

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Defense Au-
3 thorization Act for Fiscal Year 2024”.

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

6 (a) DIVISIONS.—This Act is organized into seven di-
7 visions as follows:

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

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

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

15 (4) Division D—Funding Tables.

16 (5) Division E—Other Matters.

17 (6) Division F—Department of State Author-
18 ization Act of 2023.

19 (7) Division G—Intelligence Authorization Act
20 for Fiscal Year 2024.

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

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

Sec. 3. Congressional defense committees.

Sec. 4. Budgetary effects of this Act.

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

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

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

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

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- Sec. 132. Limitations and minimum inventory requirement relating to RQ-4 aircraft.
- Sec. 133. Temporary exception to minimum inventory requirement for fighter aircraft of the Air Force.
- Sec. 134. Modification of minimum inventory requirements for C-130 aircraft.
- Sec. 135. Modification of annual reports on T-7A Advanced Pilot Training System.
- Sec. 136. Modification to prohibition on certain reductions to B-1 bomber aircraft squadrons.
- Sec. 137. Modification of minimum inventory requirements for A-10 aircraft.
- Sec. 138. Procurement authority for over-the-horizon radar systems.
- Sec. 139. Prohibition on availability of funds for retirement of KC-135 aircraft.
- Sec. 140. Prohibition on reduction of KC-135 aircraft in PMAI of the reserve components.
- Sec. 141. Limitation on issuance of acquisition strategy for the KC-135 recapitalization program.
- Sec. 142. Prohibition on certain reductions to inventory of E-3 airborne warning and control system aircraft.
- Sec. 143. Prohibition on availability of funds for termination of production lines for the HH-60W aircraft.
- Sec. 144. Limitation on retirement of F-16C/D aircraft.
- Sec. 145. Limitation on procurement of KC-46A aircraft.
- Sec. 146. Limitation on actions relating to remote vision systems of KC-46A aircraft.
- Sec. 147. Limitation on retirement of T-1A training aircraft.
- Sec. 148. Plan for long-term Air Force fighter force structure.

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

Sec. 151. Annual report on force structure changes exhibit for the defense budget.

Sec. 152. Multiyear procurement authority for domestically processed critical minerals.

Sec. 153. Prohibition on solicitation of proprietary armor for certain tactical vehicles.

Sec. 154. Prohibition on availability of funds for procurement of certain batteries.

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

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

4 Funds are hereby authorized to be appropriated for
5 fiscal year 2024 for procurement for the Army, the Navy
6 and the Marine Corps, the Air Force and the Space Force,
7 and Defense-wide activities, as specified in the funding
8 table in section 4101.

9 **Subtitle B—Army Programs**

10 **SEC. 111. LIMITATION ON AVAILABILITY OF FUNDS PEND-**
11 **ING ASSESSMENT OF ARMY TRACKLESS MOV-**
12 **ING TARGET SYSTEMS.**

13 (a) IN GENERAL.—Of the funds authorized to be ap-
14 propriated by this Act or otherwise made available for fis-
15 cal year 2024 for the Trackless Moving Target program
16 of the Army, not more than 75 percent may be obligated
17 or expended to procure or further develop the Trackless
18 Moving Target—Infantry variant until the Secretary of the
19 Army—

20 (1) acting through the Army Combat Capabili-
21 ties Development Command, conducts an assessment

1 of the Trackless Moving Target–Infantry variant,
2 which shall include—

3 (A) obtaining end-user feedback regarding
4 such variant; and

5 (B) comparing the performance of such
6 variant against the applicable program require-
7 ments set forth in the report of Secretary of the
8 Army titled “Autonomous Robotic Targets for
9 Small Arms Range Training”, as submitted to
10 Congress in March 2023;

11 (2) obtains direct soldier feedback on the cur-
12 rent Trackless Moving Target program;

13 (3) certifies to the congressional defense com-
14 mittees that the acquisition strategy of the Army for
15 the Trackless Moving Target–Infantry variant meets
16 the program requirements set forth in the report re-
17 ferred to in paragraph (1)(B); and

18 (4) submits to the congressional defense com-
19 mittees the report required under subsection (b).

20 (b) REPORT REQUIRED.—Not later than 30 days
21 after the date of the completion of the assessment and
22 soldier feedback required under paragraphs (1) and (2)
23 of subsection (a), the Secretary of the Army shall submit
24 to the congressional defense committees a report that in-
25 cludes—

1 (1) detailed results of the assessment conducted
2 under subsection (a)(1), including a comparison of
3 the Trackless Moving Target–Infantry variant under
4 development by the Army to other operationally de-
5 ployed, commercially available targets in use by
6 other Armed Forces;

7 (2) a summary of the soldier feedback obtained
8 under subsection (a)(2); and

9 (3) a certification that the development of the
10 Trackless Moving Target–Infantry variant is in com-
11 pliance with the requirements of section 4061 of title
12 10, United States Code.

13 **SEC. 112. STRATEGY FOR ARMY TACTICAL WHEELED VEHI-**
14 **CLE PROGRAM.**

15 (a) **STRATEGY REQUIRED.**—In the budget justifica-
16 tion materials submitted in support of the budget of the
17 Department of Defense (as submitted with the budget of
18 the President under section 1105(a) of title 31, United
19 States Code) for each of fiscal years 2025, 2030, and
20 2035, the Secretary of the Army shall include a report
21 on the strategy of the Army for tactical wheeled vehicles.

22 (b) **REQUIREMENTS FOR STRATEGY.**—Each strategy
23 required by subsection (a) shall—

1 (1) align with the applicable national defense
2 strategy under section 113(g) of title 10, United
3 States Code, and applicable policies;

4 (2) be designed so that the force of tactical
5 wheeled vehicles provided under the strategy sup-
6 ports the national security strategy of the United
7 States as set forth in the most recent national secu-
8 rity strategy report of the President under section
9 108 of the National Security Act of 1947 (50 U.S.C.
10 3043); and

11 (3) define capabilities and capacity require-
12 ments across the entire fleet of tactical wheeled vehi-
13 cles, including—

14 (A) light, medium, and heavy tactical
15 wheeled vehicles; and

16 (B) associated trailer and support equip-
17 ment.

18 (c) STRATEGY ELEMENTS.—Each strategy required
19 by subsection (a) shall include the following:

20 (1) A detailed program for the construction of
21 light, medium, and heavy tactical wheeled vehicles
22 for the Army over the period of five fiscal years fol-
23 lowing the date of the strategy.

24 (2) A description of the necessary force struc-
25 ture and capabilities of tactical wheeled vehicles to

1 meet the requirements of the national security strat-
2 egy described in subsection (b)(2).

3 (3) The estimated levels of annual funding, by
4 vehicle class, in both graphical and tabular form,
5 necessary to carry out the program described in
6 paragraph (1), together with a discussion of the pro-
7 curement strategies on which such estimated levels
8 of annual funding are based.

9 (4) The estimated total cost of construction for
10 each vehicle class used to determine the estimated
11 levels of annual funding described in paragraph (3).

12 (d) CONSIDERATIONS.—In developing each strategy
13 required by subsection (a), the Secretary of the Army shall
14 consider the following objectives and factors:

15 (1) Objectives relating to protection, fleet oper-
16 ations, mission command, mobility, and the indus-
17 trial base.

18 (2) Technological advances that are expected to
19 increase efficiency of and reduce demand for tactical
20 wheeled vehicles.

21 (3) Technological advances that allow for the
22 operation of tactical wheeled vehicles in a variety of
23 climate and geographic conditions.

1 (b) ELEMENTS.—The review required by subsection
2 (a) shall include the following:

3 (1) A business case analysis of the cost and
4 operational benefit of recompeting the task orders
5 described in subsection (a).

6 (2) Input from stakeholders, including the
7 Commanding General of Army Sustainment Com-
8 mand, the commanders of the geographic combatant
9 commands, and the commanders of the Army Serv-
10 ice Component Commands, on the desirability and
11 operational effects of the proposed recompetite de-
12 scribed in subsection (a).

13 (3) Detailed cost estimates and timelines, in-
14 cluding projected transition costs and timelines for
15 the task orders described in subsection (a).

16 (4) An assessment of the potential effects of the
17 recompetite described in subsection (a) on—

18 (A) the quality and timing of the work per-
19 formed under the task orders described in such
20 subsection; and

21 (B) the ability of the Army to transition to
22 the LOGCAP VI contract, including any effects
23 on the quality and timing of such transition.

24 (5) An analysis of recompeting the task orders
25 described in subsection (a) compared to transitioning

1 directly to the LOGCAP VI contract instead of re-
2 competing such task orders.

3 (6) An overview of potential innovations and ef-
4 ficiencies derived from a competition for the
5 LOGCAP VI contract.

6 (7) An explanation of the benefit of recom-
7 peting the task orders described in subsection (a)
8 compared to conducting an open competition for the
9 LOGCAP VI contract instead of recompeting such
10 task orders.

11 (8) A breakdown of any additional authorities
12 needed to move directly to the LOGCAP VI contract
13 instead of recompeting the task orders described in
14 subsection (a).

15 (c) REPORT.—Not later than 90 days after the date
16 of the enactment of this Act, the Secretary of the Army
17 shall submit to the Committees on Armed Services of the
18 Senate and the House of Representatives a report on the
19 results of the review conducted under subsection (a), in-
20 cluding the results of the review with respect to each ele-
21 ment specified in subsection (b).

22 (d) DEFINITIONS.—In this section:

23 (1) The term “LOGCAP V contract” means the
24 contract for the logistics augmentation program of
25 the Army that is due to expire in 2028.

1 (2) The term “LOGCAP VI contract” means a
2 successor contract for the logistics augmentation
3 program of the Army that is expected to be entered
4 into following the expiration of the LOGCAP V con-
5 tract.

6 **Subtitle C—Navy Programs**

7 **SEC. 121. MODIFICATION OF REQUIREMENTS FOR MIN-** 8 **IMUM NUMBER OF CARRIER AIR WINGS OF** 9 **THE NAVY.**

10 (a) MODIFICATION OF REQUIREMENTS.—

11 (1) IN GENERAL.—Subsection (e) of section
12 8062 of title 10, United States Code, is amended to
13 read as follows—

14 “(e) The Secretary of the Navy shall ensure that—

15 “(1) the Navy maintains a minimum of 9 car-
16 rier air wings; and

17 “(2) for each such carrier air wing, the Navy
18 maintains a dedicated and fully staffed head-
19 quarters.”.

20 (2) EFFECTIVE DATE.—The amendment made
21 by paragraph (1) shall take effect one year after the
22 date on which the Secretary of the Navy submits to
23 Congress the report required under subsection
24 (b)(3). The Secretary of the Navy shall notify the
25 Law Revision Counsel of the House of Representa-

1 tives of the submission of the report so that the Law
2 Revision Counsel may execute the amendment made
3 by paragraph (1) in accordance with the preceding
4 sentence.

5 (b) ANALYSIS AND REPORT.—

6 (1) IN GENERAL.—The Secretary of the Navy
7 shall conduct an analysis of potential approaches to
8 the manning, operation, and deployment of a 10th
9 aircraft carrier and associated carrier air wing to de-
10 termine how the Navy can mobilize such a carrier
11 and air wing if required by operational needs.

12 (2) ELEMENTS.—The analysis under paragraph
13 (1) shall address the following:

14 (A) The timeline associated with removing
15 an aircraft carrier from each the following
16 maintenance availability types:

17 (i) Complex Overhaul.

18 (ii) Selected Restricted Availability.

19 (iii) Docking Selected Restricted
20 Availability.

21 (iv) Planned Incremental Availability.

22 (v) Docking Planned Incremental
23 Availability.

1 (B) The potential for establishing a reserve
2 component air wing capable of mobilization as
3 a 10th carrier air wing.

4 (C) The timeline for activation of such a
5 reserve component carrier air wing.

6 (D) The costs associated with establishing
7 and maintaining a 10th active carrier air wing
8 versus establishing and maintaining a reserve
9 component air wing as described in subpara-
10 graph (B).

11 (E) The potential for deployment of a 10th
12 aircraft carrier without a fully manned carrier
13 air wing in the event the Navy only operates
14 and crews 9 carrier air wings at the time de-
15 ployment of a 10th aircraft carrier is required.

16 (F) The potential for additional forward
17 deployed squadrons that could support an air-
18 craft carrier during theater operations that may
19 not have a fully embarked air wing at the time
20 of embarkation.

21 (3) REPORT.—Following completion of the
22 analysis required under paragraph (1), Secretary of
23 the Navy shall submit to the congressional defense
24 committees a report on the results of the analysis.

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

4 Section 130(a) of the John S. McCain National De-
5 fense Authorization Act for Fiscal Year 2019 (Public Law
6 115–232; 132 Stat. 1665), as most recently amended by
7 section 123(a) of the James M. Inhofe National Defense
8 Authorization Act for Fiscal Year 2023 (Public Law 117–
9 263; 136 Stat. 2443), is further amended by striking
10 “through 2023” and inserting “through 2024”.

11 **SEC. 123. MULTIYEAR PROCUREMENT AUTHORITY FOR VIR-**
12 **GINIA CLASS SUBMARINE PROGRAM.**

13 (a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—
14 Subject to section 3501 of title 10, United States Code,
15 the Secretary of the Navy may enter into one or more
16 multiyear contracts for the procurement of not more than
17 13 Virginia class submarines.

18 (b) **AUTHORITY FOR ADVANCE PROCUREMENT.**—The
19 Secretary of the Navy may enter into one or more con-
20 tracts, beginning in fiscal year 2024, for advance procure-
21 ment associated with the Virginia class submarines for
22 which authorization to enter into a multiyear procurement
23 contract is provided under subsection (a) and for equip-
24 ment or subsystems associated with the Virginia class sub-
25 marine program, including procurement of—

26 (1) long lead time material; or

1 (2) material or equipment in economic order
2 quantities when cost savings are achievable.

3 (c) **CONDITION FOR OUT-YEAR CONTRACT PAY-**
4 **MENTS.**—A contract entered into under subsection (a)
5 shall provide that any obligation of the United States to
6 make a payment under the contract for a fiscal year after
7 fiscal year 2025 is subject to the availability of appropria-
8 tions or funds for that purpose for such later fiscal year.

9 (d) **LIMITATION ON TERMINATION LIABILITY.**—A
10 contract for the construction of Virginia class submarines
11 entered into under subsection (a) shall include a clause
12 that limits the liability of the United States to the con-
13 tractor for any termination of the contract. The maximum
14 liability of the United States under the clause shall be the
15 amount appropriated for the submarines covered by the
16 contract regardless of the amount obligated under the con-
17 tract.

18 (e) **VIRGINIA CLASS SUBMARINE DEFINED.**—The
19 term “Virginia class submarine” means a block VI config-
20 ured Virginia class submarine.

21 **SEC. 124. PROCUREMENT AUTHORITY FOR AUXILIARY PER-**
22 **SONNEL LIGHTER PROGRAM.**

23 (a) **CONTRACT AUTHORITY.**—Beginning in fiscal
24 year 2024, the Secretary of the Navy may enter into one
25 or more contracts for the procurement of up to six Auxil-

1 iary Personnel Lighter class vessels and associated mate-
2 rial.

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

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

8 (2) the total liability of the Federal Government
9 for termination of the contract shall be limited to
10 the total amount of funding obligated to the contract
11 at the time of termination.

12 **SEC. 125. LIMITATION ON REDUCTIONS TO V-22 AIRCRAFT**
13 **NACELLE IMPROVEMENT PROGRAM.**

14 (a) LIMITATION.—Except as provided in subsection
15 (b), the Secretary of Defense shall upgrade not fewer than
16 24 V-22 aircraft under the V-22 nacelle improvement
17 program in accordance with the plan for such program
18 set forth in the budget of the President for fiscal year
19 2024 (as submitted to Congress under section 1105(a) of
20 title 31, United States Code).

21 (b) EXCEPTION.—The Secretary of Defense may re-
22 duce the number of aircraft upgraded under subsection
23 (a) below 24 if the Secretary certifies to the congressional
24 defense committees that such reduction is in the interests
25 of national security.

1 **SEC. 126. LIMITATION ON CONSIDERATION OF GOVERN-**
2 **MENT-OPERATED DRY DOCKS IN CERTAIN**
3 **CONTRACT SOLICITATIONS.**

4 (a) IN GENERAL.—With respect to a solicitation of
5 the Secretary of the Navy for the award of a contract for
6 private sector non-nuclear surface ship maintenance in
7 San Diego, California, the Secretary shall ensure, in ac-
8 cordance with section 2466 of title 10, United States
9 Code, that Government-operated dry docks are only in-
10 cluded in such solicitation if there is insufficient capacity
11 at privately-operated dry docks for performance of such
12 contract.

13 (b) APPLICABILITY AND TERMINATION.—The prohi-
14 bition under subsection (a) shall apply with respect to so-
15 licitations for contracts issued after the date of the enact-
16 ment of this Act and shall terminate on the date that is
17 five years after such date of enactment.

18 **SEC. 127. ANNUAL REPORTS ON USE OF GOVERNMENT**
19 **DOCKS FOR SHIP REPAIR AND MAINTEN-**
20 **NANCE.**

21 Not later than June 30, 2024, and on an annual
22 basis thereafter through 2028, the Secretary of the Navy
23 shall submit to the congressional defense committees a re-
24 port that—

25 (1) identifies each instance in the year pre-
26 ceding the date of the report in which the Navy used

1 a Government dock for a ship repair and mainte-
2 nance availability when sufficient capacity was avail-
3 able in private docks during the period in which
4 such repairs and maintenance were expected to be
5 performed; and

6 (2) for each such instance, provides an expla-
7 nation of the reasons the Navy used a Government
8 dock rather than a private dock.

9 **Subtitle D—Air Force Programs**

10 **SEC. 131. LIMITATION ON RETIREMENT OF F-15 AIRCRAFT** 11 **AND MODIFICATION OF RELATED REPORT-** 12 **ING REQUIREMENT.**

13 (a) LIMITATION.—Section 9062 of title 10, United
14 States Code, is amended by adding at the end the fol-
15 lowing new subsection:

16 “(1)(1) During the period beginning on the date of
17 the enactment of the National Defense Authorization Act
18 for Fiscal Year 2024 and ending on September 30, 2029,
19 the Secretary of the Air Force may not—

20 “(A) retire more than 68 F-15E aircraft;

21 “(B) reduce funding for unit personnel or
22 weapon system sustainment activities for re-
23 tained F-15E aircraft in a manner that pre-
24 sumes future congressional authority to divest
25 such aircraft; or

1 “(C) keep an F–15E aircraft (other than
2 an aircraft identified for retirement under sub-
3 paragraph (A)) in a status considered excess to
4 the requirements of the possessing command
5 and awaiting disposition instructions (commonly
6 referred to as ‘XJ’ status).

7 “(2) The prohibition under paragraph (1) shall not
8 apply to individual F–15E aircraft that the Secretary of
9 the Air Force determines, on a case-by-case basis, to be
10 no longer mission capable and uneconomical to repair be-
11 cause of aircraft accidents, mishaps, or excessive material
12 degradation and non-airworthiness status of certain air-
13 craft.”.

14 (b) MODIFICATION TO REPORT REQUIRED BEFORE
15 DIVESTMENT.—Section 150 of the James M. Inhofe Na-
16 tional Defense Authorization Act for Fiscal Year 2023
17 (Public Law 117–263; 136 Stat. 2456) is amended—

18 (1) in subsection (b)(1)—

19 (A) in subparagraph (C)(ii), by striking
20 “and” at the end;

21 (B) in subparagraph (D), by striking the
22 period at the end and inserting “; and”; and

23 (C) by adding at the end the following new
24 subparagraph:

1 “(E) for each F-15E aircraft that the Sec-
2 retary plans to divest, a description of—

3 “(i) each upgrade and modification
4 made to such aircraft, including—

5 “(I) the date of the upgrade or
6 modification; and

7 “(II) the cost of such upgrade or
8 modification in current year dollars;
9 and

10 “(ii) the estimated remaining service-
11 life (expressed as equivalent flight hours
12 and years) of—

13 “(I) the aircraft; and

14 “(II) the onboard systems of the
15 aircraft.”;

16 (2) by redesignating subsection (c) as sub-
17 section (d); and

18 (3) by inserting after subsection (b) the fol-
19 lowing new subsection (c):

20 “(c) ANNUAL UPDATES.—Not later than October 1,
21 2024, and not later than October 1 of each year thereafter
22 through 2029, the Secretary of the Air Force shall—

23 “(1) update the report required under sub-
24 section (b); and

1 “(2) submit the updated report to the congress-
2 sional defense committees.”.

3 (c) **CLARIFICATION OF RELATIONSHIP BETWEEN**
4 **LIMITATIONS.**—The authority of the Secretary of the Air
5 Force to retire F–15E aircraft to the extent allowed under
6 subsection (l)(1)(A) of section 9062 of title 10, United
7 States Code (as added by subsection (a) of this section)
8 shall not apply until the Secretary complies with the re-
9 quirements of section 150 of the James M. Inhofe Na-
10 tional Defense Authorization Act for Fiscal Year 2023
11 (Public Law 117–263; 136 Stat. 2456) (as amended by
12 subsection (b) of this section).

13 **SEC. 132. LIMITATIONS AND MINIMUM INVENTORY RE-**
14 **QUIREMENT RELATING TO RQ–4 AIRCRAFT.**

15 Section 9062 of title 10, United States Code, as
16 amended by section 131, is further amended by adding
17 at the end the following new subsection:

18 “(m)(1) During the period beginning on the date of
19 the enactment of the National Defense Authorization Act
20 for Fiscal Year 2024 and ending on September 30, 2028,
21 the Secretary of the Air Force may not—

22 “(A) retire an RQ–4 aircraft;

23 “(B) reduce funding for unit personnel or
24 weapon system sustainment activities for RQ–4 air-

1 aircraft in a manner that presumes future congress-
2 sional authority to divest such aircraft;

3 “(C) keep an RQ–4 aircraft in a status consid-
4 ered excess to the requirements of the possessing
5 command and awaiting disposition instructions
6 (commonly referred to as ‘XJ’ status); or

7 “(D) decrease the total aircraft inventory of
8 RQ–4 aircraft below 10 aircraft.

9 “(2) The prohibition under paragraph (1) shall not
10 apply to individual RQ–4 aircraft that the Secretary of
11 the Air Force determines, on a case-by-case basis, to be
12 no longer mission capable and uneconomical to repair be-
13 cause of aircraft accidents, mishaps, or excessive material
14 degradation and non-airworthiness status of certain air-
15 craft.”.

16 **SEC. 133. TEMPORARY EXCEPTION TO MINIMUM INVEN-**
17 **TORY REQUIREMENT FOR FIGHTER AIR-**
18 **CRAFT OF THE AIR FORCE.**

19 (a) TEMPORARY AUTHORITY.—Notwithstanding sec-
20 tion 9062(i)(1) of title 10, United States Code, during the
21 covered period, the Secretary of the Air Force may de-
22 crease the total quantity of fighter aircraft in the primary
23 mission aircraft inventory of the Air Force to not fewer
24 than 1,112 aircraft.

1 (b) TERMINATION.—Following expiration of the cov-
2 ered period, the minimum primary mission aircraft inven-
3 tory requirements specified in section 9062(i)(1) of title
4 10, United States Code, shall apply as if this section had
5 not been enacted.

6 (c) DEFINITIONS.—In this section:

7 (1) The term “covered period” means the pe-
8 riod beginning on the date of the enactment of this
9 Act and ending on October 1, 2024.

10 (2) The terms “fighter aircraft” and “primary
11 mission aircraft inventory” have the meanings given
12 those terms in section 9062(i)(2) of title 10, United
13 States Code.

14 **SEC. 134. MODIFICATION OF MINIMUM INVENTORY RE-**
15 **QUIREMENTS FOR C-130 AIRCRAFT.**

16 (a) MINIMUM INVENTORY REQUIREMENT.—Section
17 146(a)(3)(B) of the James M. Inhofe National Defense
18 Authorization Act for Fiscal Year 2023 (Public Law 117–
19 263; 136 Stat. 2455) is amended by striking “2023” and
20 inserting “2024”.

21 (b) PROHIBITION ON REDUCTION OF C-130 AIR-
22 CRAFT ASSIGNED TO NATIONAL GUARD.—Section
23 146(b)(1) of the James M. Inhofe National Defense Au-
24 thorization Act for Fiscal Year 2023 (Public Law 117–

1 263; 136 Stat. 2455) is amended by striking “fiscal year
2 2023” and inserting “fiscal years 2023 and 2024”.

3 **SEC. 135. MODIFICATION OF ANNUAL REPORTS ON T-7A AD-
4 VANCED PILOT TRAINING SYSTEM.**

5 Section 156 of the James M. Inhofe National Defense
6 Authorization Act for Fiscal Year 2023 (Public Law 117-
7 263; 136 Stat. 2460) is amended—

8 (1) in subsection (a), by striking “through
9 2028” and inserting “through 2033”; and

10 (2) in subsection (b)—

11 (A) by redesignating paragraph (9) as
12 paragraph (11); and

13 (B) by inserting after paragraph (8) the
14 following new paragraphs:

15 “(9) A schedule risk assessment, conducted by
16 the Secretary of the Air Force at the 80 percent
17 confidence level, that includes risks associated with
18 the overlap of the development, testing, and produc-
19 tion phases of the program and risks related to con-
20 tractor management.

21 “(10) A plan for determining the conditions
22 under which the Secretary of the Air Force may ac-
23 cept production work on the T-7A Advanced Pilot
24 Training System that was completed by the con-
25 tractor for the program in anticipation of the Air

1 Force ordering additional systems, but which was
2 not subject to typical production oversight because
3 there was no contract for the procurement of such
4 additional systems in effect when such work was
5 performed.”.

6 **SEC. 136. MODIFICATION TO PROHIBITION ON CERTAIN RE-**
7 **DUCTIONS TO B-1 BOMBER AIRCRAFT**
8 **SQUADRONS.**

9 Section 133 of the National Defense Authorization
10 Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat.
11 1574) is amended—

12 (1) by amending subsection (b) to read as fol-
13 lows:

14 “(b) EXCEPTIONS.—The prohibition under sub-
15 section (a) shall not apply—

16 “(1) to a bomb wing for which the Secretary of
17 the Air Force has commenced the process of replac-
18 ing B–1 bomber aircraft with B–21 bomber aircraft;
19 or

20 “(2) so as to prohibit the retirement of the indi-
21 vidual B–1 aircraft designated 85–0089, which has
22 been determined by Secretary of the Air Force to be
23 no longer mission capable and uneconomical to re-
24 pair due to damage sustained on April 20, 2022.”;

25 and

1 (2) in subsection (c)(1), by striking “and end-
2 ing on September 30, 2023” and inserting “and
3 ending on September 30, 2026”.

4 **SEC. 137. MODIFICATION OF MINIMUM INVENTORY RE-**
5 **QUIREMENTS FOR A-10 AIRCRAFT.**

6 (a) IN GENERAL.—Section 134(d) of the National
7 Defense Authorization Act for Fiscal Year 2017 (Public
8 Law 114–328; 130 Stat. 2038), as amended by section
9 141(b)(1) of the James M. Inhofe National Defense Au-
10 thorization Act for Fiscal Year 2023 (Public Law 117–
11 263; 136 Stat. 2452), is amended by striking “153 A-
12 10 aircraft” and inserting “135 A–10 aircraft”.

13 (b) POTENTIAL TRANSFER OF CERTAIN AIR-
14 CRAFT.—In the case of any A–10 aircraft that is retired,
15 prepared to retire, or placed in storage using funds au-
16 thorized to be appropriated by this Act or by the National
17 Defense Authorization Act for Fiscal Year 2023 (Public
18 Law 117–263), the Secretary of Defense shall ensure that
19 such aircraft is evaluated for potential transfer to the mili-
20 tary forces of a nation that is an ally or partner of the
21 United States.

22 (c) REPEAL.—Section 142 of the National Defense
23 Authorization Act for Fiscal Year 2016 (Public Law 114–
24 92; 129 Stat. 755) is amended—

25 (1) by striking subsection (b);

1 (2) by redesignating subsections (c) through (e)
2 as subsections (b) through (d), respectively; and
3 (3) in subsection (c), as so redesignated, by
4 striking “subsection (c)” and inserting “subsection
5 (b)”.

6 **SEC. 138. PROCUREMENT AUTHORITY FOR OVER-THE-HORI-**
7 **ZON RADAR SYSTEMS.**

8 (a) IN GENERAL.—As soon as practicable after the
9 date of the enactment of this Act, the Secretary of the
10 Air Force shall seek to enter into one or more contracts
11 for the procurement of up to six over-the-horizon radar
12 systems that meet the requirements of the United States
13 Northern Command with respect to the detection of in-
14 creasingly complex threats.

15 (b) USE OF COMPETITIVE PROCEDURES AND SOLE-
16 SOURCE CONTRACTS.—

17 (1) INITIAL CONTRACTS.—With respect to the
18 award of a contract for the procurement of the first
19 two over-the-horizon radar systems under subsection
20 (a)—

21 (A) the Secretary of the Air Force may use
22 procedures other than competitive procedures
23 (in accordance with section 3204 of title 10,
24 United States Code) if the Secretary determines

1 it is not feasible to use competitive procedures;
2 and

3 (B) if the Secretary makes a determination
4 to award a sole source contract for such pro-
5 curement in order to meet the requirements es-
6 tablished by the Commander of the United
7 States Northern Command, not later than 14
8 days after making such determination, the Sec-
9 retary shall submit to the congressional defense
10 committees a notification of such determination,
11 including the rationale for such determination.

12 (2) SUBSEQUENT CONTRACTS.—The Secretary
13 of the Air Force shall use competitive procedures for
14 the award of a contract for the procurement of the
15 third and any subsequent over-the-horizon radar sys-
16 tems under subsection (a).

17 (3) COMPETITIVE PROCEDURES DEFINED.—In
18 this section, the term “competitive procedures” has
19 the meaning given that term in section 3012 of title
20 10, United States Code.

21 **SEC. 139. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
22 **RETIREMENT OF KC-135 AIRCRAFT.**

23 (a) PROHIBITION.—Except as provided in subsection
24 (b), none of the funds authorized to be appropriated by
25 this Act or otherwise made available for fiscal year 2024

1 for the Air Force may be obligated or expended to retire,
2 or prepare to retire, a KC-135 aircraft.

3 (b) EXCEPTION.—The prohibition under subsection
4 (a) shall not apply to individual KC-135 aircraft that the
5 Secretary of the Air Force determines, on a case-by-case
6 basis, to be no longer mission capable and uneconomical
7 to repair because of aircraft accidents, mishaps, or exces-
8 sive material degradation and non-airworthiness status of
9 certain aircraft.

10 **SEC. 140. PROHIBITION ON REDUCTION OF KC-135 AIR-**
11 **CRAFT IN PMAI OF THE RESERVE COMPO-**
12 **NENTS.**

13 (a) PROHIBITION.—None of the funds authorized to
14 be appropriated by this Act or otherwise made available
15 for fiscal year 2024 for the Air Force may be obligated
16 or expended to reduce the number of KC-135 aircraft des-
17 ignated as primary mission aircraft inventory within the
18 reserve components of the Air Force.

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

1 **SEC. 141. LIMITATION ON ISSUANCE OF ACQUISITION**
2 **STRATEGY FOR THE KC-135 RECAPITALIZA-**
3 **TION PROGRAM.**

4 The Secretary of the Air Force may not issue an ac-
5 quisition strategy for the KC-135 recapitalization pro-
6 gram until the date on which the Secretary submits to
7 the congressional defense committees the following docu-
8 mentation:

9 (1) An updated tanker roadmap timeline to in-
10 clude procurement of the Next Generation Air Re-
11 fueling System.

12 (2) The business case analysis of the Air Force
13 for the KC-135 recapitalization program.

14 (3) Validated requirements from the Joint Staff
15 for the contract competition under the KC-135 re-
16 capitalization program.

17 **SEC. 142. PROHIBITION ON CERTAIN REDUCTIONS TO IN-**
18 **VENTORY OF E-3 AIRBORNE WARNING AND**
19 **CONTROL SYSTEM AIRCRAFT.**

20 (a) PROHIBITION.—Except as provided in subsections
21 (b) and (c), none of the funds authorized to be appro-
22 priated by this Act or otherwise made available for fiscal
23 year 2024 for the Air Force may be obligated or expended
24 to retire, prepare to retire, or place in storage or in backup
25 aircraft inventory any E-3 aircraft if such actions would

1 reduce the total aircraft inventory of such aircraft below
2 16.

3 (b) EXCEPTION FOR PLAN.—If the Secretary of the
4 Air Force submits to the congressional defense committees
5 a plan for maintaining readiness and ensuring there is no
6 lapse in mission capabilities, the prohibition under sub-
7 section (a) shall not apply to actions taken to reduce the
8 total aircraft inventory of E-3 aircraft to below 16, begin-
9 ning 30 days after the date on which the plan is so sub-
10 mitted.

11 (c) EXCEPTION FOR E-7 PROCUREMENT.—If the
12 Secretary of the Air Force procures enough E-7
13 Wedgetail aircraft to accomplish the required mission
14 load, the prohibition under subsection (a) shall not apply
15 to actions taken to reduce the total aircraft inventory of
16 E-3 aircraft to below 16 after the date on which such E-
17 7 Wedgetail aircraft are delivered.

18 **SEC. 143. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
19 **TERMINATION OF PRODUCTION LINES FOR**
20 **THE HH-60W AIRCRAFT.**

21 None of the funds authorized to be appropriated by
22 this Act or otherwise made available for fiscal year 2024
23 for the Air Force may be obligated or expended to termi-
24 nate the operations of, or to prepare to terminate the oper-

1 ations of, a production line for HH-60W Combat Rescue
2 Helicopters.

3 **SEC. 144. LIMITATION ON RETIREMENT OF F-16C/D AIR-**
4 **CRAFT.**

5 (a) LIMITATION.—Beginning on the date of the en-
6 actment of this Act and except as provided in subsection
7 (b), the Secretary of the Air Force may not retire, prepare
8 to retire, or place in storage or on backup aircraft inven-
9 tory status any F-16C/D aircraft until a period of 180
10 days has elapsed following the date on which the Secretary
11 submits the report required under section 148.

12 (b) EXCEPTION.—The limitation under subsection
13 (a) shall not apply to individual F-16C/D aircraft that
14 the Secretary of the Air Force determines, on a case-by-
15 case basis, to be no longer mission capable and uneco-
16 nomical to repair because of aircraft accidents, mishaps,
17 or excessive material degradation and non-airworthiness
18 status of certain aircraft.

19 (c) INFORMATION TO CONGRESS.—For each F-16C/
20 D aircraft that the Secretary of the Air Force proposes
21 to retire in a fiscal year, the Secretary shall include, in
22 the materials submitted by the Secretary in support of the
23 budget of the President for that fiscal year (as submitted
24 to Congress under section 1105(a) of title 31, United
25 States Code), a description of—

1 (1) each upgrade and modification made to
2 such aircraft, including—

3 (A) the date of the upgrade or modifica-
4 tion; and

5 (B) the cost of such upgrade or modifica-
6 tion in current year dollars; and

7 (2) the estimated remaining service-life (ex-
8 pressed as equivalent flight hours and years) of—

9 (A) the aircraft; and

10 (B) the onboard systems of the aircraft.

11 **SEC. 145. LIMITATION ON PROCUREMENT OF KC-46A AIR-**
12 **CRAFT.**

13 (a) LIMITATION.—The Secretary of the Air Force
14 may not procure more than six KC-46A aircraft under
15 the final lot of the covered contract unless—

16 (1)(A) the Secretary submits to the congress-
17 sional defense committees written notice of the in-
18 tent of the Secretary to procure more than six KC-
19 46A aircraft under the final lot of the covered con-
20 tract; and

21 (B) a period of 180 days has elapsed following
22 the date on which such notice was submitted; or

23 (2) the Secretary submits to the congressional
24 defense committees written certification by the As-

1 sistant Secretary of the Air Force for Acquisition,
2 Technology, and Logistics that—

3 (A) there are validated needs of the Air
4 Force requiring the procurement more than six
5 KC-46A aircraft under the final lot of the cov-
6 ered contract; and

7 (B) cost estimates are complete for the
8 long-term sustainment of any additional aircraft
9 planned to be procured.

10 (b) COVERED CONTRACT DEFINED.—In this section,
11 the term “covered contract” means the contract for the
12 procurement of KC-46A aircraft entered into between the
13 Department of the Air Force and the Boeing Company
14 that is in effect as of the date of the enactment of this
15 Act.

16 **SEC. 146. LIMITATION ON ACTIONS RELATING TO REMOTE**
17 **VISION SYSTEMS OF KC-46A AIRCRAFT.**

18 (a) LIMITATION.—The Secretary of the Air Force
19 may not take any action described in subsection (b) until
20 the date on which the Secretary certifies to the Commit-
21 tees on Armed Services of the Senate and the House of
22 Representatives that—

23 (1) the Secretary has identified a solution to fix
24 the remote vision systems of KC-46A aircraft; and

1 (2) such solution resolves all issues identified in
2 the category 1 deficiency reports for such systems,
3 except for issues relating to the panoramic system.

4 (b) **ACTIONS DESCRIBED.**—The actions described in
5 this subsection are the following:

6 (1) Approving the incorporation of version 2.0
7 of the KC-46A remote vision system into production
8 aircraft (other than an aircraft specifically used to
9 test and validate that version of the system).

10 (2) Retrofitting aircraft with version 2.0 of the
11 KC-46A remote vision system (other than an air-
12 craft specifically used to test and validate that
13 version of the system).

14 **SEC. 147. LIMITATION ON RETIREMENT OF T-1A TRAINING**
15 **AIRCRAFT.**

16 The Secretary of the Air Force may not retire, pre-
17 pare to retire, or place in storage or on backup aircraft
18 inventory status any T-1A training aircraft until the date
19 on which the Secretary submits to the congressional de-
20 fense committees—

21 (1) a certification indicating that the Secretary
22 has completed the full, fleet-wide implementation of
23 the Undergraduate Pilot Training curriculum (for-
24 merly known as the “Undergraduate Pilot Training
25 2.5” curriculum); and

1 (2) a written assessment of—

2 (A) the effect of the implementation of the
3 Undergraduate Pilot Training curriculum on
4 the availability and training completion rates of
5 undergraduate pilot trainees; and

6 (B) how the retirement of T-1A training
7 aircraft may affect programs and initiatives of
8 the Air Force to accelerate the rate at which pi-
9 lots complete training.

10 **SEC. 148. PLAN FOR LONG-TERM AIR FORCE FIGHTER**
11 **FORCE STRUCTURE.**

12 (a) **PLAN REQUIRED.**—The Secretary of the Air
13 Force, in consultation with the Director of the Air Na-
14 tional Guard and the Commander of the Air Force Re-
15 serve, shall develop a long-term tactical fighter force struc-
16 ture, recapitalization, training, and sustainment plan for
17 the active and reserve components of the Air Force.

18 (b) **ELEMENTS.**—The plan under subsection (a) shall
19 address each of the following:

20 (1) The appropriate mix of tactical fighter air-
21 craft force structure, with accompanying operational
22 risk analyses, required for the Secretary of the Air
23 Force to meet expected steady-state, global force
24 management allocation plans and geographical com-
25 batant commander contingency operational plans

1 tasked to the Air Force using active and reserve
2 component units.

3 (2) The procurement, divestment, unit activa-
4 tion, deactivation, or re-missioning plans or actions
5 the Secretary plans to implement, fiscal year-by-fis-
6 cal year, unit-by-unit, for the next 12 years for each
7 active and reserve component tactical fighter aircraft
8 unit existing as of the date of the enactment of this
9 Act, including the rationale and justification for any
10 such plans or actions.

11 (3) The actions the Secretary will take to en-
12 sure that required operational readiness rates are
13 maintained during any planned recapitalization,
14 modernization, or change of mission affecting tac-
15 tical fighter aircraft units.

16 (4) Any plans of the Secretary to augment or
17 supplant existing piloted tactical fighter aircraft ca-
18 pability or capacity with Collaborative Combat Air-
19 craft Increment 1 or Increment 2 capability or ca-
20 pacity.

21 (5) Any plans of the Secretary to augment or
22 supplant existing piloted tactical fighter aircraft
23 training events via acquisition and fielding of com-
24 mon, joint, all-domain, high-fidelity synthetic simula-
25 tion environments.

1 (c) REPORT.—Not later than April 1, 2024, the Sec-
2 retary of the Air Force shall submit to the congressional
3 defense committees a report that includes the plan devel-
4 oped under subsection (a).

5 (d) FORM OF REPORT.—The report required under
6 subsection (c) shall be submitted in unclassified form, but
7 may contain a classified annex.

8 **Subtitle E—Defense-wide, Joint,**
9 **and Multiservice Matters**

10 **SEC. 151. ANNUAL REPORT ON FORCE STRUCTURE**
11 **CHANGES EXHIBIT FOR THE DEFENSE BUDG-**
12 **ET.**

13 Chapter 9 of title 10, United States Code, is amended
14 by inserting after section 233 the following new section:

15 **“§ 233a. Annual report on force structure changes ex-**
16 **hibit for the defense budget**

17 “(a) ANNUAL REPORT.—Not later than 10 days after
18 the date on which the budget of the President for a fiscal
19 year is submitted to Congress pursuant to section 1105
20 of title 31, the Secretary of Defense shall submit to the
21 congressional defense committees a report on any major
22 weapon systems proposed to be divested, re-prioritized, or
23 retired in such budget.

24 “(b) CONTENTS.—Each report under subsection (a)
25 shall include the following:

1 “(1) Identification of each major weapon sys-
2 tem the Secretary of Defense proposes to divest, re-
3 prioritize, or retire in the period of five fiscal years
4 following the date of the report.

5 “(2) Budget line-item details related to each
6 major weapon system identified under paragraph
7 (1).

8 “(3) For each proposed divestment, re-
9 prioritization, or retirement, an explanation of—

10 “(A) the timeline for the divestment, re-
11 prioritization, or retirement, including any fac-
12 tors that may affect such timelines positively or
13 negatively;

14 “(B) any cost savings associated with the
15 divestment, re-prioritization, or retirement;

16 “(C) the rationale for the divestment, re-
17 prioritization, or retirement, including a quali-
18 tative description of the risk associated with the
19 divestment, re-prioritization, or retirement
20 based on the most recent National Defense
21 Strategy (as of the date of the report);

22 “(D) any critical dependencies with other
23 program efforts that might affect the timeline
24 for such divestment, reprioritization, or retire-
25 ment;

1 Secretary of Defense may enter into one or more multiyear
2 contracts for the procurement of critical minerals that are
3 processed in the United States by domestic sources.

4 (b) APPLICATION OF STRATEGIC AND CRITICAL MA-
5 TERIALS STOCK PILING ACT.—A multiyear contract en-
6 tered into under this section shall be deemed to be an ac-
7 quisition under the Strategic and Critical Materials Stock
8 Piling Act (50 U.S.C. 98 et seq.).

9 (c) AUTHORITY FOR ADVANCE PROCUREMENT.—The
10 Secretary of Defense may enter into one or more con-
11 tracts, beginning in fiscal year 2024, for advance procure-
12 ment associated with the domestically processed critical
13 minerals for which authorization to enter into a multiyear
14 procurement contract is provided under subsection (a).

15 (d) CONDITION FOR OUT-YEAR CONTRACT PAY-
16 MENTS.—A contract entered into under subsection (a)
17 shall provide that any obligation of the United States to
18 make a payment under the contract for a fiscal year after
19 fiscal year 2024 is subject to the availability of appropria-
20 tions or funds for that purpose for such later fiscal year.

21 (e) DEFINITIONS.—In this section:

22 (1) The term “critical mineral” means a min-
23 eral determined to be a strategic and critical mate-
24 rial under section 3(a) of the Strategic and Critical
25 Materials Stock Piling Act (50 U.S.C. 98b(a)).

1 (2) The term “processed” means the processing
2 or recycling of a critical mineral or magnet, includ-
3 ing the separation, reduction, metallization, alloying,
4 milling, pressing, strip casting, and sintering of a
5 critical mineral.

6 (3) The term “domestic source” has the mean-
7 ing given that term in section 702 of the Defense
8 Production Act of 1950 (50 U.S.C. 4552).

9 **SEC. 153. PROHIBITION ON SOLICITATION OF PROPRI-**
10 **ETARY ARMOR FOR CERTAIN TACTICAL VEHI-**
11 **CLES.**

12 (a) PROHIBITION.—The Secretary of Defense may
13 not include in a solicitation for a tactical tracked vehicle
14 or tactical wheeled vehicle a requirement that such vehicle
15 use proprietary armor.

