1628—Limitation on Availability of Funds for Retirement of B83-1 Nuclear Gravity Bombs

This section would prohibit the deactivation, dismantlement, or retirement of not more than 25 percent of the B83-1 nuclear gravity bombs that were in the active stockpile as of September 30, 2022, until 90 days after the Secretary of Defense submits to the congressional defense committees a study on options to hold at risk hard and deeply buried targets required by section 1674 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117-263). This section would also include an exception allowing for deactivation, dismantlement, or retirement of B83-1 gravity bombs for the purpose of safety and surveillance.

Section 1631—Congressional Notification of Nuclear Cooperation between Russia and China

This section would require congressional notification in the event of certain cooperative activities involving China and Russia.

SUBTITLE C—MISSILE DEFENSE PROGRAMS

Section 1651—Qualifications of Director of Missile Defense Agency

This section would amend current law to require the Director of the Missile Defense Agency to be a military officer.

Section 1653—Programs to Achieve Initial and Full Operational Capabilities for the Glide Phase Interceptor Program

This section would specifically authorize the Missile Defense Agency to carry out a program to develop a Glide Phase Interceptor for hypersonic defense.

Section 1655—Limitation on Use of Funds pending Submission of Report on Missile Defense Interceptor Site

This section would limit certain funds until the submission of a report required by section 1665 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117-263).

#### Section 1656—Report on Hawaii Missile Defense

This section would require that the Secretary of Defense submit to the congressional defense committees a report on the integrated air and missile defense sensor architecture of the U.S. Indo-Pacific Command, and specific programs of record which support additional sensor coverage for the State of Hawaii.

#### Section 1657—Report on Potential Enhancements to Aegis Ashore Sites in Poland and Romania

This section would require the Director of the Missile Defense Agency to provide a report on potential enhancements to the Aegis Ashore missile defense sites in Poland and Romania.

#### Section 1658—Rescission of Memorandum on Missile Defense Governance

This section would require the rescission of the Directive-type Memorandum 20-002 relating to "Missile Defense System Policies and Governance."

### SUBTITLE D—OTHER MATTERS

#### Section 1672—Quarterly Briefings on Implementation of Military-Code Compliant GPS Receivers through Military GPS User Equipment Program

This section would require the Chairs of the Positioning, Navigation, and Timing Oversight Council to provide quarterly briefings to the congressional defense committees on the status of Military code (M-code) implementation, including status of Military Global Positioning System User Equipment Increments 1 and 2, with details on expected dates of M-code compliance for all sea, air, and land-based terminals across the services' platforms.

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

### **TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**

#### **LEGISLATIVE PROVISIONS**

#### **SUBTITLE B—PROGRAM AUTHORIZATIONS, RESTRICTIONS, AND LIMITATIONS**

### Section 3111—Technical Correction to National Nuclear Security Administration Unfunded Priorities

This section would amend existing law regarding the submission of unfunded priorities of the National Nuclear Security Administration to include projects that mitigate risk.

### Section 3112—Deadlines for Commencement of Operations of Certain Atomic Energy Replacement Projects

This section would codify the National Nuclear Security Administration's (NNSA) plans with respect to constructing new facilities related to high explosives production at the Pantex Plant, Amarillo, Texas, and tritium activities at the Savannah River Site, Aiken, South Carolina. These new facilities were designed to reduce operational risk associated with continuing to operate legacy facilities, and ensure the necessary capacity is availability to meet future workload and mission requirements. While the fiscal year 2024 budget request proposed temporarily pausing both projects in order to prioritize construction activities elsewhere within the nuclear security enterprise, the committee understands the need for these facilities has not changed and supports the completion of these construction activities as expeditiously as possible.

### Section 3113—Prohibition on Availability of Funds to Reconvert or Retire W76-2 Warheads

This section would prohibit the National Nuclear Security Administration from reconverting or retiring W76-2 warheads. It would provide a waiver if the Administrator for Nuclear Security, in consultation with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, certifies to the congressional defense committees that Russia and China do not possess similar capabilities and that the Department of Defense does not have a valid military requirement for the W76-2 warhead.

### Section 3114—Limitation on Use of Funds Pending Submission of Certain National Nuclear Security Administration Reports

This section would limit the availability of funds for the Administrator for Nuclear Security for travel until a briefing required in the committee report accompanying the National Defense Authorization Act for Fiscal Year 2023 (H. Rept. 117-397) and a report required in the committee report accompanying the National Defense Authorization Act for Fiscal Year 2022 (H. Rept. 117-118) are provided.



# **BILL LANGUAGE**

1           **Subtitle D—Plans, Reports, and**  
2                           **Other Matters**

3   **SEC. 241 [Log 77401]. HYPERSONIC TESTING STRATEGY AND**  
4                           **EVALUATION OF POTENTIAL HYPERSONIC**  
5                           **TEST RANGES.**

6           (a) LIMITATION.—Of the funds authorized to be ap-  
7   propriated by this Act or otherwise made available for fis-  
8   cal year 2024, and available for the Office of the Under  
9   Secretary of Defense for Policy for the travel of persons,  
10   not more than 90 percent may be obligated or expended  
11   until the date on which the Secretary of Defense submits  
12   to the congressional defense committees the strategy re-  
13   quired under section 237(c) of the National Defense Au-  
14   thorization Act for Fiscal Year 2023 (Public Law 117–  
15   263).

16           (b) BIENNIAL UPDATES TO HYPERSONICS TESTING  
17   STRATEGY.—Section 237(c) of the National Defense Au-  
18   thorization Act for Fiscal Year 2023 (Public Law 117–  
19   263) is amended by adding at the end the following new  
20   paragraph:

21                   “(4) BIENNIAL UPDATES.—

22                           “(A) IN GENERAL.—Not less frequently  
23                   than once every two years after the submittal of  
24                   the initial strategy under paragraph (1), the  
25                   Secretary of Defense shall—

1 “(i) revise and update the strategy;

2 and

3 “(ii) submit the revised and updated

4 strategy to the appropriate congressional

5 committees.

6 “(B) SUNSET.—The requirement to pre-

7 pare and submit updates under this paragraph

8 shall terminate on December 31, 2030.”.

9 (c) EVALUATION OF POTENTIAL HYPERSONIC TEST  
10 RANGES.—

11 (1) STUDY.—The Secretary of Defense shall  
12 conduct a study to evaluate not fewer than two pos-  
13 sible locations in the United States, selected in con-  
14 sultation with the Under Secretary of Defense for  
15 Research and Engineering, that have potential to be  
16 used as additional corridors for long-distance  
17 hypersonic system testing.

18 (2) ACTIVITIES UNDER NATIONAL ENVIRON-  
19 NMENT POLICY ACT.—Following the completion of the  
20 study under paragraph (1), the Secretary of Defense  
21 shall initiate any activities required under the Na-  
22 tional Environment Policy Act of 1969 (42 U.S.C.  
23 4321 et seq.) in connection with the conduct of long-  
24 distance hypersonic system testing at the locations  
25 evaluated under the study.

1           (3) REPORT.—Not later than December 31,  
2           2024, the Secretary of Defense shall submit to the  
3           congressional defense committees a report on the re-  
4           sults of the study conducted under paragraph (1).

1           **Subtitle A—Space Activities**

2   **SEC. 1601 [Log 77716]. CLASSIFICATION REVIEW OF SPACE**  
3           **MAJOR DEFENSE ACQUISITION PROGRAMS.**

4           Chapter 135 of title 10, United States Code, is  
5 amended by inserting after section 2275a the following  
6 new section:

7   **“§ 2275b. Requirements for appropriate classification**  
8           **guidance.**

9           “(a) IN GENERAL.—Before a space major defense ac-  
10 quisition program achieves Milestone B approval, or equiv-  
11 alent, the milestone decision authority shall determine  
12 whether the classification guidance for the program re-  
13 mains appropriate and—

14           “(1) if such guidance is determined to be ap-  
15 propriate, submit to the congressional defense com-  
16 mittees a certification of such determination; or

17           “(2) if such guidance is determined to be inap-  
18 propriate, initiate an update to such guidance.

19           “(b) DEFINITIONS.—In this section:

20           “(1) The term ‘Milestone B approval’ has the  
21 meaning given such term in section 4172(e)(7) of  
22 this title.

23           “(2) The term ‘major defense acquisition pro-  
24 gram’ has the meaning given such term in section  
25 4201 of this title.

1           “(3) The term ‘space major defense acquisition  
2           program’ means a major defense acquisition pro-  
3           gram for the acquisition of a satellite, ground sys-  
4           tem, or command and control system.”.

1 **SEC. 1603 [Log 77387]. PLAN TO IMPROVE THREAT-SHARING**  
2 **ARRANGEMENTS WITH COMMERCIAL SPACE**  
3 **OPERATORS.**

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

6 (1) commercial space providers that contract  
7 with the Department of Defense are vulnerable to  
8 physical and cyber threats; and

9 (2) United States Space Command has estab-  
10 lished the commercial integration cell to aid in the  
11 integration and protection of United States satellites  
12 and to build awareness of threats

13 (b) PLAN FOR THREAT SHARING WITH COMMERCIAL  
14 SPACE OPERATORS.—The Assistant Secretary of the Air  
15 Force for Space Acquisitions and Integration, in consulta-  
16 tion with the Commander of United States Space Com-  
17 mand, shall develop a plan to expand existing threat-shar-  
18 ing arrangements with commercial space operators that  
19 are under contract with the Department of Defense, as  
20 of the date of the enactment of this Act.

21 (c) REPORT.—Not later than 180 days after the date  
22 of the enactment of this Act, the Assistant Secretary of  
23 the Air Force for Space Acquisitions, in coordination with  
24 the Commander of United States Space Command, shall  
25 submit to the congressional defense committees a report  
26 on the plan required under subsection (b).

1 **SEC. 1604 [Log 77671]. PROCESS AND PLAN FOR SPACE**  
2 **FORCE SPACE SITUATIONAL AWARENESS.**

3 (a) IN GENERAL.—The Assistant Secretary of the  
4 Air Force for Space Acquisitions and Integration, in con-  
5 sultation with Chief of Space Operations, shall—

6 (1) establish a process to regularly identify and  
7 evaluate commercial space situational awareness ca-  
8 pabilities, including the extent to which commercial  
9 space situational awareness data could meet Space  
10 Force space situational awareness needs; and

11 (2) develop and implement a plan to integrate  
12 the unified data library into Space Force operational  
13 systems, including space situational awareness and  
14 Space command and control missions.

15 (b) REPORT.—Not later than 180 days after the date  
16 of the enactment of this Act, the Assistant Secretary shall  
17 submit to the congressional defense committees a report  
18 containing a description of the process and plan required  
19 under subsection (a).



1           **Subtitle B—Nuclear Forces**

2   **SEC. 1621 [Log 77409]. ESTABLISHMENT OF MAJOR FORCE**  
3                   **PROGRAM FOR NUCLEAR COMMAND, CON-**  
4                   **TROL, AND COMMUNICATIONS PROGRAMS.**

5           Chapter 9 of title 10, United States Code, is amended  
6 by adding at the end the following new section:

7   **“§ 239e. Nuclear command, control, and communica-**  
8                   **tions: major force program and budget**  
9                   **assessment**

10          “(a) ESTABLISHMENT OF MAJOR FORCE PRO-  
11 GRAM.—The Secretary of Defense shall establish a unified  
12 major force program for nuclear command, control, and  
13 communications programs pursuant to section 222(b) of  
14 this title to prioritize such programs in accordance with  
15 the requirements of the Department of Defense and na-  
16 tional security.

17          “(b) BUDGET ASSESSMENT.—(1) The Secretary shall  
18 include with the defense budget materials for each of fiscal  
19 years 2025 through 2030 a report on the budget for nu-  
20 clear command, control, and communications programs of  
21 the Department of Defense.