16 (b) APPLICABILITY.—Subsection (a) shall not apply
17 to a contract for the procurement of a tactical tracked ve-
18 hicle or tactical wheeled vehicle entered into before the
19 date of the enactment of this Act.

20 **SEC. 154. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
21 **PROCUREMENT OF CERTAIN BATTERIES.**

22 (a) LIMITATION.—Beginning on October 1, 2027,
23 none of the funds authorized to be appropriated or other-
24 wise made available for the Department of Defense may

1 be obligated or expended to procure a battery produced
2 by an entity specified in subsection (b).

3 (b) ENTITIES SPECIFIED.—The entities specified in
4 this subsection are the following:

5 (1) Contemporary Amperex Technology Com-
6 pany, Limited (also known as “CATL”).

7 (2) BYD Company, Limited.

8 (3) Envision Energy, Limited.

9 (4) EVE Energy Company, Limited.

10 (5) Gotion High tech Company, Limited.

11 (6) Hithium Energy Storage Technology com-
12 pany, Limited.

13 (7) Any successor to an entity specified in para-
14 graphs (1) through (6).

15 (c) TREATMENT OF PRODUCTION.—For purposes of
16 this section, a battery shall be treated as produced by an
17 entity specified in subsection (b) if that entity—

18 (1) assembles or manufactures the final prod-
19 uct; or

20 (2) creates or otherwise provides a majority of
21 the components used in the battery.

22 (d) WAIVER.—The Secretary of Defense may waive
23 the limitation under subsection (a).

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

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Annual report on unfunded priorities of the Under Secretary of Defense for Research and Engineering.

Sec. 212. Delegation of responsibility for certain research programs.

Sec. 213. Modification to personnel management authority to attract experts in science and engineering.

Sec. 214. Clarifying role of partnership intermediaries to promote defense research and education.

Sec. 215. Naval Air Warfare Rapid Capabilities Office.

Sec. 216. Modification of support for research and development of bioindustrial manufacturing processes.

Sec. 217. Modification to administration of the Advanced Sensors Application Program.

Sec. 218. Matters pertaining to hypersonic capabilities and testing strategies.

Sec. 219. Improvements to defense quantum information science and technology research and development program.

Sec. 220. Application of public-private talent exchange programs in the Department of Defense to quantum information sciences and technology research.

Sec. 221. Support for protection of sensitive research performed on behalf of the Department of Defense.

Sec. 222. Support to the Defence Innovation Accelerator for the North Atlantic.

Sec. 223. Consortium on use of additive manufacturing for defense capability development.

Sec. 224. Next Generation Air Dominance family of systems development program accountability matrices.

Sec. 225. Continuous capability development and delivery program for F-35 aircraft.

Sec. 226. F-35 propulsion and thermal management modernization program.

Sec. 227. Establishment or expansion of University Affiliated Research Centers for critical materials.

Sec. 228. Policies for management and certification of Link 16 military tactical data link network.

Sec. 229. Rapid response to emergent technology advancements or threats.

Sec. 230. Pilot program to commercialize prototypes of the Department of the Air Force.

Sec. 231. Pilot program on near-term quantum computing applications.

Sec. 232. Pilot program to facilitate access to advanced technology developed by small businesses for ground vehicle systems of the Army.

Sec. 233. Limitation on availability of funds pending documentation on Future Attack Reconnaissance Aircraft program.

Subtitle C—Energetics and Other Munitions Matters

- Sec. 241. Joint Energetics Transition Office.
- Sec. 242. Consideration of lethality in the analysis of alternatives for munitions.
- Sec. 243. Pilot program on incorporation of the CL20 compound in certain weapon systems.
- Sec. 244. Limitation on sourcing chemical materials for munitions from certain countries.
- Sec. 245. Defense industrial base munition surge capacity critical reserve.

Subtitle D—Plans, Reports, and Other Matters

- Sec. 251. Congressional notification of changes to Department of Defense policy on autonomy in weapon systems.
- Sec. 252. Audit to identify diversion of Department of Defense funding to China’s research labs.
- Sec. 253. Annual review of status of implementation plan for digital engineering career tracks.

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

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

4 Funds are hereby authorized to be appropriated for
5 fiscal year 2024 for the use of the Department of Defense
6 for research, development, test, and evaluation, as speci-
7 fied in the funding table in section 4201.

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

11 **SEC. 211. ANNUAL REPORT ON UNFUNDED PRIORITIES OF**
12 **THE UNDER SECRETARY OF DEFENSE FOR**
13 **RESEARCH AND ENGINEERING.**

14 Chapter 9 of title 10, United States Code, is amended
15 by inserting after section 222d the following new section:

1 **“§ 222e. Unfunded priorities of the Under Secretary**
2 **of Defense for Research and Engineering:**
3 **annual report**

4 “(a) ANNUAL REPORT.—Not later than 10 days after
5 the date on which the budget of the President for a fiscal
6 year is submitted to Congress pursuant to section 1105
7 of title 31, the Secretary of Defense shall submit to the
8 congressional defense committees a report on the un-
9 funded priorities of the Department of Defense related to
10 activities for which the Under Secretary of Defense for
11 Research and Engineering has authority.

12 “(b) ELEMENTS.—

13 “(1) IN GENERAL.—Except as provided in sub-
14 section (c), each report submitted under subsection
15 (a) shall specify, for each unfunded priority covered
16 by such report, the following:

17 “(A) A summary description of such pri-
18 ority, including the objectives to be achieved if
19 such priority is funded (whether in whole or in
20 part).

21 “(B) The additional amount of funds rec-
22 ommended in connection with the objectives
23 under subparagraph (A).

24 “(C) Account information with respect to
25 such priority, including the following (as appli-
26 cable):

1 “(i) Line Item Number (LIN) for ap-
2 plicable procurement accounts.

3 “(ii) Program Element (PE) number
4 for applicable research, development, test,
5 and evaluation accounts.

6 “(2) PRIORITIZATION OF PRIORITIES.—The re-
7 port under subsection (a) shall present the unfunded
8 priorities covered by such report in order of urgency
9 of priority.

10 “(c) EXCLUSION OF PRIORITIES COVERED IN OTHER
11 REPORTS.—The report submitted under subsection (a)
12 shall not include unfunded priorities or requirements cov-
13 ered in reports submitted under—

14 “(1) section 222a or 222b of this title; or

15 “(2) section 2806 of the National Defense Au-
16 thorization Act for Fiscal Year 2018 (Public Law
17 115–91; 10 U.S.C. 222a note).

18 “(d) FORM OF REPORT.—Each report submitted
19 under subsection (a) shall be submitted in classified form,
20 but may include an unclassified summary as the Secretary
21 considers appropriate.

22 “(e) UNFUNDED PRIORITY DEFINED.—In this sec-
23 tion, the term ‘unfunded priority’, in the case of a fiscal
24 year, means a program, activity, or mission requirement,
25 that—

1 “(1) is not funded in the budget of the Presi-
2 dent for the fiscal year as submitted to Congress
3 pursuant to section 1105 of title 31; and

4 “(2) would have been recommended for funding
5 through that budget if—

6 “(A) additional resources had been avail-
7 able for the budget to fund the program, activ-
8 ity, or mission requirement; or

9 “(B) the program, activity, or mission re-
10 quirement has emerged since the budget was
11 formulated.”.

12 **SEC. 212. DELEGATION OF RESPONSIBILITY FOR CERTAIN**
13 **RESEARCH PROGRAMS.**

14 Section 980(b) of title 10, United States Code, is
15 amended—

16 (1) by inserting “(1)” before “The Secretary”;
17 and

18 (2) by adding at the end the following new
19 paragraph:

20 “(2) The Secretary may delegate the authority pro-
21 vided by paragraph (1) to the Under Secretary of Defense
22 for Research and Engineering.”.

1 **SEC. 213. MODIFICATION TO PERSONNEL MANAGEMENT**
2 **AUTHORITY TO ATTRACT EXPERTS IN**
3 **SCIENCE AND ENGINEERING.**

4 Section 4092(b) of title 10, United States Code, is
5 amended—

6 (1) in paragraph (1)(B), by striking “, of which
7 not more than 5 such positions may be positions of
8 administration or management of the Agency”; and

9 (2) by amending paragraph (4) to read as fol-
10 lows:

11 “(4) during any fiscal year—

12 “(A) pay up to 15 individuals newly ap-
13 pointed pursuant to paragraph (1)(B) the trav-
14 el, transportation, and relocation expenses and
15 services described under sections 5724, 5724a,
16 and 5724c of title 5; and

17 “(B) pay up to 15 individuals previously
18 appointed pursuant to such paragraph, upon
19 separation, the travel, transportation, and relo-
20 cation expenses and services described under
21 such sections (as applicable).”.

22 **SEC. 214. CLARIFYING ROLE OF PARTNERSHIP INTER-**
23 **MEDIARIES TO PROMOTE DEFENSE RE-**
24 **SEARCH AND EDUCATION.**

25 Section 4124(f)(2) of title 10, United States Code,
26 is amended—

1 (1) by striking “that assists” and inserting the
2 following: “that—

3 “(A) assists”;

4 (2) in subparagraph (A), as designated by para-
5 graph (1), by striking the period at the end and in-
6 serting a semicolon; and

7 (3) by adding at the end the following new sub-
8 paragraphs:

9 “(B) facilitates technology transfer from indus-
10 try or academic institutions to a Center; or

11 “(C) assists and facilitates workforce develop-
12 ment in critical technology areas for technology
13 transition activities to fulfill unmet needs of a Cen-
14 ter.”.

15 **SEC. 215. NAVAL AIR WARFARE RAPID CAPABILITIES OF-**
16 **FICE.**

17 Chapter 803 of title 10, United States Code, is
18 amended by adding at the end the following new section:

19 **“§ 8029. Naval Air Warfare Rapid Capabilities Office**

20 “(a) ESTABLISHMENT.—There is established within
21 the Department of the Navy an office to be known as the
22 Naval Air Warfare Rapid Capabilities Office (in this sec-
23 tion referred to as the ‘Office’).

1 “(b) HEAD OF OFFICE.—The head of the Office shall
2 be the designee of the Commander of the Naval Air Sys-
3 tems Command.

4 “(c) MISSION.—The mission of the Office shall be—
5 “(1) to fulfill naval and joint military oper-
6 ational requirements by supporting the identification
7 and rapid development of—

8 “(A) new naval aviation weapons and air-
9 borne electronic warfare capabilities;

10 “(B) innovative applications for existing
11 naval aviation weapons and airborne electronic
12 warfare capabilities; and

13 “(C) other innovative solutions to enhance
14 the effectiveness of naval aviation weapons and
15 airborne electronic warfare capabilities; and

16 “(2) to contribute to the rapid experimentation,
17 development, testing, and fielding of unclassified and
18 classified naval aviation weapons and airborne elec-
19 tronic warfare capabilities.

20 “(d) ACQUISITION AUTHORITIES.—

21 “(1) IN GENERAL.—To procure goods or serv-
22 ices for the Office, the senior contracting official (as
23 defined in section 1737 of this title) and any mem-
24 bers of the acquisition workforce for the Department
25 of the Navy may use—

1 “(A) any applicable pathway of the adapt-
2 ive acquisition framework (as described in De-
3 partment of Defense Instruction 5000.02, ‘Op-
4 eration of the Adaptive Acquisition Frame-
5 work’); and

6 “(B) any other alternative acquisition
7 pathway that allows for accelerated or flexible
8 methods of contracting.

9 “(2) INAPPLICABILITY OF JCIDS.—The Joint
10 Capabilities Integration and Development System
11 process shall not apply to procurements described in
12 paragraph (1).

13 “(e) REQUIRED PROGRAM ELEMENTS.—The Sec-
14 retary of the Navy shall ensure, within budget program
15 elements for naval air warfare programs, that—

16 “(1) there are separate, dedicated program ele-
17 ments for naval air warfare rapid capabilities; and

18 “(2) the Office executes the responsibilities of
19 the Office using such program elements.

20 “(f) EXECUTIVE OVERSIGHT BOARD.—

21 “(1) IN GENERAL.—There is an executive over-
22 sight board for the Office which shall consist of the
23 officials specified in paragraph (2). The executive
24 oversight board shall provide prioritization, over-
25 sight, and approval of projects of the Office.

1 “(2) OFFICIALS SPECIFIED.—The officials spec-
2 ified in this paragraph are the following:

3 “(A) The Vice Chief of Naval Operations.

4 “(B) The Assistant Commandant of the
5 Marine Corps.

6 “(C) The Assistant Secretary of the Navy
7 for Research, Development and Acquisition.

8 “(D) The Commander of the Naval Air
9 Systems Command.

10 “(g) ANNUAL REPORTS AND BRIEFINGS.—

11 “(1) REPORT.—On an annual basis, the head of
12 the Office shall submit to the executive oversight
13 board described in subsection (f) a report on the ac-
14 tivities of the Office.

15 “(2) BRIEFING.—On an annual basis following
16 the submittal of the report under paragraph (1), the
17 Assistant Secretary of the Navy for Research, Devel-
18 opment and Acquisition shall provide to the Commit-
19 tees on Armed Services of the Senate and the House
20 of Representatives a briefing on the activities of the
21 Office.

22 “(3) ELEMENTS.—Each report under para-
23 graph (1) and briefing under paragraph (2) shall in-
24 clude, with respect to the year preceding the date of

1 the report or briefing (as applicable), a description
2 of—

3 “(A) funding allocations for the projects of
4 the Office;

5 “(B) capability gaps addressed by the Of-
6 fice;

7 “(C) the progress of the Office in experi-
8 menting, developing, testing, and fielding capa-
9 bilities described in subsection (c); and

10 “(D) any barriers to the ability of the Of-
11 fice to carry out its mission, including any legis-
12 lative or regulatory barriers.”.

13 **SEC. 216. MODIFICATION OF SUPPORT FOR RESEARCH AND**
14 **DEVELOPMENT OF BIOINDUSTRIAL MANU-**
15 **FACTURING PROCESSES.**

16 Section 215(c)(1) of the James M. Inhofe National
17 Defense Authorization Act for Fiscal Year 2023 (Public
18 Law 117–263; 10 U.S.C. 4841 note) is amended by insert-
19 ing “pharmaceutical biologics and associated precursor
20 materials,” after “commodity chemicals,”.

21 **SEC. 217. MODIFICATION TO ADMINISTRATION OF THE AD-**
22 **VANCED SENSORS APPLICATION PROGRAM.**

23 Section 218 of the James M. Inhofe National Defense
24 Authorization Act for Fiscal Year 2023 (Public Law 117–
25 263; 136 Stat. 2476) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1), by striking “The
3 Commander of Naval Air Systems Command
4 and the Director of Air Warfare shall jointly
5 serve as the resource sponsors” and inserting
6 “The Under Secretary of Defense for Intel-
7 ligence and Security, acting through the Direc-
8 tor of the Concepts, Development, and Manage-
9 ment Office of the Air Force, shall serve as the
10 resource sponsor”; and

11 (B) in paragraph (2), by striking “The re-
12 source sponsors of the Program shall be respon-
13 sible” and inserting “The resource sponsor of
14 the Program, in consultation with the Com-
15 mander of Naval Air Systems Command, shall
16 be responsible”;

17 (2) in subsection (b), by striking “Only the Sec-
18 retary of the Navy, the Under Secretary of the
19 Navy, and the Commander of Naval Air Systems
20 Command may” and inserting “Only the Under Sec-
21 retary of Defense for Intelligence and Security and
22 the Director of the Concepts, Development, and
23 Management Office of the Air Force, in consultation
24 with the Commander of Naval Air Systems Com-
25 mand, may”; and

1 (3) in subsection (d)(3), by striking “exercised
2 by the Commander of Naval Air Systems Command,
3 the Secretary of the Navy, or the Under Secretary
4 of the Navy” and inserting “exercised by the Under
5 Secretary of Defense for Intelligence and Security,
6 the Director of the Concepts, Development, and
7 Management Office of the Air Force, or the Com-
8 mander of Naval Air Systems Command”.

9 **SEC. 218. MATTERS PERTAINING TO HYPERSONIC CAPA-**
10 **BILITIES AND TESTING STRATEGIES.**

11 (a) BIENNIAL UPDATES TO HYPERSONICS TESTING
12 STRATEGY.—Section 237(e) of the National Defense Au-
13 thorization Act for Fiscal Year 2023 (Public Law 117–
14 263; 136 Stat. 2492) is amended by adding at the end
15 the following new paragraph:

16 “(4) BIENNIAL UPDATES.—

17 “(A) IN GENERAL.—Not less frequently
18 than once every two years after the submittal of
19 the initial strategy under paragraph (1), the
20 Secretary of Defense shall—

21 “(i) revise and update the strategy;

22 and

23 “(ii) submit the revised and updated
24 strategy to the appropriate congressional
25 committees.

1 “(B) SUNSET.—The requirement to pre-
2 pare and submit updates under this paragraph
3 shall terminate on December 31, 2030.”.

4 (b) LIMITATION ON AVAILABILITY OF FUNDS PEND-
5 ING SUBMITTAL OF STRATEGY.—Of the funds authorized
6 to be appropriated by this Act or otherwise made available
7 for fiscal year 2024, and available for the Office of the
8 Under Secretary of Defense for Research and Engineering
9 for the travel of persons, not more than 90 percent may
10 be obligated or expended until the date on which the Sec-
11 retary of Defense submits to the congressional defense
12 committees the strategy required under section 237(c)(1)
13 of the National Defense Authorization Act for Fiscal Year
14 2023 (Public Law 117–263; 136 Stat. 2492).

15 (c) EVALUATION OF POTENTIAL HYPERSONIC TEST
16 RANGES.—

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

24 (2) ACTIVITIES UNDER NATIONAL ENVIRON-
25 MENTAL POLICY ACT.—Following the completion of

1 the study under paragraph (1), the Secretary of De-
2 fense shall initiate any activities required under the
3 National Environmental Policy Act of 1969 (42
4 U.S.C. 4321 et seq.) in connection with the conduct
5 of long-distance hypersonic system testing at the lo-
6 cations evaluated under the study.

7 (3) REPORT.—Not later than December 31,
8 2024, the Secretary of Defense shall submit to the
9 congressional defense committees, the Committee on
10 Energy and Natural Resources of the Senate, and
11 the Committee on Natural Resources of the House
12 of Representatives a report on the results of the
13 study conducted under paragraph (1).

14 (d) ANNUAL REPORT ON FUNDING AND INVEST-
15 MENTS IN HYPERSONIC CAPABILITIES.—

16 (1) IN GENERAL.—Not later than March 1,
17 2024, and not later than March 1 of each year
18 thereafter through 2030, the Secretary of Defense
19 shall submit to the congressional defense committees
20 a report on the funding and investments of the De-
21 partment of Defense relating to hypersonic capabili-
22 ties, including any funding or investments with re-
23 spect to the procurement, research, development,
24 test, and evaluation, and operation and maintenance
25 of offensive and defensive hypersonic weapons.

1 (2) ELEMENTS.—Each report under paragraph
2 (1) shall—

3 (A) include cost data on the hypersonic ca-
4 pabilities of the Department of Defense, includ-
5 ing vehicles, developmental and operational test-
6 ing, hypersonic sensors, command and control
7 architectures, infrastructure, testing infrastruc-
8 ture, software, workforce, training, ranges, inte-
9 gration costs, and such other items as the Sec-
10 retary of Defense considers appropriate;

11 (B) to the extent applicable, for each item
12 included in the report, identify whether such
13 item relates to an offensive or defensive
14 hypersonic capability;

15 (C) with respect to any research and devel-
16 opment activities covered by the report, iden-
17 tify—

18 (i) the program element for the activ-
19 ity;

20 (ii) the name of the entity that is car-
21 rying out the activity; and

22 (iii) the purpose of the activity; and

23 (D) to the extent applicable, with respect
24 to any developmental ground and flight testing

1 and operational test and evaluation activities
2 covered by the report, identify—

3 (i) the program element for the activ-
4 ity;

5 (ii) the name of the entity that is car-
6 rying out the activity; and

7 (iii) the purpose of the activity.

8 (3) FORM.—Each report submitted under para-
9 graph (1) shall be submitted in unclassified form,
10 but may include a classified annex.

11 **SEC. 219. IMPROVEMENTS TO DEFENSE QUANTUM INFOR-**
12 **MATION SCIENCE AND TECHNOLOGY RE-**
13 **SEARCH AND DEVELOPMENT PROGRAM.**

14 Section 234 of the John S. McCain National Defense
15 Authorization Act for Fiscal Year 2019 (Public Law 115–
16 232; 10 U.S.C. 4001 note) is amended—

17 (1) by redesignating subsection (f) as sub-
18 section (h); and

19 (2) by inserting after subsection (e) the fol-
20 lowing new subsections:

21 “(f) FELLOWSHIPS.—

22 “(1) PROGRAM AUTHORIZED.—In carrying out
23 the program under subsection (a) and subject to the
24 availability of appropriations to carry out this sub-
25 section, the Secretary may carry out a program of

1 fellowships in quantum information science and
2 technology research and development for individuals
3 who have a graduate or postgraduate degree.

4 “(2) EQUAL ACCESS.—In carrying out the pro-
5 gram under paragraph (1), the Secretary may estab-
6 lish procedures to ensure that minority, geographi-
7 cally diverse, and economically disadvantaged stu-
8 dents have equal access to fellowship opportunities
9 under such program.

10 “(g) MULTIDISCIPLINARY PARTNERSHIPS WITH
11 UNIVERSITIES.—In carrying out the program under sub-
12 section (a), the Secretary of Defense may develop partner-
13 ships with universities to enable students to engage in
14 multidisciplinary courses of study.”.

15 **SEC. 220. APPLICATION OF PUBLIC-PRIVATE TALENT EX-**
16 **CHANGE PROGRAMS IN THE DEPARTMENT**
17 **OF DEFENSE TO QUANTUM INFORMATION**
18 **SCIENCES AND TECHNOLOGY RESEARCH.**

19 (a) IN GENERAL.—Using the authority provided
20 under section 1599g of title 10, United States Code, the
21 Secretary of Defense shall seek to establish public-private
22 talent exchange programs with private-sector entities
23 working on quantum information sciences and technology
24 research applications.

1 (b) MAXIMUM NUMBER OF PARTICIPANTS.—Each
2 public-private talent exchange program established under
3 subsection (a) may include not more than 10 program par-
4 ticipants.

5 (c) PROGRAM PARTICIPANT DEFINED.—For pur-
6 poses of subsection (b), the term “program participant”
7 includes—

8 (1) an employee of the Department of Defense
9 who is assigned to a private-sector organization pur-
10 suant to subsection (a); and

11 (2) an employee of a private-sector organization
12 who is assigned to a Department of Defense organi-
13 zation pursuant to such subsection.

14 **SEC. 221. SUPPORT FOR PROTECTION OF SENSITIVE RE-**
15 **SEARCH PERFORMED ON BEHALF OF THE**
16 **DEPARTMENT OF DEFENSE.**

17 (a) IN GENERAL.—The Secretary of Defense, acting
18 through the Under Secretary of Defense for Research and
19 Engineering, may enter into contracts or other agreements
20 with one or more eligible entities to assist institutions of
21 higher education in protecting sensitive research per-
22 formed on behalf of the Department of Defense.

23 (b) ACTIVITIES.—An eligible entity that enters into
24 a contract or other agreement with the Secretary of De-
25 fense under subsection (a) shall carry out activities to as-

1 sist institutions of higher education in protecting sensitive
2 research performed on behalf of the Department of De-
3 fense. Such activities may include—

4 (1) conducting effective due diligence in vetting
5 visiting scholars;

6 (2) assisting institutions in meeting applicable
7 research security requirements, including through
8 the use of common procedures and practices and
9 shared infrastructure, as appropriate;

10 (3) providing training to employees and offices
11 of the institution that have responsibilities relating
12 to research security; and

13 (4) providing advice and assistance to institu-
14 tions in establishing and maintaining research secu-
15 rity programs.

16 (c) CONSIDERATIONS.—In selecting an entity to re-
17 ceive a contract or other agreement under subsection (a),
18 the Secretary of Defense shall consider the following:

19 (1) Geographic diversity and the extent to
20 which the entity is able to maximize coverage of dif-
21 ferent regions of the United States.

22 (2) Any ratings of the entity made by the De-
23 fense Counterintelligence and Security Agency as
24 part of the Agency's annual security vulnerability as-
25 sessment ratings.

1 (3) Whether and to what extent the entity uses
2 best practices for research security as outlined by
3 the National Institute of Standards and Technology.

4 (4) The entity's demonstrated excellence in se-
5 curity programs, including receipt of awards for ex-
6 cellence in counterintelligence and outstanding
7 achievement in industrial security.

8 (d) PERFORMANCE METRICS.—The Secretary of De-
9 fense shall establish metrics to measure the performance
10 of each entity with which the Secretary enters into a con-
11 tract or other agreement under subsection (a).

12 (e) NOTIFICATION AND REPORT.—For any year in
13 which the Secretary of Defense exercises the authority
14 provided under subsection (a), the Secretary shall submit
15 to the congressional defense committees a report that—

16 (1) identifies each eligible entity with which the
17 Secretary entered into a contract or other agreement
18 under such subsection; and

19 (2) evaluates the performance of the entity.

20 (f) ELIGIBLE ENTITY DEFINED.—In this section, the
21 term “eligible entity” means—

22 (1) an entity the Secretary of Defense deter-
23 mines to be eligible to participate in the activities
24 authorized under this section; or

1 (2) a consortium composed of two or more such
2 entities.

3 **SEC. 222. SUPPORT TO THE DEFENCE INNOVATION ACCEL-**
4 **ERATOR FOR THE NORTH ATLANTIC.**

5 (a) **AUTHORITY.**—Subject to the availability of ap-
6 propriations, the Secretary of Defense, acting through the
7 Under Secretary of Defense for Research and Engineer-
8 ing, is authorized to make available not more than
9 \$15,000,000 for each of fiscal years 2024 through 2029
10 to the North Atlantic Treaty Organization for the joint
11 fund established for the Defence Innovation Accelerator
12 for the North Atlantic (DIANA) initiative (referred to in
13 this section as the “Initiative”) to sustain the participa-
14 tion of the United States in such initiative.

15 (b) **NOTIFICATION.**—

16 (1) **IN GENERAL.**—Not later than 15 days after
17 each instance in which the Secretary of Defense pro-
18 vides funds to the Initiative pursuant to subsection
19 (a), the Secretary, acting through the Under Sec-
20 retary of Defense for Research and Engineering,
21 shall submit to the appropriate congressional com-
22 mittees written notice that such funds were pro-
23 vided.

24 (2) **CONTENTS.**—Each notification submitted
25 under paragraph (1) shall include the following:

1 (A) The total amount of funding provided
2 under subsection (a) together with a detailed
3 breakdown showing the specific amounts and
4 purposes for which such funds are intended to
5 be used, if any.

6 (B) The time period for which such funds
7 are provided.

8 (c) STRATEGY.—

9 (1) IN GENERAL.—Not later than July 1, 2024,
10 the Secretary of Defense, acting through the Under
11 Secretary of Defense for Research and Engineering,
12 shall submit to the appropriate congressional com-
13 mittees a strategy for participation by the United
14 States in the Initiative.

15 (2) CONTENTS.—The strategy under paragraph
16 (1) shall include the following:

17 (A) A description of how the Initiative fits
18 into the science, technology, and innovation ac-
19 tivities of the North Atlantic Treaty Organiza-
20 tion and how the Initiative is synchronized with
21 and expected to interact with other science,
22 technology, and innovation activities of the De-
23 partment of Defense.

24 (B) The anticipated funding profile for the
25 Initiative across the period covered by the most

1 recent future-years defense program submitted
2 to Congress under section 221 of title 10,
3 United States Code (as of the date of the strat-
4 egy).

5 (C) Identification of key technology focus
6 areas to be addressed each year under the Ini-
7 tiative across such period.

8 (D) A description of any anticipated areas
9 of expansion in the Initiative, including any an-
10 ticipated expansion of the Initiative to or within
11 key nodes or locations that have strategic value
12 for national security and where there is also a
13 significant presence of technology-oriented
14 startup businesses.

15 (E) A description of how the Initiative is
16 expected to contribute to fostering the spread of
17 innovation throughout the United States.

18 (d) ANNUAL REPORT.—Not later than September 1,
19 2024, and not later than February 1 of each year there-
20 after through 2030, the Secretary of Defense shall submit
21 to the congressional defense committees an annual report
22 on—

23 (1) the activities of the Initiative that were sup-
24 ported by the Department of Defense under sub-

1 section (a) in the year preceding the date of the re-
2 port; and

3 (2) any key milestones or other objectives that
4 were achieved under the initiative in such year.

5 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
6 FINED.—In this section, the term “appropriate congres-
7 sional committees” means—

8 (1) the congressional defense committees;

9 (2) the Committee on Foreign Affairs of the
10 House of Representatives; and

11 (3) the Committee on Foreign Relations of the
12 Senate.

13 **SEC. 223. CONSORTIUM ON USE OF ADDITIVE MANUFAC-**
14 **TURING FOR DEFENSE CAPABILITY DEVEL-**
15 **OPMENT.**

16 (a) ESTABLISHMENT.—Not later than 180 days after
17 the date of the enactment of this Act, the Secretary of
18 Defense, in coordination with the Secretaries of the mili-
19 tary departments, shall establish a consortium to facilitate
20 the use of additive manufacturing for the development of
21 capabilities for the Department of Defense. The consor-
22 tium shall be known as the “Consortium on Additive Man-
23 ufacturing for Defense Capability Development” (referred
24 to in this section as the “Consortium”).

1 (b) COMPOSITION.—The Consortium shall be com-
2 posed of qualified organizations, selected by the Secretary
3 of Defense, that have functions and expertise relevant to
4 additive manufacturing. At a minimum, the Consortium
5 shall include the following:

6 (1) Representation from one or more science
7 and technology reinvention laboratories (as des-
8 ignated under section 4121 of title 10, United States
9 Code) from each of the military departments, which
10 may include—

11 (A) from the Department of the Army—

12 (i) the Combat Capabilities Develop-
13 ment Command, Army Research Labora-
14 tory;

15 (ii) the Combat Capabilities Develop-
16 ment Command, Aviation and Missile Cen-
17 ter;

18 (iii) the Combat Capabilities Develop-
19 ment Command, Armaments Center;

20 (iv) the Combat Capabilities Develop-
21 ment Command, Ground Vehicle Systems
22 Center;

23 (v) the Combat Capabilities Develop-
24 ment Command, Soldier Center;

1 (vi) the Combat Capabilities Develop-
2 ment Command, Chemical Biological Cen-
3 ter;

4 (vii) the Combat Capabilities Develop-
5 ment Command, Command, Control, Com-
6 munications, Computers, Cyber, Intel-
7 ligence, Surveillance, and Reconnaissance
8 Center; and

9 (viii) the Space and Missile Defense
10 Command, Technical Center;

11 (ix) the Engineer Research and Develop-
12 ment Center;

13 (x) the Medical Research and Develop-
14 ment Command; and

15 (xi) the Army Research Institute for
16 the Behavioral and Social Sciences;

17 (B) from the Department of the Navy—

18 (i) the Naval Research Laboratory;

19 (ii) the Office of Naval Research;

20 (iii) the Naval Air Systems Command
21 Warfare Centers;

22 (iv) the Naval Sea Systems Command
23 Warfare Centers;

1 (v) the Naval Facilities Engineering
2 Command, Engineering and Expeditionary
3 Warfare Center;

4 (vi) the Naval Medical Research Cen-
5 ter; and

6 (vii) the Naval Information Warfare
7 Centers, Atlantic and Pacific; and

8 (C) from the Department of the Air
9 Force—

10 (i) the Air Force Research Labora-
11 tory; and

12 (ii) the Joint Warfighting Analysis
13 Center.

14 (2) Representation from one or more mainte-
15 nance, logistics, or sustainment organizations from
16 each of the military departments.

17 (3) One or more organizations from private sec-
18 tor industry.

19 (4) One or more institutions of higher edu-
20 cation or other research institutions.

21 (c) ACTIVITIES.—The Consortium shall—

22 (1) facilitate the use of additive manufac-
23 turing—

1 (A) to significantly reduce logistic foot-
2 prints, material costs, and delivery lead-times;
3 and

4 (B) to extended logistical supply chain de-
5 pendencies that often challenge weapon system
6 readiness for forward deployed warfighters;

7 (2) develop standards and a certification proc-
8 ess for the use of additive manufacturing in safety-
9 critical applications, including additive material and
10 part certification requirements for additive manufac-
11 tured items intended for use in military vehicles;

12 (3) evaluate, adapt, or apply the standards de-
13 veloped in the commercial sector, or new process ap-
14 proaches for additive manufacturing that may be of
15 use to the Department of Defense;

16 (4) as directed by an organization of the De-
17 partment of Defense included in the Consortium,
18 conduct reverse engineering (including testing and
19 certification) for critical parts which may have lim-
20 ited sources of supply;

21 (5) use data standards, common repositories,
22 and information security to track, store, and secure
23 technical data relating to additive manufacturing
24 and ensure the interoperability of such data; and

1 (6) conduct comparative cost analyses for new
2 and emerging additive manufacturing approaches,
3 including assessments of life-cycle costs for tooling,
4 training, and intellectual property needed to sustain
5 such approaches.

6 **SEC. 224. NEXT GENERATION AIR DOMINANCE FAMILY OF**
7 **SYSTEMS DEVELOPMENT PROGRAM AC-**
8 **COUNTABILITY MATRICES.**

9 (a) SUBMITTAL OF MATRICES.—Concurrent with the
10 submission of the budget of the President to Congress
11 pursuant to section 1105(a) of title 31, United States
12 Code, for fiscal year 2025—

13 (1) the Secretary of the Air Force shall submit
14 to the congressional defense committees and the
15 Comptroller General of the United States the mat-
16 rices described in subsection (b) relating to the Next
17 Generation Air Dominance piloted fighter aircraft
18 and the autonomous, uncrewed Collaborative Com-
19 bat Aircraft programs of the Air Force; and

20 (2) the Secretary of the Navy shall submit to
21 the congressional defense committees and the Comp-
22 troller General of the United States the matrices de-
23 scribed in subsection (b) relating to the Next Gen-
24 eration Air Dominance piloted fighter aircraft and
25 the autonomous, uncrewed Collaborative Combat

1 Aircraft programs of the Navy and the Marine
2 Corps.

3 (b) MATRICES DESCRIBED.—The matrices described
4 in this subsection are the following:

5 (1) ENGINEERING MANUFACTURING AND DE-
6 VELOPMENT GOALS.—A matrix that identifies, in six
7 month increments, key milestones, development and
8 testing events, and specific performance goals for
9 the engineering manufacturing and development
10 phase (referred to in this section as the “EMD
11 phase”) of the programs described in subsection (a),
12 and which shall be subdivided, at a minimum, ac-
13 cording to the following:

14 (A) Technology readiness levels of major
15 components and subsystems and key dem-
16 onstration and testing events.

17 (B) Design maturity.

18 (C) Software maturity.

19 (D) Subsystem and system-level integra-
20 tion maturity.

21 (E) Manufacturing readiness levels for
22 critical manufacturing operations and key dem-
23 onstration and testing events.

24 (F) Manufacturing operations.

1 (G) System verification, validation, and
2 key flight test events.

3 (H) Reliability.

4 (I) Availability for flight operations.

5 (J) Maintainability.

6 (2) COST.—A matrix expressing, in six month
7 increments, the total cost for the Secretary's service
8 cost position for the EMD phase and low initial rate
9 of production lots of the programs described in sub-
10 section (a) and a matrix expressing the total cost for
11 the prime contractor's estimate for such EMD phase
12 and production lots, both of which shall be phased
13 over the entire EMD period and subdivided accord-
14 ing to the costs of the following:

15 (A) Air vehicle.

16 (B) Propulsion.

17 (C) Mission systems.

18 (D) Vehicle subsystems.

19 (E) Air vehicle software.

20 (F) Systems engineering.

21 (G) Program management.

22 (H) System test and evaluation.

23 (I) Support and training systems.

24 (J) Contract fee.

25 (K) Engineering changes.

1 (L) Direct mission support, including Con-
2 gressional General Reductions.

3 (M) Government testing.

4 (N) Ancillary aircraft equipment.

5 (O) Initial spares.

6 (P) Contractor support.

7 (Q) Modifications.

8 (c) SEMIANNUAL UPDATE OF MATRICES.—

9 (1) IN GENERAL.—Each Secretary concerned
10 shall submit to the congressional defense committees
11 and the Comptroller General of the United States
12 updates to the matrices described in subsection (b)
13 as follows:

14 (A) The first update shall be submitted not
15 later than 180 days after the date on which the
16 Secretaries concerned submit the initial mat-
17 rices as required by subsection (a).

18 (B) Following the first update under para-
19 graph (1), additional updates shall be sub-
20 mitted—

21 (i) concurrent with the submission of
22 the budget of the President to Congress
23 pursuant to section 1105(a) of title 31,
24 United States Code, for each fiscal year;
25 and

1 (ii) not later than 180 days after each
2 such submittal.

3 (2) ELEMENTS.—Each update submitted under
4 paragraph (1) shall detail progress made toward the
5 goals identified in the matrix described in subsection
6 (b)(1) and provide updated cost estimates as de-
7 scribed in subsection (b)(2).

8 (3) TREATMENT OF INITIAL MATRICES AS
9 BASELINE.—The initial matrices submitted pursuant
10 to subsection (a) shall be treated as the baseline for
11 the full EMD phase and low-rate initial production
12 of the programs described in subsection (a) for pur-
13 poses of the updates submitted pursuant to para-
14 graph (1) of this subsection.

15 (d) ASSESSMENT BY COMPTROLLER GENERAL OF
16 THE UNITED STATES.—Not later than the date that is
17 60 days after the date on which the Comptroller General
18 of the United States receives an update to a matrix under
19 subsection (c)(1), the Comptroller General shall review the
20 sufficiency of such matrix and submit to the congressional
21 defense committees an assessment of such matrix, includ-
22 ing by identifying cost, schedule, or performance trends.

23 (e) KEY PERFORMANCE PARAMETER REQUIRE-
24 MENTS.—

1 (1) IN GENERAL.—Each Secretary concerned
2 shall develop key performance parameters (referred
3 to in this section as “cost KPPs”) for the threshold
4 and objective costs of the programs described in sub-
5 section (a) under the jurisdiction of such Secretary
6 and shall include those values as program perform-
7 ance requirements in any capability development
8 document or system requirements document for the
9 program involved. Each cost KPP shall include, for
10 each cost category specified in paragraph (2)—

11 (A) a threshold value indicating the high-
12 est acceptable cost for that category, as deter-
13 mined by the Secretary concerned; and

14 (B) an objective value indicating the lowest
15 cost expected to be achieved for that category,
16 as determined by the Secretary concerned.

17 (2) COST CATEGORIES SPECIFIED.—The cost
18 categories specified in this paragraph are the fol-
19 lowing:

20 (A) Unit recurring flyaway cost.

21 (B) Average procurement unit cost.

22 (C) Gross/weapon system unit cost.

23 (D) Aircraft cost-per-tail-per-year.

24 (E) Aircraft cost-per-flight-hour.

1 (f) DEFINITIONS.—In this section, the term “Sec-
2 retary concerned” means—

3 (1) the Secretary of the Navy, with respect to
4 aircraft programs of the Navy and the Marine
5 Corps; and

6 (2) the Secretary of the Air Force, with respect
7 to aircraft programs of the Air Force.

8 **SEC. 225. CONTINUOUS CAPABILITY DEVELOPMENT AND**
9 **DELIVERY PROGRAM FOR F-35 AIRCRAFT.**

10 (a) DESIGNATION OF MAJOR SUBPROGRAM.—In ac-
11 cordance with section 4203 of title 10, United States
12 Code, the Secretary of Defense shall designate all Block
13 4 and Technical Refresh-3 elements of the F-35 aircraft
14 acquisition program, collectively, as a single major subpro-
15 gram of the F-35 aircraft acquisition program.

16 (b) PROCUREMENT OF F-35 DEVELOPMENTAL
17 TESTING AIRCRAFT.—

18 (1) IN GENERAL.—From the aircraft described
19 in paragraph (2), the Program Executive Officer for
20 the F-35 aircraft program shall designate two F-
21 35A aircraft, two F-35B aircraft, and two F-35C
22 aircraft to be manufactured and delivered, by not
23 later than the end of 2030, in a necessary configura-
24 tion that would adequately support future F-35 de-
25 velopmental testing activities.

1 (2) AIRCRAFT DESCRIBED.—The aircraft de-
2 scribed in this paragraph are F-35 aircraft to be
3 procured—

4 (A) as part of the Lot 19 production lot or
5 a subsequent production lot for F-35 aircraft;
6 and

7 (B) using funds made available for fiscal
8 year 2024 or a subsequent fiscal year for the
9 procurement of F-35 aircraft.

10 **SEC. 226. F-35 PROPULSION AND THERMAL MANAGEMENT**
11 **MODERNIZATION PROGRAM.**

12 (a) ESTABLISHMENT AND VALIDATION OF REQUIRE-
13 MENTS.—The Secretary of the Air Force (with respect to
14 F-35A aircraft of the Air Force) and the Secretary of the
15 Navy (with respect to F-35B and F-35C aircraft of the
16 Navy and the Marine Corps) shall each—

17 (1) establish requirements for the propulsion,
18 power and cooling, thermal management, and elec-
19 trical power systems of the F-35 aircraft system
20 that adequately support the planned service-life and
21 all planned mission systems hardware and software
22 capability upgrades for such aircraft system;

23 (2) validate the requirements; and

1 (3) promptly provide the validated requirements
2 to the Program Executive Officer for the F-35 air-
3 craft acquisition program.

4 (b) COST-BENEFIT AND TECHNICAL RISK ANAL-
5 YSIS.—

6 (1) IN GENERAL.—Based on the requirements
7 established and validated under subsection (a), the
8 Program Executive Officer for the F-35 aircraft ac-
9 quisition program shall conduct a complete and com-
10 prehensive cost-benefit and technical risk analysis
11 that evaluates and determines the upgrades and
12 modernization required of the F-35 aircraft system
13 to support all of the requirements established under
14 such subsection.

15 (2) ELEMENTS.—The cost-benefit and technical
16 risk analysis conducted under paragraph (1) shall
17 assess, at a minimum, the cost, risk, modernization,
18 integration activities, and acquisition strategy re-
19 quired for the upgrade and modernization options
20 available for the following major subsystems of F-
21 35 aircraft:

22 (A) The aircraft propulsion system and
23 gearbox.

24 (B) The power and thermal management
25 system.

1 (C) The fuel thermal management system.

2 (D) The electrical power system.

3 (E) The engine ice protection system.

4 (F) Mission systems hardware, avionics,
5 sensors, and weapons.

6 (G) Any additional systems of the F-35
7 aircraft system the Program Executive Officer
8 determines to be relevant to support the
9 planned service-life requirements for each vari-
10 ant of such aircraft.

11 (3) LIMITATION ON COMMENCEMENT.—The
12 Program Executive Officer may not commence the
13 analysis required under paragraph (1) until the re-
14 quirements established under subsection (a) have
15 been provided to the Officer.

16 (4) INDEPENDENT COST ESTIMATE.—In addi-
17 tion to developing the cost-benefit analysis under
18 paragraph (1), the Program Executive Officer shall
19 also obtain an independent cost estimate from an or-
20 ganization within the Department of Defense that is
21 not directly associated with the Office of the Pro-
22 gram Executive Officer, the Department of the Air
23 Force, or the Department of the Navy.

24 (5) REPORT.—Following the completion of the
25 analysis under paragraph (1) and the independent

1 cost estimate under paragraph (4), but not later
2 than July 1, 2024, the Program Executive Officer
3 shall submit to the congressional defense commit-
4 tees—

5 (A) a report on the results of the analysis
6 under paragraph (1); and

7 (B) a copy of the cost estimate obtained
8 under paragraph (4).

9 (c) DESIGNATION OF MAJOR SUBPROGRAM.—In ac-
10 cordance with section 4203 of title 10, United States
11 Code, the Secretary of Defense shall designate all activi-
12 ties relating to the modernization, upgrade, and integra-
13 tion of the major subsystems included in the analysis
14 under subsection (b)(1), collectively, as a single major sub-
15 program of the F–35 aircraft acquisition program.