22          “(2) Each report on the budget for nuclear command,  
23 control, and communications programs of the Department  
24 under paragraph (1) shall include the following:

25               “(A) An overview of the budget, including—

1           “(i) a comparison between that budget, the  
2 previous budget, the most recent and prior fu-  
3 ture-years defense program submitted to Con-  
4 gress under section 221 of this title (such com-  
5 parison shall exclude the responsibility for re-  
6 search and development of the continuing im-  
7 provement of such nuclear command, control,  
8 and communications program), and the  
9 amounts appropriated for such nuclear com-  
10 mand, control, and communications programs  
11 during the previous fiscal year; and

12           “(ii) the specific identification, as a budg-  
13 etary line item, for the funding under such pro-  
14 grams.

15           “(B) An assessment of the budget, including  
16 significant changes, priorities, challenges, and risks.

17           “(C) Any additional matters the Secretary de-  
18 termines appropriate.

19           “(3) Each report under paragraph (1) shall be sub-  
20 mitted in unclassified form, but may include a classified  
21 annex.

22           “(c) DEFINITIONS.—In this section:

23           “(1) The term ‘budget’, with respect to a fiscal  
24 year, means the budget for that fiscal year that is

1 submitted to Congress by the President under sec-  
2 tion 1105(a) of title 31.

3 “(2) The term ‘defense budget materials’, with  
4 respect to a fiscal year, means the materials sub-  
5 mitted to Congress by the Secretary of Defense in  
6 support of the budget for that fiscal year.

7 “(3) The term ‘nuclear command, control, and  
8 communications programs’ means programs through  
9 which presidential authority and operational com-  
10 mand and control of nuclear weapons is conducted,  
11 including programs that facilitate senior-level deci-  
12 sions on nuclear weapons employment.”.

1 **SEC. 1623 [Log 77547]. REPEAL OF REQUIREMENT FOR RE-**  
2 **VIEW OF NUCLEAR DETERRENCE POSTURES.**

3 Section 1753 of the National Defense Authorization  
4 Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.  
5 1852) is repealed.

1 **SEC. 1624 [Log 77807]. PILOT PROGRAM ON DEVELOPMENT**  
2 **OF REENTRY VEHICLES AND RELATED SYS-**  
3 **TEMS.**

4 (a) IN GENERAL.—The Secretary of the Air Force  
5 may carry out a pilot program, to be known as the “Re-  
6 entry Vehicle Flight Test Bed Program”, to assess the  
7 feasibility of providing regular flight test opportunities  
8 that support the development of reentry vehicles to—

9 (1) facilitate technology upgrades tested in a re-  
10 alistic flight environment;

11 (2) provide an enduring, high-cadence test bed  
12 to mature technologies for planned reentry vehicles;  
13 and

14 (3) transition technologies developed under  
15 other programs, prototype projects, or research and  
16 development programs related to long-range ballistic  
17 or hypersonic strike missiles.

18 (b) GRANTS, CONTRACTS, AND OTHER AGREE-  
19 MENTS.—

20 (1) AUTHORITY.—In carrying out a pilot pro-  
21 gram under this section, the Secretary may make  
22 grants and enter into contracts or other agreements  
23 with appropriate entities for the conduct of relevant  
24 flight tests of reentry vehicles and systems.

25 (2) USE OF FUNDS.—An entity that receives a  
26 grant, or enters into a contract or other agreement,

1 as part of a pilot program carried out under this  
2 section shall use the grant, or any amount received  
3 under the contract or other agreement, to carry out  
4 one or more of the following activities:

5 (A) Conducting flight tests to develop or  
6 validate—

- 7 (i) aeroshell design;  
8 (ii) thermal protective systems;  
9 (iii) guidance and control systems;  
10 (iv) sensors;  
11 (v) communications;  
12 (vi) environmental sensors; or  
13 (vii) other relevant technologies.

14 (B) Expanding flight test opportunities  
15 through low-cost, high cadence platforms.

16 (c) COORDINATION.—If the Secretary of the Air  
17 Force carries out a pilot program under this section, the  
18 Secretary shall ensure that the activities under the pilot  
19 program are carried out in coordination with the Secretary  
20 of Defense and the Secretary of the Navy.

21 (d) TERMINATION.—The authority to carry out a  
22 pilot program under this section shall terminate on De-  
23 cember 31, 2029.

1 **SEC. 1625 [Log 77815]. INTEGRATED MASTER SCHEDULE**  
2 **FOR THE SENTINEL MISSILE PROGRAM OF**  
3 **THE AIR FORCE.**

4 (a) DOCUMENTATION REQUIRED.—Not later than 30  
5 days after the date of the enactment of this Act, the Under  
6 Secretary of Defense for Acquisition and Sustainment,  
7 acting through the Assistant Secretary of the Air Force  
8 for Acquisition, Technology, and Logistics, shall submit  
9 to the congressional defense committees an approved inte-  
10 grated master schedule for the Sentinel missile program  
11 of the Air Force.

12 (b) QUARTERLY BRIEFINGS.—Not later than 180  
13 days after the date of the enactment of this Act, an on  
14 a quarterly basis thereafter until January 1, 2029, the  
15 Secretary of the Air Force shall provide to the congres-  
16 sional defense committees a briefing on the progress of  
17 the Sentinel missile program.

18 (c) NOTIFICATION.—Not later than 30 days after the  
19 Secretary of the Air Force becomes aware of an event that  
20 is expected to delay, by more than one fiscal quarter, the  
21 date on which Sentinel missile achieves initial operational  
22 capability (as set forth in the integrated master schedule  
23 submitted under subsection (a)), the Secretary shall—

24 (1) submit notice of such delay to the congres-  
25 sional defense committees; and

26 (2) include with such notice—

- 1 (A) an explanation of the factors causing
- 2 such delay; and
- 3 (B) a plan to prevent or minimize the du-
- 4 ration of such delay.