16 **SEC. 227. ESTABLISHMENT OR EXPANSION OF UNIVERSITY**
17 **AFFILIATED RESEARCH CENTERS FOR CRIT-**
18 **ICAL MATERIALS.**

19 (a) FEASIBILITY AND ADVISABILITY ASSESSMENT.—
20 The Secretary of Defense, in consultation with the Under
21 Secretary of Defense for Research and Engineering,
22 shall—

23 (1) assess the feasibility and advisability of es-
24 tablishing a new University Affiliated Research Cen-
25 ter (in this section referred to as a “UARC”) or ex-

1 panding an existing UARC at a specified covered
2 educational institution; and

3 (2) submit a recommendation regarding the fea-
4 sibility and advisability of such establishment or ex-
5 pansion to the congressional defense committees.

6 (b) DETERMINATION.—Not later than 15 days after
7 submitting the assessment required under subsection (a)
8 the Secretary of Defense shall determine whether it is fea-
9 sible and advisable to establish or expand a UARC and—

10 (1) for a positive determination, submit to the
11 congressional defense committees a plan described in
12 subsection (c); and

13 (2) for a negative determination, submit to the
14 congressional defense committees a justification for
15 such determination that includes the data and anal-
16 ysis to support such determination.

17 (c) PLAN.—If the Secretary of Defense determines
18 that establishing or expanding a UARC is feasible and ad-
19 visable under subsection (b), the Secretary shall submit
20 to the congressional defense committees a plan for such
21 establishment or expansion, including an assessment of
22 the institutional capacity of the covered educational insti-
23 tution at which such UARC is to be established or ex-
24 panded.

1 (d) ELEMENTS.—The plan described in subsection
2 (c) shall include the following:

3 (1) An assessment of the engineering, applied
4 research, commercialization, or workforce develop-
5 ment capabilities relating to critical materials for na-
6 tional security purposes of the United States of the
7 covered educational institution at which the UARC
8 will be established or expanded, including an assess-
9 ment of the personnel and physical research infra-
10 structure of such institution.

11 (2) An assessment of the ability of such institu-
12 tion—

13 (A) to participate in engineering, applied
14 research, commercialization, and workforce de-
15 velopment activities relating to critical materials
16 for national security purposes of the United
17 States;

18 (B) to effectively compete for engineering,
19 applied research, commercialization, and work-
20 force development contracts and grants relating
21 to critical materials for national security pur-
22 poses of the United States; and

23 (C) to support the mission of the Under
24 Secretary.

1 (3) An assessment of the activities and invest-
2 ments necessary—

3 (A) to augment facilities or educational
4 programming at such institution—

5 (i) to support the mission of the
6 Under Secretary;

7 (ii) to access, secure, and conduct re-
8 search relating to sensitive or classified in-
9 formation; and

10 (iii) to respond quickly to emerging
11 engineering, applied research, commer-
12 cialization, and workforce development
13 needs relating to critical materials;

14 (B) to increase the participation of such
15 institutions in engineering, applied research,
16 commercialization, and workforce development
17 activities; and

18 (C) to increase the ability of such institu-
19 tions to effectively compete for engineering, ap-
20 plied research, commercialization, and work-
21 force development contracts and grants.

22 (4) Recommendations identifying actions that
23 may be taken by the Secretary, the Under Secretary,
24 Congress, such institutions, and other organizations
25 to increase the participation of such institutions in

1 engineering, applied research, commercialization,
2 and workforce development activities, contracts, and
3 grants relating to critical materials.

4 (5) Any specific goals, incentives, and metrics
5 developed by the Secretary to increase and measure
6 the capacity of such institutions to address the engi-
7 neering, applied research, commercialization, and
8 workforce development needs of the Department of
9 Defense relating to critical materials.

10 (e) REPORT REQUIRED.—Not later than one year
11 after the date of the enactment of this Act, the Secretary
12 shall—

13 (1) submit to the congressional defense commit-
14 tees a report that includes the plan developed under
15 this subsection; and

16 (2) make the plan available on a publicly acces-
17 sible website of the Department of Defense.

18 (f) SUPPORT TO COVERED EDUCATIONAL INSTITU-
19 TIONS.—

20 (1) IN GENERAL.—The Under Secretary of De-
21 fense for Research and Engineering may establish a
22 program to award contracts, grants, or other agree-
23 ments on a competitive basis to a covered edu-
24 cational institution, and to perform other appro-

1 appropriate activities, for the purposes described in para-
2 graph (2).

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

5 (A) Developing the capability, including
6 workforce and research infrastructure capabili-
7 ties, for covered educational institutions to
8 more effectively compete for Federal engineer-
9 ing, applied research, commercialization, and
10 workforce development funding opportunities.

11 (B) Improving the capability of covered
12 educational institutions to—

13 (i) recruit and retain research faculty;

14 (ii) participate in appropriate per-
15 sonnel exchange programs; and

16 (iii) participate in appropriate edu-
17 cational and career development activities.

18 (C) Any other purposes the Under Sec-
19 retary determines appropriate for enhancing the
20 engineering, applied research, commercializa-
21 tion, and development capabilities of covered
22 educational institutions.

23 (g) DEFINITIONS.—In this section:

24 (1) COVERED EDUCATIONAL INSTITUTION.—

25 The term “covered educational institution” means—

1 (A) a mining, metallurgical, geological, or
2 mineral engineering program—

3 (i) accredited by a non-governmental
4 organization that accredits post-secondary
5 education programs in applied and natural
6 science, engineering technology, and com-
7 puting; and

8 (ii) located at an institution of higher
9 education; or

10 (B) any other post-secondary educational
11 institution with a geology or engineering pro-
12 gram or department that has experience in min-
13 ing research or work with the mining industry.

14 (2) CRITICAL MATERIALS.—The term “critical
15 materials” means materials designated as strategic
16 and critical under section 3(a) of the Strategic and
17 Critical Materials Stock Piling Act (50 U.S.C.
18 98b(a)).

19 (3) INSTITUTION OF HIGHER EDUCATION.—For
20 purposes of paragraph (1), the term “institution of
21 higher education” has the meaning given in section
22 101 of the Higher Education Act of 1965 (20
23 U.S.C. 1001).

1 **SEC. 228. POLICIES FOR MANAGEMENT AND CERTIFI-**
2 **CATION OF LINK 16 MILITARY TACTICAL**
3 **DATA LINK NETWORK.**

4 (a) **POLICIES REQUIRED.**—The Secretary of Defense
5 shall develop and implement policies to adapt Link 16 sys-
6 tem management and certification to align with agile de-
7 velopment practices.

8 (b) **ELEMENTS.**—The policies required by subsection
9 (a) shall include the following:

10 (1) A standardized process through a Chair-
11 man, Joint Chiefs of Staff Manual, to allow Link 16
12 frequency use within approved special use airspaces
13 for the purpose of testing radio systems and associ-
14 ated software that have not completed electro-
15 magnetic compatibility features certification. Such
16 process—

17 (A) shall, at a minimum, ensure routine
18 and continued approval for test operations of
19 developmental systems in the Nevada Test and
20 Training Range, Restricted Area 2508, Warn-
21 ing Area 151/470, Warning Area 386, and the
22 Joint Pacific Alaska Range Complex; and

23 (B) may incorporate standardized mitiga-
24 tions that enable routine approval including ef-
25 fective radiated power settings and coordination
26 for rapid test termination.

1 (2) Processes to streamline approval or denial
2 of temporary frequency assignment for Link 16 op-
3 erations to not more than 15 days for test, training,
4 and large-scale exercises. In developing such proc-
5 esses, the Secretary of Defense—

6 (A) shall ensure that the processes cover
7 operations in excess of uncoordinated oper-
8 ations time slot duty factor limits, inclusion of
9 foreign participants, and participation of non-
10 stage 4 approved terminals or platforms; and

11 (B) consider delegating sole authority for
12 temporary frequency assignment to the Depart-
13 ment of Defense and the automation of deci-
14 sion-making processes relating to such assign-
15 ments.

16 (3) Delegation of authority to the system man-
17 ager for Link 16 to determine when new software
18 within Department of Defense Link 16 terminals af-
19 fects electromagnetic compatibility features and re-
20 quires recertification.

21 (4) The self-certification by the Department of
22 Defense of the compliance of the Department's ra-
23 dios with electromagnetic compatibility features.

24 (5) Processes to internally manage Link 16 un-
25 coordinated operations that enable approval for test,

1 training, and exercises that does not exceed 15 days
2 for systems holding an active radio frequency au-
3 thorization or temporary frequency assignment.

4 (c) INFORMATION TO CONGRESS.—Not later than
5 180 days after the date of the enactment of this Act, the
6 Secretary of Defense shall provide to the congressional de-
7 fense committees—

8 (1) a briefing on the policies developed under
9 subsection (a), along with a timeline for implementa-
10 tion of such policies; and

11 (2) a list of such additional resources or au-
12 thorities as the Secretary determines may be re-
13 quired to implement such policies.

14 (d) TESTING REQUIRED.—

15 (1) IN GENERAL.—In conjunction with the de-
16 velopment of the policies required under subsection
17 (a), the Secretary of Defense shall conduct, sponsor,
18 or review testing and analysis that determines if any
19 effects on air traffic systems are possible due to
20 Link 16 terminals which have not completed electro-
21 magnetic compatibility features certification and
22 quantifies any such effects. Such testing shall evalu-
23 ate Link 16 transmission within plus or minus 7
24 megahertz of the 1030 and 1090 megahertz fre-
25 quency bands to determine if effects on air traffic

1 systems are possible, under what conditions such ef-
2 fects could occur, and the impact of such effects.

3 (2) REPORT.—Not later than 180 days after
4 the date of the enactment of this Act, the Secretary
5 of Defense shall submit to the congressional defense
6 committees a report on the results of the testing
7 conducted under paragraph (1), with an emphasis
8 on procedures that the Secretary intends to imple-
9 ment to negate harmful effects on air traffic from
10 the use of Link 16 terminals or platforms that have
11 not completed electromagnetic compatibility features
12 certification, within special use airspace.

13 **SEC. 229. RAPID RESPONSE TO EMERGENT TECHNOLOGY**
14 **ADVANCEMENTS OR THREATS.**

15 (a) AUTHORITIES.—Upon approval by the Secretary
16 of Defense of a determination described in subsection (b),
17 the Secretary of a military department may use the rapid
18 acquisition and funding authorities established pursuant
19 to section 3601 of title 10, United States Code, to initiate
20 urgent or emerging operational development activities for
21 a period of up to one year, in order to—

22 (1) leverage an emergent technological advance-
23 ment of value to the national defense to address a
24 military service-specific need; or

1 (2) provide a rapid response to an emerging
2 threat identified by a military service.

3 (b) DETERMINATION.—A determination described in
4 this subsection is a determination by the Secretary of a
5 military department submitted in writing to the Secretary
6 of Defense that provides the following:

7 (1) Identification of a compelling urgent or
8 emergency national security need to immediately ini-
9 tiate development activity in anticipation of a pro-
10 gramming or budgeting action, in order to leverage
11 an emergent technological advancement or provide a
12 rapid response to an emerging threat.

13 (2) Justification for why the effort cannot be
14 delayed until the next submission of the budget of
15 the President (under section 1105(a) of title 31,
16 United States Code) without harming the national
17 defense.

18 (3) Funding is identified for the effort in the
19 current fiscal year to initiate the activity.

20 (4) An appropriate acquisition pathway and
21 programmed funding for transition to continued de-
22 velopment, integration, or sustainment is identified
23 to on-ramp this activity within two years.

24 (c) ADDITIONAL PROCEDURES.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense shall amend the procedures for the
4 rapid acquisition and deployment of capabilities
5 needed in response to urgent operational needs pre-
6 scribed pursuant to such section 3601 to carry out
7 this section. Such updated procedures shall be pro-
8 vided to the congressional defense committees con-
9 currently with the promulgation to the rest of the
10 Department of Defense.

11 (2) REQUIREMENTS TO BE INCLUDED.—The
12 procedures amended under paragraph (1) shall in-
13 clude the following requirements:

14 (A) FUNDING.—(i) Subject to clause (ii),
15 in any fiscal year in which a determination de-
16 scribed in subsection (b) is made, the Secretary
17 of the military department making the deter-
18 mination may initiate the activities authorized
19 under subsection (a) using any funds available
20 to the Secretary for such fiscal year for—

21 (I) procurement; or

22 (II) research, development, test, and
23 evaluation.

24 (ii) The total cost of all developmental ac-
25 tivities within the Department of Defense, fund-

1 ed under this section, may not exceed
2 \$100,000,000 for any fiscal year.

3 (B) WAIVER AUTHORITY.—(i) Subject to
4 clause (ii), the Secretary of the military depart-
5 ment making a determination under subsection
6 (b) may issue a waiver under subsection (d) of
7 such section 3601.

8 (ii) Chapter 221 of title 10, United States
9 Code, may not be waived pursuant to clause (i).

10 (C) TRANSITION.—(i) Any acquisition ini-
11 tiated under subsection (a) shall transition to
12 an appropriate acquisition pathway for transi-
13 tion and integration of the development activity,
14 or be transitioned to a newly established pro-
15 gram element or procurement line for comple-
16 tion of such activity.

17 (ii)(I) Transition shall be completed within
18 one year of initiation, but may be extended one
19 time only at the discretion of the Secretary of
20 the military department for one additional year.

21 (II) In the event an extension determina-
22 tion is made under subclause (I), the affected
23 Secretary of the military department shall sub-
24 mit to the congressional defense committees,
25 not later than 30 days before the extension

1 takes effect, written notification of the exten-
2 sion with a justification for the extension.

3 (3) SUBMITTAL TO CONGRESS.—Concurrent
4 with promulgation to the Department of the amend-
5 ments to the procedures under paragraph (1), the
6 Secretary shall submit to the congressional defense
7 committees the procedures updated by such amend-
8 ments.

9 (d) CONGRESSIONAL NOTIFICATION.—Within 15
10 days after the Secretary of Defense approves a determina-
11 tion described in subsection (b), the Secretary of the mili-
12 tary department making the determination shall provide
13 written notification of such determination to the congres-
14 sional defense committees following the procedures for no-
15 tification in subsections (c)(4)(D) and (c)(4)(F) of such
16 section 3601. A notice under this subsection shall be suffi-
17 cient to fulfill any requirement to provide notification to
18 Congress for a new start program.

19 **SEC. 230. PILOT PROGRAM TO COMMERCIALIZE PROTO-**
20 **TYPES OF THE DEPARTMENT OF THE AIR**
21 **FORCE.**

22 (a) IN GENERAL.—Not later than one year after the
23 date of the enactment of this Act, the Secretary of the
24 Air Force, acting through the Assistant Secretary of the
25 Air Force for Acquisition, Technology, and Logistics, shall

1 carry out a pilot program under which the Secretary iden-
2 tifies prototypes under development by the Department of
3 the Air Force that have the potential to be developed into
4 commercial products and provides support to qualified en-
5 tities to carry out projects to commercialize such proto-
6 types.

7 (b) FORM OF SUPPORT.—The support provided to a
8 qualified entity under subsection (a) may include the
9 award of—

10 (1) a grant;

11 (2) a contract or other agreement; or

12 (3) such other form of support as the Secretary
13 of the Air Force determines appropriate.

14 (c) AMOUNT.—The total value of support awarded to
15 a qualified entity under this section may not exceed
16 \$10,000,000.

17 (d) FUNDING.—The Secretary of the Air Force shall
18 carry out the pilot program under this section using funds
19 designated as budget activity 6 (RDT&E management
20 support) or budget activity 4 (Advanced Component De-
21 velopment and Prototypes) as those budget activity classi-
22 fications are set forth in volume 2B, chapter 5 of the De-
23 partment of Defense Financial Management Regulation
24 (DOD 7000.14-R).

25 (e) APPLICATION.—

1 (1) IN GENERAL.—A qualified entity that seeks
2 an award of support under this section shall submit
3 an application to the Secretary of the Air Force at
4 such time, in such manner, and containing such in-
5 formation as the Secretary may require.

6 (2) CONTENTS.—As part of the application re-
7 quired under paragraph (1), a qualified entity
8 shall—

9 (A) outline measures the entity will imple-
10 ment to give the Department of Defense pur-
11 chasing priority when supply chain issues are a
12 factor;

13 (B) certify that the entity will, with respect
14 to the export of any such product, comply
15 with—

16 (i) International Traffic in Arms Reg-
17 ulations under subchapter M of chapter I
18 of title 22, Code of Federal Regulations (or
19 any successor regulations); and

20 (ii) any other applicable export re-
21 strictions; and

22 (C) acknowledge that the entity may seek
23 advice and assistance from the Department of
24 the Air Force and the Department of State in
25 the event that the export restrictions applicable

1 to a commercial product developed with support
2 under this section—

3 (i) are more restrictive than the ex-
4 port restrictions applicable to the compo-
5 nent technologies that comprise the prod-
6 uct; and

7 (ii) are expected to unnecessarily im-
8 pede the ability to make the product com-
9 mercially available outside the United
10 States.

11 (f) BRIEFING.—Not later than December 31, 2024,
12 the Assistant Secretary of the Air Force for Acquisition,
13 Technology, and Logistics shall provide to the congres-
14 sional defense committees a briefing on the implementa-
15 tion of the pilot program under this section and any re-
16 lated policy issues.

17 (g) NOTICE TO CONGRESS.—Not later than 30 days
18 after each instance in which the Assistant Secretary of the
19 Air Force for Acquisition, Technology, and Logistics
20 awards support to a qualified entity under this section,
21 the Assistant Secretary shall submit to the congressional
22 defense committees notice of such award.

23 (h) TERMINATION.—The pilot program under this
24 section shall terminate on the date that is five years after
25 the date of the enactment of this Act.

1 (i) DEFINITIONS.—In this section:

2 (1) The term “commercialize”, when used with
3 respect to a prototype, means to transition a proto-
4 type into a commercial product.

5 (2) The term “commercial product” has the
6 meaning given that term in section 103 of title 41,
7 United States Code.

8 (3) The term “qualified entity” means an indi-
9 vidual or entity the Secretary of the Air Force deter-
10 mines to be qualified to participate in the pilot pro-
11 gram under this section.

12 **SEC. 231. PILOT PROGRAM ON NEAR-TERM QUANTUM COM-**
13 **PUTING APPLICATIONS.**

14 (a) PILOT PROGRAM.—The Secretary of Defense may
15 carry out a pilot program under which the Secretary, in
16 partnership with the entities specified in subsection (b),
17 establishes and operates a program that enables organiza-
18 tions of the Department of Defense, including the Armed
19 Forces, to test and evaluate how quantum and quantum-
20 hybrid applications may be used—

21 (1) to solve technical problems and research
22 challenges identified under section 234(e) of the
23 John S. McCain National Defense Authorization Act
24 for Fiscal Year 2019 (Public Law 115–232; 10
25 U.S.C. 4001 note) and such other near-term tech-

1 nical problems and challenges facing the Department
2 and the Armed Forces as the Secretary may identify;
3 and

4 (2) to provide capabilities needed by the Department
5 and the Armed Forces in the near-term.

6 (b) ENTITIES SPECIFIED.—The Secretary of Defense
7 shall seek to carry out the pilot program under subsection

8 (a) in partnership with—

9 (1) a federally funded research and development
10 center, university affiliated research center, center of
11 excellence, or similar entity; and

12 (2) one or more private-sector entities with expertise
13 in quantum computing and quantum information science.

15 (c) ACTIVITIES.—Under the pilot program, the Secretary
16 of Defense, in partnership with the entities specified
17 in subsection (b), may—

18 (1) convene a group of experts and organizations
19 to identify and articulate challenges faced by the Department
20 of Defense, including the Armed Forces, that have the potential
21 to be addressed by quantum and quantum-hybrid applications;

22 (2) develop and mature demonstrations, proofs
23 of concept, pilot programs, and other measures to
24

1 address the challenges identified under paragraph
2 (1) using quantum and quantum-hybrid applications;

3 (3) develop pathways through which successful
4 demonstrations, proofs of concept, pilot programs,
5 and other measures developed and matured under
6 paragraph (2) may be transitioned to more advanced
7 stages of research and development or into oper-
8 ational use within the Department;

9 (4) ensure that any quantum-based or quan-
10 tum-hybrid application-based solutions identified
11 under the program are capable of development and
12 deployment within the period covered by the most
13 recent future-years defense program submitted to
14 Congress under section 221 of title 10, United
15 States Code (as of the time of the pilot program);

16 (4) assess the utility of commercial quantum
17 and quantum-hybrid applications for meeting the
18 near-term needs of warfighters; and

19 (5) seek to build and strengthen relationships
20 between the Department of Defense, academic insti-
21 tutions, small businesses, and nontraditional defense
22 contractors (as defined in section 3014 of title 10,
23 United States Code) in the technology industry that
24 may have unused or underused solutions to specific

1 operational challenges of the Department relating to
2 quantum and quantum-hybrid applications.

3 (d) BRIEFING AND REPORTS.—

4 (1) INTERIM BRIEFING.—Not later than 30
5 days before commencing the pilot program under
6 subsection (a), the Secretary of Defense shall pro-
7 vide to the Committees on Armed Services of the
8 Senate and the House of Representatives a briefing
9 that—

10 (A) identifies the entities the Secretary in-
11 tends to partner with for the purposes of car-
12 rying out the pilot program, including—

13 (i) any entities specified in subsection

14 (b);

15 (ii) any of the Armed Forces; and

16 (iii) any other departments and agen-
17 cies of the Federal Government with pre-
18 existing quantum technology research ef-
19 forts; and

20 (B) describes the plan of the Secretary for
21 developing and operating the program.

22 (2) ANNUAL REPORT.—By December 1 of each
23 year in which the pilot program under subsection (a)
24 is carried out, the Secretary of Defense shall submit
25 to the Committees on Armed Services of the Senate

1 and the House of Representatives a report that in-
2 cludes—

3 (A) a description of the problem sets and
4 capabilities that were evaluated by organiza-
5 tions of the Department of Defense under the
6 program;

7 (B) an explanation of whether and to what
8 extent the program resulted in the identification
9 of potential solutions based on quantum and
10 quantum-hybrid applications;

11 (C) any potential barriers to the use of
12 quantum and quantum-hybrid applications to
13 solve near-term problems for the Department of
14 Defense, including the Armed Forces; and

15 (D) recommendations regarding how the
16 Department of Defense can better leverage and
17 deploy quantum and quantum-hybrid applica-
18 tions to address near-term military applications
19 and operational needs.

20 (e) TERMINATION.—The authority to carry out the
21 pilot program under subsection (a) shall terminate on Sep-
22 tember 30, 2026.

23 (f) DEFINITION.—In this section, the term “quantum
24 and quantum-hybrid applications” means algorithms and

1 applications which use quantum mechanics through quan-
2 tum processing units, including—

3 (1) quantum-classical hybrid applications which
4 are applications that use both quantum computing
5 and classical computing hardware systems;

6 (2) annealing and gate systems; and

7 (3) all qubit modalities (including super-
8 conducting, trapped-ion, neutral atom, and
9 photonics).

10 **SEC. 232. PILOT PROGRAM TO FACILITATE ACCESS TO AD-**
11 **VANCED TECHNOLOGY DEVELOPED BY**
12 **SMALL BUSINESSES FOR GROUND VEHICLE**
13 **SYSTEMS OF THE ARMY.**

14 (a) PROGRAM REQUIRED.—Beginning not later than
15 90 days after the date of the enactment of this Act, the
16 Secretary of the Army shall carry out a pilot program
17 under which the Secretary seeks to facilitate a contract
18 between the Ground Vehicle Systems Center of the Army
19 and a non-profit research institute for the purposes of im-
20 proving the ability of the Center to access advanced tech-
21 nology developed by a small business concern (as defined
22 under section 3 of the Small Business Act (15 U.S.C.
23 632)). Any such contract shall be a commercial solutions
24 opening contract entered into pursuant to section 3458
25 of title 10, United States Code.

1 (b) TERMINATION.—The authority to carry out the
2 pilot program under this section shall terminate five years
3 after the date of the enactment of this Act.

4 **SEC. 233. LIMITATION ON AVAILABILITY OF FUNDS PEND-**
5 **ING DOCUMENTATION ON FUTURE ATTACK**
6 **RECONNAISSANCE AIRCRAFT PROGRAM.**

7 Of the funds authorized to be appropriated by this
8 Act or otherwise made available for fiscal year 2024, and
9 available for the Office of the Secretary of the Army for
10 the travel of persons, not more than 70 percent may be
11 obligated or expended until the date on which the Sec-
12 retary submits to the congressional defense committees
13 the analysis of alternatives document for the Future At-
14 tack Reconnaissance Aircraft program.

15 **Subtitle C—Energetics and Other**
16 **Munitions Matters**

17 **SEC. 241. JOINT ENERGETICS TRANSITION OFFICE.**

18 (a) IN GENERAL.—Chapter 4 of title 10, United
19 States Code, is amended by adding at the end the fol-
20 lowing new section:

21 **“§ 148. Joint Energetics Transition Office**

22 **“(a) IN GENERAL.—**The Secretary of Defense shall
23 establish a Joint Energetics Transition Office (in this sec-
24 tion referred to as the ‘Office’) within the Department of
25 Defense. The Office shall carry out the activities described

1 in subsection (c) and shall have such other responsibilities
2 relating to energetic materials as the Secretary shall speci-
3 fy.

4 “(b) LEADERSHIP AND ADMINISTRATION.—

5 “(1) The Under Secretary of Defense for Ac-
6 quisition and Sustainment shall designate an indi-
7 vidual to serve as the head of the Office. The Under
8 Secretary shall select such individual from among of-
9 ficials of the Department of Defense serving in orga-
10 nizations under the jurisdiction of the Under Sec-
11 retary at the time of such designation. The head of
12 the Office shall—

13 “(A) report directly to the Under Secretary
14 of Defense for Acquisition and Sustainment;
15 and

16 “(B) coordinate, as appropriate, with the
17 Under Secretary of Defense for Research and
18 Engineering.

19 “(2) The Under Secretary of Defense for Re-
20 search and Engineering shall designate an individual
21 to serve as the deputy head of the Office. The Under
22 Secretary shall select such individual from among of-
23 ficials of the Department of Defense serving in orga-
24 nizations under the jurisdiction of the Under Sec-
25 retary at the time of such designation. The deputy

1 head of the Office shall report directly to the head
2 of the Office and to the Under Secretary of Defense
3 for Research and Engineering.

4 “(3) The head of the Office and deputy head of
5 the Office shall be responsible for the overall man-
6 agement and operation of the Office. The Under
7 Secretaries shall ensure that the head and deputy
8 head of the Office are not assigned outside duties
9 that would diminish their ability to effectively man-
10 age and operate the Office.

11 “(c) RESPONSIBILITIES.—The Office shall do the fol-
12 lowing:

13 “(1) Develop and periodically update an ener-
14 getic materials strategic plan and investment strat-
15 egy to guide investments in both new and legacy en-
16 ergetic materials and technologies across the entire
17 supply chain for the total life cycle of energetic ma-
18 terials, including raw materials, ingredients, propel-
19 lants, pyrotechnics, and explosives for munitions,
20 weapons, and propulsion systems. Such strategy and
21 plan shall provide for—

22 “(A) developing or supporting the develop-
23 ment of strategic plans for energetic materials
24 and technologies, including associated perform-
25 ance metrics for the Office, over the periods

1 covered by the future-years defense program re-
2 quired under section 221 of this title and the
3 program objective memorandum process;

4 “(B) initiating special studies or anal-
5 yses—

6 “(i) to determine targets that would
7 be optimally addressed or defeated by
8 weapons that incorporate novel energetic
9 materials; and

10 “(ii) to inform the program objective
11 memorandum process; and

12 “(C) identifying any shortfalls in the sup-
13 ply chain for energetic materials and developing
14 plans to alleviate any shortfalls through the ex-
15 pansion of the energetic materials industrial
16 base to include critical contractors, subcontrac-
17 tors, and suppliers.

18 “(2) Coordinate and ensure consistency and
19 congruity among research, development, test, and
20 evaluation efforts in energetic materials across the
21 Department of Defense—

22 “(A) to identify promising new energetic
23 materials and technologies;

24 “(B) to mature, integrate, prototype, test,
25 and demonstrate novel energetic materials and

1 technologies, including new materials and man-
2 ufacturing technologies;

3 “(C) to expedite testing, evaluation, and
4 acquisition of energetic materials and tech-
5 nologies to meet the emergent needs of the De-
6 partment, including the rapid integration of
7 promising new materials and other promising
8 energetic compounds into weapons platforms;

9 “(D) to identify or establish prototyping
10 demonstration venues to integrate advanced
11 technologies that speed the maturation and de-
12 ployment of energetic materials; and

13 “(E) to support collaboration among in-
14 dustry, academia, and elements of the Depart-
15 ment of Defense to transition energetic mate-
16 rials and technologies from the research and de-
17 velopment phase to production and operational
18 use within the Department.

19 “(3) Oversee a process to expedite—

20 “(A) the validation, verification, and ac-
21 creditation of modeling and simulation of ener-
22 getic materials for the development of require-
23 ments; and

24 “(B) the qualification process for energetic
25 materials, from discovery through transition to

1 production and integration into weapon sys-
2 tems.

3 “(4) Recommend changes to laws, regulations,
4 and policies that present barriers or extend timelines
5 for the expedited process described in paragraph (3).

6 “(5) Coordinate with other organizations in-
7 volved in energetic materials activities within the
8 Department of Defense, including the Armed
9 Forces, and across other departments and agencies
10 of the Federal Government.

11 “(6) Pursuant to the authority provided under
12 section 191 of this title, establish and manage a De-
13 partment of Defense Field Activity dedicated to sys-
14 tems engineering associated with energetic materials.
15 Such Field Activity shall be funded under budget ac-
16 tivity 3 (advanced technology development) or budg-
17 et activity 4 (advanced component development and
18 prototypes) (as such budget activity classifications
19 are set forth in volume 2B, chapter 5 of the Depart-
20 ment of Defense Financial Management Regulation
21 (DOD 7000.14-R)) to reduce technical risk, inte-
22 grate research, development, test, and evaluation,
23 and perform system demonstration programs of the
24 Department of Defense on novel energetic materials
25 for use in weapon systems.

1 “(7) Carry out such other responsibilities relat-
2 ing to energetic materials as the Secretary shall
3 specify.

4 “(d) ADDITIONAL REQUIREMENTS.—The Secretary
5 of Defense shall ensure that the Office is budgeted for and
6 funded in a manner sufficient to ensure the Office has
7 the staff and other resources necessary to effectively carry
8 out the responsibilities specified in subsection (c).

9 “(e) DEFINITIONS.—In this section, the term ‘ener-
10 getic materials’ means critical chemicals and formulations
11 that—

12 “(1) release large amounts of stored chemical
13 energy; and

14 “(2) are capable of being used as explosives,
15 propellants, pyrotechnics, and reactive materials
16 that—

17 “(A) create lethal effects in warheads in
18 kinetic weapons components and systems; or

19 “(B) increase propellant performance in a
20 weapon propulsion system as related to lethal
21 effects, range, or speed.”.

22 (b) STATUS REPORTS.—The Secretary of Defense
23 shall submit to the congressional defense committees—

24 (1) not later than 60 days after the date of the
25 enactment of this Act, a report on the status of the

1 establishment of Joint Energetics Transition Office
2 under section 148 of title 10, United States Code,
3 as added by subsection (a);

4 (2) not later than one year after such date of
5 enactment, a report on the measures taken to pro-
6 vide the Joint Energetics Transition Office with the
7 staff and resources necessary for the Office to carry
8 out the responsibilities specified in subsection (c) of
9 such section 148; and

10 (3) not later than two years after such date of
11 enactment, a report that includes the energetic ma-
12 terials strategic plan and investment strategy re-
13 quired under subsection (c)(1) of such section 148.

14 (c) ANNUAL REPORTS.—Not later than March 1,
15 2024, and not later than March 1 of each year thereafter
16 through 2029, the head of the Joint Energetics Transition
17 Office shall submit to the congressional defense commit-
18 tees a report that includes, with respect to the year cov-
19 ered by the report, the following information:

20 (1) A description of activities carried out in ac-
21 cordance with the energetic materials strategic plan
22 and investment strategy developed under section
23 148(c)(1) of title 10, United States Code, as added
24 by subsection (a) of this section, including—

1 (A) a description of any updates to the
2 performance metrics developed for purposes of
3 such plan and strategy; and

4 (B) an assessment of the performance of
5 the Office against those metrics.

6 (2) An overview of the research, development,
7 test, and evaluation efforts initiated or completed by
8 the Office.

9 (3) An overview of the efforts of the Office to
10 expedite qualification processes for energetic mate-
11 rials.

12 (4) An overview of efforts of the Office to co-
13 ordinate with other organizations involved in ener-
14 getic materials activities across the Department of
15 Defense and other departments and agencies of the
16 Federal Government.

17 **SEC. 242. CONSIDERATION OF LETHALITY IN THE ANALYSIS**
18 **OF ALTERNATIVES FOR MUNITIONS.**

19 (a) ANALYSIS OF ALTERNATIVES REVIEW.—The Sec-
20 retary of Defense shall ensure that lethality is considered
21 in any analysis of alternatives conducted prior to issuing
22 a capability development document for purposes of pro-
23 curing any new munition or modifying an existing muni-
24 tion.

1 (b) CONSIDERATION OF ENERGETIC MATERIALS.—
2 In assessing the lethality of a munition for purposes of
3 the analysis of alternatives described under subsection (a),
4 the Secretary of Defense shall include the margin of effec-
5 tiveness, increased system capacities, and cost implications
6 afforded by the potential use of novel or alternative ener-
7 getic materials in the munition to achieve increased explo-
8 sive effects.

9 (c) ENERGETIC MATERIALS DEFINED.—In this sec-
10 tion, the term “energetic materials” means critical chemi-
11 cals that—

12 (1) release large amounts of energy in a short
13 amount of time; and

14 (2) are capable of being used in explosives that
15 create lethal effects in warheads.

16 **SEC. 243. PILOT PROGRAM ON INCORPORATION OF THE**
17 **CL20 COMPOUND IN CERTAIN WEAPON SYS-**
18 **TEMS.**

19 (a) PILOT PROGRAM REQUIRED.—The Secretary of
20 Defense shall carry out a pilot program under which the
21 Secretary incorporates the CL20 compound as the ener-
22 getic material for the main fill in the warheads or propel-
23 lants of three weapon systems under development by the
24 Department of Defense for the purpose of determining

1 cost, schedule, and lethality performance parameters for
2 such systems.

3 (b) SELECTION OF WEAPON SYSTEMS.—Each of the
4 three weapon systems selected under subsection (a) shall
5 be a weapon system that does not, as of the date of the
6 enactment of this Act, already incorporate the CL20 com-
7 pound as the energetic material for the main fill in the
8 warhead or propellant of the system.

9 (c) TIMELINE FOR INTEGRATION.—The Secretary of
10 Defense shall ensure that the CL20 energetic compound
11 is integrated into each weapon system selected under sub-
12 section (a) by not later than three years after the date
13 of the enactment of this Act.

14 (d) BRIEFING.—Not later than one year after the
15 date of the enactment of this Act, the Secretary of Defense
16 shall provide to the congressional defense committees a
17 briefing on progress of the Secretary in carrying out the
18 pilot program under this section, including—

19 (1) identification of the weapon systems se-
20 lected by the Secretary under subsection (a);

21 (2) with respect to each such weapon system,
22 identification of—

23 (A) a timeline for incorporating the CL20
24 energetic compound into such weapon system;

1 (B) the organization within the Depart-
2 ment of Defense responsible for carrying out
3 activities under the pilot program for such
4 weapon system; and

5 (C) any locations at which testing associ-
6 ated with such weapon system under the pro-
7 gram is expected to be carried out; and

8 (3) the baseline cost, schedule, and lethality ob-
9 jectives that will be used to evaluate the perform-
10 ance of weapon systems under the program.

11 (e) DEFINITIONS.—In this section, the term “ener-
12 getic material” means critical chemicals and formulations
13 that—

14 (1) release large amounts of stored chemical en-
15 ergy; and

16 (2) are capable of being used as explosives, pro-
17 pellants, pyrotechnics, and reactive materials that—

18 (A) create lethal effects in warheads in ki-
19 netic weapons components and systems; or

20 (B) increase propellant performance in a
21 weapon propulsion system as related to lethal
22 effects, range, or speed.

1 **SEC. 244. LIMITATION ON SOURCING CHEMICAL MATE-**
2 **RIALS FOR MUNITIONS FROM CERTAIN**
3 **COUNTRIES.**

4 (a) **LIMITATION.**—The Secretary of Defense may not
5 procure a chemical material for munitions specified in sub-
6 section (b) from any country specified in subsection (c).

7 (b) **CHEMICAL MATERIALS SPECIFIED.**—The chem-
8 ical materials for munitions specified in this subsection are
9 the chemicals listed under the heading “Task 1: Domestic
10 Production of Critical Chemicals” in section 3.0E of the
11 document of the Department of Defense titled “Statement
12 of Objectives (SOO) for Critical Chemicals Production”
13 (FOA: FA8650-19-S-5010, Appendix VI, Call: 012) and
14 dated December 5, 2022.

15 (c) **COUNTRIES SPECIFIED.**—The countries specified
16 in this subsection are the following:

- 17 (1) The People’s Republic of China.
18 (2) The Russian Federation.
19 (3) The Islamic Republic of Iran.
20 (4) The Democratic People’s Republic of North
21 Korea.

22 (d) **EFFECTIVE DATE.**—The requirements of this
23 section shall take effect on a date determined by the Sec-
24 retary of Defense that is not later than September 30,
25 2028.

1 **SEC. 245. DEFENSE INDUSTRIAL BASE MUNITION SURGE**
2 **CAPACITY CRITICAL RESERVE.**

3 (a) IN GENERAL.—The Under Secretary of Defense
4 for Acquisition and Sustainment, in coordination with the
5 service acquisition executive of each military department,
6 may establish a reserve of long-lead items and components
7 to accelerate the delivery of munitions described in section
8 222c(e) of title 10, United States Code.

9 (b) QUANTITY.—The quantity of long-lead items and
10 components reserved pursuant to subsection (a) should be
11 in amounts commensurate to fulfill the requirements iden-
12 tified as Out-Year Unconstrained Total Munitions Re-
13 quirement and Out-Year inventory numbers under section
14 222c(a) of title 10, United States Code.

15 (c) AUTHORITY FOR ADVANCE PROCUREMENT.—The
16 Under Secretary of Defense for Acquisition and
17 Sustainment may enter into one or more contracts, begin-
18 ning in fiscal year 2024, for the advance procurement of
19 long-lead items and components, or economic order quan-
20 tities of such items and components when cost savings are
21 achievable, associated with munitions identified in sub-
22 section (a). Advance procurement authority may include
23 the cost of shipping, storage, tracking, maintenance, and
24 obsolescence management of long-lead items and compo-
25 nents while held in the reserve described in subsection (a).

1 (d) LIMITATIONS.—No long-lead item or component
2 may be procured under this section if the anticipated life
3 cycle of such item or component requires disposal due to
4 lack of military utility less than 8 years after such item
5 or component is procured.

6 (e) REPORT.—Not later than February 1, 2025, and
7 annually thereafter until February 1, 2030, the Under
8 Secretary of Defense for Acquisition and Sustainment
9 shall submit to the congressional defense committees a re-
10 port that describes the use of the authority under this sec-
11 tion, including—

12 (1) the type, number, and value of long-lead
13 items and components procured under each contrac-
14 tual action; and

15 (2) information about the location of storage of
16 such items and components.

17 (f) DEFINITIONS.—In this section:

18 (1) The term “long-lead item or component”
19 means a material, component, or subsystem of a mu-
20 nition that must be procured well in advance of the
21 need for such munition.

22 (2) The terms “service acquisition executive”
23 and “military department” have the meanings given,
24 respectively, in section 101 of title 10, United States
25 Code.

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

3 **SEC. 251. CONGRESSIONAL NOTIFICATION OF CHANGES TO**
4 **DEPARTMENT OF DEFENSE POLICY ON AU-**
5 **TONOMY IN WEAPON SYSTEMS.**

6 Not later than 30 days after making a modification
7 to Department of Defense Directive 3000.09 (relating to
8 autonomy in weapon systems) the Secretary of Defense
9 shall provide to the congressional defense committees a
10 briefing that includes—

- 11 (1) a description of the modification; and
12 (2) an explanation of the reasons for the modi-
13 fication.

14 **SEC. 252. AUDIT TO IDENTIFY DIVERSION OF DEPARTMENT**
15 **OF DEFENSE FUNDING TO CHINA'S RE-**
16 **SEARCH LABS.**

17 (a) IN GENERAL.—Not later than 180 days after the
18 date of the enactment of this Act, the Inspector General
19 of the Department of Defense shall conduct a study, and
20 submit a report to the congressional defense committees,
21 regarding the amount of Federal funds awarded by the
22 Department of Defense (whether directly or indirectly)
23 through grants, contracts, subgrants, subcontracts, or any
24 other type of agreement or collaboration, during the 10-

1 year period immediately preceding such date of enactment,
2 that—

3 (1) was provided, whether purposely or inad-
4 vertently, to—

5 (A) the People’s Republic of China;

6 (B) the Communist Party of China;

7 (C) the Wuhan Institute of Virology or any
8 other organization administered by the Chinese
9 Academy of Sciences;

10 (D) EcoHealth Alliance Inc. for work per-
11 formed in China on research supported by the
12 Government of China, including any subsidi-
13 aries and related organizations that are directly
14 controlled by EcoHealth Alliance, Inc.;

15 (E) the Academy of Military Medical
16 Sciences or any of its research institutes, in-
17 cluding the Beijing Institute of Microbiology
18 and Epidemiology; or

19 (F) any other lab, agency, organization, in-
20 dividual, or instrumentality that is owned, con-
21 trolled (directly or indirectly), or overseen (offi-
22 cially or unofficially) by any of the entities list-
23 ed in subparagraphs (A) through (E); or

24 (2) was used to fund research or experiments
25 that could have reasonably resulted in the enhance-

1 ment of any coronavirus, influenza, Nipah, Ebola, or
2 other pathogen of pandemic potential or chimeric
3 versions of such a virus or pathogen in the People’s
4 Republic of China or any other foreign country.

5 (b) IDENTIFICATION OF COUNTRIES AND PATHO-
6 GENS.—The report required under subsection (a) shall
7 specify—

8 (1) the countries in which the research or ex-
9 periments described in subsection (a)(2) was con-
10 ducted; and

11 (2) the pathogens involved in such research or
12 experiments.

13 **SEC. 253. ANNUAL REVIEW OF STATUS OF IMPLEMENTA-**
14 **TION PLAN FOR DIGITAL ENGINEERING CA-**
15 **REER TRACKS.**

16 Not less frequently than once each year until Decem-
17 ber 31, 2029, the Secretary of Defense shall—

18 (1) conduct an internal review of the status of
19 the implementation of the plan submitted to Con-
20 gress pursuant to section 230(b) of the National De-
21 fense Authorization Act for Fiscal Year 2020 (Pub-
22 lic Law 116–92; 10 U.S.C. 501 note prec.), which
23 shall include consideration of how the rapid rate of
24 technological change in data science and machine

1 learning may affect the implementation of the plan;
2 and

3 (2) submit to the congressional defense commit-
4 tees a report that includes—

5 (A) a summary of the status of the imple-
6 mentation of the plan described in paragraph
7 (1);

8 (B) the findings of the Secretary with re-
9 spect to the most recent review conducted under
10 such paragraph; and

11 (C) the plan of the Secretary for address-
12 ing the digital engineering personnel needs of
13 the Department of Defense in the years fol-
14 lowing the date of the report.

15 **TITLE III—OPERATION AND**
16 **MAINTENANCE**

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Improvement and codification of Sentinel Landscapes Partnership program authority.

Sec. 312. Modification of authority for environmental restoration projects at National Guard facilities.

Sec. 313. Modification to technical assistance authority for environmental restoration activities.

Sec. 314. Coordination on agreements to limit encroachments and other constraints on military training, testing, and operations.

Sec. 315. Requirement for approval by Under Secretary of Defense for Acquisition and Sustainment of waiver for systems not meeting fuel efficiency key performance parameter.

Sec. 316. Modification to prototype and demonstration projects for energy resilience at certain military installations.

Sec. 317. Authority to transfer certain funds as payment relating to Naval Air Station, Moffett Field, California.

- Sec. 318. Prohibition on required disclosure by Department of Defense contractors of information relating to greenhouse gas emissions.
- Sec. 319. Required infrastructure plan prior to deployment of certain non-tactical vehicles at military installations.
- Sec. 320. Prohibition and report requirement relating to certain energy programs of Department of Defense.
- Sec. 321. Report on schedule and cost estimates for completion of testing and remediation of contaminated sites; publication of cleanup information.

Subtitle C—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

- Sec. 331. Modification of timing of report on activities of PFAS Task Force.
- Sec. 332. Budget justification document for funding relating to perfluoroalkyl substances and polyfluoroalkyl substances.
- Sec. 333. Increase of transfer authority for funding of study and assessment on health implications of perfluoroalkyl substances and polyfluoroalkyl substances contamination in drinking water by Agency for Toxic Substances and Disease Registry.
- Sec. 334. Prizes for development of technology for thermal destruction of perfluoroalkyl substances or polyfluoroalkyl substances.
- Sec. 335. Treatment of certain materials contaminated with perfluoroalkyl substances or polyfluoroalkyl substances.
- Sec. 336. Government Accountability Office reports on testing and remediation of perfluoroalkyl substances and polyfluoroalkyl substances.

Subtitle D—Logistics and Sustainment

- Sec. 341. Modification of rule of construction regarding provision of support and services to non-Department of Defense organizations and activities.
- Sec. 342. Repeal of Comptroller General review requirement relating to core logistics capabilities.
- Sec. 343. Modifications to Contested Logistics Working Group of Department of Defense.
- Sec. 344. Matters relating to briefings on Shipyard Infrastructure Optimization Program of the Navy.
- Sec. 345. Foreign military sales exclusion in calculation for certain workload carryover of Department of the Army.
- Sec. 346. Pilot program on optimization of aerial refueling and fuel management in contested logistics environments through use of artificial intelligence.
- Sec. 347. Limitation on availability of funds to expand leased facilities for Joint Military Information Support Operations Web Operations Center.
- Sec. 348. Limitation on availability of funds pending submission of certain 30-year shipbuilding plan by the Secretary of the Navy.
- Sec. 349. Plan regarding condition and maintenance of prepositioned stockpiles of the Army.
- Sec. 350. Strategy and assessment on use of automation and artificial intelligence for shipyard optimization.
- Sec. 351. Assessment and strategy relating to hardening of certain military installations against attack by Iran and Iranian-associated groups.

Sec. 352. Semiannual briefings on operational status of amphibious warship fleet.

Subtitle E—Other Matters

Sec. 361. Review of notice of presumed risk issued by Military Aviation and Installation Assurance Clearinghouse.

Sec. 362. Modifications to military aviation and installation assurance clearinghouse for review of mission obstructions.

Sec. 363. Modification to Joint Safety Council.

Sec. 364. Designation of official responsible for coordination of renegotiation of certain land leases owned by Department of Defense in Hawaii.

Sec. 365. Continued designation of Secretary of the Navy as executive agent for Naval Small Craft Instruction and Technical Training School.

Sec. 366. Establishment of Caisson Platoon and support for military and State funeral services at Arlington National Cemetery.

Sec. 367. Recovery of rare earth elements and other strategic and critical materials through end-of-life equipment recycling.

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

3 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

4 Funds are hereby authorized to be appropriated for
5 fiscal year 2024 for the use of the Armed Forces and other
6 activities and agencies of the Department of Defense for
7 expenses, not otherwise provided for, for operation and
8 maintenance, as specified in the funding table in section
9 4301.

10 **Subtitle B—Energy and**
11 **Environment**

12 **SEC. 311. IMPROVEMENT AND CODIFICATION OF SENTINEL**
13 **LANDSCAPES PARTNERSHIP PROGRAM AU-**
14 **THORITY.**

15 (a) CODIFICATION OF EXISTING STATUTE.—Section
16 317 of the National Defense Authorization Act for Fiscal

1 Year 2018 (Public Law 115–91; 10 U.S.C. 2684a note)

2 is—

3 (1) transferred to chapter 159 of title 10,

4 United States Code;

5 (2) inserted after section 2692 of such chapter;

6 and

7 (3) redesignated as section 2693.

8 (b) IMPROVEMENTS TO SENTINEL LANDSCAPES

9 PARTNERSHIP PROGRAM.—Section 2693 of title 10,

10 United States Code, as so transferred and redesignated,

11 is further amended—

12 (1) in subsection (a), by striking “and the Sec-

13 retary of the Interior” and inserting “, the Secretary

14 of the Interior, and the heads of other Federal de-

15 partments and agencies that elect to become full

16 partners in the program”;

17 (2) in subsection (b), by striking “and the Sec-

18 retary of the Interior, may, as the Secretaries” and

19 inserting “the Secretary of the Interior, and the

20 heads of other Federal departments and agencies

21 that elect to become full partners in the Sentinel

22 Landscapes Partnership may, as such Secretaries

23 and other heads”;

24 (3) by amending subsection (c) to read as fol-

25 lows:

1 “(c) COORDINATION OF ACTIVITIES.—In carrying
2 out this section, the Secretaries and the other heads of
3 Federal departments and agencies may coordinate actions
4 between their departments and agencies and with other
5 Federal, State, interstate, and local agencies, Indian
6 Tribes, and private entities to more efficiently work to-
7 gether for the mutual benefit of conservation, resilience,
8 working lands, and national defense, and to encourage
9 owners and managers of land to engage in voluntary land
10 management, resilience, and conservation activities that
11 contribute to the sustainment of military installations,
12 State-owned National Guard installations, and associated
13 airspace.”;

14 (4) in subsection (d)—

15 (A) by striking the first sentence and in-
16 serting “In carrying out this section, the Secre-
17 taries and the other heads of Federal depart-
18 ments and agencies may give to any eligible
19 owner or manager of land within a designated
20 sentinel landscape priority consideration for
21 participation in any easement, grant, or assist-
22 ance program administered by that Secretary or
23 head.”; and

1 (B) in the second sentence, by striking “el-
2 ible landowner or agricultural producer” and
3 inserting “eligible owner or manager of land”;
4 (5) by redesignating subsection (f) as sub-
5 section (g);

6 (6) by inserting after subsection (e) the fol-
7 lowing new subsection (f):

8 “(f) RULE OF CONSTRUCTION.—Nothing in this sec-
9 tion may be construed to require an owner or manager
10 of land, including a private landowner or agricultural pro-
11 ducer, to participate in any land management, resilience,
12 or conservation activity under this section.”; and

13 (7) in subsection (g), as redesignated by para-
14 graph (5)—

15 (A) in paragraph (1), by striking “section
16 670(1) of title 16, United States Code” and in-
17 serting “section 100(1) of the Sikes Act (16
18 U.S.C. 670(1))”;

19 (B) in paragraph (2), by striking “section
20 670(3) of title 16, United States Code” and in-
21 serting “section 100(3) of the Sikes Act (16
22 U.S.C. 670(3))”; and

23 (C) in paragraph (3), by amending sub-
24 paragraph (B) to read as follows:

1 “(B) the publicly and privately owned
2 lands that serve to protect and support the
3 rural economy, the natural environment, out-
4 door recreation, and the national defense mis-
5 sions of a military installation or State-owned
6 National Guard installation.”.

7 (c) CONFORMING AMENDMENTS.—Title 10, United
8 States Code, is further amended—

9 (1) in section 2684a(g)(2)(E), by striking “Sen-
10 tinel Landscapes Partnership established under sec-
11 tion 317 of the National Defense Authorization Act
12 for Fiscal Year 2018 (Public Law 115–91; 10
13 U.S.C. 2684a note)” and inserting “Sentinel Land-
14 scapes Partnership under section 2693 of this title”;
15 and

16 (2) in section 2694(e), by striking “meaning
17 given that term in section 317(f) of the National De-
18 fense Authorization Act for Fiscal Year 2018 (Pub-
19 lic Law 115–91; 10 U.S.C. 2684a note)” and insert-
20 ing “meaning given that term in section 2693(g) of
21 this title”.

1 **SEC. 312. MODIFICATION OF AUTHORITY FOR ENVIRON-**
2 **MENTAL RESTORATION PROJECTS AT NA-**
3 **TIONAL GUARD FACILITIES.**

4 (a) CLARIFICATION OF DEFINITION OF NATIONAL
5 GUARD FACILITIES.—Section 2700(4) of title 10, United
6 States Code, is amended—

7 (1) by striking “State-owned”;

8 (2) by striking “owned and operated by a State
9 when such land is”; and

10 (3) by striking “even though such land is not
11 under the jurisdiction of the Department of De-
12 fense.” and inserting “without regard to—”

13 “(A) the owner or operator of the facility;

14 or

15 “(B) whether the facility is under the ju-
16 risdiction of the Department of Defense or a
17 military department.”.

18 (b) INCLUSION UNDER DEFENSE ENVIRONMENTAL
19 RESTORATION PROGRAM.—Section 2701(a)(1) of such
20 title is amended by striking “State-owned”.

21 (c) RESPONSE ACTIONS AT NATIONAL GUARD FA-
22 CILITIES.—Section 2701(c)(1)(D) of such title is amended
23 by striking “State-owned”.

24 (d) SERVICES OF OTHER ENTITIES.—Section
25 2701(d)(1) of such title is amended, in the second sen-

1 tence, by inserting “or at a National Guard facility” be-
2 fore the period at the end.

3 (e) ENVIRONMENTAL RESTORATION ACCOUNTS.—
4 Section 2703(g)(1) of such title is amended by inserting
5 “, a National Guard facility,” after “Department of De-
6 fense”.

7 (f) TECHNICAL AND CONFORMING AMENDMENTS.—

8 (1) REPEAL.—Section 2707 of such title is
9 amended by striking subsection (e).

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

19 **SEC. 313. MODIFICATION TO TECHNICAL ASSISTANCE AU-**
20 **THORITY FOR ENVIRONMENTAL RESTORA-**
21 **TION ACTIVITIES.**

22 Section 2705(e) of title 10, United States Code, is
23 amended—

24 (1) in paragraph (1)—

1 (A) by striking “upon the request of the
2 technical review committee or restoration advi-
3 sory board for an installation” and inserting
4 “upon the request of the technical review com-
5 mittee for an installation, restoration advisory
6 board for an installation, community concerned
7 with respect to an installation, or individual
8 member of such community”; and

9 (B) by striking “to obtain” and all that
10 follows through “interpreting” and inserting
11 “to obtain from covered sources technical as-
12 sistance for the committee, advisory board,
13 community, or individual (as the case may be)
14 to interpret”;

15 (2) in paragraph (2)—

16 (A) by striking “technical review com-
17 mittee or restoration advisory board” and in-
18 sertying “technical review committee, restoration
19 advisory board, community, or individual”; and

20 (B) by striking “only if” and all that fol-
21 lows through the closing period and inserting
22 “only if the technical assistance—”

23 “(A) is likely to contribute to the effi-
24 ciency, effectiveness, or timeliness of environ-

1 mental restoration activities at the installation;
2 or

3 “(B) is a service described in paragraph
4 (3).”; and

5 (3) by adding at the end the following new
6 paragraphs:

7 “(3) A service described in this paragraph is a service
8 to improve public participation in, or assist in the naviga-
9 tion of, environmental restoration activities at an installa-
10 tion by the community concerned or an individual member
11 of such community, including with respect to the fol-
12 lowing:

13 “(A) The interpretation of site-related docu-
14 ments, including documents concerning the nature of
15 a release or threatened release at the installation,
16 monitoring, testing plans, and reports associated
17 with site assessment and characterization at the in-
18 stallation.

19 “(B) The interpretation of health-related infor-
20 mation.

21 “(C) The interpretation of documents, plans,
22 proposed actions, and final decisions relating to—

23 “(i) an interim remedial action;

24 “(ii) a remedial investigation or feasibility
25 study;

1 “(iii) a record of decision;

2 “(iv) a remedial design;

3 “(v) the selection and construction of re-
4 medial action;

5 “(vi) operation and maintenance;

6 “(vii) a five-year review at the installation;

7 or

8 “(viii) a removal action at the installation.

9 “(D) Assistance with the preparation of public
10 comments.

11 “(E) The development of outreach materials to
12 improve public participation.

13 “(F) The provision of advice and guidance re-
14 garding additional technical assistance for which the
15 community or individual, as the case may be, may
16 be eligible.

17 “(4) In this subsection, the term ‘covered source’
18 means a private sector source, a Federal department or
19 agency other than the Department of Defense (pursuant
20 to a Federal interagency agreement), or a nonprofit entity
21 (pursuant to a cooperative agreement entered into with
22 such entity).”.

1 **SEC. 314. COORDINATION ON AGREEMENTS TO LIMIT EN-**
2 **CROACHMENTS AND OTHER CONSTRAINTS**
3 **ON MILITARY TRAINING, TESTING, AND OP-**
4 **ERATIONS.**

5 Section 2684a of title 10, United States Code, is
6 amended—

7 (1) by redesignating subsections (e) through (j)
8 as subsections (d) through (k), respectively;

9 (2) by inserting after subsection (b) the fol-
10 lowing new subsection:

11 “(c) **AUTHORITY TO COORDINATE.**—(1) In entering
12 into an agreement under subsection (a) or undertaking a
13 project under such agreement, the Secretary of Defense
14 or the Secretary of a military department, as the case may
15 be, may coordinate with any other covered official with
16 an interest in the activities proposed to be undertaken
17 under such agreement.

18 “(2) In this subsection, the term ‘covered official’
19 means a Secretary concerned, the Director of the Army
20 National Guard, or the Director of the Air National
21 Guard.”; and

22 (3) in subsection (h)(2)(D), as redesignated by
23 paragraph (1), by striking “subsection (d)” and in-
24 serting “subsection (e)”.

1 **SEC. 315. REQUIREMENT FOR APPROVAL BY UNDER SEC-**
2 **RETARY OF DEFENSE FOR ACQUISITION AND**
3 **SUSTAINMENT OF WAIVER FOR SYSTEMS NOT**
4 **MEETING FUEL EFFICIENCY KEY PERFORM-**
5 **ANCE PARAMETER.**

6 Section 332(b) of the Duncan Hunter National De-
7 fense Authorization Act for Fiscal Year 2009 (Public Law
8 110–417; 10 U.S.C. 2911 note) is amended—

9 (1) by striking “The Secretary of Defense” and
10 inserting the following: “(1) IN GENERAL.—The Sec-
11 retary of Defense”; and

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

14 “(2) WAIVER OF FUEL EFFICIENCY KEY PER-
15 FORMANCE PARAMETER.—

16 “(A) IN GENERAL.—The fuel efficiency key
17 performance parameter implemented pursuant
18 to paragraph (1) may be waived with respect to
19 a system only if—

20 “(i) such waiver is approved by the
21 Under Secretary of Defense for Acquisition
22 and Sustainment; and

23 “(ii) the system is a fuel consuming
24 system that the Under Secretary of De-
25 fense for Acquisition and Sustainment de-
26 termines requires, or is likely to require,

1 sustainment on at least an occasional
2 basis.

3 “(B) NONDELEGATION.—The authority to
4 approve a waiver under subparagraph (A) may
5 not be delegated.”.

6 **SEC. 316. MODIFICATION TO PROTOTYPE AND DEMONSTRATION PROJECTS FOR ENERGY RESILIENCE AT CERTAIN MILITARY INSTALLATIONS.**

7 (a) MODIFICATION TO COVERED TECHNOLOGIES FOR
8 PROTOTYPE AND DEMONSTRATION PROJECTS.—Section
9 322(c)(6) of the James M. Inhofe National Defense Au-
10 thorization Act for Fiscal Year 2023 (Public Law 117-
11 263; 136 Stat. 2511; 10 U.S.C. 2911 note) is amended
12 by adding at the end the following new subparagraph:
13 “(C) Hydrogen creation, storage, and
14 power generation technologies using natural gas
15 or renewable electricity.”.

16 “(C) Hydrogen creation, storage, and
17 power generation technologies using natural gas
18 or renewable electricity.”.

19 (b) APPLICABILITY.—The amendments made by sub-
20 section (a) shall apply with respect to covered prototype
21 and demonstration projects (as defined in section 322(k)
22 of the James M. Inhofe National Defense Authorization
23 Act for Fiscal Year 2023 (Public Law 117-263; 136 Stat.
24 2511; 10 U.S.C. 2911 note)) commencing on or after the
 date of the enactment of this Act.

1 **SEC. 317. AUTHORITY TO TRANSFER CERTAIN FUNDS AS**
2 **PAYMENT RELATING TO NAVAL AIR STATION,**
3 **MOFFETT FIELD, CALIFORNIA.**

4 (a) AUTHORITY TO TRANSFER FUNDS.—

5 (1) TRANSFER AUTHORITY.—The Secretary of
6 the Navy shall, in accordance with section 2703(f) of
7 title 10, United States Code—

8 (A) transfer \$218,125 to the Hazardous
9 Substance Superfund established under sub-
10 chapter A of chapter 98 of the Internal Rev-
11 enue Code of 1986, without regard to section
12 2215 of such title; and

13 (B) transfer \$218,125 to the State of Cali-
14 fornia for deposit into the California State
15 Water Pollution Cleanup and Abatement Ac-
16 count.

17 (2) SOURCE OF FUNDS.—Any transfer under
18 this subsection shall be made using funds authorized
19 to be appropriated by this Act for fiscal year 2024
20 for the Department of Defense Base Closure Ac-
21 count established by section 2906(a) of the Defense
22 Base Closure and Realignment Act of 1990 (10
23 U.S.C. 2687 note).

24 (b) PURPOSE OF TRANSFER.—A transfer under sub-
25 section (a) shall be for the purpose of satisfying a stipu-
26 lated penalty assessed by the Environmental Protection

1 Agency on May 4, 2018, regarding former Naval Air Sta-
2 tion, Moffett Field, California, under the Federal Facility
3 Agreement for Naval Air Station, Moffett Field, which
4 was entered into by the Navy, the State of California, and
5 the Environmental Protection Agency in 1990 pursuant
6 to section 120 of the Comprehensive Environmental Re-
7 sponse, Compensation, and Liability Act of 1980 (42
8 U.S.C. 9620), and which provided for equal sharing of any
9 such stipulated penalty between the appropriate Federal
10 and State funds.

11 (c) EFFECT OF TRANSFERS.—If the Secretary of the
12 Navy transfers under subsection (a)(1) the amounts re-
13 quired under such subsection, such transferred amounts
14 shall be deemed to satisfy in full the stipulated penalty
15 referred to in subsection (b) for purposes of the agreement
16 referred to in such subsection, pursuant to the resolution
17 of stipulated penalties agreed to with respect to such pen-
18 alties by the Navy, the State of California, and the Envi-
19 ronmental Protection Agency on October 1, 2018.

20 **SEC. 318. PROHIBITION ON REQUIRED DISCLOSURE BY DE-**
21 **PARTMENT OF DEFENSE CONTRACTORS OF**
22 **INFORMATION RELATING TO GREENHOUSE**
23 **GAS EMISSIONS.**

24 (a) PROHIBITION ON DISCLOSURE REQUIRE-
25 MENTS.—

1 (1) NONTRADITIONAL DEFENSE CONTRAC-
2 TORS.—The Secretary of Defense may not require
3 that any nontraditional defense contractor, as a con-
4 dition of being awarded a contract with the Sec-
5 retary, disclose a greenhouse gas inventory or any
6 other report on greenhouse gas emissions, unless the
7 Secretary determines that requiring such disclosure
8 is necessary to verify a voluntary disclosure of such
9 inventory or other report by the nontraditional de-
10 fense contractor.

11 (2) OTHER THAN NONTRADITIONAL DEFENSE
12 CONTRACTORS.—During the one-year period begin-
13 ning on the date of the enactment of this Act, the
14 Secretary of Defense may not require that any indi-
15 vidual or entity other than a nontraditional defense
16 contractor, as a condition of being awarded a con-
17 tract with the Secretary, disclose a greenhouse gas
18 inventory or any other report on greenhouse gas
19 emissions, unless the Secretary determines that re-
20 quiring such disclosure is necessary to verify a vol-
21 untary disclosure of such inventory or other report
22 by the individual or entity.

23 (b) WAIVER.—The Secretary of Defense may issue
24 a waiver on a contract-by-contract basis provided that the
25 information provided is directly related to the performance

1 of the contract. In issuing such a waiver, the Secretary
2 of Defense shall ensure that any information that is re-
3 quired is clearly identifiable.

4 (c) DEFINITIONS.—In this section:

5 (1) The term “greenhouse gas” means—

6 (A) carbon dioxide;

7 (B) methane;

8 (C) nitrous oxide;

9 (D) nitrogen trifluoride;

10 (E) hydrofluorocarbons;

11 (F) perfluorocarbons; or

12 (G) sulfur hexafluoride.

13 (2) The term “greenhouse gas inventory”

14 means, with respect to a person, a quantified list of

15 the annual greenhouse gas emissions of the person.

16 (3) The term “nontraditional defense con-

17 tractor” has the meaning given the term in section

18 3014 of title 10, United States Code.

19 **SEC. 319. REQUIRED INFRASTRUCTURE PLAN PRIOR TO**
20 **DEPLOYMENT OF CERTAIN NON-TACTICAL**
21 **VEHICLES AT MILITARY INSTALLATIONS.**

22 (a) REQUIREMENT.—No Secretary concerned may

23 deploy covered non-tactical vehicles to a military installa-

24 tion until, for each such prospective deployment—

25 (1) the Secretary concerned—

1 (A) ensures there is completed an infra-
2 structure plan for that military installation re-
3 lating to the prospective deployment; and

4 (B) determines such plan is sufficient to
5 ensure the satisfaction of the conditions de-
6 scribed in subsection (b); and

7 (2) in the case of the first prospective deploy-
8 ment to that military installation, a period of 180
9 days has elapsed since such determination; or

10 (3) in the case of any subsequent prospective
11 deployment to that military installation, a period of
12 60 days has elapsed since such determination.

13 (b) CONDITIONS DESCRIBED.—The conditions de-
14 scribed in this subsection are, with respect to a prospective
15 deployment of covered non-tactical vehicles to a military
16 installation, the following:

17 (1) Military logistics and operational require-
18 ments of that military installation would not be sub-
19 stantially affected as a result of a lack of infrastruc-
20 ture to support the kind and quantity of such vehi-
21 cles proposed to be deployed.

22 (2) Adequate support facilities for the kind and
23 quantity of such vehicles proposed to be deployed
24 exist at that military installation.

25 (c) DEFINITIONS.—In this section:

1 (1) The term “covered non-tactical vehicle”
2 means a non-tactical vehicle that is an electric vehi-
3 cle, hydrogen-powered vehicle, or advanced biofuel-
4 powered vehicle, as such terms are defined in section
5 328 of the James M. Inhofe National Defense Au-
6 thorization Act for Fiscal Year 2023 (Public Law
7 117–263; 136 Stat. 2519).

8 (2) The term “Secretary concerned” has the
9 meaning given that term in section 101 of title 10,
10 United States Code.

11 **SEC. 320. PROHIBITION AND REPORT REQUIREMENT RE-**
12 **LATING TO CERTAIN ENERGY PROGRAMS OF**
13 **DEPARTMENT OF DEFENSE.**

14 (a) PROHIBITION.—None of the funds authorized to
15 be appropriated by this Act or otherwise made available
16 for the Department of Defense for any operational energy
17 program may be provided to any entity owned by, or with
18 known financial or leadership ties to, the Russian Federa-
19 tion or the Chinese Communist Party.

20 (b) REPORT REQUIREMENT.—As part of the report
21 submitted under section 2925(a) of title 10, United States
22 Code, for fiscal year 2024, the Secretary of Defense shall
23 submit to the congressional defense committees a report
24 on operational energy programs that includes—

1 (1) a list of each operational energy program;
2 and

3 (2) to the extent such information may be de-
4 termined, a description of—

5 (A) how each such program improves mili-
6 tary readiness or capabilities;

7 (B) how each such program shall be sus-
8 tained (including in a contested environment);
9 and

10 (C) the estimated life-cycle costs of each
11 such program, including the estimated cost
12 avoidance over such life cycle.

13 (c) OPERATIONAL ENERGY PROGRAM DEFINED.—In
14 this section, the term “operational energy program”
15 means any program carried out under an operational en-
16 ergy initiative of the Department of Defense specified in
17 section 2925(b)(3) of title 10, United States Code.

18 **SEC. 321. REPORT ON SCHEDULE AND COST ESTIMATES**
19 **FOR COMPLETION OF TESTING AND REMEDI-**
20 **ATION OF CONTAMINATED SITES; PUBLICA-**
21 **TION OF CLEANUP INFORMATION.**

22 (a) REPORT REQUIRED.—

23 (1) REPORT.—Not later than one year after the
24 date of the enactment of this Act, and once every
25 two years thereafter until December 31, 2029, the

1 Secretary of Defense shall submit to the Committees
2 on Armed Services of the House of Representatives
3 and the Senate a report that includes—

4 (A) a proposed schedule for the completion
5 of testing and remediation activities (including
6 with respect to the remediation of
7 perfluoroalkyl substances and polyfluoroalkyl
8 substances) at military installations, National
9 Guard facilities, and sites formerly used by the
10 Department of Defense in the United States
11 with respect to which the Secretary obligated
12 funds for environmental restoration activities in
13 fiscal year 2022;

14 (B) for each site specified in subparagraph
15 (A) for which an element of the Department of
16 Defense has completed a remedial investigation
17 but for which testing and remediation activities
18 have not been completed, a detailed cost esti-
19 mate—

20 (i) for any such activities to be carried
21 out at such site during the following year;
22 and

23 (ii) for the completion of such activi-
24 ties at such site;

1 (C) if either cost estimate specified in sub-
2 paragraph (B) is unavailable with respect to a
3 given site specified in subparagraph (A), a de-
4 tailed description of known and unknown fac-
5 tors, including site characteristics and the na-
6 ture of contamination, that may affect the cost
7 to complete testing and remediation activities at
8 such site based on historical costs of remedi-
9 ation for—

10 (i) sites remediated under the Defense
11 Environmental Restoration Program under
12 section 2701 of title 10, United States
13 Code;

14 (ii) other federally-funded sites; or

15 (iii) privately-funded sites; and

16 (D) for each site specified in subparagraph
17 (A) for which the Secretary has completed the
18 preliminary assessment or site inspection phase
19 and that has been designated as requiring a re-
20 medial investigation or study on the feasibility
21 of remediating the site, the timeline for the
22 completion of such investigation or study.

23 (2) DEFINITIONS.—In this subsection:

1 (A) The term “military installation” has
2 the meaning given such term in section 2801(c)
3 of title 10, United States Code.

4 (B) The term “National Guard facility”
5 has the meaning given that term in section
6 2700 of title 10, United States Code.

7 (b) PUBLICATION OF INFORMATION.—Beginning not
8 later than one year after the date of the enactment of this
9 Act, the Secretary of Defense shall publish on the publicly
10 available website established under section 331(b) of the
11 National Defense Authorization Act for Fiscal Year 2020
12 (Public Law 116–92; 10 U.S.C. 2701 note) timely and
13 regularly updated information on the status of cleanup at
14 sites for which the Secretary has obligated funds for envi-
15 ronmental restoration activities.

16 **Subtitle C—Treatment of**
17 **Perfluoroalkyl Substances and**
18 **Polyfluoroalkyl Substances**

19 **SEC. 331. MODIFICATION OF TIMING OF REPORT ON AC-**
20 **TIVITIES OF PFAS TASK FORCE.**

21 Section 2714(f) of title 10, United States Code, is
22 amended by striking “and quarterly thereafter,” and in-
23 serting “and annually thereafter through 2029,”.

1 **SEC. 332. BUDGET JUSTIFICATION DOCUMENT FOR FUND-**
2 **ING RELATING TO PERFLUOROALKYL SUB-**
3 **STANCES AND POLYFLUOROALKYL SUB-**
4 **STANCES.**

5 Chapter 160 of title 10, United States Code, is
6 amended by adding at the end the following new section:

7 **“§ 2716. Budget justification document for funding re-**
8 **lating to perfluoroalkyl substances and**
9 **polyfluoroalkyl substances**

10 “The Secretary of Defense shall submit to Congress,
11 concurrent with the submission to Congress of the budget
12 of the President for each fiscal year pursuant to section
13 1105(a) of title 31, a separate budget justification docu-
14 ment that consolidates all information pertaining to activi-
15 ties of the Department of Defense relating to
16 perfluoroalkyl substances or polyfluoroalkyl substances,
17 including funding for and descriptions of—

18 “(1) research and development efforts;

19 “(2) testing;

20 “(3) remediation;

21 “(4) contaminant disposal; and

22 “(5) community outreach.”

1 **SEC. 333. INCREASE OF TRANSFER AUTHORITY FOR FUND-**
2 **ING OF STUDY AND ASSESSMENT ON HEALTH**
3 **IMPLICATIONS OF PERFLUOROALKYL SUB-**
4 **STANCES AND POLYFLUOROALKYL SUB-**
5 **STANCES CONTAMINATION IN DRINKING**
6 **WATER BY AGENCY FOR TOXIC SUBSTANCES**
7 **AND DISEASE REGISTRY.**

8 Section 316(a)(2)(B) of the National Defense Au-
9 thorization Act for Fiscal Year 2018 (Public Law 115-
10 91; 131 Stat. 1350) is amended by adding at the end the
11 following new clause:

12 “(iv) Without regard to section 2215 of
13 title 10, United States Code, the Secretary of
14 Defense may transfer not more than
15 \$5,000,000 during fiscal year 2024 to the Sec-
16 retary of Health and Human Services to pay
17 for the study and assessment required by this
18 section.”.

19 **SEC. 334. PRIZES FOR DEVELOPMENT OF TECHNOLOGY**
20 **FOR THERMAL DESTRUCTION OF**
21 **PERFLUOROALKYL SUBSTANCES OR**
22 **POLYFLUOROALKYL SUBSTANCES.**

23 (a) PRIZES.—Section 330 of the National Defense
24 Authorization Act for Fiscal Year 2021 (Public Law 116-
25 283; 10 U.S.C. 2661 note prec.), as amended by section
26 343 of the James M. Inhofe National Defense Authoriza-

1 tion Act for Fiscal Year 2023 (Public Law 117–263; 136
2 Stat. 2530), is further amended—

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

5 “(3) Technology for the thermal destruction of
6 perfluoroalkyl substances or polyfluoroalkyl sub-
7 stances.”; and

8 (2) in subsection (g), by striking “October 1,
9 2024” and inserting “December 31, 2026”.

10 (b) **AUTHORIZATION OF APPROPRIATIONS.**—There is
11 authorized to be appropriated to the Department of De-
12 fense for fiscal year 2024 \$1,000,000 to carry out this
13 section.

14 **SEC. 335. TREATMENT OF CERTAIN MATERIALS CONTAMI-**
15 **NATED WITH PERFLUOROALKYL SUB-**
16 **STANCES OR POLYFLUOROALKYL SUB-**
17 **STANCES.**

18 Section 343 of the National Defense Authorization
19 Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat.
20 1643; 10 U.S.C. 2701 note) is amended—

21 (1) in subsection (a), by striking “Beginning
22 not later” and inserting “Except as provided in sub-
23 section (c), beginning not later”;

24 (2) by redesignating subsections (c) through (e)
25 as subsections (d) through (f), respectively;

1 (3) by inserting after subsection (b) the fol-
2 lowing new subsection:

3 “(c) TREATMENT OF CERTAIN MATERIALS.—Not-
4 withstanding subsection (a), until the date on which the
5 Secretary adopts the final rule pursuant to subsection (b),
6 the Secretary may treat covered materials, including soils
7 that have been contaminated with PFAS, through the use
8 of any remediation or disposal technology that is approved
9 by the Administrator of the Environmental Protection
10 Agency.”; and

11 (4) in subsection (e), as redesignated by para-
12 graph (2), by striking “subsection (c)” and inserting
13 “subsection (d)”.

14 **SEC. 336. GOVERNMENT ACCOUNTABILITY OFFICE RE-**
15 **PORTS ON TESTING AND REMEDIATION OF**
16 **PERFLUOROALKYL SUBSTANCES AND**
17 **POLYFLUOROALKYL SUBSTANCES.**

18 Not later than one year after the date of the enact-
19 ment of this Act, and not later than five years thereafter,
20 the Comptroller General of the United States shall submit
21 to the congressional defense committees a report assessing
22 the state of ongoing testing and remediation by the De-
23 partment of Defense of current or former military installa-
24 tions contaminated with perfluoroalkyl substances or
25 polyfluoroalkyl substances, including—

1 (1) an assessment of the thoroughness, pace,
2 and cost-effectiveness of efforts of the Department
3 to conduct testing and remediation relating to such
4 substances;

5 (2) recommendations to improve such efforts;
6 and

7 (3) such other matters as the Comptroller Gen-
8 eral determines appropriate.

9 **Subtitle D—Logistics and**
10 **Sustainment**

11 **SEC. 341. MODIFICATION OF RULE OF CONSTRUCTION RE-**
12 **GARDING PROVISION OF SUPPORT AND**
13 **SERVICES TO NON-DEPARTMENT OF DE-**
14 **FENSE ORGANIZATIONS AND ACTIVITIES.**

15 Section 2012(i) of title 10, United States Code, is
16 amended—

17 (1) by redesignating paragraphs (1) and (2) as
18 subparagraphs (A) and (B), respectively;

19 (2) in the matter preceding subparagraph (A),
20 as redesignated by paragraph (1), by striking
21 “Nothing in this section” and inserting “(1) Noth-
22 ing in this section”;

23 (3) in subparagraph (A), as so redesignated, by
24 inserting “, except as provided in paragraph (2),”
25 before “for response”; and

1 (4) by adding at the end the following new
2 paragraph:

3 “(2) Funds available to the Secretary of a military
4 department for operation and maintenance for the Innova-
5 tive Readiness Training program (as established pursuant
6 to this section) may be expended under this section, upon
7 approval by the Secretary concerned, to assist in demoli-
8 tion, clearing of roads, infrastructure improvements, and
9 military construction to restore an area after a natural
10 disaster.”.

11 **SEC. 342. REPEAL OF COMPTROLLER GENERAL REVIEW RE-**
12 **QUIREMENT RELATING TO CORE LOGISTICS**
13 **CAPABILITIES.**

14 Section 2464 of title 10, United States Code, is
15 amended by striking subsection (e).

16 **SEC. 343. MODIFICATIONS TO CONTESTED LOGISTICS**
17 **WORKING GROUP OF DEPARTMENT OF DE-**
18 **FENSE.**

19 Section 2926(d) of title 10, United States Code, is
20 amended as follows:

21 (1) **EXPANSION OF WORKING GROUP.**—

22 (A) **EXPANSION.**—In paragraph (3)—

23 (i) in the matter preceding subpara-
24 graph (A), by striking “appointed”; and

1 (ii) by adding at the end the following
2 new subparagraphs:

3 “(D) A senior official of the Defense Logistics
4 Agency, who shall be appointed by the Director of
5 the Defense Logistics Agency to represent the De-
6 fense Logistics Agency.

7 “(E) An official of the Office of the Under Sec-
8 retary of Defense for Research and Engineering,
9 who shall be nominated by the Secretary of Defense
10 and confirmed by the Senate to represent such Of-
11 fice.

12 “(F) The Assistant Secretary of Defense for
13 Acquisition, who shall represent the Office of the
14 Under Secretary of Defense for Acquisition.

15 “(G) The Assistant Secretary of Defense for
16 Sustainment, who shall represent the Office of the
17 Assistant Secretary of Defense for Sustainment.”.

18 (B) TIMING.—Not later than 60 days after
19 the date of the enactment of this Act, the Sec-
20 retary of Defense shall appoint the additional
21 members of the working group required under
22 subparagraphs (D) through (G) of paragraph
23 (3) of such section, as added by subparagraph
24 (A).

1 (2) RESPONSIBILITIES OF MEMBERS.—In para-
2 graph (4), by inserting “, or developing capabilities
3 for such purposes,” after “coordinated initiatives”.

4 (3) MEETINGS; REPORTS.—By adding at the
5 end the following new paragraphs:

6 “(6) The working group under paragraph (1) shall
7 meet not less frequently than quarterly.

8 “(7)(A) Not later than February 1 of each year, the
9 working group under paragraph (1) shall submit to the
10 congressional defense committees a report that contains
11 a description of the following:

12 “(i) The topics addressed in the meetings of the
13 working group during the preceding year.

14 “(ii) The priorities of the working group for the
15 following year (including with respect to any short-
16 falls in personnel, equipment, infrastructure, energy
17 and storage, or capabilities) in support of the oper-
18 ational plans of the Department of Defense.

19 “(iii) Any steps taken by the working group, as
20 of the date of the submission, to address any identi-
21 fied shortfalls in budget or capabilities.

22 “(B) Each report under subparagraph (A) shall be
23 submitted in unclassified form, but may include a classi-
24 fied annex.”.

1 **SEC. 344. MATTERS RELATING TO BRIEFINGS ON SHIPYARD**
2 **INFRASTRUCTURE OPTIMIZATION PROGRAM**
3 **OF THE NAVY.**

4 (a) MODIFICATION TO BRIEFING REQUIREMENT.—
5 Section 355(b)(2) of the National Defense Authorization
6 Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
7 8013 note) is amended by adding at the end the following
8 new subparagraph:

9 “(D) A risk analysis of how the schedule
10 for such project affects the availability schedule
11 for submarines and aircraft carriers, including
12 the following:

13 “(i) A timeline for the completion of
14 such project, including construction dates
15 and dates of planned maintenance at each
16 shipyard under such project.

17 “(ii) Contingency maintenance plans
18 if such project is delayed, including any
19 backup location for maintenance availabil-
20 ities determined by the Chief Naval Officer
21 and any resulting alteration in plans or
22 schedules for maintenance.

23 “(iii) The effect on public shipyards
24 should a delay to such project result in the
25 implementation of a contingency plan pur-
26 suant to clause (ii), including the effect on

1 the workforce and workload capacity at the
2 public shipyard with respect to which such
3 project is conducted.

4 “(iv) A cost-benefit analysis of the po-
5 tential for private shipyards to assist with
6 such workload should such project be de-
7 layed, including an identification of any
8 gaps in the capability of private shipyards
9 to conduct the maintenance described in
10 clause (ii).

11 “(v) An assessment of whether great-
12 er flexibilities in authorities are necessary
13 to better support fleet maintenance needs
14 and the Shipyard Infrastructure Optimiza-
15 tion Program.”.

16 (b) BRIEFING ON IMPLEMENTATION STATUS.—Not
17 later than October 1, 2024, the Secretary of the Navy
18 shall provide to the congressional defense committees a
19 briefing on the status of the implementation of the Ship-
20 yard Infrastructure Optimization Program of the Depart-
21 ment of the Navy. Such briefing shall include, with respect
22 to each covered project, the information specified in each
23 of subparagraphs (A) through (D) of section 355(b)(2) of
24 the National Defense Authorization Act for Fiscal Year
25 2022, as amended by subsection (a).

1 **SEC. 345. FOREIGN MILITARY SALES EXCLUSION IN CAL-**
2 **CULATION FOR CERTAIN WORKLOAD CARRY-**
3 **OVER OF DEPARTMENT OF THE ARMY.**

4 Section 377 of the James M. Inhofe National Defense
5 Authorization Act for Fiscal Year 2023 (Public Law 117–
6 263; 136 Stat. 2542; 10 U.S.C. 2476 note) is amended
7 by striking “that applies” and all that follows through the
8 closing period and inserting “that—”

9 “(1) applies a material end of period exclusion;
10 and

11 “(2) excludes from the calculated carryover
12 amount the proceeds of any foreign military sale.”.

13 **SEC. 346. PILOT PROGRAM ON OPTIMIZATION OF AERIAL**
14 **REFUELING AND FUEL MANAGEMENT IN**
15 **CONTESTED LOGISTICS ENVIRONMENTS**
16 **THROUGH USE OF ARTIFICIAL INTEL-**
17 **LIGENCE.**

18 (a) DESIGN OF PILOT PROGRAM.—

19 (1) DESIGN.—Not later than 90 days after the
20 date of the enactment of this Act, the Chief Digital
21 and Artificial Intelligence Officer of the Department
22 of Defense, in collaboration with the Under Sec-
23 retary of Defense for Acquisition and Sustainment
24 and the Chief of Staff of the Air Force, shall design
25 a pilot program to optimize the logistics of aerial re-
26 fueling and fuel management in the context of con-

1 tested logistics environments through the use of ad-
2 vanced digital technologies and artificial intelligence
3 (in this section referred to as the “pilot program”).

4 (2) COORDINATION AND CONSULTATION.—In
5 designing the pilot program, the Chief Digital and
6 Artificial Intelligence Officer shall—

7 (A) coordinate with the Commander of the
8 United States Transportation Command and
9 the Commander of the United States Indo-Pa-
10 cific Command regarding the activities to be
11 carried out under the pilot program, to ensure
12 the pilot program will align with existing oper-
13 ational requirements; and

14 (B) seek to consult with relevant experts in
15 the fields of artificial intelligence, logistics,
16 aviation, and fuel management.

17 (b) OBJECTIVES.—The objectives of the pilot pro-
18 gram shall include the following:

19 (1) Assessing the feasibility and effectiveness of
20 artificial intelligence-driven approaches in enhancing
21 aerial refueling operations and fuel management
22 processes compared to existing mission planning
23 processes executed by members of the Air Force
24 with relevant training.

1 (2) Identifying opportunities to reduce fuel con-
2 sumption, decrease operational costs, and minimize
3 the environmental impact of fuel management while
4 maintaining military readiness.

5 (3) Evaluating the interoperability and compat-
6 ibility of artificial intelligence-enabled systems with
7 the existing logistics infrastructure of the Depart-
8 ment of Defense.

9 (4) Enhancing situational awareness and deci-
10 sion-making capabilities through real-time data anal-
11 ysis and predictive modeling.

12 (5) Addressing potential challenges and risks
13 associated with the integration of artificial intel-
14 ligence and other advanced digital technologies, in-
15 cluding challenges and risks involving cybersecurity
16 concerns.

17 (c) COMMENCEMENT.—Not later than one year after
18 the date of the enactment of this Act, the Chief Digital
19 and Artificial Intelligence Officer, in collaboration with the
20 Under Secretary of Defense for Acquisition and
21 Sustainment and the Chief of Staff of the Air Force, shall
22 commence the pilot program.

23 (d) REPORT.—Not later than one year after the date
24 of the enactment of this Act, the Chief Digital and Artifi-
25 cial Intelligence Officer shall submit to the Committees on

1 Armed Services of the House of Representatives and the
2 Senate a report on—

3 (1) the design of the pilot program under sub-
4 section (a);

5 (2) the status of any efforts underway to com-
6 mence the pilot program under subsection (c); and

7 (3) any planned future activities to be carried
8 out under the pilot program to test expected out-
9 comes regarding improved efficiencies or other bene-
10 fits that may be derived from artificial intelligence-
11 driven approaches to aerial refueling operations and
12 fuel management.

13 (e) **TERMINATION.**—The authority to conduct the
14 pilot program under this section shall terminate on Janu-
15 ary 1, 2027.

16 **SEC. 347. LIMITATION ON AVAILABILITY OF FUNDS TO EX-**
17 **PAND LEASED FACILITIES FOR JOINT MILI-**
18 **TARY INFORMATION SUPPORT OPERATIONS**
19 **WEB OPERATIONS CENTER.**

20 None of the funds authorized to be appropriated by
21 this Act or otherwise made available for fiscal year 2024
22 for Operation and Maintenance, Defense-wide, may be ob-
23 ligated or expended to expand leased facilities for the
24 Joint Military Information Support Operations Web Oper-
25 ations Center until the Secretary of Defense submits to

1 the congressional defense committees a validated man-
2 power study for such center that includes the following:

3 (1) Validated estimates of the number of per-
4 sonnel from the United States Special Operations
5 Command and the other combatant commands that
6 will be housed in leased facilities of such center.

7 (2) An explanation of how such estimates are
8 aligned with and support the priorities established
9 by the national defense strategy under 113(g) of
10 title 10, United States Code.

11 **SEC. 348. LIMITATION ON AVAILABILITY OF FUNDS PEND-**
12 **ING SUBMISSION OF CERTAIN 30-YEAR SHIP-**
13 **BUILDING PLAN BY THE SECRETARY OF THE**
14 **NAVY.**

15 (a) **PLAN REQUIRED.**—The Secretary of the Navy
16 shall include with the defense budget materials for fiscal
17 year 2025 (as submitted to Congress in support of the
18 budget of the President under section 1105(a) of title 31,
19 United States Code) a 30-year shipbuilding plan that
20 meets the statutory requirement to maintain 31 amphib-
21 ious warships as found in section 8062(b) of title 10,
22 United States Code.