1 **SEC. 1628 [Log 77818]. LIMITATION ON AVAILABILITY OF**  
2 **FUNDS FOR RETIREMENT OF B83-1 NUCLEAR**  
3 **GRAVITY BOMBS.**

4 (a) LIMITATION ON USE OF FUNDS.—Except as pro-  
5 vided by subsection (b), none of the funds authorized to  
6 be appropriated by this Act or otherwise made available  
7 for fiscal year 2024 for the Department of Defense or the  
8 Department of Energy for the deactivation, dismantlement,  
9 or retirement of the B83-1 nuclear gravity bomb  
10 may be obligated or expended to deactivate, dismantle, or  
11 retire more than 25 percent of the B83-1 nuclear gravity  
12 bombs that were in the active stockpile as of September  
13 30, 2022, until a period of 90 days has elapsed following  
14 the date on which the Secretary of Defense submits to  
15 the Committees on Armed Services of the Senate and the  
16 House of Representatives the study required under section  
17 1674(a) of the James M. Inhofe National Defense Author-  
18 ization Act for Fiscal Year 2023 (Public Law 117-263).

19 (b) EXCEPTION.—The limitation on the use of funds  
20 under subsection (a) shall not apply to the deactivation,  
21 dismantling, or retirement of B83-1 nuclear gravity  
22 bombs for the purpose of supporting safety and surveil-  
23 lance, sustainment, life extension, or modification pro-  
24 grams for the B83-1 or other weapons currently in, or  
25 planned to become part of, the nuclear weapons stockpile  
26 of the United States.

1 **SEC. 1631 [Log 77826]. CONGRESSIONAL NOTIFICATION OF**  
2 **NUCLEAR COOPERATION BETWEEN RUSSIA**  
3 **AND CHINA.**

4 If the Commander of United States Strategic Com-  
5 mand determines, after consultation with the Director of  
6 the Defense Intelligence Agency, that militarily significant  
7 cooperation between the Russian Federation and the Peo-  
8 ple's Republic of China related to nuclear or strategic ca-  
9 pabilities is likely to occur or has likely occurred, the Com-  
10 mander shall submit to the congressional defense commit-  
11 tees a notification of such determination that includes—

12 (1) a description of the military significant co-  
13 operation; and

14 (2) an assessment of the implication of such co-  
15 operation for the United States with respect to nu-  
16 clear deterrence, extended deterrence, assurance,  
17 and defense.

1           **Subtitle C—Missile Defense**  
2                           **Programs**

3   **SEC. 1651 [Log 77397]. QUALIFICATIONS OF DIRECTOR OF**  
4                           **MISSILE DEFENSE AGENCY.**

5           Section 205(a) of title 10, United States Code, is  
6   amended by inserting “a general or flag officer” after  
7   “shall be”.

1 **SEC. 1653 [Log 77930]. PROGRAMS TO ACHIEVE INITIAL AND**  
2 **FULL OPERATIONAL CAPABILITIES FOR THE**  
3 **GLIDE PHASE INTERCEPTOR PROGRAM.**

4 (a) PROGRAM TO ACHIEVE INITIAL OPERATIONAL  
5 CAPABILITY.—

6 (1) IN GENERAL.—The Secretary of Defense,  
7 acting through the Director of the Missile Defense  
8 Agency and in coordination with the officials speci-  
9 fied in subsection (d), shall carry out a program to  
10 achieve, by not later than December 31, 2029, an  
11 initial operational capability for the Glide Phase In-  
12 terceptor as described in paragraph (2).

13 (2) REQUIRED CAPABILITIES.—For purposes of  
14 paragraph (1), the Glide Phase Interceptor program  
15 shall be considered to have achieved initial oper-  
16 ational capability if—

17 (A) the Glide Phase Interceptor is capable  
18 of defeating, in the glide phase, any endo-at-  
19 mospheric hypersonic vehicles that are known to  
20 the Department of Defense and fielded as of  
21 the date of the enactment of this Act; and

22 (B) not fewer than 12 Glide Phase Inter-  
23 ceptor missiles have been fielded.

24 (b) PROGRAM TO ACHIEVE FULL OPERATIONAL CA-  
25 PABILITY.—

1           (1) PROGRAM REQUIRED.—The Secretary of  
2           Defense, acting through the Director of the Missile  
3           Defense Agency and in coordination with the offi-  
4           cials specified in subsection (d), shall carry out a  
5           program to achieve, by not later than December 31,  
6           2032, full operational capability for the Glide Phase  
7           Interceptor as described in paragraph (2).

8           (2) REQUIRED CAPABILITIES.—For purposes of  
9           paragraph (1), the Glide Phase Interceptor program  
10          shall be considered to have achieved full operational  
11          capability if—

12                 (A) the Glide Phase Interceptor is capable  
13                 of defeating, in the glide phase, any endo-at-  
14                 mospheric hypersonic vehicles—

15                         (i) that are known to the Department  
16                         of Defense and fielded as of the date of the  
17                         enactment of this Act; and

18                         (ii) that the Department of Defense  
19                         expects to be fielded before the end of  
20                         2040;

21                 (B) not fewer than 24 Glide Phase Inter-  
22                 ceptor missiles have been fielded; and

23                 (C) the Glide Phase Interceptor has the  
24                 ability to be operated collaboratively with space-  
25                 based or terrestrial sensors that the Depart-

1           ment of Defense expects to be deployed before  
2           the end of 2032.

3           (c) COOPERATIVE AGREEMENT AUTHORIZED.—The  
4 Director of the Missile Defense Agency is authorized to  
5 enter into a cooperative development agreement with one  
6 or more international partners of the United States for  
7 the development of the full operational capability described  
8 in subsection (b).

9           (d) OFFICIALS SPECIFIED.—The officials specified in  
10 this subsection are the following:

11           (1) The Under Secretary of Defense for Re-  
12 search and Engineering.

13           (2) The Secretary of the Navy.

14           (3) The Commander of the United States Indo-  
15 Pacific Command.

16           (4) The Commander of the United States Euro-  
17 pean Command.

1 **SEC. 1655 [Log 77767]. LIMITATION ON USE OF FUNDS PEND-**  
2 **ING SUBMISSION OF REPORT ON MISSILE DE-**  
3 **FENSE INTERCEPTOR SITE.**

4 Of the funds authorized to be appropriated by this  
5 Act for fiscal year 2024 for the Office of the Under Sec-  
6 retary of Defense for Policy, for travel, not more than 80  
7 percent may be obligated or expended until the date on  
8 which the Secretary of Defense submits to the congres-  
9 sional defense committees the report on the requirement  
10 for a missile defense interceptor site in the contiguous  
11 United States required by section 1665 of the James M.  
12 Inhofe National Defense Authorization Act for Fiscal Year  
13 2023 (Public Law 117– 263).