23 (b) **LIMITATION.**—If the Secretary of the Navy does
24 not submit to the congressional defense committees a 30-
25 year shipbuilding plan as described in subsection (a), not

1 more than 50 percent of the funds authorized to be appro-
2 priated by this Act or otherwise made available for fiscal
3 year 2024 for Administration and Servicewide Activities,
4 Operation and Maintenance, Navy, may be obligated or
5 expended until the date on which the Secretary of the
6 Navy submits to the congressional defense committees a
7 30-year shipbuilding plan as described in such subsection.

8 (c) AMPHIBIOUS WARSHIP DEFINED.—In this sec-
9 tion, the term “amphibious warship” means a ship that
10 is classified as an amphibious assault ship (general pur-
11 pose) (LHA), an amphibious assault ship (multi-purpose)
12 (LHD), an amphibious transport dock (LPD), or a dock
13 landing ship (LSD) that is included in the Battle Force
14 Inventory in accordance with instruction 5030.8D of the
15 Secretary of the Navy, or a successor instruction.

16 **SEC. 349. PLAN REGARDING CONDITION AND MAINTENANCE OF PREPOSITIONED STOCKPILES OF**
17 **THE ARMY.**

18 (a) PLAN REQUIRED.—Not later than 90 days after
19 the date of the enactment of this Act, the Secretary of
20 the Army shall develop a plan to improve the required in-
21 spection procedures for the prepositioned stockpiles of the
22 Army, for the purpose of identifying deficiencies and con-
23 ducting maintenance repairs at levels necessary to ensure
24 such prepositioned stockpiles are mission-capable.
25

1 (b) IMPLEMENTATION.—Not later than 30 days after
2 the date on which the Secretary completes the develop-
3 ment of the plan under subsection (a), and not less fre-
4 quently than twice each year thereafter for the three-year
5 period beginning on the date of the enactment of this Act,
6 the Secretary shall inspect the prepositioned stockpiles of
7 the Army in accordance with the procedures under such
8 plan.

9 (c) BRIEFINGS.—

10 (1) BRIEFING ON PLAN.—Not later than 120
11 days after the date of the enactment of this Act, the
12 Secretary of the Army shall provide to the congress-
13 sional defense committees a briefing on the plan de-
14 veloped under subsection (a).

15 (2) BRIEFINGS ON STATUS OF PREPOSITIONED
16 STOCKPILES.—Not later than 180 days after the
17 date of the enactment of this Act, and every 180
18 days thereafter for the three-year period beginning
19 on the date of the enactment of this Act, the Sec-
20 retary of the Army shall provide to the congressional
21 defense committees a briefing on the status and con-
22 dition of the prepositioned stockpiles of the Army.

1 **SEC. 350. STRATEGY AND ASSESSMENT ON USE OF AUTO-**
2 **MATION AND ARTIFICIAL INTELLIGENCE FOR**
3 **SHIPYARD OPTIMIZATION.**

4 (a) STRATEGY.—The Secretary of the Navy, in co-
5 ordination with the Shipyard Infrastructure Optimization
6 Program of the Department of the Navy, shall develop and
7 implement a strategy to leverage commercial best practices
8 used in shipyards to improve the efficiency of operations
9 and to demonstrate a digital platform that uses artificial
10 intelligence to analyze data on the maintenance and condi-
11 tion of shipboard assets of the Navy at shipyards, for the
12 purpose of improving the readiness of the Armed Forces,
13 predicting and diagnosing issues prior to the occurrence
14 of such issues, and lowering maintenance costs.

15 (b) ASSESSMENT.—The Secretary of the Navy shall
16 conduct an assessment of the costs of maintenance delays
17 on shipboard assets of the Navy and the potential cost
18 savings of adopting artificial intelligence predictive main-
19 tenance technologies to assist in the determination of the
20 condition of in-service equipment and estimate when main-
21 tenance should be performed prior to failure or end of life
22 of such equipment. Such assessment shall include—

23 (1) an analysis of maintenance delays and costs
24 due to unplanned and unpredicted maintenance
25 issues;

1 (2) an evaluation of opportunities to dem-
2 onstrate commercial best practices at shipyards, in-
3 cluding the demonstration of artificial intelligence
4 technologies to ensure timely predictions for individ-
5 uals responsible for maintenance and planning at
6 shipyards by connecting datasets, executing models,
7 and providing outputs in near real-time;

8 (3) an identification of shipyard assets of the
9 Navy with sufficient data available to enable near-
10 term demonstrations of artificial intelligence pre-
11 dictive maintenance technologies, and an estimate of
12 resources needed within the Navy to accelerate such
13 demonstrations with respect to such assets; and

14 (4) an identification of any policy or technical
15 challenges to implementing artificial intelligence or
16 machine learning for purposes of carrying out the
17 Shipyard Infrastructure Optimization Program of
18 the Department of the Navy.

19 (c) BRIEFING.—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary of the
21 Navy shall provide to the congressional defense commit-
22 tees a briefing on—

23 (1) the strategy under subsection (a);

24 (2) the results of the assessment under sub-
25 section (b); and

1 (3) a plan to execute any measures pursuant to
2 such assessment.

3 **SEC. 351. ASSESSMENT AND STRATEGY RELATING TO**
4 **HARDENING OF CERTAIN MILITARY INSTAL-**
5 **LATIONS AGAINST ATTACK BY IRAN AND IRA-**
6 **NIAN-ASSOCIATED GROUPS.**

7 (a) **ASSESSMENT AND STRATEGY.**—The Secretary of
8 Defense, in coordination with the Commander of the
9 United States Central Command, shall—

10 (1) conduct an assessment of the air and mis-
11 sile defense capabilities at covered military installa-
12 tions with respect to defense against potential at-
13 tacks from Iran, the Islamic Revolutionary Guard
14 Corps, and any associated groups; and

15 (2) taking into account the results of such as-
16 sessment, develop a strategy to expedite the hard-
17 ening of covered military installations and the up-
18 grade of air and missile defense capabilities at such
19 installations to improve defense against such poten-
20 tial attacks.

21 (b) **REPORTS.**—

22 (1) **INITIAL REPORT.**—Not later than 180 days
23 after the date of the enactment of this Act, the Sec-
24 retary shall submit to the congressional defense com-
25 mittees a report containing the results of the assess-

1 ment under subsection (a)(1) and the strategy devel-
2 oped under subsection (a)(2).

3 (2) UPDATE.—Not later than 180 days after
4 the date on which the Secretary submits the report
5 under paragraph (1), the Secretary shall submit to
6 the congressional defense committees a report con-
7 taining a description of any update made to such as-
8 sessment or progress made in implementing such
9 strategy.

10 (c) DEFINITIONS.—In this section:

11 (1) The term “covered military installation”
12 means a military installation located in the area of
13 responsibility of the United States Central Com-
14 mand.

15 (2) The term “military installation” has the
16 meaning given such term in section 2801 of title 10,
17 United States Code.

18 **SEC. 352. SEMIANNUAL BRIEFINGS ON OPERATIONAL STA-**
19 **TUS OF AMPHIBIOUS WARSHIP FLEET.**

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of the enactment of this Act, and on a semiannual
22 basis thereafter until September 30, 2026, the Secretary
23 of the Navy shall provide to the congressional defense
24 committees a briefing on the operational status of the am-
25 phibious warship fleet of the Department of the Navy.

1 (b) ELEMENTS.—Each briefing under subsection (a)
2 shall include, with respect to each amphibious warship
3 within such fleet, the following information:

4 (1) The average quarterly operational avail-
5 ability of the amphibious warship.

6 (2) The number of days the amphibious war-
7 ship was underway during the period covered by the
8 briefing as follows:

9 (A) Training for the purpose of supporting
10 the requirements set forth in the training and
11 readiness manual of the Marine Corps, includ-
12 ing unit level well-deck training, flight-deck op-
13 erations training, and Amphibious Ready Group
14 and Marine Expeditionary Unit integrated
15 training.

16 (B) Deployed, which shall not include
17 scheduled or unscheduled in-port maintenance.

18 (3) A baseline and current estimate of the com-
19 pletion date for in-work and scheduled and unsched-
20 uled maintenance for the amphibious warship.

21 (4) An update on any delays in the completion
22 of scheduled or unscheduled maintenance, and on
23 any casualty reports, of the amphibious warship af-
24 fecting the following:

1 (A) Scheduled unit level well-deck or flight-
2 deck operations training of the Marine Corps.

3 (B) Requirements set forth in the training
4 and readiness manual of the Marine Corps, in-
5 cluding with respect to mobility, communica-
6 tions, amphibious well-deck operations, aviation
7 operations, and warfare training.

8 (C) The composition and deployment dates
9 of Amphibious Ready Groups and Marine Expe-
10 ditionary Units that are deployed or scheduled
11 to be deployed.

12 (5) A plan to schedule maintenance and repair
13 for the amphibious warship in a manner that pro-
14 vides for the continuous operation of a total of three
15 Amphibious Ready Groups and Marine Expedi-
16 tionary Units as soon as practicable.

17 (c) DEFINITIONS.—In this section:

18 (1) The term “amphibious warship” means a
19 ship that is classified as an amphibious assault ship
20 (general purpose), an amphibious assault ship
21 (multi-purpose), an amphibious transport dock, or a
22 dock landing ship and is included within the battle
23 force inventory of the Department of the Navy in ac-
24 cordance with the instruction from the Secretary of
25 the Navy published on June 28, 2022, titled “Gen-

1 eral Guidance for the Classification of Naval Vessels
2 and Battle Force Ship Counting Procedures”
3 (SECNAVINST 5030.8), or any successor instruc-
4 tion.

5 (2) The terms “Amphibious Ready Group” and
6 “Marine Expeditionary Unit” mean a group or unit,
7 as the case may be, that consists of a minimum of
8 three amphibious warships, comprised of at least—

9 (A) one amphibious assault ship (general
10 purpose) or amphibious assault ship (multi-pur-
11 pose); and

12 (B) one amphibious transport dock.

13 **Subtitle E—Other Matters**

14 **SEC. 361. REVIEW OF NOTICE OF PRESUMED RISK ISSUED** 15 **BY MILITARY AVIATION AND INSTALLATION** 16 **ASSURANCE CLEARINGHOUSE.**

17 Section 183a(e)(3) of title 10, United States Code,
18 is amended by inserting “The Clearinghouse shall ensure
19 that a governor has at least 30 days after the date on
20 which the governor receives the notice of presumed risk
21 to provide any such comments and shall provide detailed
22 information and other information necessary to ensure
23 that the governor can fully understand the nature of the
24 presumed risk.” after the first sentence.

1 **SEC. 362. MODIFICATIONS TO MILITARY AVIATION AND IN-**
2 **STALLATION ASSURANCE CLEARINGHOUSE**
3 **FOR REVIEW OF MISSION OBSTRUCTIONS.**

4 (a) PROJECTS PROPOSED WITHIN TWO NAUTICAL
5 MILES OF ANY ACTIVE INTERCONTINENTAL BALLISTIC
6 MISSILE LAUNCH FACILITY OR CONTROL CENTER.—Sec-
7 tion 183a of title 10, United States Code, is amended—

8 (1) in subsection (d)(2)—

9 (A) in subparagraph (B), by inserting “or
10 any active intercontinental ballistic missile
11 launch facility or control center” after “military
12 training routes”; and

13 (B) in subparagraph (E), by striking “or a
14 Deputy Under Secretary of Defense” and in-
15 serting “a Deputy Under Secretary of Defense,
16 or, in the case of a geographic area of concern
17 related to an active intercontinental ballistic
18 missile launch facility or control center, the As-
19 sistant Secretary of Defense for Energy, Instal-
20 lations, and Environment”; and

21 (2) in subsection (e)(1)—

22 (A) in the first sentence—

23 (i) by striking “The Secretary” and
24 inserting “(A) The Secretary”; and

25 (ii) by inserting “or antenna structure
26 project” after “energy project”;

1 (B) in the second sentence, by striking
2 “The Secretary of Defense’s finding of unac-
3 ceptable risk to national security” and inserting
4 the following new subparagraph:

5 “(C) Any finding of unacceptable risk to national se-
6 curity by the Secretary of Defense under this paragraph”;
7 and

8 (C) by inserting after subparagraph (A),
9 as designated by subparagraph (A)(i) of this
10 paragraph, the following new subparagraph:

11 “(B)(i) In the case of any energy project or antenna
12 structure project with proposed structures more than 200
13 feet above ground level located within two nautical miles
14 of the geographic center of an active intercontinental bal-
15 listic missile launch facility or control center, the Sec-
16 retary of Defense shall issue a finding of unacceptable risk
17 to national security for such project if the mitigation ac-
18 tions identified pursuant to this section do not include re-
19 moval of all such proposed structures from such project
20 after receiving notice of presumed risk from the Clearing-
21 house under subsection (c)(2).

22 “(ii) Clause (i) does not apply to structures approved
23 before the date of the enactment of the National Defense
24 Authorization Act for Fiscal Year 2024 or to structures

1 that are re-powered with updated technology in the same
2 location as previously approved structures.”.

3 (b) INCLUSION OF ANTENNA STRUCTURE
4 PROJECTS.—

5 (1) IN GENERAL.—Such section is further
6 amended—

7 (A) by inserting “or antenna structure
8 projects” after “energy projects” each place it
9 appears; and

10 (B) by inserting “or antenna structure
11 project” after “energy project” each place it ap-
12 pears (except for subsections (e)(1) and (h)(2)).

13 (2) ANTENNA STRUCTURE PROJECT AND
14 INTERCONTINENTAL BALLISTIC MISSILE LAUNCH
15 FACILITY OR CONTROL CENTER DEFINED.—Section
16 183a(h) of such title is amended—

17 (A) by redesignating paragraphs (2)
18 through (9) as paragraphs (4) through (11), re-
19 spectively; and

20 (B) by inserting after paragraph (1) the
21 following new paragraphs:

22 “(2) The term ‘antenna structure project’—

23 “(A) means a project to construct a struc-
24 ture located within two nautical miles of the ge-

1 ographic center of any intercontinental ballistic
2 missile launch facility or control center that—

3 “(i) is constructed or used to transmit
4 radio energy or that is constructed or used
5 for the primary purpose of supporting an-
6 tennas to transmit or receive radio energy
7 (or both), and any antennas and other ap-
8 purtenances mounted on the structure,
9 from the time construction of the sup-
10 porting structure begins until such time as
11 the supporting structure is dismantled; and

12 “(ii) for which notification is required
13 to be made to the Federal Aviation Admin-
14 istration pursuant to processes already es-
15 tablished under this title; and

16 “(B) does not include—

17 “(i) any structure constructed before
18 the date of the enactment of the National
19 Defense Authorization Act for Fiscal Year
20 2024, including any such structure which
21 is upgraded, repaired, or otherwise modi-
22 fied after such date of enactment as long
23 as such upgrade, repair, or modification
24 has not increased the height of such struc-
25 ture; or

1 “(ii) any project in support of or re-
2 quired by an intercontinental ballistic mis-
3 sile launch facility or control center, or any
4 other such project that has been approved
5 by the Secretary of Defense or the Sec-
6 retary of Defense’s designee for use on the
7 same military installation at which such fa-
8 cility or control center is located.

9 “(3) The term ‘intercontinental ballistic missile
10 launch facility or control center’ means such facili-
11 ties or control centers located at the Francis E.
12 Warren Air Force Base; the Malmstrom Air Force
13 Base, and the Minot Air Force Base, and their re-
14 spective missile fields.”.

15 **SEC. 363. MODIFICATION TO JOINT SAFETY COUNCIL.**

16 Title 10, United States Code, is amended—

17 (1) by redesignating the second section 184 (re-
18 lating to the Joint Safety Council) as section 185;

19 (2) in section 185(d), as so redesignated—

20 (A) by redesignating paragraphs (7)
21 through (9) as paragraphs (8) through (10), re-
22 spectively;

23 (B) by inserting after paragraph (6) the
24 following new paragraph (7):

1 “(7) Ensuring each military department has in
2 place, for the safety management system and pro-
3 gram described in paragraphs (5) and (6), respec-
4 tively, of that military department—

5 “(A) a resolution plan that identifies spe-
6 cific corrective and preventative actions to ad-
7 dress the causes of mishaps; and

8 “(B) an implementation plan for such sys-
9 tem and program.”;

10 (C) in paragraph (8), as redesignated by
11 subparagraph (A), by striking “the safety man-
12 agement systems described in paragraphs (9)
13 and (10)” and inserting “the safety manage-
14 ment system and program described in para-
15 graphs (5) and (6), respectively”; and

16 (D) by adding at the end the following new
17 paragraphs:

18 “(11) Not later than one year after the initial
19 identification of corrective and preventative actions
20 by a military department pursuant to a resolution
21 plan under paragraph (7)(A), and periodically there-
22 after, reviewing and validating each such identified
23 corrective and preventative action to ensure the ac-
24 tion is effective.

1 “(12) Ensuring any related change in methods,
2 tactics, or procedures necessary for the conduct of
3 such identified corrective and preventative actions
4 have been implemented.”.

5 **SEC. 364. DESIGNATION OF OFFICIAL RESPONSIBLE FOR**
6 **COORDINATION OF RENEGOTIATION OF CER-**
7 **TAIN LAND LEASES OWNED BY DEPARTMENT**
8 **OF DEFENSE IN HAWAII.**

9 (a) IN GENERAL.—Not later than 90 days after the
10 date of the enactment of this Act, the Secretary of Defense
11 shall designate an official to be responsible for, in coordi-
12 nation with appropriate officials from the military depart-
13 ments (as such term is defined in section 101(a) of title
14 10, United States Code) and the United States Indo-Pa-
15 cific Command—

16 (1) coordinating Department of Defense-wide
17 efforts relating to the renegotiation of land leases
18 owned by the Department of Defense in the State of
19 Hawaii expiring between 2029 and 2031;

20 (2) representing the Department of Defense
21 during any such renegotiation; and

22 (3) ensuring clear and consistent communica-
23 tion to such State, State and local elected officials,
24 and the public regarding the needs and priorities of

1 the Department of Defense with respect to joint
2 land use in such State.

3 (b) SELECTION.—In making the designation under
4 subsection (a), the Secretary of Defense may appoint an
5 individual with a significant background and expertise
6 in—

7 (1) relevant legal and technical aspects of land
8 lease issues; and

9 (2) working with State and local elected offi-
10 cials and the public in such State.

11 (c) NOTIFICATION.—Not later than 30 days after the
12 date on which the Secretary of Defense makes the des-
13 ignation under subsection (a), the Secretary shall submit
14 to the congressional defense committees and the Governor
15 of Hawaii a notification that includes the name and con-
16 tact information of the individual so designated.

17 **SEC. 365. CONTINUED DESIGNATION OF SECRETARY OF**
18 **THE NAVY AS EXECUTIVE AGENT FOR NAVAL**
19 **SMALL CRAFT INSTRUCTION AND TECHNICAL**
20 **TRAINING SCHOOL.**

21 The Secretary of the Navy shall continue, through
22 fiscal year 2024—

23 (1) to perform the responsibilities of the De-
24 partment of Defense executive agent for the Naval
25 Small Craft Instruction and Technical Training

1 School pursuant to section 352(b) of title 10, United
2 States Code; and

3 (2) in coordination with the Commander of the
4 United States Special Operations Command, to pro-
5 vide such support, including resourcing and man-
6 power, as may be necessary for the continued oper-
7 ation of such school.

8 **SEC. 366. ESTABLISHMENT OF CAISSON PLATOON AND SUP-**
9 **PORT FOR MILITARY AND STATE FUNERAL**
10 **SERVICES AT ARLINGTON NATIONAL CEME-**
11 **TERY.**

12 (a) ESTABLISHMENT.—There is established in the
13 Department of the Army an equine unit, to be known as
14 the “Caisson Platoon”, assigned to the 3rd Infantry Regi-
15 ment of the Army. The duties of such unit shall include
16 the provision of support for military and State funerals.

17 (b) PROHIBITIONS ON ELIMINATION.—The Secretary
18 of the Army may not eliminate the Caisson Platoon of the
19 3rd Infantry Regiment of the Army established under sub-
20 section (a).

21 (c) BRIEFINGS.—

22 (1) PROVISION TO CONGRESS.—Not later than
23 60 days after the date of the enactment of this Act,
24 and not less frequently than every 180 days there-
25 after until March 31, 2027, the Secretary of the

1 Army shall provide to the congressional defense com-
2 mittees a briefing on the health, welfare, and
3 sustainment of military working equids.

4 (2) ELEMENTS.—Each briefing under para-
5 graph (1) shall include the following:

6 (A) An assessment of the ability of the
7 Caisson Platoon of the 3rd Infantry Regiment
8 of the Army to support military funeral oper-
9 ations within Arlington National Cemetery, in-
10 cluding milestones associated with achieving full
11 operational capability for such Caisson Platoon.

12 (B) An update on the plan of the task
13 force known as the “Task Force-Military Work-
14 ing Equids” established by the Office of the
15 Surgeon General, as directed by the Director of
16 the Army Staff, in May 2022 (or any successor
17 task force), to promote, support, and sustain
18 animal health and welfare.

19 (C) An update on the plan of such task
20 force to ensure the Caisson Platoon of the 3rd
21 Infantry Regiment of the Army has the ability
22 to continuously support military and State fu-
23 neral operations within Arlington National
24 Cemetery.

1 **SEC. 367. RECOVERY OF RARE EARTH ELEMENTS AND**
2 **OTHER STRATEGIC AND CRITICAL MATE-**
3 **RIALS THROUGH END-OF-LIFE EQUIPMENT**
4 **RECYCLING.**

5 The Secretary of Defense shall issue policies and es-
6 tablish procedures to—

7 (1) identify end-of-life equipment of the Depart-
8 ment of Defense that contains rare earth elements
9 and other materials determined pursuant to section
10 3(a) of the Strategic and Critical Materials Stock
11 Piling Act (50 U.S.C. 98b(a)) to be strategic and
12 critical materials; and

13 (2) recover such materials from such equipment
14 for the purposes of reuse by the Department of De-
15 fense.

16 **TITLE IV—MILITARY**
17 **PERSONNEL AUTHORIZATIONS**

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Sec. 402. End strength level matters.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for Reserves on active duty in support of the Reserves.

Sec. 413. End strengths for military technicians (dual status).

Sec. 414. Maximum number of reserve personnel authorized to be on active
duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

1 **Subtitle A—Active Forces**

2 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

3 The Armed Forces are authorized strengths for active
4 duty personnel as of September 30, 2024, as follows:

- 5 (1) The Army, 445,000.
- 6 (2) The Navy, 337,800.
- 7 (3) The Marine Corps, 172,300.
- 8 (4) The Air Force, 320,000.
- 9 (5) The Space Force, 9,400.

10 **SEC. 402. END STRENGTH LEVEL MATTERS.**

11 Section 115 of title 10, United States Code, is
12 amended—

13 (1) in subsection (f)(2), by striking “not more
14 than 2 percent” and inserting “not more than 3 per-
15 cent”; and

16 (2) in subsection (g)(1), by striking subpara-
17 graphs (A) and (B) and inserting the following new
18 subparagraphs:

19 “(A) vary the end strength pursuant to sub-
20 section (a)(1)(A) for a fiscal year for the armed
21 force or forces under the jurisdiction of that Sec-
22 retary by a number not equal to more than 2 per-
23 cent of such authorized end strength;

24 “(B) vary the end strength pursuant to sub-
25 section (a)(1)(B) for a fiscal year for the armed

1 force or forces under the jurisdiction of that Sec-
2 retary by a number not equal to more than 2 per-
3 cent of such authorized end strength; and

4 “(C) vary the end strength pursuant to sub-
5 section (a)(2) for a fiscal year for the Selected Re-
6 serve of the reserve component of the armed force
7 or forces under the jurisdiction of that Secretary by
8 a number equal to not more than 2 percent of such
9 authorized end strength.”.

10 **Subtitle B—Reserve Forces**

11 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

12 (a) IN GENERAL.—The Armed Forces are authorized
13 strengths for Selected Reserve personnel of the reserve
14 components as of September 30, 2024, as follows:

15 (1) The Army National Guard of the United
16 States, 325,000.

17 (2) The Army Reserve, 174,800.

18 (3) The Navy Reserve, 57,200.

19 (4) The Marine Corps Reserve, 32,000.

20 (5) The Air National Guard of the United
21 States, 105,000.

22 (6) The Air Force Reserve, 69,600.

23 (7) The Coast Guard Reserve, 7,000.

24 (b) END STRENGTH REDUCTIONS.—The end
25 strengths prescribed by subsection (a) for the Selected Re-

1 serve of any reserve component shall be proportionately
2 reduced by—

3 (1) the total authorized strength of units orga-
4 nized to serve as units of the Selected Reserve of
5 such component which are on active duty (other
6 than for training) at the end of the fiscal year; and

7 (2) the total number of individual members not
8 in units organized to serve as units of the Selected
9 Reserve of such component who are on active duty
10 (other than for training or for unsatisfactory partici-
11 pation in training) without their consent at the end
12 of the fiscal year.

13 (c) **END STRENGTH INCREASES.**—Whenever units or
14 individual members of the Selected Reserve for any reserve
15 component are released from active duty during any fiscal
16 year, the end strength prescribed for such fiscal year for
17 the Selected Reserve of such reserve component shall be
18 increased proportionately by the total authorized strengths
19 of such units and by the total number of such individual
20 members.

21 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
22 **DUTY IN SUPPORT OF THE RESERVES.**

23 Within the end strengths prescribed in section
24 411(a), the reserve components of the Armed Forces are
25 authorized, as of September 30, 2024, the following num-

1 ber of Reserves to be serving on full-time active duty or
2 full-time duty, in the case of members of the National
3 Guard, for the purpose of organizing, administering, re-
4 cruiting, instructing, or training the reserve components:

5 (1) The Army National Guard of the United
6 States, 30,845.

7 (2) The Army Reserve, 16,511.

8 (3) The Navy Reserve, 10,327.

9 (4) The Marine Corps Reserve, 2,355.

10 (5) The Air National Guard of the United
11 States, 25,333.

12 (6) The Air Force Reserve, 6,003.

13 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**
14 **(DUAL STATUS).**

15 The minimum number of military technicians (dual
16 status) as of the last day of fiscal year 2024 for the re-
17 serve components of the Army and the Air Force (notwith-
18 standing section 129 of title 10, United States Code) shall
19 be the following:

20 (1) For the Army National Guard of the United
21 States, 22,294.

22 (2) For the Army Reserve, 7,990.

23 (3) For the Air National Guard of the United
24 States, 10,994.

25 (4) For the Air Force Reserve, 6,882.

1 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
2 **THORIZED TO BE ON ACTIVE DUTY FOR**
3 **OPERATIONAL SUPPORT.**

4 During fiscal year 2024, the maximum number of
5 members of the reserve components of the Armed Forces
6 who may be serving at any time on full-time operational
7 support duty under section 115(b) of title 10, United
8 States Code, is the following:

9 (1) The Army National Guard of the United
10 States, 17,000.

11 (2) The Army Reserve, 13,000.

12 (3) The Navy Reserve, 6,200.

13 (4) The Marine Corps Reserve, 3,000.

14 (5) The Air National Guard of the United
15 States, 16,000.

16 (6) The Air Force Reserve, 14,000.

17 **Subtitle C—Authorization of**
18 **Appropriations**

19 **SEC. 421. MILITARY PERSONNEL.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
21 are hereby authorized to be appropriated for fiscal year
22 2024 for the use of the Armed Forces and other activities
23 and agencies of the Department of Defense for expenses,
24 not otherwise provided for, for military personnel, as spec-
25 ified in the funding table in section 4401.

1 (b) CONSTRUCTION OF AUTHORIZATION.—The au-
2 thorization of appropriations in subsection (a) supersedes
3 any other authorization of appropriations (definite or in-
4 definite) for such purpose for fiscal year 2024.

5 **TITLE V—MILITARY PERSONNEL**
6 **POLICY**

Subtitle A—Officer Policy

- Sec. 501. Authorized strength: general and flag officers on active duty.
Sec. 502. Extension of active duty term for Attending Physician at United States Capitol.
Sec. 503. Updating authority to authorize promotion transfers between components of the same Armed Force or a different Armed Force.
Sec. 504. Flexibility in determining terms of appointment for certain senior officer positions.
Sec. 505. Realignment of Navy spot-promotion quotas.
Sec. 506. Authority to increase the number of medical and dental officers recommended for promotion to certain grades.
Sec. 507. Prohibition on appointment or nomination of certain officers who are subject to special selection review boards.
Sec. 508. Effect of failure of selection for promotion.
Sec. 509. Improvements relating to service obligation for Marine Corps cyberspace operations officers.
Sec. 509A. Time in grade requirements.
Sec. 509B. Establishment of Legislative Liaison of the Space Force.
Sec. 509C. Extension of authority to vary number of Space Force officers considered for promotion to major general.
Sec. 509D. Briefing on number of general officers of the Space Force on active duty.

Subtitle B—Reserve Component Management

- Sec. 511. Removal of active duty prohibition for members of the Air Force Reserve Policy Committee.
Sec. 512. Grade of Vice Chief of the National Guard Bureau.
Sec. 513. Mobilization of Selected Reserve for preplanned missions in support of the combatant commands.
Sec. 514. Alternative promotion authority for reserve officers in designated competitive categories.
Sec. 515. Authorization for FireGuard Program.
Sec. 516. Designation of at least one general officer of the Marine Corps Reserve as a joint qualified officer.

Subtitle C—General Service Authorities and Prohibitions

- Sec. 521. Permanent authority to order retired members to active duty in high-demand, low-density appointments.

- Sec. 522. Prohibition on policy of the Department of Defense regarding identification of gender or personal pronouns in official correspondence.
- Sec. 523. Prohibition on former members of the Armed Forces accepting post-service employment with certain foreign governments.
- Sec. 524. Verification of the financial independence of financial services counselors in the Department of Defense.
- Sec. 525. Modification of requirements for approval of foreign employment by retired and reserve members of uniformed services.
- Sec. 526. Consideration of reinstatement of a member of the Armed Forces involuntarily separated on the basis of refusal to receive a vaccination against COVID-19.
- Sec. 527. Reviews of characterization of administrative discharges of certain members on the basis of failure to receive COVID-19 vaccine.
- Sec. 528. Certain members discharged or dismissed on the sole basis of failure to obey a lawful order to receive a vaccine for COVID-19: communication strategy regarding reinstatement process.
- Sec. 529. Continuing military service for certain members eligible for chapter 61 retirement.
- Sec. 529A. Threat-based security services and equipment for certain former or retired Department of Defense personnel.
- Sec. 529B. Limitation on establishment of new diversity, equity, and inclusion positions; hiring freeze.
- Sec. 529C. Requirement to base military accessions and promotions on merit and performance.

Subtitle D—Military Justice and Other Legal Matters

- Sec. 531. Technical and conforming amendments to the Uniform Code of Military Justice.
- Sec. 532. Establishment of staggered terms for members of the Military Justice Review Panel.
- Sec. 533. Supreme Court review of certain actions of the United States Court of Appeals for the Armed Forces.
- Sec. 534. Additional requirements for initiative to enhance the capability of military criminal investigative organizations to prevent and combat child sexual exploitation.
- Sec. 535. Limitation on availability of funds for relocation of Army CID special agent training course.
- Sec. 536. Study on requirement for unanimous votes for findings in general and special courts-martial and related milestones for implementation.
- Sec. 537. Study on removal of Sexual Assault Victim Advocates from the chain of command of victims.

Subtitle E—Accession Standards and Recruitment

- Sec. 541. Increased access to potential recruits at secondary schools.
- Sec. 542. Modification of limitation on enlistment and induction of persons whose score on the Armed Forces Qualification Test is below a prescribed level.
- Sec. 543. Increased access to potential recruits at institutions of higher education.
- Sec. 544. Increase in accession bonus for nurse officer candidates.
- Sec. 545. Improvements to medical standards for accession to certain Armed Forces.

- Sec. 546. Future servicemember preparatory course.
- Sec. 547. Pilot program on cardiac screenings for military accessions.
- Sec. 548. Community college Enlisted Training Corps demonstration program.
- Sec. 549. Annual briefings on military recruitment practices in public secondary schools and community colleges.

Subtitle F—Junior Reserve Officers' Training Corps

- Sec. 551. Expansion of Junior Reserve Officers' Training Corps.
- Sec. 552. Requirement for memoranda of understanding addressing certain matters pertaining to units of the Junior Reserve Officers' Training Corps.
- Sec. 553. Junior Reserve Officers' Training Corps administrator and instructor compensation.
- Sec. 554. Prohibition of establishment or maintenance of a unit of the Junior Reserve Officers' Training Corps at an educational institution owned, operated, or controlled by the Chinese Communist Party.
- Sec. 555. Enforcement of program requirements for the Junior Reserve Officers' Training Corps.
- Sec. 556. Annual report on allegations of sexual misconduct in Junior Reserve Officers' Training Corps programs.

Subtitle G—Member Education

- Sec. 561. Service Academies: numbers of nominations by Members of Congress and appointments by the Secretaries of the military departments.
- Sec. 562. Increase in the number of nominees from Guam to the Service Academies.
- Sec. 563. Consideration of standardized test scores in military service academy application process.
- Sec. 564. Service Academy professional sports pathway report and legislative proposal required.
- Sec. 565. Briefing on inclusion of advanced research programs at certain institutions of professional military education.

Subtitle H—Member Training and Transition

- Sec. 571. Amendments to pathways for counseling in the Transition Assistance Program.
- Sec. 572. Skillbridge: staffing; budgeting; outreach; report.
- Sec. 573. Extension of Troops-to-Teachers program to the Job Corps.
- Sec. 574. Troops-to-Teachers Program: expansion; extension.
- Sec. 575. Language training centers for members of the Armed Forces and civilian employees of the Department of Defense.
- Sec. 576. Prohibition on use of Federal funds to endorse critical race theory.
- Sec. 577. Increased fitness standards for Army close combat force military occupational specialties.
- Sec. 578. Publication of training materials of the Defense Equal Opportunity Management Institute.
- Sec. 579. Prohibition on Federal funds for the Department of Defense Countering Extremism Work Group.

Subtitle I—Family Programs, Child Care, and Dependent Education

- Sec. 581. Non-medical counseling services for military families.

- Sec. 582. Increase in the target funding level for military child care.
- Sec. 583. Modifications to assistance to local educational agencies that benefit dependents of members of the Armed Forces with enrollment changes due to base closures, force structure changes, or force relocations.
- Sec. 584. Certain assistance to local educational agencies that benefit dependents of military and civilian personnel.
- Sec. 585. Outreach campaign relating to waiting lists for military child development centers; annual briefing.
- Sec. 586. Briefings on pilot program on hiring of special needs inclusion coordinators for Department of Defense child development centers.
- Sec. 587. Briefings on implementation of universal pre-kindergarten programs in schools operated by the Department of Defense Education Activity.
- Sec. 588. Report on mental health and wellness support for students enrolled in schools operated by the Department of Defense Education Activity.
- Sec. 589. Rights of parents of children attending schools operated by the Department of Defense Education Activity.

Subtitle J—Decorations and Awards and Other Personnel Matters, Reports, and Briefings

- Sec. 591. Armed Forces workplace surveys.
- Sec. 592. Due date for report on efforts to prevent and respond to deaths by suicide in the Navy.
- Sec. 593. Extension of deadline for review of World War I valor medals.
- Sec. 594. Digital ambassador program of the Navy: cessation; report; restart.

1 **Subtitle A—Officer Policy**

2 **SEC. 501. AUTHORIZED STRENGTH: GENERAL AND FLAG**
 3 **OFFICERS ON ACTIVE DUTY.**

4 (a) REPEAL OF OBSOLETE AUTHORITY; REDESIGNA-
 5 TION.—Chapter 32 of title 10, United States Code, is
 6 amended—

7 (1) by repealing section 526;

8 (2) by redesignating section 526a as section
 9 526;

10 (3) in the table of sections for such chapter, by
 11 striking the item relating to section 526a; and

1 (4) in the section heading for section 526, as
2 redesignated by paragraph (2), by striking “**after**
3 **December 31, 2022**”.

4 (b) INCREASED AUTHORIZED STRENGTH.—Section
5 526 of title 10, United States Code, as redesignated and
6 amended by subsection (a), is further amended—

7 (1) in subsection (a)—

8 (A) by striking “after December 31,
9 2022,”;

10 (B) in paragraph (1), by striking “218”
11 and inserting “219”;

12 (C) in paragraph (2), by striking “149”
13 and inserting “150”;

14 (D) in paragraph (3), by striking “170”
15 and inserting “171”; and

16 (E) in paragraph (4), by striking “62” and
17 inserting “64”; and

18 (2) by redesignating the second subsection des-
19 ignated as subsection (i) as subsection (j).

20 (c) REPEAL OF EXCLUSION OF OFFICERS SERVING
21 AS LEAD SPECIAL TRIAL COUNSEL FROM LIMITATIONS
22 ON AUTHORIZED STRENGTHS.—Section 506 of the James
23 M. Inhofe National Defense Authorization Act for Fiscal
24 Year 2023 is hereby repealed.

1 **SEC. 502. EXTENSION OF ACTIVE DUTY TERM FOR ATTEND-**
2 **ING PHYSICIAN AT UNITED STATES CAPITOL.**

3 The present incumbent Attending Physician at the
4 United States Capitol shall be continued on active duty
5 until six years after the date of the enactment of this Act.

6 **SEC. 503. UPDATING AUTHORITY TO AUTHORIZE PRO-**
7 **MOTION TRANSFERS BETWEEN COMPONENTS**
8 **OF THE SAME ARMED FORCE OR A DIF-**
9 **FERENT ARMED FORCE.**

10 (a) WARRANT OFFICERS TRANSFERRED BETWEEN
11 COMPONENTS WITHIN THE SAME OR A DIFFERENT
12 ARMED FORCE.—Section 578 of title 10, United States
13 Code, is amended by adding at the end the following new
14 subsection:

15 “(g) Notwithstanding subsection (d), and subject to
16 regulations prescribed by the Secretary of Defense, in the
17 case of a warrant officer who is selected for promotion
18 by a selection board convened under this chapter, and
19 prior to the placement of the warrant officer’s name on
20 the applicable promotion list is approved for transfer to
21 a new component within the same or a different armed
22 force, the Secretary concerned may place the warrant offi-
23 cer’s name on a corresponding promotion list of the new
24 component without regard to the warrant officer’s com-
25 petitive category. A warrant officer’s promotion under this

1 subsection shall be made pursuant to section 12242 of this
2 title.”.

3 (b) OFFICERS TRANSFERRED TO RESERVE ACTIVE-
4 STATUS LIST.—

5 (1) IN GENERAL.—Section 624 of such title is
6 amended by adding at the end the following new
7 subsections:

8 “(e) Notwithstanding subsection (a)(2), in the case
9 of an officer who is selected for promotion by a selection
10 board convened under this chapter, and prior to the place-
11 ment of the officer’s name on the applicable promotion
12 list is approved for transfer to the reserve active-status
13 list of the same or a different armed force, the Secretary
14 concerned may place the officer’s name on a corresponding
15 promotion list on the reserve active-status list without re-
16 gard to the officer’s competitive category. An officer’s pro-
17 motion under this subsection shall be made pursuant to
18 section 14308 of this title.

19 “(f) Notwithstanding subsection (a)(3), in the case
20 of an officer who is placed on an all-fully-qualified-officers
21 list, and is subsequently approved for transfer to the re-
22 serve active-status list, the Secretary concerned may place
23 the officer’s name on an appropriate all-fully-qualified-of-
24 ficers list on the reserve active-status list. An officer’s pro-

1 motion under this subsection shall be made pursuant to
2 section 14308 of this title.”.

3 (2) DATE OF RANK.—Section 14308(c) of such
4 title is amended—

5 (A) by redesignating paragraph (3) as
6 paragraph (4); and

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

9 “(3) The Secretary concerned may adjust the date
10 of rank of an officer whose name is placed on a reserve
11 active-status promotion list pursuant to subsection (e) or
12 (f) of section 624 of this title.”.

13 **SEC. 504. FLEXIBILITY IN DETERMINING TERMS OF AP-**
14 **POINTMENT FOR CERTAIN SENIOR OFFICER**
15 **POSITIONS.**

16 (a) IN GENERAL.—Chapter 35 of title 10, United
17 States Code, is amended by inserting after section 601 the
18 following new section:

19 **“§ 602. Flexibility in determining terms of appoint-**
20 **ment for certain senior officer positions**

21 “The Secretary of Defense may extend or reduce the
22 duration of an appointment made under section 152, 154,
23 7033, 8033, 8043, 9033, or 9082 of this title by up to
24 six months if the Secretary determines that such an exten-
25 sion or reduction is necessary either in the interests of

1 national defense, or to ensure an appropriate staggering
2 of terms of senior military leadership.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 35 of title 10, United States
5 Code, is amended by inserting after the item relating to
6 section 601 the following new item:

“602. Flexibility in determining terms of appointment for certain senior officer
positions.”.

7 **SEC. 505. REALIGNMENT OF NAVY SPOT-PROMOTION**
8 **QUOTAS.**

9 Section 605(g)(4)(B) of title 10, United States Code,
10 is amended by striking “325” and inserting “425”.

11 **SEC. 506. AUTHORITY TO INCREASE THE NUMBER OF MED-**
12 **ICAL AND DENTAL OFFICERS RECOMMENDED**
13 **FOR PROMOTION TO CERTAIN GRADES.**

14 Section 616(d) of title 10, United States Code, is
15 amended by inserting “, except, the Secretary concerned
16 may authorize a greater number of officers so rec-
17 ommended that is less than 100 percent of the number
18 of officers so included, for medical and dental officers rec-
19 ommended for promotion to major or lieutenant com-
20 mander, if the Secretary concerned determines that such
21 greater number is necessary to maintain or improve med-
22 ical readiness” before the period at the end.

1 **SEC. 507. PROHIBITION ON APPOINTMENT OR NOMINATION**
2 **OF CERTAIN OFFICERS WHO ARE SUBJECT**
3 **TO SPECIAL SELECTION REVIEW BOARDS.**

4 (a) OFFICERS ON ACTIVE-DUTY LIST.—

5 Section 628a(a)(2)(B) of title 10, United States
6 Code, is amended to read as follows:

7 “(B) shall not be forwarded for appointment or
8 nomination to the Secretary of Defense, the Presi-
9 dent, or the Senate, as applicable.”.

10 (b) OFFICERS ON RESERVE ACTIVE-STATUS LIST.—

11 Section 14502a(a)(2)(B) of title 10, United
12 States Code, is amended to read as follows:

13 “(B) shall not be forwarded for appointment or
14 nomination to the Secretary of Defense, the Presi-
15 dent, or the Senate, as applicable.”.

16 **SEC. 508. EFFECT OF FAILURE OF SELECTION FOR PRO-**
17 **MOTION.**

18 (a) EFFECT OF FAILURE OF SELECTION FOR PRO-
19 MOTION: CAPTAINS AND MAJORS OF THE ARMY, AIR
20 FORCE, MARINE CORPS, AND SPACE FORCE AND LIEU-
21 TENANTS AND LIEUTENANT COMMANDERS OF THE
22 NAVY.—

23 (1) IN GENERAL.—Section 632 of title 10,
24 United States Code, is amended—

1 (A) in the section heading, by striking
2 **“and Marine Corps”** and inserting **“Ma-**
3 **rine Corps, and Space Force”**;

4 (B) in subsection (a)(1), by striking
5 “President approves the report of the board
6 which considered him for the second time” and
7 inserting “Secretary concerned releases the pro-
8 motion results of the board which considered
9 the officer for the second time to the public”.

10 (2) CLERICAL AMENDMENT.—The table of sec-
11 tions at the beginning of chapter 36 of title 10,
12 United States Code, is amended by striking the item
13 relating to section 632 and inserting the following
14 new item:

“632. Effect of failure of selection for promotion: captains and majors of the
Army, Air Force, Marine Corps, and Space Force and lieuten-
ants and lieutenant commanders of the Navy.”.

15 (b) RETIREMENT OF REGULAR OFFICERS OF THE
16 NAVY FOR LENGTH OF SERVICE OR FAILURE OF SELEC-
17 TION FOR PROMOTION.—Section 8372(a)(2)(A) of title
18 10, United States Code, is amended by striking “President
19 approves the report of the board which considered him for
20 the second time” and inserting “Secretary concerned re-
21 leases the promotion results of the board which considered
22 the officer for the second time to the public”.

1 **SEC. 509. IMPROVEMENTS RELATING TO SERVICE OBLIGA-**
2 **TION FOR MARINE CORPS CYBERSPACE OP-**
3 **ERATIONS OFFICERS.**

4 (a) **REQUIRED SERVICE.**—Section 651(c) of title 10,
5 United States Code, is amended—

6 (1) in paragraph (1), by inserting “or in the
7 case of an unrestricted officer designated within a
8 cyberspace occupational specialty” before the period
9 at the end; and

10 (2) in paragraph (2)—

11 (A) in subparagraph (A), by striking “;
12 or” and inserting a semicolon;

13 (B) in subparagraph (B), by striking the
14 period and inserting “; or”; and

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

17 “(C) in the case of an unrestricted officer des-
18 igned within a cyberspace occupational specialty,
19 the period of obligated service specified in the enlist-
20 ment agreement of such officer.”.

21 (b) **MINIMUM SERVICE REQUIREMENT FOR CERTAIN**
22 **CYBERSPACE OCCUPATIONAL SPECIALTIES.**—Chapter 37
23 of title 10, United States Code, is amended by inserting
24 after section 653 the following new section:

1 **“§ 654. Minimum service requirement for certain**
2 **cyberspace occupational specialties**

3 “(a) CYBERSPACE OPERATIONS OFFICER.—The min-
4 imum service obligation for any member who successfully
5 completes training in the armed forces in direct accession
6 to the cyberspace operations officer occupational specialty
7 of the Marine Corps shall be eight years.

8 “(b) SERVICE OBLIGATION DEFINED.—In this sec-
9 tion, the term ‘service obligation’ means the period of ac-
10 tive duty or, in the case of a member of a reserve compo-
11 nent who completed cyberspace operations training in an
12 active duty for training status as a member of a reserve
13 component, the period of service in an active status in the
14 Selected Reserve, required to be served after completion
15 of cyberspace operations training.”.

16 **SEC. 509A. TIME IN GRADE REQUIREMENTS.**

17 Section 1305 of title 10, United States Code, is
18 amended—

19 (1) in subsection (a)(3), by inserting “or a Ma-
20 rine Corps Marine Gunner warrant officer in such
21 grade,” after “chief warrant officer, W-5,”;

22 (2) in subsection (b), by striking “when he”
23 and inserting “when the warrant officer”; and

24 (3) in subsection (c)—

25 (A) by striking “as he” and inserting “as
26 the Secretary concerned”; and

1 (B) by striking “after he” and inserting
2 “after the warrant officer”.

3 **SEC. 509B. ESTABLISHMENT OF LEGISLATIVE LIAISON OF**
4 **THE SPACE FORCE.**

5 Chapter 903 of title 10, United States Code, is
6 amended by inserting, after section 9023, the following
7 new section:—

8 **“§ 9023a. Legislative Liaison of the Space Force**

9 “(a) ESTABLISHMENT.—There is a Legislative Liai-
10 son of the Space Force.

11 “(b) FUNCTIONS.—The Legislative Liaison shall per-
12 form legislative affairs functions under the direction of the
13 Chief of Space Operations.”.

14 **SEC. 509C. EXTENSION OF AUTHORITY TO VARY NUMBER**
15 **OF SPACE FORCE OFFICERS CONSIDERED**
16 **FOR PROMOTION TO MAJOR GENERAL.**

17 Subsection (b) of section 503 of the National Defense
18 Authorization Act for Fiscal Year 2022 (Public Law 117–
19 81; 135 Stat. 1680) is amended by striking “shall termi-
20 nate on December 31, 2022” and inserting “shall termi-
21 nate on December 31, 2024”.

22 **SEC. 509D. BRIEFING ON NUMBER OF GENERAL OFFICERS**
23 **OF THE SPACE FORCE ON ACTIVE DUTY.**

24 Not later than March 1, 2024, the Secretary of De-
25 fense shall submit to the Committees on Armed Services

1 of the Senate and House of Representatives a briefing re-
2 garding the number of general officers of the Space Force
3 on active duty. Such briefing shall include the following
4 elements:

5 (1) The evaluation of the Secretary whether the
6 current number of such general officers is sufficient
7 to meet the requirements of—

8 (A) the Space Force;

9 (B) joint duty assignments under chapter
10 38 of title 10, United States Code; and

11 (C) the combatant commands.

12 (2) Any proposal of the Secretary to increase
13 the maximum number (under section 526a of such
14 title) of such general officers in order to meet such
15 requirements in the future.

16 (3) A justification for any such proposal.

17 **Subtitle B—Reserve Component**
18 **Management**

19 **SEC. 511. REMOVAL OF ACTIVE DUTY PROHIBITION FOR**
20 **MEMBERS OF THE AIR FORCE RESERVE POL-**
21 **ICY COMMITTEE.**

22 Section 10305 of title 10, United States Code, is
23 amended—

24 (1) in subsection (b), by striking “not on active
25 duty” both places it appears; and

1 (2) in subsection (c)—

2 (A) by inserting “of the reserve compo-
3 nents” after “among the members”; and

4 (B) by striking “not on active duty”.

5 **SEC. 512. GRADE OF VICE CHIEF OF THE NATIONAL GUARD**
6 **BUREAU.**

7 Section 10505 of title 10, United States Code, is
8 amended by adding at the end the following new sub-
9 section:

10 “(c) GRADE.—(1) The Vice Chief of the National
11 Guard Bureau shall be appointed to serve in the grade
12 of general.

13 “(2) The Secretary of Defense shall designate, pursu-
14 ant to subsection (b) of section 526 of this title, the posi-
15 tion of Vice Chief of the National Guard Bureau as one
16 of the general officer and flag officer positions to be ex-
17 cluded from the limitations in subsection (a) of such sec-
18 tion.”.

19 **SEC. 513. MOBILIZATION OF SELECTED RESERVE FOR**
20 **PREPLANNED MISSIONS IN SUPPORT OF THE**
21 **COMBATANT COMMANDS.**

22 Section 12304b(b)(1) of title 10, United States Code,
23 is amended—

24 (1) by redesignating subparagraphs (A) and
25 (B) as clauses (i) and (ii), respectively;

1 (2) by striking “Units” and inserting “(A) Ex-
2 cept as provided under subparagraph (B), units”;
3 and

4 (3) by adding at the end the following new sub-
5 paragraph:

6 “(B) In the event the President’s budget is de-
7 livered later than April 1st in the year prior to the
8 year of the mobilization of one or more units under
9 this section, the Secretary concerned may submit to
10 Congress the information required under subpara-
11 graph (A) in a separate notice.”.

12 **SEC. 514. ALTERNATIVE PROMOTION AUTHORITY FOR RE-**
13 **SERVE OFFICERS IN DESIGNATED COMPETI-**
14 **TIVE CATEGORIES.**

15 (a) IN GENERAL.—Part III of subtitle E of title 10,
16 United States Code, is amended by adding at the end the
17 following new chapter:

18 **“CHAPTER 1413—ALTERNATIVE PRO-**
19 **MOTION AUTHORITY FOR OFFICERS**
20 **IN DESIGNATED COMPETITIVE CAT-**
21 **EGORIES**

“Sec.

“15101. Officers in designated competitive categories.

“15102. Selection for promotion.

“15103. Eligibility for consideration for promotion.

“15104. Opportunities for consideration for promotion.

“15105. Promotions.

“15106. Failure of selection for promotion.

“15107. Retirement: retirement for years of service; selective early retirement.

“15108. Continuation on the Reserve Active-Status List.

“15109. Other administrative authorities.

“15110. Regulations.

1 **“§ 15101. Officers in designated competitive cat-**
2 **egories**

3 “(a) AUTHORITY TO DESIGNATE COMPETITIVE CAT-
4 EGORIES OF OFFICERS.—Each Secretary of a military de-
5 partment may designate one or more competitive cat-
6 egories for promotion of officers under section 14005 of
7 this title that are under the jurisdiction of such Secretary
8 as a competitive category of officers whose promotion, re-
9 tirement, and continuation on the reserve active-status list
10 shall be subject to the provisions of this chapter.

11 “(b) LIMITATION ON EXERCISE OF AUTHORITY.—
12 The Secretary of a military department may not designate
13 a competitive category of officers for purposes of this
14 chapter until 60 days after the date on which the Sec-
15 retary submits to the Committees on Armed Services of
16 the Senate and the House of Representatives a report on
17 the designation of the competitive category. The report on
18 the designation of a competitive category shall set forth
19 the following:

20 “(1) A detailed description of officer require-
21 ments for officers within the competitive category.

22 “(2) An explanation of the number of opportu-
23 nities for consideration for promotion to each par-

1 ticular grade, and an estimate of promotion timing,
2 within the competitive category.

3 “(3) An estimate of the size of the promotion
4 zone for each grade within the competitive category.

5 “(4) A description of any other matters the
6 Secretary considered in determining to designate the
7 competitive category for purposes of this chapter.

8 **“§ 15102. Selection for promotion**

9 “(a) IN GENERAL.—Except as provided in this sec-
10 tion, the selection for promotion of officers in any competi-
11 tive category of officers designated for purposes of this
12 chapter shall be governed by the provisions under chapter
13 1403 of this title.

14 “(b) NO RECOMMENDATION FOR PROMOTION OF OF-
15 FICERS BELOW PROMOTION ZONE.—Section 14301(d) of
16 this title shall not apply to the selection for promotion of
17 officers described in subsection (a).

18 “(c) RECOMMENDATION FOR OFFICERS TO BE EX-
19 CLUDED FROM FUTURE CONSIDERATION FOR PRO-
20 MOTION.—In making recommendations pursuant to chap-
21 ter 1403 of this title for purposes of the administration
22 of this chapter, a selection board convened under section
23 14101(a) of this title may recommend that an officer con-
24 sidered by the board be excluded from future consideration
25 for promotion under this chapter.

1 **“§ 15103. Eligibility for consideration for promotion**

2 “(a) IN GENERAL.—Except as provided by this sec-
3 tion, eligibility for promotion of officers in any competitive
4 category of officers designated for purposes of this chapter
5 shall be governed by the provisions of sections 14301,
6 14303, and 14304 of this title.

7 “(b) INAPPLICABILITY OF CERTAIN TIME-IN-GRADE
8 REQUIREMENTS.—Sections 14303 and 14304 of this title
9 shall not apply to the promotion of officers described in
10 subsection (a).

11 “(c) INAPPLICABILITY TO OFFICERS ABOVE AND
12 BELOW PROMOTION ZONE.—The following provisions of
13 this title shall not apply to the promotion of officers de-
14 scribed in subsection (a):

15 “(1) The reference in section 14301(b) to an
16 officer above the promotion zone.

17 “(2) Section 14301(d).

18 “(d) INELIGIBILITY OF CERTAIN OFFICERS.—The
19 following officers are not eligible for promotion under this
20 chapter:

21 “(1) An officer described in section 14301(c) of
22 this title.

23 “(2) An officer not included within the pro-
24 motion zone.

25 “(3) An officer who has failed of promotion to
26 a higher grade the maximum number of times speci-

1 fied for opportunities for promotion for such grade
2 within the competitive category concerned pursuant
3 to section 15104 of this title.

4 “(4) An officer recommended by a selection
5 board to be removed from consideration for pro-
6 motion in accordance with section 15102(e) of this
7 title.

8 **“§ 15104. Opportunities for consideration for pro-**
9 **motion**

10 “(a) SPECIFICATION OF NUMBER OF OPPORTUNI-
11 TIES FOR CONSIDERATION FOR PROMOTION.—In desig-
12 nating a competitive category of officers pursuant to sec-
13 tion 15101 of this title, the Secretary of a military depart-
14 ment shall specify the number of opportunities for consid-
15 eration for promotion to be afforded officers of the armed
16 force concerned within the category for promotion to each
17 grade above the grade of first lieutenant or lieutenant
18 (junior grade), as applicable.

19 “(b) LIMITED AUTHORITY OF SECRETARY OF MILI-
20 TARY DEPARTMENT TO MODIFY NUMBER OF OPPORTUNI-
21 TIES.—The Secretary of a military department may mod-
22 ify the number of opportunities for consideration for pro-
23 motion to be afforded officers of an armed force within
24 a competitive category for promotion to a particular grade,
25 as previously specified by the Secretary pursuant sub-

1 section (a) of this subsection, not more frequently than
2 once every five years.

3 “(c) DISCRETIONARY AUTHORITY OF SECRETARY OF
4 DEFENSE TO MODIFY NUMBER OF OPPORTUNITIES.—
5 The Secretary of Defense may modify the number of op-
6 portunities for consideration for promotion to be afforded
7 officers of an armed force within a competitive category
8 for promotion to a particular grade, as previously specified
9 or modified pursuant to any provision of this section, at
10 the discretion of the Secretary.

11 “(d) LIMITATION ON NUMBER OF OPPORTUNITIES
12 SPECIFIED.—The number of opportunities for consider-
13 ation for promotion to be afforded officers of an armed
14 force within a competitive category for promotion to a par-
15 ticular grade, as specified or modified pursuant to any
16 provision of this section, may not exceed five opportuni-
17 ties.

18 “(e) EFFECT OF CERTAIN REDUCTION IN NUMBER
19 OF OPPORTUNITIES SPECIFIED.—If, by reason of a reduc-
20 tion in the number of opportunities for consideration for
21 promotion under this section, an officer would no longer
22 have one or more opportunities for consideration for pro-
23 motion that were available to the officer before the reduc-
24 tion, the officer shall be afforded one additional oppor-
25 tunity for consideration for promotion after the reduction.

1 **“§ 15105. Promotions**

2 “Sections 14307 through 14317 of this title shall
3 apply in promotions of officers in competitive categories
4 of officers designated for purposes of this chapter.

5 **“§ 15106. Failure of selection for promotion**

6 “(a) IN GENERAL.—Except as provided in this sec-
7 tion, sections 14501 through 14513 of this title shall apply
8 to promotions of officers in competitive categories of offi-
9 cers designated for purposes of this chapter.

10 “(b) INAPPLICABILITY OF FAILURE OF SELECTION
11 FOR PROMOTION TO OFFICERS ABOVE PROMOTION
12 ZONE.—The reference in section 14501 of this title to an
13 officer above the promotion zone shall not apply in the
14 promotion of officers described in subsection (a).

15 “(c) SPECIAL SELECTION BOARD MATTERS.—The
16 reference in section 14502(a)(1) of this title to a person
17 above the promotion zone shall not apply in the promotion
18 of officers described in subsection (a).

19 “(d) EFFECT OF FAILURE OF SELECTION.—In the
20 administration of this chapter pursuant to subsection
21 (a)—

22 “(1) an officer described in subsection (a) shall
23 not be deemed to have failed twice of selection for
24 promotion for purposes of section 14502(b) of this
25 title until the officer has failed selection of pro-
26 motion to the next higher grade the maximum num-

1 ber of times specified for opportunities for pro-
2 motion to such grade within the competitive category
3 concerned pursuant to section 15104 of this title;
4 and

5 “(2) any reference in sections 14504 through
6 14506 of this title to an officer who has failed of se-
7 lection for promotion to the next higher grade for
8 the second time shall be deemed to refer instead to
9 an officer described in subsection (a) who has failed
10 of selection for promotion to the next higher grade
11 for the maximum number of times specified for op-
12 portunities for promotion to such grade within the
13 competitive category concerned pursuant to such
14 section 15104.

15 **“§ 15107. Retirement: retirement for years of service;**
16 **selective early retirement**

17 “(a) RETIREMENT FOR YEARS OF SERVICE.—Sec-
18 tions 14507 through 14515 of this title shall apply to the
19 retirement of officers in competitive categories of officers
20 designated for purposes of this chapter.

21 “(b) SELECTIVE EARLY RETIREMENT.—Section
22 14101(b) of this title shall apply to the retirement of offi-
23 cers described in subsection (a).

1 **“§ 15108. Continuation on the Reserve Active-Status**

2 **List**

3 “Sections 14701 through 14703 of this title shall
4 apply in continuation or retention on a reserve active-sta-
5 tus list of officers designated for purposes of this chapter.

6 **“§ 15109. Other administrative authorities**

7 “(a) IN GENERAL.—The following provisions of this
8 title shall apply to officers in competitive categories of offi-
9 cers designated for purposes of this chapter:

10 “(1) Section 14518, relating to continuation of
11 officers to complete disciplinary action.

12 “(2) Section 14519, relating to deferment of re-
13 tirement or separation for medical reasons.

14 “(3) Section 14704, relating to the selective
15 early removal from the reserve active-status list.

16 “(4) Section 14705, relating to the selective
17 early retirement of reserve general and flag officers
18 of the Navy and Marine Corps.

19 **“§ 15110. Regulations**

20 “The Secretary of Defense shall prescribe regulations
21 regarding the administration of this chapter. The elements
22 of such regulations shall include mechanisms to clarify the
23 manner in which provisions of other chapters of this part
24 of the title shall be used in the administration of this chap-
25 ter in accordance with the provisions of this chapter.”.

1 (b) TABLE OF CHAPTERS AMENDMENT.—The table
2 of chapters at the beginning of part III of subtitle E of
3 title 10, United States Code, is amended by adding at the
4 end the following new item:

“1413. Alternative promotion authority for officers in designated com-
petitive categories 15101”.

5 **SEC. 515. AUTHORIZATION FOR FIREGUARD PROGRAM.**

6 (a) AUTHORITY.—Chapter 5 of title 32, United
7 States Code, is amended by adding at the end the fol-
8 lowing new section:

9 **“§ 510. Authorization for FireGuard Program**

10 “The Secretary of Defense may use members of the
11 National Guard to carry out a program to aggregate, ana-
12 lyze, and assess multi-source remote sensing information
13 for interagency partnerships in the detection and moni-
14 toring of wildfires, and to support any emergency response
15 to such wildfires. Such a program shall be known as the
16 ‘FireGuard Program’.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 at the beginning of such chapter is amended by adding
19 at the end the following new item:

“510. Authorization for FireGuard Program.”.

20 (c) CONFORMING AMENDMENT.—The National De-
21 fense Authorization Act for Fiscal Year 2022 (Public Law
22 117–81) is amended by striking section 515.

1 **SEC. 516. DESIGNATION OF AT LEAST ONE GENERAL OFFI-**
2 **CER OF THE MARINE CORPS RESERVE AS A**
3 **JOINT QUALIFIED OFFICER.**

4 The Secretary of Defense shall ensure that at least
5 one general officer of the Marine Corps Reserve is des-
6 ignated as a joint qualified officer.

7 **Subtitle C—General Service**
8 **Authorities and Prohibitions**

9 **SEC. 521. PERMANENT AUTHORITY TO ORDER RETIRED**
10 **MEMBERS TO ACTIVE DUTY IN HIGH-DE-**
11 **MAND, LOW-DENSITY APPOINTMENTS.**

12 (a) IN GENERAL.—Section 688a of title 10, United
13 States Code, is amended—

14 (1) in the section heading, by striking “**Re-**
15 **tired members: temporary authority**” and
16 inserting “**Authority**”;

17 (2) by striking subsection (f);

18 (3) by redesignating subsections (g) and (h) as
19 subsections (f) and (g), respectively; and

20 (4) in subsection (f), as redesignated by para-
21 graph (3), by striking “limitations in subsections (c)
22 and (f)” and inserting “limitation in subsection (e)”.

23 (b) CLERICAL AMENDMENT.—The table of sections
24 at the beginning of chapter 39 of title 10, United States
25 Code, is amended by striking the item relating to section
26 688a and inserting the following new item:

“688a. Authority to order to active duty in high-demand, low-density assignments.”.

1 **SEC. 522. PROHIBITION ON POLICY OF THE DEPARTMENT**
2 **OF DEFENSE REGARDING IDENTIFICATION**
3 **OF GENDER OR PERSONAL PRONOUNS IN OF-**
4 **FICIAL CORRESPONDENCE.**

5 Chapter 49 of title 10, United States Code, is amend-
6 ed by inserting after section 985 the following new section
7 986:

8 **“§ 986. Policy regarding identification of gender or**
9 **personal pronouns in official correspond-**
10 **ence**

11 “The Secretary of Defense may not require or pro-
12 hibit a member of the armed forces or a civilian employee
13 of the Department of Defense to identify the gender or
14 personal pronouns of such member or employee in any of-
15 ficial correspondence of the Department.”.

16 **SEC. 523. PROHIBITION ON FORMER MEMBERS OF THE**
17 **ARMED FORCES ACCEPTING POST-SERVICE**
18 **EMPLOYMENT WITH CERTAIN FOREIGN GOV-**
19 **ERNMENTS.**

20 (a) IN GENERAL.—Chapter 49 of title 10, United
21 States Code, is amended by adding at the end the fol-
22 lowing new section:

1 **“§ 989. Prohibition on former members of the armed**
2 **forces accepting post-service employment**
3 **with certain foreign governments**

4 “(a) IN GENERAL.—Except as provided by subsection
5 (b), a covered individual may not occupy a covered post-
6 service position.

7 “(b) TEMPORARY WAIVER.—

8 “(1) IN GENERAL.—The Secretary of Defense
9 shall establish a process under which a covered indi-
10 vidual may be granted a temporary waiver of the
11 prohibition under subsection (a) if—

12 “(A) the individual, or a Federal agency on
13 behalf of, and with the consent of, the indi-
14 vidual, submits to the Secretary a written appli-
15 cation for a waiver in such form and manner as
16 the Secretary determines appropriate; and

17 “(B) the Secretary determines that the
18 waiver is necessary to advance the national se-
19 curity interests of the United States.

20 “(2) PERIOD OF WAIVER.—A waiver issued
21 under paragraph (1) shall apply for a period not ex-
22 ceeding 5 years. The Secretary may renew such a
23 waiver.

24 “(3) REVOCATION.—The Secretary may revoke
25 a waiver issued under paragraph (1) to a covered in-
26 dividual with respect to a covered-post service posi-

1 tion if the Secretary determines that the employ-
2 ment of the individual in the covered-post service po-
3 sition poses a threat to national security.

4 “(4) NOTIFICATION.—

5 “(A) IN GENERAL.—Not later than 30
6 days after the date on which the Secretary
7 issues a waiver under paragraph (1) or revokes
8 a waiver under paragraph (3), the Secretary
9 shall submit to the Committees on Armed Serv-
10 ices of the Senate and the House of Represent-
11 atives written notification of the waiver or rev-
12 ocation, as the case may be.

13 “(B) ELEMENTS.—A notification required
14 by subparagraph (A) shall include the following:

15 “(i) With respect to a waiver issued to
16 a covered individual—

17 “(I) the details of the applica-
18 tion, including the position held by the
19 individual in the armed forces;

20 “(II) the nature of the post-serv-
21 ice position of the individual;

22 “(III) a description of the na-
23 tional security interests that will be
24 advanced by reason of issuing such a
25 waiver; and

1 “(IV) the specific reasons why
2 the Secretary determines that issuing
3 the waiver will advance such interests.

4 “(ii) With respect to a revocation of a
5 waiver issued to a covered individual—

6 “(I) the details of the waiver, in-
7 cluding any renewals of the waiver,
8 and the dates of such waiver and re-
9 newals; and

10 “(II) the specific reasons why the
11 Secretary determined that the revoca-
12 tion is warranted.

13 “(c) CERTIFICATION OF PROHIBITION.—In imple-
14 menting the prohibition under subsection (a), the Sec-
15 retary shall establish a process under which each member
16 of the armed forces is, before the member retires or is
17 otherwise separated from the armed forces—

18 “(1) informed in writing of the prohibition, and
19 the penalties for violations of the prohibition; and

20 “(2) required to certify that the member under-
21 stands the prohibition and those penalties.

22 “(d) PENALTIES.—In the case of a covered individual
23 who knowingly and willfully fails to comply with the prohi-
24 bition under subsection (a), the Secretary may, as applica-
25 ble—

1 “(1) withhold any pay, allowances, or benefits
2 that would otherwise be provided to the individual by
3 the Department of Defense; and

4 “(2) revoke any security clearance of the indi-
5 vidual.

6 “(e) ANNUAL REPORTS.—

7 “(1) REQUIREMENT.—Not later than March
8 31, 2024, and annually thereafter, the Secretary
9 shall submit to the congressional defense committees
10 a report on covered post-service employment occur-
11 ring during the year covered by the report.

12 “(2) ELEMENTS.—Each report required by
13 paragraph (1) shall include the following:

14 “(A) The number of former covered indi-
15 viduals who occupy a covered post-service posi-
16 tion, broken down by—

17 “(i) the name of the employer;

18 “(ii) the foreign government, includ-
19 ing by the specific foreign individual, agen-
20 cy, or entity, for whom the covered post-
21 service employment is being performed;
22 and

23 “(iii) the nature of the services pro-
24 vided as part of the covered post-service
25 employment.

1 “(B) An assessment by the Secretary of
2 whether—

3 “(i) the Department of Defense main-
4 tains adequate systems and processes for
5 ensuring that former members of the
6 armed forces are submitting required re-
7 ports relating to their employment by for-
8 eign governments;

9 “(ii) all covered individuals who oc-
10 cupy a covered post-service position are in
11 compliance with this section;

12 “(iii) the services provided by the cov-
13 ered individuals who occupy a covered
14 post-service position pose a current or fu-
15 ture threat to the national security of the
16 United States; and

17 “(iv) there is any credible information
18 or reporting that any covered individual
19 who occupies a covered post-service posi-
20 tion has engaged in activities that violate
21 Federal law.

22 “(3) FORM OF REPORT.—Each report required
23 by paragraph (1) shall be submitted in unclassified
24 form, but may include a classified annex.

1 “(f) NOTIFICATIONS OF DETERMINATIONS OF CER-
2 TAIN THREATS.—

3 “(1) REQUIREMENT.—In addition to the annual
4 reports under subsection (d), if the Secretary deter-
5 mines that the services provided by a covered indi-
6 vidual who occupies a covered post-service position
7 pose a threat described in clause (iii) of paragraph
8 (2)(B) of that subsection, or include activities de-
9 scribed in clause (iv) of such paragraph, the Sec-
10 retary shall notify the congressional defense commit-
11 tees of that determination by not later than 30 days
12 after making the determination.

13 “(2) ELEMENTS.—A notification required by
14 paragraph (1) shall include the following:

15 “(A) The name of the covered individual.

16 “(B) The name of the employer.

17 “(C) The foreign government, including
18 the specific foreign individual, agency, or entity,
19 for whom the covered post-service employment
20 is being performed.

21 “(D) As applicable, a description of the
22 risk to national security and the activities that
23 may violate Federal law.

24 “(g) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion may be construed to indemnify or shield covered indi-

1 individuals from prosecution under any relevant provision of
2 title 18.

3 “(h) DEFINITIONS.—In this section:

4 “(1) COVERED INDIVIDUAL.—The term ‘cov-
5 ered individual’ means an individual who has retired
6 or otherwise separated from an active or reserve
7 component of the Armed Forces.

8 “(2) COVERED POST-SERVICE EMPLOYMENT.—
9 The term ‘covered post-service employment’ means
10 direct or indirect employment by, representation of,
11 or any provision of advice or services relating to na-
12 tional security, intelligence, the military, or internal
13 security to—

14 “(A) the government of—

15 “(i) a country of concern (as defined
16 in section 1(m) of the State Department
17 Basic Authorities Act of 1956 (22 U.S.C.
18 2651a(m))); or

19 “(ii) a country the Secretary of De-
20 fense determines acts as a proxy or pass-
21 through for services for a country of con-
22 cern; or

23 “(B) any company, entity, or other person
24 the activities of which are directly or indirectly
25 supervised, directed, controlled, financed, or

1 (A) in clause (i), by striking “and” at the
2 end;

3 (B) in clause (ii)—

4 (i) by striking “may” and inserting
5 “shall”;

6 (ii) by striking “installation by any
7 means elected by the Secretary from
8 among the following:” and inserting “in-
9 stallation—”;

10 (iii) in subclause (I)—

11 (I) by striking “Through” and
12 inserting “through”; and

13 (II) by striking “Defense.” and
14 inserting “Defense;”;

15 (iv) in subclause (II)—

16 (I) by striking “By contract” and
17 inserting “by contract”; and

18 (II) by striking “Internet.” and
19 inserting “Internet; or”; and

20 (v) in subclause (III)—

21 (I) by striking “Through” and
22 inserting “through”; and

23 (II) by striking “counseling.” and
24 inserting “counseling; and”; and

1 (C) by adding at the end the following new
2 clause:

3 “(iii) may not provide financial services through
4 any individual unless such individual agrees to sub-
5 mit financial disclosures annually to the Secretary.”;

6 (2) in subsection (b)(2)(B), by striking “instal-
7 lation by any of the means set forth in subparagraph
8 (A)(ii), as elected by the Secretary concerned.” and
9 inserting “installation in accordance with the re-
10 quirements established under subparagraph (A)(ii)
11 and (iii).”; and

12 (3) in subsection (b)(4)—

13 (A) by inserting “(A)” before “The Sec-
14 retary”; and

15 (B) by inserting at the end the following
16 new subparagraphs:

17 “(B) In carrying out the requirements of subpara-
18 graph (A), the Secretary concerned shall establish a re-
19 quirement that each financial services counselor under
20 paragraph (2)(A)(i), and any other individual providing
21 counseling on financial services under paragraph (2), sub-
22 mit financial disclosures annually to the Secretary.

23 “(C) The Secretary concerned shall review all finan-
24 cial disclosures submitted pursuant to subparagraph (B)
25 to ensure the counselor, or the individual providing coun-

1 seling, is free from conflict as required under this para-
2 graph.

3 “(D) If the Secretary concerned determines that a
4 financial services counselor under paragraph (2)(A)(i), or
5 any other individual providing counseling on financial
6 services under paragraph (2), is not free from conflict as
7 required under this paragraph, the Secretary shall ensure
8 that the counselor, or the individual providing counseling,
9 does not provide such services until such time as the Sec-
10 retary determines that such conflict is resolved.”.

11 (b) BRIEFING ON FINANCIAL INDEPENDENCE.—Not
12 later than 180 days after the date of the enactment of
13 this Act, each Secretary concerned shall submit to Con-
14 gress a briefing on the implementation of the amendments
15 made by this section.

16 (c) SECRETARY CONCERNED DEFINED.—In this sec-
17 tion, the term “Secretary concerned” has the meaning
18 given to such term in section 101 of title 10, United States
19 Code.

20 **SEC. 525. MODIFICATION OF REQUIREMENTS FOR AP-**
21 **PROVAL OF FOREIGN EMPLOYMENT BY RE-**
22 **TIRED AND RESERVE MEMBERS OF UNI-**
23 **FORMED SERVICES.**

24 Section 908 of title 37, United States Code, is
25 amended—

1 (1) in subsection (b)—

2 (A) by striking “A person” and inserting
3 “(1) A person”;

4 (B) by inserting “after determining that
5 such approval is not contrary to the national in-
6 terests of the United States” after “approve the
7 employment”; and

8 (C) by adding at the end the following new
9 paragraph:

10 “(2) The Secretary of a military department may del-
11 egate the determination of the Secretary required by para-
12 graph (1) only to an official of the military department
13 at or above the level of an Assistant Secretary or, in the
14 event of a vacancy in the position of such an official, a
15 civilian official performing the duties of that position.”;
16 and

17 (2) in subsection (d)—

18 (A) in paragraph (2)—

19 (i) in the matter preceding subpara-
20 graph (A), by striking “an officer” and in-
21 serting “a person”; and

22 (ii) by striking subparagraphs (B) and
23 (C) and inserting the following new sub-
24 paragraphs:

1 “(B) A description of the duties, if any, the
2 person is to perform and the compensation the per-
3 son is to receive for such duties, as reflected in the
4 person’s application for approval of the employment
5 or compensation or payment or award.

6 “(C) The position the person held or holds in
7 the armed forces, including the rank of the person
8 and the armed force in which the person served.

9 “(D) Any other information the Secretaries of
10 the military departments consider relevant, except
11 that such information may not include the person’s
12 date of birth, Social Security number, home address,
13 phone number, or any other personal identifier other
14 than the name and rank of the person and the
15 armed force in which the person served.”; and

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

18 “(3) Not later than 60 days after the date on which
19 a report required by paragraph (1) is submitted, the Sec-
20 retaries of the military departments shall make the report,
21 and all contents of the report, available on a publicly ac-
22 cessible internet website.”.

1 **SEC. 526. CONSIDERATION OF REINSTATEMENT OF A MEM-**
2 **BER OF THE ARMED FORCES INVOLUN-**
3 **TARILY SEPARATED ON THE BASIS OF RE-**
4 **FUSAL TO RECEIVE A VACCINATION AGAINST**
5 **COVID-19.**

6 (a) REINSTATEMENT.—

7 (1) REQUEST; CONSIDERATION.—At the request
8 of a covered individual during the two years fol-
9 lowing the date of the involuntary separation of the
10 covered individual, the Secretary concerned shall
11 consider reinstating such covered individual—

12 (A) as a member of the Armed Force con-
13 cerned; and

14 (B) in the grade held by such covered indi-
15 vidual immediately before the involuntary sepa-
16 ration of the covered individual.

17 (2) TREATMENT OF PERIOD BETWEEN SEPARA-
18 TION AND REINSTATEMENT.—The Secretary con-
19 cerned shall treat the period of time between the in-
20 voluntary separation of a covered individual and the
21 reinstatement of such covered individual under para-
22 graph (1) as a period of inactivation from active
23 service under the following provisions of section 710
24 of title 10, United States Code:

25 (A) Subsection (b).

1 (B) Subparagraphs (B) through (D) of
2 paragraph (2) of subsection (f).

3 (C) Paragraph (4) of subsection (f).

4 (D) Subsection (g).

5 (b) COVERED INDIVIDUAL DEFINED.—In this sec-
6 tion, the term “covered individual” means an individual—

7 (1) involuntarily separated from an Armed
8 Force solely on the basis of the refusal of such indi-
9 vidual to receive a vaccination against COVID-19;
10 and

11 (2) who, during the period beginning on August
12 24, 2021, and ending on February 24, 2023, sub-
13 mitted a request for a religious, administrative, or
14 medical exemption from a requirement to receive a
15 vaccination against COVID-19.

16 **SEC. 527. REVIEWS OF CHARACTERIZATION OF ADMINIS-**
17 **TRATIVE DISCHARGES OF CERTAIN MEM-**
18 **BERS ON THE BASIS OF FAILURE TO RECEIVE**
19 **COVID-19 VACCINE.**

20 (a) MANDATORY REVIEW.—A board established
21 under section 1553 of title 10, United States Code, shall
22 grant a request pursuant to such section to review the
23 characterization of a discharge or dismissal of a former
24 member of a covered Armed Force if such discharge or
25 dismissal was solely based on the failure of such former

1 member to obey a lawful order to receive a vaccine for
2 COVID-19.

3 (b) COVERED ARMED FORCE DEFINED.—In this sec-
4 tion, the term “covered Armed Force” means the Army,
5 Navy, Marine Corps, Air Force, Coast Guard, or Space
6 Force.

7 **SEC. 528. CERTAIN MEMBERS DISCHARGED OR DISMISSED**
8 **ON THE SOLE BASIS OF FAILURE TO OBEY A**
9 **LAWFUL ORDER TO RECEIVE A VACCINE FOR**
10 **COVID-19: COMMUNICATION STRATEGY RE-**
11 **GARDING REINSTATEMENT PROCESS.**

12 (a) COMMUNICATION STRATEGY REQUIRED.—Not
13 later than six months after the date of the enactment of
14 this Act, the Secretary of Defense, in coordination with
15 the Secretaries of the military departments or, with re-
16 spect the Coast Guard, the Secretary of the department
17 in which the Secretary is operating when the Coast Guard
18 is not operating as a service in the Navy, shall commu-
19 nicate, to a covered individual, the current, established,
20 process by which a covered individual may be reinstated
21 in the covered Armed Force concerned.

22 (b) DEFINITIONS.—In this section:

23 (1) The term “covered individual” means an in-
24 dividual discharged or dismissed from a covered

1 Armed Force on the sole basis of failure to obey a
2 lawful order to receive a vaccine for COVID-19.

3 (2) The term “covered Armed Force” means
4 the Army, Navy, Marine Corps, Air Force, Coast
5 Guard, or Space Force.

6 **SEC. 529. CONTINUING MILITARY SERVICE FOR CERTAIN**
7 **MEMBERS ELIGIBLE FOR CHAPTER 61 RE-**
8 **TIREMENT.**

9 (a) IN GENERAL.—Not later than one year after the
10 date of the enactment of this Act, the Secretary of Defense
11 shall prescribe regulations that authorize the Secretary of
12 the military department concerned to authorize a covered
13 member to continue to serve in the Armed Forces—

14 (1) in the current military occupational spe-
15 cialty of such covered member, for which the covered
16 member may not be deployable; or

17 (2) in a military occupational specialty for
18 which the covered member is deployable.

19 (b) RULE OF CONSTRUCTION.—A covered member
20 who completes 20 years of service computed under section
21 1208 of title 10, United States Code shall not be denied
22 any benefit—

23 (1) for which the covered member is eligible
24 under laws administered by the Secretary of Defense
25 or the Secretary of Veterans Affairs; and

1 (2) solely on the basis that the covered member
2 elected to continue to serve in the Armed Forces in-
3 stead of taking retirement under chapter 61 of title
4 10, United States Code.

5 (c) COVERED MEMBER DEFINED.—In this section,
6 the term “covered member” means a member of the Army,
7 Navy, Air Force, Marine Corps, or Space Force—

8 (1) whom the Secretary of the military depart-
9 ment concerned determines possesses skill or experi-
10 ence vital to the Armed Force concerned;

11 (2) who incurs a disability—

12 (A) while eligible for special pay under sec-
13 tion 310 of title 37, United States Code; and

14 (B) that renders the member eligible for
15 retirement under chapter 61 of title 10, United
16 States Code; and

17 (3) who seeks to continue to serve in the Armed
18 Forces instead of taking such retirement.

19 **SEC. 529A. THREAT-BASED SECURITY SERVICES AND**
20 **EQUIPMENT FOR CERTAIN FORMER OR RE-**
21 **TIRED DEPARTMENT OF DEFENSE PER-**
22 **SONNEL.**

23 (a) REMOVAL OF TIME LIMITATIONS.—Subsection
24 (b) of section 714 of title 10, United States Code, is
25 amended—

1 (1) in paragraph (1)(A), by striking “imminent
2 and credible threat” and inserting “serious and
3 credible threat”;

4 (2) in paragraph (2)(B), by striking “for a pe-
5 riod of up to two years beginning on the date on
6 which the official separates from the Department”;

7 (3) by amending paragraph (5) to read as fol-
8 lows:

9 “(5) DURATION OF PROTECTION.—The Sec-
10 retary of Defense shall require periodic reviews, not
11 less than once every six months, of the duration of
12 protection provided to individuals under this sub-
13 section.”; and

14 (4) in paragraph (6)(A), by striking “and of
15 each determination under paragraph (5)(B) to ex-
16 tend such protection and security”.

17 (b) AUTHORIZATION OF REIMBURSEMENT OR ACQUI-
18 SITION OF SECURITY SERVICES.—Such section 714, as
19 amended by subsection (a), is further amended by adding
20 at the end the following:

21 “(e) REIMBURSEMENT.—The Secretary of Defense
22 may reimburse a former or retired official who faces seri-
23 ous and credible threats arising from duties performed
24 while employed by the Department for security services
25 and equipment procured at the personal expense of the

1 official, not to exceed an aggregate of \$15,000,000 in any
2 fiscal year for all former and retired officials authorized
3 by the Secretary of Defense for such reimbursement.”.

4 **SEC. 529B. LIMITATION ON ESTABLISHMENT OF NEW DI-**
5 **VERSITY, EQUITY, AND INCLUSION POSI-**
6 **TIONS; HIRING FREEZE.**

7 (a) IN GENERAL.—During the period described in
8 subsection (b), the Secretary of Defense may not—

9 (1) establish any new positions within the De-
10 partment of Defense with responsibility for matters
11 relating to diversity, equity, and inclusion; or

12 (2) fill any vacancies in positions in the Depart-
13 ment with responsibility for such matters.

14 (b) PERIOD DESCRIBED.—The period described in
15 this subsection is the period—

16 (1) beginning on the date of the enactment of
17 this Act; and

18 (2) ending on the date on which the Comp-
19 troller General of the United States submits to Con-
20 gress the review of the Department of Defense diver-
21 sity, equity, and inclusion workforce required by the
22 report of the Committee on Armed Services of the
23 Senate accompanying the National Defense Author-
24 ization Act for Fiscal Year 2024.

1 **SEC. 529C. REQUIREMENT TO BASE MILITARY ACCESSIONS**
2 **AND PROMOTIONS ON MERIT AND PERFORM-**
3 **ANCE.**

4 (a) MERIT REQUIREMENT.—A military accession or
5 a promotion in the Department of Defense shall be based
6 on individual merit and demonstrated performance.

7 (b) REGULATIONS.—The Secretary of Defense shall
8 prescribe regulations to carry out this section not later
9 than 90 days after the date of the enactment of this Act.

10 **Subtitle D—Military Justice and**
11 **Other Legal Matters**

12 **SEC. 531. TECHNICAL AND CONFORMING AMENDMENTS TO**
13 **THE UNIFORM CODE OF MILITARY JUSTICE.**

14 (a) TECHNICAL AMENDMENT RELATING TO GUILTY
15 PLEAS FOR MURDER.—Section 918 of title 10, United
16 States Code (article 118 of the Uniform Code of Military
17 Justice), is amended—

18 (1) by striking “he” each place it appears and
19 inserting “such person”; and

20 (2) in the matter following paragraph (4), by
21 striking the period and inserting “, unless such per-
22 son is otherwise sentenced in accordance with a plea
23 agreement entered into between the parties under
24 section 853a of this title (article 53a).”.

1 (b) TECHNICAL AMENDMENTS RELATING TO THE
2 MILITARY JUSTICE REFORMS IN THE NATIONAL DE-
3 FENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022.—

4 (1) ARTICLE 16.—Subsection (c)(2)(A) of sec-
5 tion 816 of title 10, United States Code (article 16
6 of the Uniform Code of Military Justice), is amend-
7 ed by striking “by the convening authority”.

8 (2) ARTICLE 25.—Section 825 of title 10,
9 United States Code (article 25 of the Uniform Code
10 of Military Justice), is amended—

11 (A) in subsection (d)—

12 (i) in paragraph (1), by striking
13 “may, after the findings are announced
14 and before any matter is presented in the
15 sentencing phase, request, orally on the
16 record or in writing, sentencing by mem-
17 bers” and inserting “shall be sentenced by
18 the military judge”; and

19 (ii) by amending paragraph (2) to
20 read as follows:

21 “(2) In a capital case, if the accused is convicted of
22 an offense for which the court-martial may sentence the
23 accused to death, the accused shall be sentenced in accord-
24 ance with section 853(c) of this title (article 53(c)).”;

25 (B) in subsection (e)—

1 (i) in paragraph (1), by striking
2 “him” and inserting “the member being
3 tried”; and

4 (ii) in paragraph (2)—

5 (I) in the first sentence, by strik-
6 ing “his opinion” and inserting “the
7 opinion of the convening authority”;
8 and

9 (II) in the second sentence, by
10 striking “he” and inserting “the mem-
11 ber”; and

12 (C) in subsection (f), in the second sen-
13 tence—

14 (i) by striking “his authority” and in-
15 serting “the authority of the convening au-
16 thority”; and

17 (ii) by striking “his staff judge advo-
18 cate or legal officer” and inserting “the
19 staff judge advocate or legal officer of the
20 convening authority”.

21 (c) AUTHORITY OF SPECIAL TRIAL COUNSEL WITH
22 RESPECT TO CERTAIN OFFENSES OCCURRING BEFORE
23 EFFECTIVE DATE OF MILITARY JUSTICE REFORMS EN-
24 ACTED IN THE NATIONAL DEFENSE AUTHORIZATION ACT
25 FOR FISCAL YEAR 2022.—

1 (1) AUTHORITY.—Section 824a of title 10,
2 United States Code (article 24a of the Uniform
3 Code of Military Justice), as added by section 531
4 of the National Defense Authorization Act for Fiscal
5 Year 2022 (Public Law 117–81; 135 Stat. 1692), is
6 amended by adding at the end the following new
7 subsection:

8 “(d) SPECIAL TRIAL COUNSEL AUTHORITY OVER
9 CERTAIN OTHER OFFENSES.—

10 “(1) OFFENSES OCCURRING BEFORE EFFEC-
11 TIVE DATE.—A special trial counsel may, at the sole
12 and exclusive discretion of the special trial counsel,
13 exercise authority over the following offenses:

14 “(A) An offense under section 917a (arti-
15 cle 117a), 918 (article 118), section 919 (article
16 119), section 920 (article 120), section 920b
17 (article 120b), section 920c (article 120c), sec-
18 tion 928b (article 128b), or the standalone of-
19 fense of child pornography punishable under
20 section 934 (article 134) of this title that oc-
21 curred on or before December 27, 2023.