1 **SEC. 1656 [Log 78008]. REPORT ON HAWAII MISSILE DE-**  
2 **FENSE.**

3 (a) FINDINGS.—Congress makes the following find-  
4 ings:

5 (1) The budget justification materials sub-  
6 mitted by the Secretary of Defense support of the  
7 budget of the President for fiscal year 2023 effec-  
8 tively cancelled all activities for the Homeland De-  
9 fense Radar—Hawaii due to ongoing reevaluation of  
10 the missile defense posture and sensor architecture  
11 in the area of responsibility of the United States  
12 Indo-Pacific Command.

13 (2) The budget justification materials sub-  
14 mitted by the Secretary of Defense support of the  
15 budget of the President for fiscal year 2024 include  
16 \$40,000,000 for the Hawaii Air Route Surveillance  
17 Radar Version 4 (ARSR-4), which is intended to  
18 “address Department of Defense capability gaps  
19 driven by new threats and provide dual use for Ha-  
20 waii for Air Traffic Control and weather moni-  
21 toring”.

22 (3) Briefings provided by the Department of  
23 Defense indicated a very limited viewing area for  
24 this proposed radar, which does not support ade-  
25 quate warning or discrimination of threats, and the  
26 request for ARSR-4 does not include any effort as-



1       sociated with integrating the radar to the overall  
2       missile defense sensor architecture to support in-  
3       creased defensive capabilities for Hawaii.

4       (b) REPORT.—Not later than 90 days after the date  
5       of the enactment of this Act, the Secretary of Defense  
6       shall submit to the congressional defense committees a re-  
7       port on the findings of the review conducted by the Sec-  
8       retary of the integrated air and missile defense sensor ar-  
9       chitecture of the United States Indo-Pacific Command,  
10      and specific programs of record which support additional  
11      sensor coverage for the state of Hawaii. Such report shall  
12      include an identification of—

13           (1) the investments that should be made to in-  
14           crease the detection of nonballistic threats and im-  
15           prove the discrimination of ballistic missile threats,  
16           particularly with regards to Hawaii; and

17           (2) investments to integrate any sensors into  
18           the missile defense system to assist with protection  
19           of the State.

1 **SEC. 1657 [Log 77657]. REPORT ON POTENTIAL ENHANCE-**  
2 **MENTS TO AEGIS ASHORE SITES IN POLAND**  
3 **AND ROMANIA.**

4 (a) IN GENERAL.—Not later than 180 days after the  
5 date of the enactment of this Act, the Director of the Mis-  
6 sile Defense Agency shall submit to the congressional de-  
7 fense committees a report on potential enhancements to  
8 Aegis Ashore sites in Poland and Romania.

9 (b) ELEMENTS.—The report required by subsection  
10 (a) shall include—

11 (1) an assessment of the feasibility and advis-  
12 ability of—

13 (A) enhancing associated sensor systems to  
14 detect a broader array of missile threats;

15 (B) fielding a mixed fleet of defensive in-  
16 terceptor systems; and

17 (C) physical hardening of the facilities;

18 (2) a funding profile, by year, detailing the  
19 complete costs associated with any options assessed  
20 under paragraph (1); and

21 (3) such other information as the Director con-  
22 siders appropriate.

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

1 **SEC. 1658 [Log 77400]. RESCISSION OF MEMORANDUM ON**  
2 **MISSILE DEFENSE GOVERNANCE.**

3 Not later than 30 days after the date of the enact-  
4 ment of this Act, the Secretary of Defense shall rescind  
5 Directive-type Memorandum 20-002 relating to “Missile  
6 Defense System Policies and Governance”.

1 **SEC. 1672 [Log 78007]. QUARTERLY BRIEFINGS ON IMPLE-**  
2 **MENTATION OF MILITARY-CODE COMPLIANT**  
3 **GPS RECEIVERS THROUGH MILITARY GPS**  
4 **USER EQUIPMENT PROGRAM.**

5 (a) FINDINGS.—Congress makes the following find-  
6 ings:

7 (1) Section 2979b of title 10, United States  
8 Code, which was enacted as part of the National De-  
9 fense Authorization Act for Fiscal Year 2022 (Pub-  
10 lic Law 117–81), establishes the Council on Over-  
11 sight of the Department of Defense Positioning,  
12 Navigation, and Timing Enterprise to oversee all as-  
13 pects of the positioning, navigation, and timing en-  
14 terprise of the Department of Defense.

15 (2) The law requires the Council to be co-  
16 chaired by the Vice Chairman of the Joint Chiefs of  
17 Staff, the Under Secretary for Research and Engi-  
18 neering, and the Under Secretary of Defense for Ac-  
19 quisition and Sustainment, whose responsibilities are  
20 to coordinate on matters of positioning, navigation,  
21 and timing acquisitions to confirm that approved po-  
22 sitioning, navigation, and timing policies are imple-  
23 mented in acquisition activities.

24 (3) With respect to the implementation of mili-  
25 tary-code (in this section referred to as “M-Code”)  
26 compliant Global Positioning Service (in this section

1 referred to as “GPS”) receivers through the Military  
2 GPS User Equipment program, the Comptroller  
3 General of the United States found that “Significant  
4 issues with data completeness and accuracy re-  
5 main. . . . Poor data hinder the congressional de-  
6 fense committees’ ability to track the progress of M-  
7 code and support DOD decision-making. User equip-  
8 ment delays have also had ripple effects on DOD’s  
9 ability to plan for and develop M-code-capable re-  
10 ceivers. These delays have limited the military serv-  
11 ices’ ability to fully develop plans for operationally  
12 testing the M-code capability”.