22 “(B) An offense under section 925 (article
23 125), section 930 (article 130), or section 932
24 (article 132) of this title that occurred on or

1 after January 1, 2019, and before December
2 28, 2023.

3 “(C) An offense under section 920a (arti-
4 cle 120a) of this title, an offense under section
5 925 (article 125) of this title alleging an act of
6 nonconsensual sodomy, or the standalone of-
7 fense of kidnapping punishable under section
8 934 (article 134) of this title that occurred be-
9 fore January 1, 2019.

10 “(D) A conspiracy to commit an offense
11 specified in subparagraph (A), (B), or (C) as
12 punishable under section 881 of this title (arti-
13 cle 81).

14 “(E) A solicitation to commit an offense
15 specified in subparagraph (A), (B), or (C) as
16 punishable under section 882 of this title (arti-
17 cle 82).

18 “(F) An attempt to commit an offense
19 specified in subparagraph (A), (B), (C), (D), or
20 (E) as punishable under section 880 of this title
21 (article 80).

22 “(2) EFFECT OF EXERCISE OF AUTHORITY.—

23 “(A) TREATMENT AS COVERED OF-
24 FENSE.—If a special trial counsel exercises au-
25 thority over an offense pursuant to paragraph

1 (1), the offense over which the special trial
2 counsel exercises authority shall be considered a
3 covered offense for purposes of this chapter.

4 “(B) KNOWN OR RELATED OFFENSES.—If
5 a special trial counsel exercises authority over
6 an offense pursuant to paragraph (1), the spe-
7 cial trial counsel may exercise the authority of
8 the special trial counsel under subparagraph
9 (B) of subsection (c)(2) with respect to other
10 offenses described in that subparagraph without
11 regard to the date on which the other offenses
12 occur.”.

13 (2) CONFORMING AMENDMENT TO EFFECTIVE
14 DATE.—Section 539C(a) of the National Defense
15 Authorization Act for Fiscal Year 2022 (Public Law
16 117–81; 10 U.S.C. 801 note) is amended by striking
17 “and shall” and inserting “and, except as provided
18 in section 824a(d) of title 10, United States Code
19 (article 24a(d) of the Uniform Code of Military Jus-
20 tice), shall”.

21 (d) CLARIFICATION OF APPLICABILITY OF DOMESTIC
22 VIOLENCE AND STALKING TO DATING PARTNERS.—

23 (1) ARTICLE 128B; DOMESTIC VIOLENCE.—Sec-
24 tion 928b of title 10, United States Code (article

1 128b of the Uniform Code of Military Justice), is
2 amended—

3 (A) in the matter preceding paragraph (1),
4 by striking “Any person” and inserting “(a) IN
5 GENERAL.—Any person”;

6 (B) in subsection (a), as designated by
7 paragraph (1) of this section, by inserting “a
8 dating partner,” after “an intimate partner,”
9 each place it appears; and

10 (C) by adding at the end the following new
11 subsection:

12 “(b) DEFINITIONS.—In this section, the terms ‘dat-
13 ing partner’, ‘immediate family’, and ‘intimate partner’
14 have the meanings given such terms in section 930 of this
15 title (article 130).”.

16 (2) ARTICLE 130; STALKING.—Section 930 of
17 such title (article 130 of the Uniform Code of Mili-
18 tary Justice) is amended—

19 (A) in subsection (a), by striking “or to his
20 or her intimate partner” each place it appears
21 and inserting “to his or her intimate partner,
22 or to his or her dating partner”; and

23 (B) in subsection (b)—

1 (i) by redesignating paragraphs (3)
2 through (5) as paragraphs (4) through (6),
3 respectively; and

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

6 “(3) The term ‘dating partner’, in the case of
7 a specific person, means a person who is or has been
8 in a social relationship of a romantic or intimate na-
9 ture with such specific person based on a consider-
10 ation of—

11 “(A) the length of the relationship;

12 “(B) the type of relationship;

13 “(C) the frequency of interaction between
14 the persons involved in the relationship; and

15 “(D) the extent of physical intimacy or
16 sexual contact between the persons involved in
17 the relationship.”.

18 (e) EFFECTIVE DATE.—The amendments made by
19 subsection (b) and subsection (c)(1) shall take effect im-
20 mediately after the coming into effect of the amendments
21 made by part 1 of subtitle D of title V of the National
22 Defense Authorization Act for Fiscal Year 2022 (Public
23 Law 117–81) as provided in section 539C of that Act (10
24 U.S.C. 801 note).

1 **SEC. 532. ESTABLISHMENT OF STAGGERED TERMS FOR**
2 **MEMBERS OF THE MILITARY JUSTICE RE-**
3 **VIEW PANEL.**

4 (a) APPOINTMENT TO STAGGERED TERMS.—Sub-
5 section (b) of section 946 of title 10, United States Code
6 (article 146 of the Uniform Code of Military Justice), is
7 amended by adding at the end the following new para-
8 graph:

9 “(4) ESTABLISHMENT OF STAGGERED
10 TERMS.—Notwithstanding subsection (e), members
11 of the Panel appointed to serve on the Panel to fill
12 vacancies that exist due to terms of appointment ex-
13 piring during the period beginning on August 1,
14 2030, and ending on November 30, 2030, shall be
15 appointed to terms as follows:

16 “(A) Three members designated by the
17 Secretary of Defense shall serve a term of two
18 years.

19 “(B) Three members designated by the
20 Secretary of Defense shall serve a term of four
21 years.

22 “(C) Three members designated by the
23 Secretary of Defense shall serve a term of six
24 years.

1 “(D) Four members designated by the Sec-
2 retary of Defense shall serve a term of eight
3 years.”.

4 (b) TERM; VACANCIES.—Subsection (e) of such sec-
5 tion is amended to read as follows:

6 “(e) TERM; VACANCIES.—

7 “(1) TERM.—Subject to subsection (b)(4) and
8 paragraphs (2) and (3) of this subsection, each
9 member shall be appointed for a term of eight years,
10 and no member may serve more than one term.

11 “(2) VACANCY.—Any vacancy in the Panel shall
12 be filled in the same manner as the original appoint-
13 ment. A member appointed to fill a vacancy in the
14 Panel that occurs before the expiration of the term
15 of appointment of the predecessor of such member
16 shall be appointed for the remainder of the term of
17 such predecessor.

18 “(3) AVAILABILITY OF REAPPOINTMENT FOR
19 CERTAIN MEMBERS.—Notwithstanding paragraph
20 (1), a member of the Panel may be appointed to a
21 single additional term if—

22 “(A) the appointment of the member is to
23 fill a vacancy described in subsection (b)(4); or

24 “(B) the member was initially appointed—

1 “(i) to a term of four years or less in
2 accordance with subsection (b)(4); or

3 “(ii) to fill a vacancy that occurs be-
4 fore the expiration of the term of the pred-
5 ecessor of such member and for which the
6 remainder of the term of such predecessor
7 is four years or less.”.

8 **SEC. 533. SUPREME COURT REVIEW OF CERTAIN ACTIONS**
9 **OF THE UNITED STATES COURT OF APPEALS**
10 **FOR THE ARMED FORCES.**

11 (a) CERTIORARI TO THE UNITED STATES COURT OF
12 APPEALS FOR THE ARMED FORCES.—

13 (1) IN GENERAL.—Section 1259 of title 28,
14 United States Code, is amended—

15 (A) in paragraph (3), by inserting “or re-
16 fused to grant” after “granted”; and

17 (B) in paragraph (4), by inserting “or re-
18 fused to grant” after “granted”.

19 (2) TECHNICAL AND CONFORMING AMEND-
20 MENTS.—

21 (A) TITLE 10.—Section 867a(a) of title 10,
22 United States Code (article 67a of the Uniform
23 Code of Military Justice), is amended by strik-
24 ing “The Supreme Court may not review by a
25 writ of certiorari under this section any action

1 of the United States Court of Appeals for the
2 Armed Forces in refusing to grant a petition
3 for review.”.

4 (B) TIME FOR APPLICATION FOR WRIT OF
5 CERTIORARI.—Subsection (g) of section 2101 of
6 title 28, United States Code, is amended to
7 read as follows:

8 “(g) The time for application for a writ of certiorari
9 to review a decision of the United States Court of Appeals
10 for the Armed Forces, or the decision of a Court of Crimi-
11 nal Appeals that the United States Court of Appeals for
12 the Armed Forces refuses to grant a petition to review,
13 shall be as prescribed by rules of the Supreme Court.”.

14 (b) EFFECTIVE DATE AND APPLICABILITY.—

15 (1) IN GENERAL.—The amendments made by
16 subsection (a) shall take effect on the date that is
17 one year after the date of the enactment of this Act
18 and shall apply with respect to any action of the
19 United States Court of Appeals for the Armed
20 Forces in granting or refusing to grant a petition for
21 review submitted to such Court for the first time on
22 or after such effective date.

23 (2) INAPPLICABILITY TO PENDING DECI-
24 SIONS.—With respect to a petition submitted to the
25 United States Court of Appeals for the Armed

1 Forces before the effective date specified in para-
2 graph (1) and on which the Court has not taken ac-
3 tion as of such date, the provisions of the United
4 States Code amended by subsection (a) shall apply
5 as if such amendments had not been enacted. Any
6 action of the United States Court of Appeals for the
7 Armed Forces in granting or refusing to grant such
8 a petition is final and conclusive.

9 (3) FINALITY OF DECISIONS BEFORE EFFEC-
10 TIVE DATE.—Any action of the United States Court
11 of Appeals for the Armed Forces in granting or re-
12 fusing to grant a petition for review before the effec-
13 tive date specified in paragraph (1) is final and con-
14 clusive.

15 (4) RULES REQUIRED.—The Supreme Court
16 shall prescribe rules to carry out section 2101(g) of
17 title 28, United States Code, as amended by sub-
18 section (a)(2)(B) of this section, by not later than
19 the effective date specified in paragraph (1).

1 **SEC. 534. ADDITIONAL REQUIREMENTS FOR INITIATIVE TO**
2 **ENHANCE THE CAPABILITY OF MILITARY**
3 **CRIMINAL INVESTIGATIVE ORGANIZATIONS**
4 **TO PREVENT AND COMBAT CHILD SEXUAL**
5 **EXPLOITATION.**

6 Section 550D of the National Defense Authorization
7 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.
8 1561 note prec.) is amended by adding at the end the fol-
9 lowing new subsection:

10 “(c) **ADDITIONAL REQUIREMENTS.**—As part of the
11 initiative under subsection (a), the Secretary of Defense
12 shall carry out the following activities:

13 “(1) **ANNUAL REPORT.**—Not later than 90 days
14 after the date of the enactment of the National De-
15 fense Authorization Act for Fiscal Year 2024, an on
16 an annual basis thereafter through 2029, the Sec-
17 retary shall submit to the Committees on Armed
18 Services of the Senate and the House of Representa-
19 tives a report on the progress of the initiative, which
20 shall include a description of specific actions that
21 have been taken, or that are planned to be taken, to
22 detect, combat, and stop the use of the Department
23 of Defense information technology network to fur-
24 ther online child sexual exploitation.

25 “(2) **PARTNERSHIPS.**—The Secretary shall seek
26 to enter into partnerships and execute collaborative

1 agreements with functional experts, including highly
2 qualified national child protection organizations or
3 law enforcement training centers with demonstrated
4 expertise in the delivery of law enforcement training,
5 to identify, investigate, and prosecute individuals en-
6 gaged in online child sexual exploitation.

7 “(3) MANDATORY TRAINING.—The Secretary
8 shall establish mandatory training for criminal inves-
9 tigative organizations of the Department of Defense
10 and other appropriate personnel at military installa-
11 tions to ensure that the capability and capacity to
12 investigate child sexual exploitation is continuously
13 maintained regardless of staff turnover and reloca-
14 tions.”.

15 **SEC. 535. LIMITATION ON AVAILABILITY OF FUNDS FOR RE-**
16 **LOCATION OF ARMY CID SPECIAL AGENT**
17 **TRAINING COURSE.**

18 (a) LIMITATION.—None of the funds authorized to
19 be appropriated by this Act or otherwise made available
20 for fiscal year 2024 for the Army may be obligated or ex-
21 pended to relocate an Army CID special agent training
22 course until—

23 (1) the Secretary of the Army submits to the
24 Committees on Armed Services of the Senate and
25 the House of Representatives a report on any plans

1 of the Secretary to relocate an Army CID special
2 agent training course, including an explanation of
3 the business case for any transfer of training per-
4 sonnel proposed as part of such plan; and

5 (2) the Secretary provides to the Committees on
6 Armed Services of the Senate and the House of Rep-
7 resentatives a briefing on the contents of the report
8 specified in paragraph (1).

9 (b) DEFINITIONS.—In this section:

10 (1) The term “relocate”, when used with re-
11 spect to an Army CID special agent training course,
12 means the transfer of such course to a location dif-
13 ferent than the location used for such course as of
14 the date of the enactment of this Act.

15 (2) The term “Army CID special agent training
16 course” means a training course provided to mem-
17 bers of the Army to prepare such members for serv-
18 ice as special agents in the Army Criminal Investiga-
19 tion Division.

20 **SEC. 536. STUDY ON REQUIREMENT FOR UNANIMOUS**
21 **VOTES FOR FINDINGS IN GENERAL AND SPE-**
22 **CIAL COURTS-MARTIAL AND RELATED MILE-**
23 **STONES FOR IMPLEMENTATION.**

24 (a) STUDY REQUIRED.—The Secretary of Defense
25 shall conduct a study to determine the feasibility and ad-

1 visability of requiring unanimous votes for findings of
2 guilty, not guilty, or not guilty only by reason of lack of
3 mental responsibility in general and special courts-martial
4 conducted under chapter 47 of title 10, United States
5 Code (the Uniform Code of Military Justice).

6 (b) USE OF MILITARY JUSTICE EXPERTS.—The Sec-
7 retary of Defense shall convene a group of members of
8 the Armed Forces and civilian employees of the Depart-
9 ment of Defense with significant expertise in military jus-
10 tice matters to carry out the study required under sub-
11 section (a).

12 (c) INFORMATION TO CONGRESS.—Not later than
13 one year after the date of the enactment of this Act, the
14 Secretary of Defense shall submit to the Committees on
15 Armed Services of the Senate and the House of Represent-
16 atives the following:

17 (1) REPORT.—A report containing the results
18 of the study required under subsection (a).

19 (2) DRAFT LEGISLATIVE TEXT.—Without re-
20 gard to the contents of the report under paragraph
21 (1), draft legislative text that would revise chapter
22 47 of title 10, United States Code (the Uniform
23 Code of Military Justice) to—

24 (A) require a unanimous vote of all mem-
25 bers present in a general or special court-mar-

1 tial for a finding of guilty, not guilty, or not
2 guilty only by reason of lack of mental responsi-
3 bility for a specification; and

4 (B) provide that an accused may be tried
5 a second time for the same offense if a general
6 or special court-martial requiring such a unani-
7 mous vote does not result in a finding of guilty,
8 not guilty, or not guilty only by reason of lack
9 of mental responsibility for such offense.

10 (3) MILESTONES FOR IMPLEMENTATION.—A
11 description of any milestones or other requirements
12 that would need to be met for the legislative text
13 provided under paragraph (2) to be enacted by not
14 later than December 31, 2027.

15 **SEC. 537. STUDY ON REMOVAL OF SEXUAL ASSAULT VICTIM**
16 **ADVOCATES FROM THE CHAIN OF COMMAND**
17 **OF VICTIMS.**

18 (a) STUDY.—The Secretary of Defense shall conduct
19 a study to determine—

20 (1) the feasibility and advisability of requiring
21 that any Sexual Assault Victim Advocate assigned to
22 a victim under section 1565b of title 10, United
23 States Code, be from outside the chain of command
24 of the victim; and

1 (2) the potential effects of such a requirement
2 on the ability of the Armed Forces to implement sex-
3 ual assault prevention and response programs.

4 (b) REPORT.—Not later than one year after the date
5 of the enactment of this Act, the Secretary of Defense
6 shall submit to the Committees on Armed Services of the
7 Senate and the House of Representatives a report on the
8 results of the study conducted under subsection (a).

9 **Subtitle E—Accession Standards**
10 **and Recruitment**

11 **SEC. 541. INCREASED ACCESS TO POTENTIAL RECRUITS AT**
12 **SECONDARY SCHOOLS.**

13 Section 503(c) of title 10, United States Code, is
14 amended—

15 (1) in paragraph (1)—

16 (A) in subparagraph (A)—

17 (i) in clause (i), by striking “; and”
18 and inserting a semicolon;

19 (ii) by redesignating clause (ii) as
20 clause (iii);

21 (iii) by inserting after clause (i) the
22 following new clause:

23 “(ii) shall provide to military recruiters access
24 to career fairs or similar events upon a request made

1 by military recruiters for military recruiting pur-
2 poses; and”;

3 (iv) in clause (iii), as redesignated by
4 subparagraph (B), by inserting “, not later
5 than 60 days after receiving such request,”
6 after “provide”; and

7 (B) in subparagraph (B), by striking “sub-
8 paragraph (A)(ii)” and inserting “subparagraph
9 (A)(iii)”;

10 (2) by redesignating paragraph (6) as para-
11 graph (7); and

12 (3) by inserting after paragraph (5) the fol-
13 lowing new paragraph:

14 “(6) The Secretary of Defense shall submit an annual
15 report to Congress not later than February 1 each cal-
16 endar year, detailing each notification of denial of recruit-
17 ing access issued under paragraph (3).”.

18 **SEC. 542. MODIFICATION OF LIMITATION ON ENLISTMENT**
19 **AND INDUCTION OF PERSONS WHOSE SCORE**
20 **ON THE ARMED FORCES QUALIFICATION**
21 **TEST IS BELOW A PRESCRIBED LEVEL.**

22 Section 520(a) of title 10, United States Code, is
23 amended—

24 (1) by striking “The number of persons” and
25 inserting “(1) The number of persons”;

1 (2) by striking “may not exceed 20 percent”
2 and inserting “may not exceed 4 percent”; and

3 (3) by adding at the end the following new
4 paragraph:

5 “(2) Upon the request of the Secretary concerned,
6 the Secretary of Defense may authorize an armed force
7 to increase the limitation specified in paragraph (1) to not
8 exceed 20 percent of the total number of persons originally
9 enlisted or inducted to serve on active duty (other than
10 active duty for training) in such armed forces during such
11 fiscal year. The Secretary of Defense shall notify the Com-
12 mittees on Armed Services of the Senate and the House
13 of Representatives not later than 30 days after using such
14 authority.”.

15 **SEC. 543. INCREASED ACCESS TO POTENTIAL RECRUITS AT**
16 **INSTITUTIONS OF HIGHER EDUCATION.**

17 Section 983(b) of title 10, United States Code, is
18 amended—

19 (1) in paragraph (1), by striking “; or” and in-
20 serting a semicolon;

21 (2) in paragraph (2)—

22 (A) by striking “to the following informa-
23 tion pertaining” and inserting “, with respect”;

24 (B) by striking “institution):” and insert-
25 ing “institution)—”;

1 (C) in subparagraph (A)—

2 (i) by striking “Names” and inserting
3 “names”; and

4 (ii) by striking “telephone listings.”
5 and inserting “telephone listings, which in-
6 formation shall be made available not later
7 than the 60th day following the date of a
8 request; and”; and

9 (D) in subparagraph (B), by striking
10 “Date” and inserting “date”.

11 **SEC. 544. INCREASE IN ACCESSION BONUS FOR NURSE OF-**
12 **FICER CANDIDATES.**

13 Section 2130a(a) of title 10, United States Code, is
14 amended—

15 (1) by striking “\$20,000” and inserting
16 “\$40,000”; and

17 (2) by striking “\$10,000” and inserting
18 “\$20,000”.

19 **SEC. 545. IMPROVEMENTS TO MEDICAL STANDARDS FOR**
20 **ACCESSION TO CERTAIN ARMED FORCES.**

21 (a) IMPROVEMENTS.—Not later than one year after
22 the date of the enactment of this Act, and once four years
23 thereafter, the Secretary of Defense shall—

24 (1) conduct an assessment of the prescribed
25 medical standards and medical screening processes

1 required for the appointment of an individual as an
2 officer, or enlistment of an individual as a member,
3 in each covered Armed Force;

4 (2) taking into account the findings of such as-
5 sessment—

6 (A) update such standards and processes,
7 as may be necessary; and

8 (B) take such steps as may be necessary to
9 improve the waiver process for individuals who
10 do not meet such prescribed medical standards;
11 and

12 (3) submit to the Committees on Armed Serv-
13 ices of the House of Representatives and the Senate
14 a report containing, with respect to the most re-
15 cently conducted assessment under paragraph (1)—

16 (A) the findings of that assessment and a
17 description of the actions carried out pursuant
18 to paragraph (2); and

19 (B) recommendations by the Secretary for
20 any legislative action the Secretary determines
21 necessary to further improve such standards
22 and processes.

23 (b) COVERED ARMED FORCE DEFINED.—In this sec-
24 tion, the term “covered Armed Force” means the Army,
25 Navy, Air Force, Marine Corps, or Space Force.

1 **SEC. 546. FUTURE SERVICEMEMBER PREPARATORY**
2 **COURSE.**

3 (a) **REQUIREMENT.**—If the number of nonprior serv-
4 ice enlisted personnel covered under section 520 of title
5 10, United States Code, exceeds 10 percent of the total
6 number of persons originally enlisted in an Armed Force
7 during a fiscal year, the Secretary concerned shall estab-
8 lish a future servicemember preparatory course within the
9 Armed Force concerned.

10 (b) **PURPOSE.**—The course established under sub-
11 section (a) shall be designed to improve the physical and
12 aptitude qualifications of military recruits.

13 (c) **CRITERIA.**—Each course established under this
14 section shall comply with the following requirements:

15 (1) **ENROLLMENT.**—All nonprior service en-
16 listed persons whose score on the Armed Forces
17 Qualification Test is below the thirty-first percentile
18 must be enrolled in the course prior to attending ini-
19 tial basic training.

20 (2) **GRADUATION REQUIREMENT.**—Prior to at-
21 tending initial basic training, all enlisted persons at-
22 tending the course established under this section
23 must achieve a score on the Armed Forces Qualifica-
24 tion Test that is at least 10 points higher than the
25 individual's most recent score taken prior to the in-
26 dividual's date of enlistment.

1 (3) EFFECT OF COURSE FAILURE.—Any en-
2 listed person who fails to achieve course graduation
3 requirements within 180 days of enlistment shall be
4 separated under regulations prescribed by the Sec-
5 retary concerned.

6 (d) REPORT.—If a preparatory course under this sec-
7 tion is established by the Secretary concerned, the Sec-
8 retary shall submit to the Committees on Armed Services
9 of the Senate and House of Representatives a report on
10 the structure and results of the course for the preceding
11 fiscal year by December 1st of the subsequent fiscal year.
12 The report shall include the following elements:

13 (1) The number of individuals who attended the
14 preparatory course.

15 (2) The number of individuals who graduated
16 the preparatory course.

17 (3) The average improvement in the Armed
18 Forces Qualification Test score for individuals who
19 graduated from the preparatory course.

20 (4) Any other matter the Secretary determines
21 relevant.

22 (e) SUNSET.—The requirements of this section shall
23 expire on September 30th, 2028.

1 **SEC. 547. PILOT PROGRAM ON CARDIAC SCREENINGS FOR**
2 **MILITARY ACCESSIONS.**

3 (a) ESTABLISHMENT.—Not later than September 30,
4 2024, the Secretary of Defense shall carry out a pilot pro-
5 gram to provide an electrocardiogram to individuals who
6 undergo military accession screenings. Each such electro-
7 cardiogram shall be provided—

8 (1) on a mandatory basis;

9 (2) at no cost to the recipient; and

10 (3) in a facility of the Department of Defense
11 or by a member or employee of the military health
12 system.

13 (b) PURPOSES.—In carrying out the pilot program,
14 the Secretary shall—

15 (1) determine the costs (including protocols and
16 personnel and equipment for each location where the
17 Secretary carries out the pilot program) and benefits
18 to the Department of providing an electrocardiogram
19 to every individual who undergoes a military acces-
20 sion screening;

21 (2) develop and implement appropriate proc-
22 esses to assess the long-term impacts of electro-
23 cardiogram results on military service; and

24 (3) consult with experts in cardiology to develop
25 appropriate clinical practice guidelines for cardiac
26 screenings, diagnosis, and treatment.

1 (c) BRIEFING.—Not later than 180 days after the
2 date on which the pilot program terminates, the Secretary
3 shall provide to the Committees on Armed Services of the
4 Senate and the House of Representatives a briefing on the
5 pilot program. Such briefing shall include the following:

6 (1) The results of all electrocardiograms pro-
7 vided to individuals under the pilot program—

8 (A) disaggregated by Armed Force, race,
9 and gender; and

10 (B) without any personally identifiable in-
11 formation.

12 (2) The rate of significant cardiac issues de-
13 tected pursuant to electrocardiograms provided
14 under the pilot program, disaggregated by Armed
15 Force, race, and gender.

16 (3) The number of individuals, if any, who were
17 disqualified from accession based solely on the result
18 of an electrocardiogram provided under the pilot
19 program.

20 (4) The cost of carrying out the pilot program.

21 (d) TERMINATION.—The pilot program shall termi-
22 nate after three years after its implementation.

23 **SEC. 548. COMMUNITY COLLEGE ENLISTED TRAINING**
24 **CORPS DEMONSTRATION PROGRAM.**

25 (a) DEMONSTRATION PROGRAM.—

1 (1) IN GENERAL.—Not later than August 1,
2 2025, the Secretary concerned shall establish within
3 each military department an Enlisted Training
4 Corps demonstration program for the purpose of in-
5 troducing students to the military, and preparing se-
6 lected students for enlisted service in the Army,
7 Navy, Air Force, Marine Corps, or Space Force.

8 (2) LOCATION.—Demonstration programs es-
9 tablished under this section shall be located at a
10 community or junior college. No program may be es-
11 tablished at a military college or military junior col-
12 lege as defined for purposes of section 2107a of title
13 10, United States Code.

14 (b) ELIGIBILITY FOR MEMBERSHIP.—To be eligible
15 for membership in a program under this section, a person
16 must be a student at an institution where a unit of the
17 Enlisted Training Corps is located.

18 (c) INSTRUCTORS.—The Secretary concerned may as-
19 sign as an instructor for a unit established under this sec-
20 tion an individual eligible to serve as an instructor under
21 section 2111 or section 2031 of title 10, United States
22 Code. Instructors who are not currently members on active
23 duty shall be paid in a manner consistent with section
24 2031 of title 10, United States Code.

1 (d) FINANCIAL ASSISTANCE.—The Secretary of the
2 military department concerned may provide financial as-
3 sistance to persons enrolled in a unit of the Enlisted
4 Training Corps in exchange for an agreement in writing
5 that the person enlist in the active component of the mili-
6 tary department concerned upon graduation or
7 disenrollment from the community college. Financial as-
8 sistance provided under this subsection may include tui-
9 tion, living expenses, stipend, or other payment.

10 (e) CURRICULUM.—The Secretary concerned shall
11 ensure that any programs created under this section in-
12 clude as part of the curriculum the following:

13 (1) An introduction to the benefits of military
14 service.

15 (2) Military history.

16 (3) Military customs and courtesies.

17 (4) Physical fitness requirements.

18 (5) Instruction on ethical behavior and decision
19 making.

20 (f) REPORTING REQUIREMENT.—Not later than one
21 year after the date of the enactment of this Act, and annu-
22 ally thereafter until the date specified by subsection (g),
23 the Secretary of Defense shall submit to the Committees
24 on Armed Services of the Senate and the House of Rep-

1 representatives a report on the status of the demonstration
2 program required by this section.

3 (g) SUNSET.—The requirements of this provision
4 shall sunset on September 30, 2030.

5 **SEC. 549. ANNUAL BRIEFINGS ON MILITARY RECRUITMENT**
6 **PRACTICES IN PUBLIC SECONDARY SCHOOLS**
7 **AND COMMUNITY COLLEGES.**

8 (a) BRIEFINGS REQUIRED.—Not later than Decem-
9 ber 31, 2024, and on an annual basis thereafter through
10 December 31, 2028, the Secretary of Defense shall provide
11 to the Committees on Armed Services of the Senate and
12 the House of Representatives a briefing on military re-
13 cruitment practices carried out in public secondary schools
14 and community colleges during the calendar year pre-
15 ceding the date of the briefing.

16 (b) ELEMENTS.—Each briefing under subsection (a)
17 shall include, with respect to the year covered by the brief-
18 ing, the following:

19 (1) Identification of the public secondary
20 schools and community colleges visited by military
21 recruiters.

22 (2) Identification of the number of recruits ob-
23 tained from such schools and colleges.

1 (3) A demographic analysis of such recruits, in-
2 cluding analysis of the race, ethnicity, and gender of
3 such recruits.

4 (c) DISAGGREGATION.—The information required
5 under each of a paragraphs (1) through (3) of subsection
6 (b) shall be set forth separately—

7 (1) by ZIP code, in the case of information con-
8 cerning community colleges; and

9 (2) by local educational agency, in the case in-
10 formation concerning public secondary schools.

11 (d) DEFINITIONS.—In this section, the terms “local
12 educational agency” and “secondary school” have the
13 meanings given those terms in section 8101 of the Ele-
14 mentary and Secondary Education Act of 1965 (20 U.S.C.
15 7801).

16 **Subtitle F—Junior Reserve** 17 **Officers’ Training Corps**

18 **SEC. 551. EXPANSION OF JUNIOR RESERVE OFFICERS’** 19 **TRAINING CORPS.**

20 Section 2031 of title 10, United States Code, is
21 amended—

22 (1) in subsection (a)(1)—

23 (A) by striking “The President shall pro-
24 mulgate” and inserting “The Secretary of De-
25 fense shall promulgate”; and

1 (B) by striking “maintained, and shall pro-
2 vide” and all that follows through the period at
3 the end and inserting “maintained.”; and

4 (2) by adding at the end the following new sub-
5 section:

6 “(i)(1) The Secretary of Defense shall establish and
7 support not fewer than 3,400, and not more than 4,000,
8 units of the Junior Reserve Officers’ Training Corps.

9 “(2) The requirement under paragraph (1) shall not
10 apply—

11 “(A) if the Secretary fails to receive an ade-
12 quate number of requests for Junior Reserve Offi-
13 cer’s Training Corps units by public and private sec-
14 ondary educational institutions; and

15 “(B) during a time of national emergency when
16 the Secretaries of the military departments deter-
17 mine that funding must be allocated elsewhere.”.

18 **SEC. 552. REQUIREMENT FOR MEMORANDA OF UNDER-**
19 **STANDING ADDRESSING CERTAIN MATTERS**
20 **PERTAINING TO UNITS OF THE JUNIOR RE-**
21 **SERVE OFFICERS’ TRAINING CORPS.**

22 Section 2031(b) of title 10, United States Code, is
23 amended—

24 (1) by redesignating paragraphs (1) through
25 (5) as subparagraphs (A) through (E);

1 (2) by inserting “(1)” after “(b)”;

2 (3) in subparagraph (A), as redesignated by
3 paragraph (1)—

4 (A) by striking “(A)” and inserting “(i)”;

5 and

6 (B) by striking “(B)” and inserting “(ii)”;

7 (4) in subparagraph (E), as so redesignated, by
8 striking “as may be established by the Secretary of
9 the military department concerned” and inserting
10 “as the Secretary of the military department con-
11 cerned prescribes in the memorandum of under-
12 standing required under paragraph (2).”; and

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

15 “(2) The Secretary of Defense shall prescribe in
16 regulations a memorandum of understanding to be
17 signed by the Secretary of the military department
18 concerned and each institution operating a unit
19 under this section. The memorandum shall be stand-
20 ardized to the extent practicable and include the fol-
21 lowing elements:

22 “(A) A requirement that an institution no-
23 tify the Secretary of the military department
24 concerned of allegations of misconduct (includ-
25 ing sexual misconduct and harassment) against

1 an instructor who is receiving retired or other
2 pay, not later than 48 hours after such institu-
3 tion learns of such allegations.

4 “(B) A process by which the Secretary of
5 the military department concerned certifies an
6 instructor, including the conduct of appropriate
7 background checks by such Secretary and the
8 institution concerned.

9 “(C) A process by which the Secretary of
10 the military department concerned shall conduct
11 oversight of instructors certified by such Sec-
12 retary, including a requirement that such cer-
13 tification shall expire after not more than five
14 years.

15 “(D) Processes by which such institution’s
16 program will be inspected by the military de-
17 partment concerned prior to establishment of a
18 new unit, or not less often than once every four
19 years in the case of units existing as of January
20 1, 2024, staggered as the Secretary determines
21 appropriate.

22 “(E) A requirement that each institution
23 certifies it—

24 “(i) has created a process for students
25 to report violations of their rights under

1 title IX of the Education Amendments of
2 1972 (20 U.S.C. 1681 et seq.), as applica-
3 ble, and title VI of the Civil Rights Act of
4 1964 (42 U.S.C. 2000d et seq.), including
5 the rights of students to not be subject to
6 discrimination or subject to retaliation for
7 reporting a violation of those laws, if such
8 laws apply to the public or private institu-
9 tion;

10 “(ii) has implemented policies ensur-
11 ing students and instructors are notified of
12 those rights, as well as the process for re-
13 porting violations of those rights, including
14 information on available mandatory report-
15 ers, if such laws apply to the institution;

16 “(iii) has implemented annual training
17 to inform students of methods to prevent,
18 respond to, and report sexual assault and
19 harassment;

20 “(iv) agrees to report all allegations of
21 violations described in this subparagraph
22 to the military department concerned and,
23 if subject to the jurisdiction of the Depart-
24 ment of Education, the Office of Civil

1 Rights of the Department of Education not
2 less often than annually;

3 “(v) has developed processes to ensure
4 that each student enrolled in a unit under
5 this section has done so voluntarily; and

6 “(vi) agrees to provide the data nec-
7 essary to compile the report required under
8 subsection (i).”.

9 **SEC. 553. JUNIOR RESERVE OFFICERS’ TRAINING CORPS**
10 **ADMINISTRATOR AND INSTRUCTOR COM-**
11 **PENSATION.**

12 (a) IN GENERAL.—Section 2031 of title 10, United
13 States Code, as amended by sections 551 and 552, is fur-
14 ther amended—

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

17 “(d)(1) Instead of, or in addition to, detailing officers
18 and noncommissioned officers on active duty under sub-
19 section (c)(1), the Secretary of the military department
20 concerned may authorize qualified institutions to employ,
21 as administrators and instructors in the program—

22 “(A) retired officers and noncommissioned offi-
23 cers whose qualifications are approved by the Sec-
24 retary and the institution concerned and who re-
25 quest such employment;

1 “(B) officers and noncommissioned officers who
2 are separated with an honorable discharge within the
3 past 5 years with at least 8 years of service and are
4 approved by the Secretary and the institution con-
5 cerned and who request such employment; or

6 “(C) officers and noncommissioned officers who
7 are active participating members of the selected re-
8 serve at the time of application, for purposes of sec-
9 tion 101(d) of this title, and have not yet reached
10 retirement eligibility and are approved by the Sec-
11 retary and the institution concerned and who re-
12 quest such employment.

13 “(2) Employment under this subsection shall be sub-
14 ject to the following conditions:

15 “(A) The Secretary concerned shall pay to the
16 institution an amount equal to one-half of the De-
17 partment’s prescribed JROTC Standardized Instruc-
18 tor Pay Scale amount paid to the member by the in-
19 stitution for any period.

20 “(B) The Secretary concerned may pay to the
21 institution more than one-half of the amount paid to
22 the member by the institution if (as determined by
23 the Secretary)—

24 “(i) the institution is in an educationally
25 and economically deprived area; and

1 “(ii) the Secretary determines that such
2 action is in the national interest.

3 “(C) Payments by the Secretary concerned
4 under this subsection shall be made from funds ap-
5 propriated for that purpose.

6 “(D) The Secretary concerned may require suc-
7 cessful applicants to transfer to the Individual
8 Ready Reserve.”;

9 (2) by striking subsections (e) and (f); and

10 (3) by redesignating subsections (g) and (h) as
11 subsections (e) and (f), respectively.

12 (b) TREATMENT OF CURRENT ADMINISTRATORS AND
13 INSTRUCTORS.—An administrator or instructor employed
14 under section 2031 of title 10, United States Code, on
15 the date of enactment of this section shall not be subject
16 to a reduction in total compensation as a result of such
17 enactment.

1 **SEC. 554. PROHIBITION OF ESTABLISHMENT OR MAINTEN-**
2 **NANCE OF A UNIT OF THE JUNIOR RESERVE**
3 **OFFICERS' TRAINING CORPS AT AN EDU-**
4 **CATIONAL INSTITUTION OWNED, OPERATED,**
5 **OR CONTROLLED BY THE CHINESE COM-**
6 **MUNIST PARTY.**

7 Section 2031 of title 10, United States Code, as
8 amended by sections 551, 552, and 553, is further amend-
9 ed by adding at the end the following new subsection:

10 “(g) No unit may be established or maintained at an
11 educational institution that is owned, operated, or con-
12 trolled by a person that—

13 “(1) is the People’s Republic of China;

14 “(2) is a member of the Chinese Communist
15 Party;

16 “(3) is a member of the People’s Liberation
17 Army;

18 “(4) is identified by the Secretary of Defense
19 under section 1260H(a) of the William M. (Mac)
20 Thornberry National Defense Authorization Act for
21 Fiscal Year 2021 (10 U.S.C. 113 note) as a Chinese
22 military company;

23 “(5) is included in the Non-SDN Chinese Mili-
24 tary-Industrial Complex Companies List published
25 by the Department of the Treasury; or

1 “(6) is owned by or controlled by or is an agen-
2 cy or instrumentality of any person described in
3 paragraphs (1) through (5).”.

4 **SEC. 555. ENFORCEMENT OF PROGRAM REQUIREMENTS**
5 **FOR THE JUNIOR RESERVE OFFICERS’ TRAIN-**
6 **ING CORPS.**

7 (a) IN GENERAL.—Section 2031 of title 10, United
8 States Code, as amended by sections 551 through 554,
9 is further amended by adding at the end the following new
10 subsection:

11 “(h)(1) The Secretary of Defense may suspend or
12 place on probation a unit of the Junior Reserve Officers’
13 Training Corps that fails to comply with the provisions
14 of the memorandum of understanding required pursuant
15 to subsection (b) or any other requirement of this section.

16 “(2) A unit may be placed on probation under para-
17 graph (1) for a period of up to three years.

18 “(3) A unit may be suspended under paragraph (1)
19 if, after the three-year probationary period, such unit re-
20 mains out of compliance with the requirements of this sec-
21 tion and the Secretary of the military department con-
22 cerned determines that such suspension is necessary to
23 mitigate program deficiencies or to protect the safety of
24 program participants.”.

1 (b) ANNUAL REPORTS.—Not later than one year
2 after the date of the enactment of this Act, and annually
3 thereafter for four years, the Secretary of Defense shall
4 submit to the Committees on Armed Services of the Sen-
5 ate and the House of Representatives a report including
6 information on—

7 (1) any units of the Junior Reserve Officers'
8 Training Corps suspended or placed on probation
9 pursuant to section 2031(i) of title 10, United
10 States Code (as added by subsection (a)), in the
11 year covered by the report; and

12 (2) with respect any unit that is reinstated
13 after previously being suspended or placed on proba-
14 tion pursuant to such section, justification for the
15 reinstatement of such unit.

16 **SEC. 556. ANNUAL REPORT ON ALLEGATIONS OF SEXUAL**
17 **MISCONDUCT IN JUNIOR RESERVE OFFI-**
18 **CERS' TRAINING CORPS PROGRAMS.**

19 Section 2031 of title 10, United States Code, as
20 amended by sections 551 through 555, is further amend-
21 ed, by adding at the end the following new subsection:

22 “(i)(1) Not later than March 31, 2024, and annually
23 thereafter through March 31, 2029, the Secretary of De-
24 fense shall submit to Committees on Armed Services of
25 the Senate and the House of Representatives a report on

1 allegations of sexual misconduct, sexual harassment, and
2 sex discrimination in Junior Reserve Officers' Training
3 Corps programs during the preceding year.

4 “(2) Each report required under paragraph (1) shall
5 set forth the following:

6 “(A) The number of reported allegations of vio-
7 lations under title IX of the Education Amendments
8 of 1972 (20 U.S.C. 1681 et seq.) in school-affiliated
9 Junior Reserve Officers' Training Corps programs,
10 including—

11 “(i) the number of such reported allega-
12 tions that were investigated;

13 “(ii) the outcome of those investigations;
14 and

15 “(iii) the number of such reported allega-
16 tions by State, the District of Columbia, or
17 overseas location where these reports occurred.

18 “(B) The number of reports that the Depart-
19 ment of Defense or armed forces have received dur-
20 ing the reporting period involving allegations of acts
21 of violence, including sexual abuse or harassment, by
22 instructors against students in Junior Reserve Offi-
23 cers' Training Corps programs, including—

24 “(i) the offense involved;

25 “(ii) the armed force involved;

1 “(iii) the number of instructors and num-
2 ber of allegations each instructor received;

3 “(iv) the number of reports of sexual mis-
4 conduct and harassment that have been inves-
5 tigated;

6 “(v) the number of reports or investiga-
7 tions that have led to the removal of an instruc-
8 tor from a Junior Reserve Officers’ Training
9 Corps program; and

10 “(vi) the number of such reported allega-
11 tions by State, the District of Columbia, or
12 overseas location where these reports occurred.

13 “(C) Any steps the Department of Defense has
14 taken to mitigate sexual misconduct and harassment
15 in Junior Reserve Officers’ Training Corps programs
16 during the preceding year.

17 “(3) Each report required under paragraph (1) shall
18 be submitted in unclassified form and may not be des-
19 ignated as controlled unclassified information.

20 “(4) The Secretary shall annually report to the Com-
21 mittees on Armed Services of the Senate and the House
22 of Representatives regarding compliance with this sub-
23 section by the Junior Reserve Officers’ Training Corps
24 programs, including an up-to-date report on the Sec-
25 retary’s monitoring of such compliance.”.

1 **Subtitle G—Member Education**

2 **SEC. 561. SERVICE ACADEMIES: NUMBERS OF NOMINA-**
3 **TIONS BY MEMBERS OF CONGRESS AND AP-**
4 **POINTMENTS BY THE SECRETARIES OF THE**
5 **MILITARY DEPARTMENTS.**

6 (a) UNITED STATES MILITARY ACADEMY.—Section
7 7442 of title 10, United States Code, is amended—

8 (1) in subsection (a), in the matter following
9 paragraph (10), by striking “10 persons” and in-
10 serting “15 persons”; and

11 (2) in subsection (b)(5), by striking “150” and
12 inserting “200”.

13 (b) UNITED STATES NAVAL ACADEMY.—Section
14 8454 of title 10, United States Code, is amended—

15 (1) in subsection (a), in the matter following
16 paragraph (10), by striking “10 persons” and in-
17 serting “15 persons”; and

18 (2) in subsection (b)(5), by striking “150” and
19 inserting “200”.

20 (c) UNITED STATES AIR FORCE ACADEMY.—Section
21 9442 of title 10, United States Code, is amended—

22 (1) in subsection (a), in the matter following
23 paragraph (10), by striking “10 persons” and in-
24 serting “15 persons”; and

1 (2) in subsection (b)(5), by striking “150” and
2 inserting “200”.

3 (d) **APPLICABILITY.**—The amendments made by this
4 section shall apply to nominations of candidates and ap-
5 pointments to the Service Academies (as such term is de-
6 fined in section 347 of title 10, United States Code) for
7 classes entering such Service Academies beginning with
8 the 2025-2026 academic year.

9 **SEC. 562. INCREASE IN THE NUMBER OF NOMINEES FROM**
10 **GUAM TO THE SERVICE ACADEMIES.**

11 (a) **UNITED STATES MILITARY ACADEMY.**—Section
12 7442 of title 10, United States Code, as amended by sec-
13 tion 561, is further amended, in subsection (a)(8), by
14 striking “Four” and inserting “Five”.

15 (b) **UNITED STATES NAVAL ACADEMY.**—Section
16 8454 of title 10, United States Code, as amended by sec-
17 tion 561, is further amended, in subsection (a)(8), by
18 striking “Four” and inserting “Five”.

19 (c) **UNITED STATES AIR FORCE ACADEMY.**—Section
20 9442 of title 10, United States Code, as amended by sec-
21 tion 561, is further amended, in subsection (a)(8), by
22 striking “Four” and inserting “Five”.