13 (b) QUARTERLY BRIEFINGS.—

14 (1) IN GENERAL.—Not later than February 1,  
15 2024, and quarterly thereafter until the date speci-  
16 fied in paragraph (2), the Co-Chairs of the Council  
17 on Oversight of the Department of Defense Posi-  
18 tioning, Navigation, and Timing Enterprise, shall  
19 provide to the congressional defense committees a  
20 briefing on the status of the implementation of M-  
21 Code compliant GPS receivers through the Military  
22 GPS User Equipment program, including the status  
23 of increments 1 and 2 of such program and details  
24 regarding expected dates of M-Code compliance for

1 all sea-, air, and land-based terminals across the  
2 platforms of each of the Armed Forces.

3 (2) TERMINATION DATE.—No briefing shall be  
4 required under paragraph (1) after the date on  
5 which the Secretary of Defense submits to the con-  
6 gressional defense committees certification that the  
7 increments 1 and 2 of the Military GPS User Equip-  
8 ment program have reached full operational capac-  
9 ity.

1 **Subtitle B—Program Authoriza-**  
2 **tions, Restrictions, and Limita-**  
3 **tions**

4 **SEC. 3111 [Log 77388]. TECHNICAL CORRECTION TO NA-**  
5 **TIONAL NUCLEAR SECURITY ADMINISTRA-**  
6 **TION UNFUNDED PRIORITIES.**

7 Section 4716 of the Atomic Energy Defense Act (50  
8 U.S.C. 2756) is amended—

9 (1) in subsection (b)(1)—

10 (A) in subparagraph (A), by inserting “or  
11 the risk to be mitigated” after “objectives to be  
12 achieved”; and

13 (B) in subparagraph (B), by inserting “or  
14 risk mitigation” after “objectives”; and

15 (2) in subsection (c)—

16 (A) in paragraph (1), by inserting “, and  
17 that the Nuclear Weapons Council has certified  
18 as sufficient” after “United States Code”; and

19 (B) in paragraph (2)—

20 (i) by striking “fulfill” and inserting  
21 “reduce a risk associated with”; and

22 (ii) by inserting after “Administra-  
23 tion” the following: “or to provide a sig-  
24 nificant additional benefit in achieving or

- 1 making progress toward the key objectives
- 2 of the Administration”.



1 **SEC. 3112 [Log 77808]. DEADLINES FOR COMMENCEMENT OF**  
2 **OPERATIONS OF CERTAIN ATOMIC ENERGY**  
3 **REPLACEMENT PROJECTS.**

4 (a) HIGH EXPLOSIVE SYNTHESIS, FORMULATION,  
5 AND PRODUCTION FACILITY.—

6 (1) DEADLINE FOR COMMENCEMENT OF OPER-  
7 ATIONS.—Project 21-D-510, the High Explosive  
8 Synthesis, Formulation, and Production facility,  
9 shall commence operations by not later than Decem-  
10 ber 31, 2032.

11 (2) ANNUAL REPORT.—

12 (A) IN GENERAL.—The Administrator for  
13 Nuclear Security shall submit to the congres-  
14 sional defense committees, not later than Feb-  
15 ruary 1 of each year until the termination date  
16 specified in subparagraph (B), a report that in-  
17 cludes a comprehensive estimate of the funds  
18 necessary, by year, to achieve the deadline spec-  
19 ified in paragraph (1).

20 (B) TERMINATION DATE.—The termi-  
21 nation date specified in this subparagraph is  
22 the date on which the Administrator determines  
23 that the facility referred to in paragraph (1)  
24 has commenced operations.

25 (b) TRITIUM FINISHING FACILITY.—

1           (1) DEADLINE FOR COMMENCEMENT OF OPER-  
2           ATIONS.—Project 18-D-650, the Tritium Finishing  
3           Facility, shall commence operations by not later  
4           than December 31, 2035.

5           (2) ANNUAL REPORT.—

6           (A) IN GENERAL.—The Administrator for  
7           Nuclear Security shall submit to the congress-  
8           sional defense committees, not later than Feb-  
9           ruary 1 of each year until the termination date  
10          specified in subparagraph (B), a report that in-  
11          cludes a comprehensive estimate of the funds  
12          necessary, by year, to achieve the deadline spec-  
13          ified in paragraph (1).

14          (B) TERMINATION DATE.—The termi-  
15          nation date specified in this subparagraph is  
16          the date on which the Administrator determines  
17          that the facility referred to in paragraph (1)  
18          has commenced operations.

1 **SEC. 3113 [Log 77548]. PROHIBITION ON AVAILABILITY OF**  
2 **FUNDS TO RECONVERT OR RETIRE W76-2**  
3 **WARHEADS.**

4 (a) PROHIBITION.—Except as provided in subsection  
5 (b), none of the funds authorized to be appropriated by  
6 this Act or otherwise made available for fiscal year 2024  
7 for the National Nuclear Security Administration may be  
8 obligated or expended to reconvert or retire a W76-2 war-  
9 head.

10 (b) WAIVER.—The Administrator for Nuclear Secu-  
11 rity may waive the prohibition under subsection (a) if the  
12 Administrator, in consultation with the Secretary of De-  
13 fense and the Chairman of the Joint Chiefs of Staff, cer-  
14 tifies in writing to the congressional defense committees  
15 that—

16 (1) Russia and China do not possess naval ca-  
17 pabilities similar to the W76-2 warhead in the ac-  
18 tive stockpiles of the respective countries; and

19 (2) the Department of Defense does not have a  
20 valid military requirement for the W76-2 warhead.

1 **SEC. 3114 [Log 77759]. LIMITATION ON USE OF FUNDS PEND-**  
2 **ING SUBMISSION OF CERTAIN NATIONAL NU-**  
3 **CLEAR SECURITY ADMINISTRATION RE-**  
4 **PORTS.**

5 Of the funds authorized to be appropriated by this  
6 Act for fiscal year 2024 for the Administrator for Nuclear  
7 Security, for travel, not more than 80 percent may be obli-  
8 gated or expended until the date on which the Adminis-  
9 trator provides to the congressional defense committees  
10 the briefing described in House Report 117–397 under the  
11 heading “Modernization of the Pantex Plant” and the re-  
12 port described in House Report 117–118 under the head-  
13 ing “NNSA Management and Operation Contract Risk  
14 Mitigation”.

# **DIRECTIVE REPORT LANGUAGE**

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## **DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

### **TITLE XVI—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS**

#### ITEMS OF SPECIAL INTEREST

##### SPACE ACTIVITIES

## Commercial Satellite Intelligence, Surveillance, and Reconnaissance Procurement

The committee supports the National Reconnaissance Office (NRO) taking advantage of the commercially available geospatial intelligence data-as-a-service via the Commercial Systems Program Office (CSPO) to meet Department of Defense requirements, as provided by the National Geospatial-Intelligence Agency (NGA). Additionally, the committee is encouraged to see the NRO execute a Service-Level Agreement for the Electro-Optical Commercial Layer. The committee continues to encourage the NRO to expand its procurement of commercial space-based remote sensing into other phenomenologies like synthetic-aperture radar, radio frequency, hyperspectral, to support the national overhead architecture. The committee directs the Director of the NRO to provide a briefing to the House Committee on Armed Services by January 31, 2024, on the planned acquisition strategy and schedule for commercial space-based remote sensing phenomenologies like synthetic-aperture radar, radio frequency, hyperspectral, to meet NGA requirements. Additionally, the briefing should include how the development of commercial data ingest and distribution architecture is proceeding.

## National Geospatial-Intelligence Agency Economic Indicator Monitoring and LUNO Programs

The committee notes that the domestic commercial satellite imagery industry continues to develop rapidly with new capabilities available from constellations of satellites dedicated to daily monitoring of the entire planet along with a growing domestic geospatial intelligence analytic industry. These robust capabilities are postured to support the National Geospatial-Intelligence Agency's (NGA's) transformation that includes greater use of commercial capabilities and a shift to increased utilization of unclassified data. The committee also supports the manner in which the NGA has accelerated the Economic Indicator Monitoring (EIM) program as a pathfinder to a full-scale artificial intelligence/machine learning-based concept of operations.

The committee supports the NGA's continued prioritization of commercial engagement and increased investment through the EIM's follow-on program, LUNO, that is seeking capabilities related to monitoring global military and economic activity through unclassified computer vision and analytic services. To support the Agency's continued transformation and growth of these programs, the committee directs the Director of the National Geospatial-Intelligence Agency to provide a briefing to the House Committee on Armed Services not later than March 1, 2024, on:

- (1) the NGA's plans for continued expansion that will support the growth of the GEOINT analytic base;
- (2) identification of missions (both classified and unclassified) that may best be performed and/or augmented by commercial capabilities; and
- (3) the transition and integration of these commercial capabilities into base programs of record and associated programmatic decisions.

## National Space Test and Training Complex

Given the establishment of the U.S. Space Force and critical role space will play in any future conflict, the committee is concerned about an effective way forward to develop and shape space doctrine and how that is impacted by testing and training opportunities and environments. The committee directs the Chief of Space Operations to submit a report to the House Committee on Armed Services not later than March 31, 2024, on the National Space Test and Training Complex (NSTTC). The report should address the following topics:

- (1) the status of joint and Space Force space doctrine development in Space Force guidance for the NSTTC and its operators;
- (2) how they plan to incorporate modeling and simulation framework for exploring warfighting architectures and concept development that uses existing and future representative models in a multi-level security framework;
- (3) how the service will align and address space doctrine development responsibilities currently assigned to the Space Force and United States Space Command in Department of Defense policy, Chairman of the Joint Chiefs of Staff issuances, and other guidance;
- (4) how they plan to communicate to stakeholders that live, virtual, and constructive environment-enabled space doctrine development shall be a substitute for extant practice and past experience;
- (5) identifies the full resource cost of the NSTTC to include its Orbital, Electronic, Digital, and Cyber components and its operators.

## Navigation Technology Satellite-3

The committee continues to support the importance of ensuring resilient position, navigation, and timing (PNT) capabilities to ensure a resilient Global Positioning System (GPS) architecture. The committee further understands that one of the Air Force's vanguard programs, Navigation Technology Satellite-3 (NTS-3), first launch is planned for later this year. NTS-3 will be in geosynchronous orbit and will be working on PNT enhancements such as experimental antennas, flexible and secure signals, increased automation, and use of commercial assets. NTS-3 is intended to complement and add resiliency to GPS satellites which fly in medium Earth orbit (MEO). NTS-3 adds orbital diversity to the PNT enterprise as an added resiliency measure to the current GPS satellites in MEO, similar to China's global navigation satellite system BeiDou that has a constellation of geostationary orbit satellites to aid system performance.

The committee understands NTS-3 will demonstrate different experiments intended to add resiliency to the PNT architecture, and upon satellite success, the Space Force can exercise an option to procure additional satellites as required for global coverage. The committee believes NTS-3 could play an important role in supporting additional GPS resilience. Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services not later than March 1, 2024, on its plans to transition technologies



demonstrated on NTS-3 from an experimental program to programs of record, including programs identified for technology upgrades, future program timelines, supporting budget information, and other matters the Secretary deems relevant to PNT resilience and modernization.

### Space Development Agency Tranche 2 Requirements

The committee supports the Space Development Agency's Proliferated Warfighter Space Architecture that will provide space-based capabilities to benefit joint operations with assured, resilient, low-latency military data and communications connectivity to a full range of platforms.

The committee also believes that with future enhancements planned for Tranche 1 and beyond of the Proliferated Warfighter Space Architecture, the Space Development Agency should prioritize on-orbit capabilities that maximize communication flexibility and connection with a variety of ground terminals, including tactical terminals.

The committee supports acquiring on-orbit capabilities that support simultaneous high-bandwidth, low-latency communication links to many tactical users at a time. Therefore, the committee directs the Secretary of the Air Force to provide a briefing to the House Committee on Armed Services not later than March 1, 2024, on Space Development Agency plans to acquire on-orbit capabilities including the best available apertures to include multibeam active phased array antennas, the ability to connect multiple users with an efficient deployment of satellite assets, and efficient implementation of space-based tactical data links.

### Space Force Small Business Report

The committee notes that the Space Systems Command, U.S. Space Force, has stood up the Commercial Services Office in order to leverage more commercial capability as well as dual use technology with greater speed, agility, and flexibility to respond to emerging threats. Small businesses are a valuable part of that commercial market and a key pillar of the need to build an advantage through strengthening the defense industrial base and innovative technology firms.

Therefore, the committee directs the Assistant Secretary of the Air Force for Space Acquisition and Integration to provide a briefing to the House Committee on Armed Services by March 1, 2024, on efforts made to increase the participation of small businesses in competitions and the current distribution of contract awards. The briefing should also include an analysis of prime contractor subcontractor relations and any impacts to programs as a result of poor communication, data management, or technology integration.

## MISSILE DEFENSE PROGRAMS

### Next Generation Interceptor Acquisition Strategy

The committee supports the Missile Defense Agency's utilization of competing industry teams to develop the Next Generation Interceptor and notes the Missile Defense Agency's current plan to make a down-select decision following Critical Design Review. In order to maximize the benefits of competition, the committee directs the Director, Missile Defense Agency, to submit a report to the House Committee on Armed Services not later than March 1, 2024, that assesses the feasibility, advisability, and estimated cost of maintaining two industry teams through flight testing. The assessment shall also include an evaluation of the relative merits of fielding a mixed interceptor fleet, and whether such an approach would meet warfighter needs more rapidly.

#### OTHER MATTERS

##### Solid Rocket Motors

The committee notes the increasing demand for solid rocket motors across strategic weapons systems, to include ballistic missile defense and hypersonic weapons programs. The committee further understands that there are investments being made by the services, defense agencies, and industry to deliver future capabilities that leverage additive manufacturing and Cooperative Research and Development Agreements in innovative ways; however, due to the existing supplier base having decades of history with the Department of Defense, the process for qualification of new solid rocket motors is not well codified across the services, and varies. 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 31, 2024, on the existing process of each service and defense agency to qualify new solid rocket motors and a unified Department of Defense strategy and implementation plan for qualifying new solid rocket motors across the services and defense agencies.

##### Southern Cross Integrated Flight Research Experiment Results

The committee understands the Joint Hypersonics Transition Office and Air Force Research Laboratory, through the Southern Cross Integrated Flight Research Experiment effort, have supported initial development of air-breathing hypersonic propulsion systems designed to maximize service interoperability, and that test activities are expected to conclude around the end of 2023.

The committee directs the Under Secretary of Defense for Research and Engineering to provide a briefing to the House Committee on Armed Services not later than March 1, 2024, on the results of this development initiative, including, as appropriate, plans to further develop unique propulsion technology that may have application to future hypersonic programs.

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

**TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY  
PROGRAMS**

**ITEMS OF SPECIAL INTEREST**

**Comptroller General Study on National Nuclear Security Administration  
Management and Operation Contracting Process**

The committee reiterates concern expressed in the the joint explanatory material accompanying the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Committee Print No. 2) relating to the National Nuclear Security Administration contracting process for management and operations contracts.

The committee remains concerned about the impact that uncertainty and unpredictability in the contracting process could have on mission delivery, as well as workforce recruitment and retention. The committee notes the Comptroller General’s ongoing review of National Nuclear Security Administration’s contracting process and encourages the National Nuclear Security Administration and Government Accountability Office to continue to closely cooperate to ensure a thorough and substantive review. Additionally, the committee directs the Comptroller General to provide a briefing to the House Committee on Armed Services not later than October 1, 2023, on the preliminary results of the study.

**Department of Energy Insider Threat Program**

The committee notes that Comptroller General’s findings that the Department of Energy has not fully implemented required measures for its Insider Threat Program. The committee is concerned about the Department’s progress in attaining a fully operational Insider Threat Program, and directs the Secretary of Energy to submit a report to the congressional defense committees and the House Committee on Energy and Commerce and Senate Committee on Energy and Natural Resources, not later than December 1, 2023, on the status of implementing the required measures for its Insider Threat Program. The report shall include a plan to fully implement the program in accordance with Department of Energy order 470.5 and adopt recommendations from relevant independent reviews, including identification of resource needs, and creation of tracking and reporting mechanisms necessary to verify implementation.

**High Explosives and Energetics Modernization**

The committee notes that High Explosives and Energetics Modernization program is a critical element of the nuclear security enterprise, but most of the facilities in the National Nuclear Security Administration's (NNSA) High Explosive (HE) enterprise are over seventy years old and face infrastructure, safety, and security limitations. The committee is concerned that the President's budget request for fiscal year 2024 proposed to delay major construction projects in this program, including the High Explosives Synthesis, Formulation, and Production project at the Pantex Plant. While the committee understands NNSA's desire to prioritize its construction efforts, it is concerned about NNSA's ability to meet the substantial demand for energetics associated with future modernization activities. Accordingly, the committee directs the Administrator for Nuclear Security to submit a report to the congressional defense committees, not later than March 31, 2024, on a 10-year strategic plan for sustaining, upgrading, and replacing current facilities in the HE enterprise. The plan shall include: (1) an assessment of the current HE enterprise, including the risk associated with aging facilities and equipment; (2) a description of current HE production and testing gaps; (3) a description of the enduring requirement for HE materials and anticipated future demand; and (4) the resources required to recapitalize HE facilities to meet mission needs over the next 10 years.

#### Technology Readiness Levels

The committee notes that the current effort to modernize the nation's nuclear deterrent requires close coordination between the Department of Defense (DOD) and National Nuclear Security Administration (NNSA) along with a highly synchronized execution of parallel development activities for both delivery systems and warhead variants, such as the Long Range Stand Off weapon and the W80-4 life extension program (LEP).

The committee remains concerned that reliance on technologies proceeding with an insufficient Technology Readiness Level (TRL) can increase program cost and schedule risk, and understands that the Department of Defense and NNSA utilize different policy guidance related to TRLs in weapons system development.

Accordingly, the committee directs the Chairman of the Nuclear Weapons Council to provide a briefing, not later than March 1, 2024, to the House Committee on Armed Services on NNSA's and the Department of Defense's guidance with respect to minimum TRLs at each stage of the acquisition process and incorporation of the Government Accountability Office's recommended best practices.