1 **SEC. 563. CONSIDERATION OF STANDARDIZED TEST**
2 **SCORES IN MILITARY SERVICE ACADEMY AP-**
3 **PLICATION PROCESS.**

4 The Secretary of Defense shall ensure that the
5 United States Military Academy, the United States Naval
6 Academy, and the United States Air Force Academy re-
7 quire the submission and consideration of standardized
8 test scores as part of the application process.

9 **SEC. 564. SERVICE ACADEMY PROFESSIONAL SPORTS**
10 **PATHWAY REPORT AND LEGISLATIVE PRO-**
11 **POSAL REQUIRED.**

12 (a) **LEGISLATIVE PROPOSAL.**—Not later than March
13 1, 2024, the Secretary of Defense shall submit to the
14 Committees on Armed Services of the Senate and the
15 House of Representatives a report including the following
16 elements:

17 (1) A legislative proposal that would—

18 (A) update and clarify the legislative
19 framework related to the ability of Service
20 Academy graduates to pursue employment as a
21 professional athlete prior to serving at least 5
22 years on active duty; and

23 (B) retain the existing requirement that all
24 Service Academy graduates must serve for 2
25 years on active duty before affiliating with the

1 reserves to pursue employment as a professional
2 athlete.

3 (2) A description of amendments to current law
4 that would be necessary to implement the legislative
5 proposal described under paragraph (1).

6 (b) REPORT REQUIRED.—Not later than March 1,
7 2024, and annually thereafter, the Secretary of Defense
8 shall provide to the Committees on Armed Services of the
9 Senate and the House of Representatives a report that
10 includes the following information:

11 (1) The name, covered Armed Force, and sport
12 of each Service Academy graduate released or de-
13 ferred from active service in order to participate in
14 professional sports.

15 (2) A description of the sports career progress
16 of each participant, such as drafted, signed, re-
17 leased, or returned to service in a covered Armed
18 Force.

19 (3) A summary by participant of marketing
20 strategy and recruiting related activities conducted.

21 (4) A description by participant of the assess-
22 ments conducted by the military services to deter-
23 mine the recruiting value associated with approved
24 releases from active duty.

1 (5) The current status of each participant, in-
2 cluding, as appropriate, affiliated franchise.

3 (c) DEFINITIONS.—In this section:

4 (1) The term “covered Armed Force” means
5 the Army, Navy, Air Force, Marine Corps, or Space
6 Force.

7 (2) The term “Service Academy” has the mean-
8 ing given such term in section 347 of title 10,
9 United States Code.

10 **SEC. 565. BRIEFING ON INCLUSION OF ADVANCED RE-**
11 **SEARCH PROGRAMS AT CERTAIN INSTITU-**
12 **TIONS OF PROFESSIONAL MILITARY EDU-**
13 **CATION.**

14 Not later than April 1, 2024, the President of the
15 National Defense University, the Commandant of the
16 United States Army Command and General Staff College,
17 the Commandant of the Army War College, the President
18 of the Naval War College, and the Commander of the Air
19 University shall each provide to the Committees on Armed
20 Services of the Senate and the House of Representatives
21 a briefing on—

22 (1) the current requirements and outcomes for
23 wargaming and force structure recommendations re-
24 sulting from activities conducted under existing ad-
25 vanced research programs; and

1 “(B) The Secretary of a military department shall
2 carry out one or more programs under this subsection.”;

3 (2) by redesignating paragraphs (3) and (4) as
4 paragraphs (5) and (6), respectively; and

5 (3) by inserting after paragraph (2) the fol-
6 lowing new paragraphs:

7 “(3) To carry out this subsection, the Secretary con-
8 cerned shall—

9 “(A) assign not fewer than two full-time equiva-
10 lent positions; and

11 “(B) develop for each fiscal year a funding plan
12 that includes funding lines across the future-years
13 defense program under section 221 of this title.

14 “(4) For any program under this subsection, the Sec-
15 retary concerned shall, on an annual basis—

16 “(A) circulate, to members serving on active
17 duty under the jurisdiction of such Secretary con-
18 cerned, information about the program (including
19 eligibility requirements and the application process);
20 and

21 “(B) conduct outreach to inform potential em-
22 ployers about Skillbridge, participating members,
23 and how the program operates, and to increase the
24 number of, and types of, employers that hire pro-
25 gram participants.”.

1 (b) GAO REPORT.—Not later than July 1, 2024, the
2 Comptroller General of the United States shall submit to
3 the Committees on Armed Services of the Senate and
4 House of Representatives a report regarding Skillbridge.
5 Such report shall include the following:

6 (1) The extent to which members of the Armed
7 Forces have participated in the Skillbridge program,
8 including the characteristics of such personnel and
9 completed internships.

10 (2) The process by which the Secretary of De-
11 fense determines that a member of the Armed
12 Forces is eligible to participate in Skillbridge.

13 (3) The extent to which the process described
14 in paragraph (2) and guidance prescribed by the
15 Secretary regarding Skillbridge incorporate relevant
16 Federal ethics rules regarding internships.

17 (4) The number of members, disaggregated by
18 rank, who participated in Skillbridge in each of fis-
19 cal years 2019 through 2023.

20 (5) The number of members described in para-
21 graph (4) who received full-time offers of employ-
22 ment from the participating employer upon comple-
23 tion of an internship under Skillbridge.

24 (6) Any other information the Comptroller Gen-
25 eral determines appropriate.

1 **SEC. 573. EXTENSION OF TROOPS-TO-TEACHERS PROGRAM**
2 **TO THE JOB CORPS.**

3 Section 1154 of title 10, United States Code, is
4 amended—

5 (1) in subsection (a)—

6 (A) in paragraph (2)—

7 (i) in subparagraph (A)(ii), by strik-
8 ing “; or” and inserting a semicolon;

9 (ii) in subparagraph (B), by striking
10 the period at the end and inserting “; or”;
11 and

12 (iii) by adding at the end the fol-
13 lowing new subparagraph:

14 “(C) a Job Corps center as defined in sec-
15 tion 147 of the Workforce Innovation and Op-
16 portunity Act (29 U.S.C. 3197).”; and

17 (B) in paragraph (3)—

18 (i) in subparagraph (B), by striking “;
19 or” and inserting a semicolon;

20 (ii) in subparagraph (C), by striking
21 the period at the end and inserting “; or”;
22 and

23 (iii) by adding at the end the fol-
24 lowing new subparagraph:

1 “(D) a Job Corps center as defined in sec-
2 tion 147 of the Workforce Innovation and Op-
3 portunity Act (29 U.S.C. 3197).”;

4 (2) in subsection (d)(4)(A)(ii), by inserting “or
5 Job Corps centers” after “secondary schools”; and

6 (3) in subsection (e)(2)(E), by inserting “or
7 Job Corps center” after “secondary school”.

8 **SEC. 574. TROOPS-TO-TEACHERS PROGRAM: EXPANSION;**
9 **EXTENSION.**

10 Section 1154 of title 10, United States Code, as
11 amended by section 573, is further amended—

12 (1) in subsection (b)(2)—

13 (A) in subparagraph (A)(ii), by striking “;
14 and” and inserting a semicolon;

15 (B) in subparagraph (B), by striking the
16 period at the end and inserting “; and”; and

17 (C) by adding at the end the following new
18 subparagraph:

19 “(C) as administrators and instructors of
20 the Junior Reserve Officers’ Training Corps
21 under section 2031(d) of this title.”; and

22 (2) in subsection (k), by striking “2025” and
23 inserting “2027”.

1 **SEC. 575. LANGUAGE TRAINING CENTERS FOR MEMBERS**
2 **OF THE ARMED FORCES AND CIVILIAN EM-**
3 **PLOYEES OF THE DEPARTMENT OF DEFENSE.**

4 Section 529 of the National Defense Authorization
5 Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C.
6 2001 note prec.) is amended—

7 (1) in subsection (a), by striking “may carry
8 out a program” and inserting “shall carry out a pro-
9 gram”;

10 (2) by redesignating subsection (e) as sub-
11 section (f);

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

14 “(e) CONTRACT AUTHORITY.—The Secretary of De-
15 fense may enter into one or more contracts, cooperative
16 agreements, or grants with private national organizations
17 having an expertise in foreign languages, area studies, and
18 other international fields, for the awarding of grants to
19 accredited universities, senior military colleges, or other
20 similar institutions of higher education to establish and
21 maintain language training centers authorized by sub-
22 section (a).”; and

23 (4) in subsection (f), as redesignated by para-
24 graph (2)—

25 (A) by striking “one year after the date of
26 the establishment of the program authorized by

1 subsection (a)” and inserting “180 days after
2 the date of the enactment of the National De-
3 fense Authorization Act for Fiscal Year 2024”;

4 (B) by striking “report on the program”
5 and inserting “report on the Language Train-
6 ing Center program”;

7 (C) by redesignating paragraph (4) as
8 paragraph (5);

9 (D) by inserting after paragraph (3) the
10 following new paragraph:

11 “(4) An assessment of the resources required to
12 carry out the Language Training Center program by
13 year through fiscal year 2027.”; and

14 (E) in paragraph (5), as redesignated by
15 subparagraph (C), by striking “A recommenda-
16 tion whether the program should be continued
17 and, if so, recommendations as to any modifica-
18 tions of the program” and inserting “Rec-
19 ommendations as to any modifications to the
20 Language Training Center program”.

21 **SEC. 576. PROHIBITION ON USE OF FEDERAL FUNDS TO EN-**
22 **DORSE CRITICAL RACE THEORY.**

23 (a) PROHIBITION.—No funds authorized to be appro-
24 priated by this Act may be used to endorse critical race
25 theory—

1 all soldiers of the following military occupational special-
2 ties or areas of concentration:

3 (1) 11A.

4 (2) 11B.

5 (3) 11C.

6 (4) 11Z.

7 (5) 12A.

8 (6) 12B.

9 (7) 13A.

10 (8) 13F.

11 (9) 18A.

12 (10) 18B.

13 (11) 18C.

14 (12) 18D.

15 (13) 18E.

16 (14) 18F.

17 (15) 18Z.

18 (16) 19A.

19 (17) 19C.

20 (18) 19D.

21 (19) 19K.

22 (20) 19Z.

23 (b) BRIEFING.—Not later than 365 days after the
24 date of the enactment of this Act, the Secretary of the
25 Army provide a briefing to the Committees on Armed

1 Services of the Senate and House of Representatives de-
2 scribing the methodology used to establish standards
3 under subsection (a).

4 **SEC. 578. PUBLICATION OF TRAINING MATERIALS OF THE**
5 **DEFENSE EQUAL OPPORTUNITY MANAGE-**
6 **MENT INSTITUTE.**

7 Not later than September 30, 2024, the Secretary of
8 Defense shall publish all materials created by the Defense
9 Equal Opportunity Management Institute for the purpose
10 of training members of the Armed Forces on the website
11 of such Institute.

12 **SEC. 579. PROHIBITION ON FEDERAL FUNDS FOR THE DE-**
13 **PARTMENT OF DEFENSE COUNTERING EX-**
14 **TREMISM WORK GROUP.**

15 No funds authorized to be appropriated by this Act
16 may be used to fund the Department of Defense Coun-
17 tering Extremism Working Group established by the Sec-
18 retary of Defense memorandum on April 9, 2021.

19 **Subtitle I—Family Programs, Child**
20 **Care, and Dependent Education**

21 **SEC. 581. NON-MEDICAL COUNSELING SERVICES FOR MILI-**
22 **TARY FAMILIES.**

23 Section 1781 of title 10, United States Code, is
24 amended by adding at the end the following new sub-
25 section:

1 “(d) NON-MEDICAL COUNSELING SERVICES.—(1) In
2 carrying out its duties under subsection (b), the Office
3 may coordinate programs and activities to provide non-
4 medical counseling services to military families through
5 the Department of Defense Military and Family Life
6 Counseling Program.

7 “(2) A mental health care professional described in
8 paragraph (3) may provide non-medical counseling serv-
9 ices at any location in a State, the District of Columbia,
10 or a territory or possession of the United States, without
11 regard to where the professional or recipient of such serv-
12 ices is located or delivery of such services is provided (in-
13 cluding face-to-face and telehealth), if the provision of
14 such services is within the scope of the authorized Federal
15 duties of the professional.

16 “(3) A non-medical mental health professional de-
17 scribed in this subsection is a person who is—

18 “(A) a currently licensed mental health care
19 provider who holds a license that is—

20 “(i) issued by a State, the District of Co-
21 lumbia, or a territory or possession of the
22 United States; and

23 “(ii) recognized by the Secretary of De-
24 fense as an appropriate license for the provision
25 of non-medical counseling services;

1 **SEC. 583. MODIFICATIONS TO ASSISTANCE TO LOCAL EDU-**
2 **CATIONAL AGENCIES THAT BENEFIT DE-**
3 **PENDENTS OF MEMBERS OF THE ARMED**
4 **FORCES WITH ENROLLMENT CHANGES DUE**
5 **TO BASE CLOSURES, FORCE STRUCTURE**
6 **CHANGES, OR FORCE RELOCATIONS.**

7 (a) IN GENERAL.—Section 575 of the James M.
8 Inhofe National Defense Authorization Act for Fiscal Year
9 2023 (Public Law 117–263; 20 U.S.C. 7703d) is amend-
10 ed—

11 (1) in subsection (a)—

12 (A) by striking “year, the local educational
13 agency” and all that follows through “(as deter-
14 mined” and inserting “year, the local edu-
15 cational agency had (as determined”;

16 (B) by striking paragraph (2);

17 (C) by redesignating subparagraphs (A)
18 and (B) as paragraphs (1) and (2), respectively,
19 and by moving such paragraphs, as so redesign-
20 ated, two ems to the left; and

21 (D) in paragraph (2), as redesignated by
22 subparagraph (C), by striking “; or” and insert-
23 ing a period;

24 (2) by striking subsection (h); and

25 (3) by redesignating subsections (i) and (j) as
26 subsections (h) and (i), respectively.

1 (b) BRIEFING REQUIRED.—Not later than March 1,
2 2024, the Director of the Department of Defense Edu-
3 cation Activity shall provide to the Committees on Armed
4 Services of the Senate and the House of Representatives
5 a briefing on—

6 (1) any additional authorities that would be
7 helpful to the Activity in its efforts to better support
8 local educational agencies; and

9 (2) the amounts and types of any financial as-
10 sistance provided to local educational agencies under
11 section 575 of the James M. Inhofe National De-
12 fense Authorization Act for Fiscal Year 2023 (Pub-
13 lic Law 117–263; 20 U.S.C. 7703d) as of the date
14 of the briefing.

15 **SEC. 584. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL**
16 **AGENCIES THAT BENEFIT DEPENDENTS OF**
17 **MILITARY AND CIVILIAN PERSONNEL.**

18 (a) CONTINUATION OF AUTHORITY TO ASSIST LOCAL
19 EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS
20 OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT
21 OF DEFENSE CIVILIAN EMPLOYEES.—

22 (1) ASSISTANCE TO SCHOOLS WITH SIGNIFI-
23 CANT NUMBERS OF MILITARY DEPENDENT STU-
24 DENTS.—Of the amount authorized to be appro-
25 priated for fiscal year 2024 by section 301 and

1 available for operation and maintenance for Defense-
2 wide activities as specified in the funding table in
3 section 4301, \$50,000,000 shall be available only for
4 the purpose of providing assistance to local edu-
5 cational agencies under subsection (a) of section 572
6 of the National Defense Authorization Act for Fiscal
7 Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

8 (2) LOCAL EDUCATIONAL AGENCY DEFINED.—
9 In this subsection, the term “local educational agen-
10 cy” has the meaning given that term in section
11 7013(9) of the Elementary and Secondary Edu-
12 cation Act of 1965 (20 U.S.C. 7713(9)).

13 (b) IMPACT AID FOR CHILDREN WITH SEVERE DIS-
14 ABILITIES.—

15 (1) IN GENERAL.—Of the amount authorized to
16 be appropriated for fiscal year 2024 pursuant to sec-
17 tion 301 and available for operation and mainte-
18 nance for Defense-wide activities as specified in the
19 funding table in section 4301, \$10,000,000 shall be
20 available for payments under section 363 of the
21 Floyd D. Spence National Defense Authorization
22 Act for Fiscal Year 2001 (as enacted into law by
23 Public Law 106–398; 114 Stat. 1654A–77; 20
24 U.S.C. 7703a).

1 (2) **ADDITIONAL AMOUNT.**—Of the amount au-
2 thorized to be appropriated for fiscal year 2024 pur-
3 suant to section 301 and available for operation and
4 maintenance for Defense-wide activities as specified
5 in the funding table in section 4301, \$10,000,000
6 shall be available for use by the Secretary of Defense
7 to make payments to local educational agencies de-
8 termined by the Secretary to have higher concentra-
9 tions of military children with severe disabilities.

10 (3) **BRIEFING.**—Not later than March 31,
11 2024, the Secretary shall provide to the Committees
12 on Armed Services of the Senate and the House of
13 Representatives a briefing on the Secretary’s evalua-
14 tion of each local educational agency with higher
15 concentrations of military children with severe dis-
16 abilities and the subsequent determination of the
17 Secretary with respect to the amounts of impact aid
18 each such agency shall receive.

19 **SEC. 585. OUTREACH CAMPAIGN RELATING TO WAITING**
20 **LISTS FOR MILITARY CHILD DEVELOPMENT**
21 **CENTERS; ANNUAL BRIEFING.**

22 (a) **IN GENERAL.**—The Secretary of Defense, in co-
23 ordination with the Secretaries of the military depart-
24 ments, shall develop a campaign to conduct outreach, not
25 less than once every six months, to inform individuals eli-

1 gible for child care services under chapter 88 of title 10,
2 United States Code, including child care employees—

3 (1) how to—

4 (A) join a waiting list for child care serv-
5 ices at a military child development center; and

6 (B) check the position of such an indi-
7 vidual on such waiting list; and

8 (2) of—

9 (A) what factors affect positions on such
10 waiting list;

11 (B) the process to prioritize such individ-
12 uals to receive child care services at a military
13 child development center;

14 (C) the fee schedule for child care services
15 at a military child development center; and

16 (D) options for child care services available
17 to such individuals other than military child de-
18 velopment centers, including pilot programs at
19 the duty station of such member, if applicable.

20 (b) ANNUAL BRIEFING.—Not later than 90 days
21 after the date of the enactment of this Act, and on an
22 annual basis thereafter for five years, the Secretary of De-
23 fense, in coordination with the Secretaries of the military
24 departments, shall submit to the Committees on Armed

1 Services of the House of Representatives and the Senate
2 a briefing that includes, for each military department—

3 (1) a list of the five military installations with
4 the longest waiting lists for child care services at
5 military child development centers; and

6 (2) the number of classrooms for child care
7 services, disaggregated by military installation,
8 closed during the period covered by the briefing due
9 to—

10 (A) insufficient staffing; or

11 (B) issues relating to maintenance.

12 (c) DEFINITIONS.—In this section, the terms “child
13 care employee” and “military child development center”
14 have the meanings given such terms in section 1800 of
15 title 10, United States Code.

16 **SEC. 586. BRIEFINGS ON PILOT PROGRAM ON HIRING OF**
17 **SPECIAL NEEDS INCLUSION COORDINATORS**
18 **FOR DEPARTMENT OF DEFENSE CHILD DE-**
19 **VELOPMENT CENTERS.**

20 Section 576(d) of the James M. Inhofe National De-
21 fense Authorization Act for Fiscal Year 2023 (Public Law
22 117–263; 10 U.S.C. 1792 note) is amended—

23 (1) by redesignating paragraph (2) as para-
24 graph (3); and

1 (2) by inserting, after paragraph (1) the fol-
2 lowing new paragraph (2):

3 “(2) BRIEFINGS ON IMPLEMENTATION.—Begin-
4 ning on January 31, 2024, until the termination of
5 the pilot program, the Secretary of Defense shall
6 provide to the Committees on Armed Services of the
7 Senate and the House of Representatives a biannual
8 briefing on the implementation of the pilot program.
9 Each such briefing shall include the following:

10 “(A) The process for selecting child devel-
11 opment centers under subsection (b).

12 “(B) How a special needs inclusion coordi-
13 nator hired under the pilot program coordinates
14 with the head of the child development center
15 concerned and the commander of the military
16 installation concerned.

17 “(C) How many special needs inclusion co-
18 ordinators have been hired under the pilot pro-
19 gram.”.

20 **SEC. 587. BRIEFINGS ON IMPLEMENTATION OF UNIVERSAL**
21 **PRE-KINDERGARTEN PROGRAMS IN SCHOOLS**
22 **OPERATED BY THE DEPARTMENT OF DE-**
23 **FENSE EDUCATION ACTIVITY.**

24 (a) QUARTERLY BRIEFINGS REQUIRED.—Not later
25 than January 30, 2024, and on a quarterly basis there-

1 after until December 31, 2027, the Secretary of Defense
2 shall submit to the committees on Armed Services of the
3 Senate and the House of Representatives a briefing on the
4 progress of the Secretary in implementing universal pre-
5 kindergarten programs in schools operated by the Depart-
6 ment of Defense Education Activity.

7 (b) CONTENTS OF INITIAL BRIEFING.—The initial
8 briefing under subsection (a) shall include—

9 (1) identification of all locations under the ju-
10 risdiction of the Department of Defense at which
11 universal pre-kindergarten programs and child devel-
12 opment centers are co-located; and

13 (2) an estimate of the number of children ex-
14 pected to transfer from child development centers to
15 pre-kindergarten programs as a result of such pro-
16 grams being offered.

17 (c) CONTENTS OF SUBSEQUENT BRIEFINGS.—Fol-
18 lowing the initial briefing under subsection (a), each sub-
19 sequent briefing shall include—

20 (1) the total anticipated costs of funding uni-
21 versal pre-kindergarten programs in schools operated
22 by the Department of Defense Education Activity;

23 (2) the estimated differential between the cost
24 of caring for a child in a child development center

1 versus the cost of a child's participation in a pre-
2 kindergarten program;

3 (3) the estimated differential between the costs
4 of employing caregivers in child development centers
5 versus the costs of employing teachers in pre-kinder-
6 garten programs;

7 (4) the child-to-caregiver ratio requirements for
8 child development centers versus the child-to-teacher
9 ratio requirements for pre-kindergarten programs;

10 (5) a needs assessment of facilities for universal
11 pre-kindergarten programs based on anticipated ca-
12 pacity;

13 (6) an assessment of the availability of teachers
14 for pre-kindergarten programs; and

15 (7) an indication of whether, and to what ex-
16 tent, members of the Armed Forces have expressed
17 a preference for enrolling their children in pre-kin-
18 dergarten programs rather than continuing care for
19 such children in child development centers.

20 **SEC. 588. REPORT ON MENTAL HEALTH AND WELLNESS**
21 **SUPPORT FOR STUDENTS ENROLLED IN**
22 **SCHOOLS OPERATED BY THE DEPARTMENT**
23 **OF DEFENSE EDUCATION ACTIVITY.**

24 (a) IN GENERAL.—Not later than December 1, 2024,
25 the Secretary of Defense shall submit to the Committees

1 on Armed Services of the Senate and the House of Rep-
2 resentatives a report on programs and policies to support
3 mental health and wellness among students in schools op-
4 erated by the Department of Defense Education Activity
5 (referred to in this section as “DODEA Schools”).

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

8 (1) A description of the mental health and
9 wellness resources available to students enrolled in
10 DODEA schools.

11 (2) An overview of policies and procedures in
12 place in DODEA schools to ensure that students are
13 regularly screened for mental health and wellness.

14 (3) An overview of policies and procedures in
15 place in DODEA schools for administrators and
16 teachers to communicate and coordinate with par-
17 ents and guardians of students in such schools in
18 cases in which students have a demonstrated need
19 for mental health and wellness support.

20 (4) Any recommendations for new policies, pro-
21 grams, or resources to improve mental health and
22 wellness support for students enrolled in DODEA
23 schools.

24 (5) An assessment of the feasibility and advis-
25 ability of conducting a pilot program to detail li-

1 censed medical health care providers under the con-
2 trol of the Defense Health Agency to DODEA
3 schools in order to improve mental health and
4 wellness care for students enrolled in such schools.

5 (6) Any other matters the Secretary of Defense
6 determines to be relevant and appropriate for inclu-
7 sion in the report.

8 (c) MENTAL HEALTH AND WELLNESS CONSIDER-
9 ATIONS.—In considering student mental health and
10 wellness for purposes of this section, the Secretary of De-
11 fense shall, at a minimum, take into account the following
12 conditions:

13 (1) Depression.

14 (2) Suicidal ideation.

15 (3) Anxiety.

16 (4) Attention-deficit/hyperactivity disorder
17 (ADHD).

18 (5) Eating disorders.

19 (6) Substance abuse.

20 (7) Dual diagnosis conditions.

1 **SEC. 589. RIGHTS OF PARENTS OF CHILDREN ATTENDING**
2 **SCHOOLS OPERATED BY THE DEPARTMENT**
3 **OF DEFENSE EDUCATION ACTIVITY.**

4 (a) ESTABLISHMENT.—Chapter 108 of title 10,
5 United States Code, is amended by inserting after section
6 2164 the following new section:

7 **“§ 2164a. Rights of parents of children attending**
8 **schools operated by the Department of**
9 **Defense Education Activity**

10 “(a) IN GENERAL.—The parent of a child who at-
11 tends a school operated by the Department of Defense
12 Education Activity has the following rights:

13 “(1) The right to review the curriculum of the
14 school.

15 “(2) The right to be informed if the school or
16 the Department of Defense Education Activity alters
17 the school’s academic standards or learning bench-
18 marks.

19 “(3) The right to meet with each teacher of
20 their child not less than twice during each school
21 year.

22 “(4) The right to review all instructional mate-
23 rials used by their students.

24 “(5) The right to inspect a list of the books and
25 other reading materials contained in the library of
26 the school.

1 “(6) The right to address the school advisory
2 committee or the school board.

3 “(7) The right to data about the school’s dis-
4 cipline policy and any disciplinary action that results
5 in a suspension or expulsion from the school, unless
6 such disclosure is prohibited by law.

7 “(8) The right to information about any plans
8 to eliminate gifted and talented programs or acceler-
9 ated coursework at the school.

10 “(b) DISCLOSURES AND NOTIFICATIONS.—Con-
11 sistent with the parental rights specified in subsection (a)
12 and except as provided by subsection (c), a school operated
13 by the Department of Defense Education Activity shall—

14 “(1) post on a publicly accessible website of the
15 school—

16 “(A) the curriculum for each course and
17 grade level;

18 “(B) the academic standards or other
19 learning benchmarks used by the school; and

20 “(C) notice of any proposed revisions to
21 such standards or benchmarks and a copy of
22 any such revisions;

23 “(2) provide the parent of a child attending the
24 school with—

1 “(A) the opportunity to meet in person
2 with each teacher of their child not less fre-
3 quently than twice during each school year at a
4 time mutually agreed upon by both parties; and

5 “(B) notice of such opportunity at the be-
6 ginning of each school year;

7 “(3) provide parents access to the online school
8 library catalog;

9 “(4) notify parents in a timely manner of any
10 plans to eliminate gifted and talented programs or
11 accelerated coursework at the school;

12 “(5) except as provided by paragraph (6) or
13 subsection (e), notify parents of any medical exami-
14 nations or screenings the school may administer to
15 their child and receive written consent from parents
16 for any such examination or screening prior to con-
17 ducting the examination or screening;

18 “(6) in the event of an emergency that requires
19 a medical examination or screening without time for
20 parental notification, promptly notify parents of
21 such examination or screening and provide an expla-
22 nation of the emergency that prevented notification
23 prior to such examination or screening; and

24 “(7) notify parents of any medical information
25 that will be collected on their child, receive written

1 parental consent prior to collecting such information,
2 and provide parents an opportunity to inspect such
3 information at the parent’s request.

4 “(c) EXCEPTIONS.—(1) Paragraph (5) of subsection
5 (a) and paragraph (3) of subsection (b) shall not be effec-
6 tive until the day that is two years after the date of the
7 enactment of the National Defense Authorization Act for
8 Fiscal Year 2024.

9 “(2) A requirement set forth in subsection (b) shall
10 not apply in a case in which the requirement would violate
11 any applicable provision of a Federal or State statute or
12 regulation.

13 “(d) SCHOOL ADVISORY COMMITTEES AND
14 BOARDS.—Not less frequently than four times per year,
15 a school advisory committee or school board for a school
16 operated by the Department of Defense Education Activ-
17 ity shall provide parents of children attending the school
18 with the opportunity to address the advisory committee
19 or school board on any matters relating to the school or
20 the educational services provided to their children.

21 “(e) DEFINITIONS.—In this section:

22 “(1) The term ‘medical examination or screen-
23 ing’—

24 “(A) means a physical examination pro-
25 vided by a health care provider; and

1 “(B) does not include an evaluation by, or
2 an encounter with, non-clinical school staff.

3 “(2) The term ‘school’ means—

4 “(A) a Department of Defense domestic
5 dependent elementary or secondary school, as
6 described in section 2164 of this title; or

7 “(B) any elementary or secondary school
8 or program for dependents operated by the De-
9 partment of Defense Education Activity.”.

10 (b) REPORT.—Not later than 30 days after the date
11 of the enactment of this Act and consistent with section
12 2164a of title 10, United States Code, as added by sub-
13 section (a), the Secretary of Defense shall submit to the
14 Committees on Armed Services of the Senate and the
15 House of Representatives a report on the parental rights
16 specified in such section. The report shall include, with
17 respect to the schools operated by the Department of De-
18 fense Education Activity, an explanation of—

19 (1) how and where a parent may access infor-
20 mation about their rights;

21 (2) the accessibility of that information;

22 (3) how such schools inform parents of their
23 rights and the means to access such rights; and

24 (4) the uniformity of parental rights across
25 such schools.

1 **Subtitle J—Decorations and**
2 **Awards and Other Personnel**
3 **Matters, Reports, and Briefings**

4 **SEC. 591. ARMED FORCES WORKPLACE SURVEYS.**

5 Subsection (c) of section 481 of title 10, United
6 States Code, is amended—

7 (1) by redesignating paragraphs (3), (4), and
8 (5) as paragraphs (4), (5), and (6), respectively; and

9 (2) by inserting after paragraph (2) the fol-
10 lowing new paragraph:

11 “(3) Indicators of the assault (including un-
12 wanted sexual contact) that give reason to believe
13 that the victim was targeted, or discriminated
14 against, or both, for a status in a group.”.

15 **SEC. 592. DUE DATE FOR REPORT ON EFFORTS TO PRE-**
16 **VENT AND RESPOND TO DEATHS BY SUICIDE**
17 **IN THE NAVY.**

18 Section 599A(c) of the James M. Inhofe National De-
19 fense Authorization Act for Fiscal Year 2023 (Public Law
20 117–263) is amended by striking “180 days after the date
21 of the enactment of this Act” and inserting “September
22 30, 2024”.

1 **SEC. 593. EXTENSION OF DEADLINE FOR REVIEW OF**
2 **WORLD WAR I VALOR MEDALS.**

3 Section 584(f) of the National Defense Authorization
4 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.
5 7271 note) is amended by striking “six years after the
6 date of the enactment of this Act” and inserting “Decem-
7 ber 31, 2028”.

8 **SEC. 594. DIGITAL AMBASSADOR PROGRAM OF THE NAVY:**
9 **CESSATION; REPORT; RESTART.**

10 (a) CESSATION.—The Secretary of the Navy shall
11 cease all activities of the digital ambassador program of
12 the Office of Information of the Department of the Navy.
13 The Secretary shall notify each individual designated as
14 a digital ambassador of such cessation and that the indi-
15 vidual is not authorized to act as a digital ambassador
16 of the Navy.

17 (b) RESTART.—The Secretary may not restart such
18 program until 60 days after the date on which the Sec-
19 retary submits to the Committees on Armed Services of
20 the Senate and House of Representatives a report con-
21 taining the following:

- 22 (1) All policies and documents of the program.
23 (2) The number of digital ambassadors des-
24 ignated.
25 (3) The process and criteria for such designa-
26 tion.

1 (4) The duties of a digital ambassador.

2 (5) The online platforms (including social
3 media) on which an individual is authorized under
4 such program to perform duties of a digital ambas-
5 sador.

6 (6) The determination of the Secretary that
7 such program complies with applicable laws, regula-
8 tions, and guidance.

9 **TITLE VI—COMPENSATION AND**
10 **OTHER PERSONNEL BENEFITS**

Subtitle A—Basic Pay, Retired Pay, and Leave

- Sec. 601. Parental leave parity for members of certain reserve components of the Armed Forces.
- Sec. 602. Pay of members of reserve components for inactive-duty training to obtain or maintain an aeronautical rating or designation.
- Sec. 603. Expansion of authority to pay a member of the Armed Forces who is absent without leave or over leave for such absence.

Subtitle B—Bonus and Incentive Pays

- Sec. 611. Expansion of continuation pay eligibility.
- Sec. 612. Modification of special and incentive pay authorities for members of reserve components.
- Sec. 613. One-year extension of certain expiring bonus and special pay authorities.
- Sec. 614. Authorization of monthly bonus pay for a junior member of the uniformed services during calendar year 2024.
- Sec. 615. Determination of cold weather location for purposes of special duty pay.
- Sec. 616. Feasibility study regarding assignment incentive pay for members of the Air Force assigned to remotely piloted aircraft.

Subtitle C—Allowances

- Sec. 621. Modification of calculation of gross household income for basic needs allowance to address areas of demonstrated need.
- Sec. 622. Improved calculation of basic allowance for housing for junior enlisted members.
- Sec. 623. Basic allowance for housing for members assigned to vessels undergoing maintenance.
- Sec. 624. Dual basic allowance for housing for training.
- Sec. 625. Cost-of-living allowance in the continental United States: high cost areas.

- Sec. 626. Family separation allowance: increase; review.
- Sec. 627. OCONUS cost-of-living allowance: adjustments.
- Sec. 628. Extension of one-time uniform allowance for officers who transfer to the Space Force.

Subtitle D—Family and Survivor Benefits

- Sec. 631. Modifications to transitional compensation for dependents of members separated for dependent abuse.
- Sec. 632. Lodging expenses for dependents of members separated for dependent abuse.
- Sec. 633. Access to commissary and exchange privileges for remarried surviving spouses.
- Sec. 634. Assistance for military spouses to obtain certifications as doula and International Board Certified Lactation Consultants.
- Sec. 635. Expansion of qualifying events for which a member of the uniformed services may be reimbursed for spousal relicensing or business costs due to the member’s relocation.

1 **Subtitle A—Basic Pay, Retired Pay,**
2 **and Leave**

3 **SEC. 601. PARENTAL LEAVE PARITY FOR MEMBERS OF CER-**
4 **TAIN RESERVE COMPONENTS OF THE ARMED**
5 **FORCES.**

6 (a) PARENTAL LEAVE.—

7 (1) IN GENERAL.—Chapter 40 of title 10,
8 United States Code, is amended by inserting after
9 section 710 the following new section:

10 **“§ 711. Parental leave for members of certain reserve**
11 **components of the armed forces**

12 “(a)(1) Under regulations prescribed by the Sec-
13 retary of Defense, a member of a reserve component of
14 the armed forces described in subsection (b) is allowed pa-
15 rental leave for a duration of up to 12 inactive-duty train-
16 ing periods, under section 206 of title 37, during the one-
17 year period beginning after the following events:

1 “(A) the birth or adoption of a child of the
2 member and to care for such child; or

3 “(B) the placement of a minor child with the
4 member for adoption or long-term foster care.

5 “(2)(A) The Secretary concerned, under uniform reg-
6 ulations to be prescribed by the Secretary of Defense, may
7 authorize leave described under subparagraph (A) to be
8 taken after the one-year period described in subparagraph
9 (A) in the case of a member described in subsection (b)
10 who, except for this subparagraph, would lose unused pa-
11 rental leave at the end of the one-year period described
12 in subparagraph (A) as a result of—

13 “(i) operational requirements;

14 “(ii) professional military education obligations;

15 or

16 “(iii) other circumstances that the Secretary de-
17 termines reasonable and appropriate.

18 “(B) The regulations prescribed under clause (i) shall
19 require that any leave authorized to be taken after the
20 one-year period described in subparagraph (A) shall be
21 taken within a reasonable period of time, as determined
22 by the Secretary of Defense, after cessation of the cir-
23 cumstances warranting the extended deadline.;

1 “(b) A member described in this subsection is a mem-
2 ber of the Army, Navy, Marine Corps, Air Force, or Space
3 Force who is a member of—

4 “(1) the selected reserve who is entitled to com-
5 pensation under section 206 of title 37; or

6 “(2) the individual ready reserve who is entitled
7 to compensation under section 206 of title 37 when
8 attending or participating in a sufficient number of
9 periods of inactive-duty training during a year to
10 count the year as a qualifying year of creditable
11 service toward eligibility for retired pay.”.

12 (2) CLERICAL AMENDMENT.—The table of sec-
13 tions at the beginning of chapter 40 of such title is
14 amended by inserting after the item relating to sec-
15 tion 710 the following new item:

 “711. Parental leave for members of the reserve component of the armed
 forces.”.

16 (b) COMPENSATION.—Section 206(a) of title 37,
17 United States Code, is amended by amending paragraph
18 (4) to read as follows:

19 “(4) for a regular period of instruction, period
20 of appropriate duty, or such other equivalent train-
21 ing that a member would be required to perform but
22 does not perform because such member was author-
23 ized to take parental leave pursuant to section 711
24 of title 10.”.

1 (c) CONTRIBUTION OF LEAVE TOWARD ENTITLE-
2 MENT TO RETIRED PAY.—Section 12732(a)(2)(G) of title
3 10, United States Code, is amended by striking “12 per
4 period” and all that follows through the end of the sen-
5 tence and inserting the following: “1 per inactive-duty
6 training period, under section 206 of title 37, during
7 which the member is on parental leave under section 711
8 of this title.”.

9 (d) CREDIT FOR RETIRED PAY PURPOSES.—Section
10 602(b) of the William M. (Mac) Thornberry National De-
11 fense Authorization Act for Fiscal Year 2021 (Public Law
12 116–283; 10 U.S.C. 12732 note) is amended—

13 (1) in paragraph (1), by striking “maternity
14 leave” and all that follows through “birth of a child”
15 and inserting “parental leave described in section
16 12732(a)(2)(G) of title 10, United States Code,
17 taken by a member of the reserve components of the
18 Armed Forces”;

19 (2) in paragraph (2), by striking “maternity
20 leave” and all that follows through “childbirth
21 event” and inserting “parental leave taken by the
22 member”; and

23 (3) in paragraph (3), by striking “maternity
24 leave” each place it appears and inserting “parental
25 leave”.

1 (e) EFFECTIVE DATE.—This section and the amend-
2 ments made by this section shall take effect on October
3 1, 2024, and apply with respect to periods of parental
4 leave that commence on or after such date.

5 **SEC. 602. PAY OF MEMBERS OF RESERVE COMPONENTS**
6 **FOR INACTIVE-DUTY TRAINING TO OBTAIN**
7 **OR MAINTAIN AN AERONAUTICAL RATING OR**
8 **DESIGNATION.**

9 (a) IN GENERAL.—Chapter 3 of title 37, United
10 States Code, is amended by inserting after section 206 the
11 following new section:

12 **“§ 206a. Pay of members of reserve components for**
13 **inactive-duty training to obtain or main-**
14 **tain an aeronautical rating or designa-**
15 **tion**

16 “Under regulations prescribed by the Secretary con-
17 cerned, a member of the National Guard or a member of
18 a reserve component of a uniformed service who is receiv-
19 ing aviation incentive pay under section 334(a) of this title
20 and is entitled to compensation under section 206 of this
21 title is entitled to such compensation for a number of peri-
22 ods of inactive-duty training each month sufficient for the
23 member to obtain or maintain an aeronautical rating or
24 designation.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 3 of such title is amended by
3 inserting after the item relating to section 206 the fol-
4 lowing new item:

“206a. Pay of members of reserve components for inactive-duty training to obtain or maintain an aeronautical rating or designation.”.

5 **SEC. 603. EXPANSION OF AUTHORITY TO PAY A MEMBER OF**
6 **THE ARMED FORCES WHO IS ABSENT WITH-**
7 **OUT LEAVE OR OVER LEAVE FOR SUCH AB-**
8 **SENCE.**

9 Section 503(a) of title 37, United States Code, is
10 amended—

11 (1) by striking “A member” and inserting “(1)
12 Subject to paragraph (2), a member”; and

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

15 “(2)(A) In the case of a member of the Army, Navy,
16 Air Force, Marine Corps, Space Force, or Coast Guard
17 when it is operating as service in the Department of the
18 Navy, the Secretary of Defense may determine to pay the
19 pay and allowances described in paragraph (1).

20 “(B) The Secretary may not delegate the authority
21 to make a determination under subparagraph (A).

22 “(C) Not later than 30 days after determining to pay
23 any pay or allowance under subparagraph (A), the Sec-
24 retary shall submit to the Committees on Armed Services

1 of the Senate and House of Representatives a report re-
2 garding such determination.”.

3 **Subtitle B—Bonus and Incentive**
4 **Pays**

5 **SEC. 611. EXPANSION OF CONTINUATION PAY ELIGIBILITY.**

6 (a) CONTINUATION PAY: FULL TSP MEMBERS WITH
7 8 TO 12 YEARS OF SERVICE.—Section 356 of title 37,
8 United States Code, is amended—

9 (1) in the section heading, by striking “8” and
10 inserting “7”; and

11 (2) in subsections (a)(1) and (d), by striking
12 “8” and inserting “7”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of chapter 5 of such title is amended by
15 striking the item relating to section 356 and inserting the
16 following new item:

“356. Continuation pay: full TSP members with 7 to 12 years of service.”.

17 **SEC. 612. MODIFICATION OF SPECIAL AND INCENTIVE PAY**

18 **AUTHORITIES FOR MEMBERS OF RESERVE**
19 **COMPONENTS.**

20 (a) IN GENERAL.—Section 357 of title 37, United
21 States Code, is amended—

22 (1) by striking “incentive pay” and inserting
23 “special or incentive pay”;

24 (2) by striking the period at the end and insert-
25 ing “if the Secretary concerned is paying the mem-

1 ber of the reserve component the special or incentive
2 pay for the purpose of—”; and

3 (3) by adding at the end the following:

4 “(1) maintaining a skill certification or pro-
5 ficiency identical to a skill certification or proficiency
6 required of the member in the regular component; or

7 “(2) compensating the member of the reserve
8 component for exposure to hazards or risks identical
9 to hazards or risks to which the member in the reg-
10 ular component was exposed.”.

11 (b) CONFORMING AND CLERICAL AMENDMENTS.—

12 (1) CONFORMING AMENDMENT.—The section
13 heading for section 357 of title 37, United States
14 Code, is amended by striking “**Incentive**” and in-
15 serting “**Special and incentive**”.

16 (2) CLERICAL AMENDMENT.—The table of sec-
17 tions for chapter 5 of such title is amended by strik-
18 ing the item relating to section 357 and inserting
19 the following new item:

 “357. Special and incentive pay authorities for members of the reserve compo-
 nents of the armed forces.”.

20 (c) MODIFICATION OF IMPLEMENTATION DETER-
21 MINATION.—Section 602(d) of the National Defense Au-
22 thorization Act for Fiscal Year 2022 (Public Law 117–
23 81; 37 U.S.C. 357 note) is amended—

1 (1) by redesignating paragraphs (1) and (2) as
2 subparagraphs (A) and (B), respectively, and by
3 moving such subparagraphs, as so redesignated, two
4 ems to the right;

5 (2) by striking “The Secretary may” and in-
6 serting the following:

7 “(1) IN GENERAL.—The Secretary shall”;

8 (3) in subparagraph (A), as redesignated by
9 paragraph (1), by striking “subsection (b)” and in-
10 serting “subsection (c)”; and

11 (4) by adding at the end the following new
12 paragraph:

13 “(2) EVALUATION OF TYPES OF SPECIAL AND
14 INCENTIVE PAY.—In making the determination and
15 certification described in paragraph (1)(B), the Sec-
16 retary shall evaluate each type or category of special
17 and incentive pay separately and may make the de-
18 termination and certification based on the effect on
19 an Armed Force concerned of a particular type or
20 category of special or incentive pay.”.

21 **SEC. 613. ONE-YEAR EXTENSION OF CERTAIN EXPIRING**
22 **BONUS AND SPECIAL PAY AUTHORITIES.**

23 (a) **AUTHORITIES RELATING TO RESERVE**
24 **FORCES.**—Section 910(g) of title 37, United States Code,
25 relating to income replacement payments for reserve com-

1 ponent members experiencing extended and frequent mo-
2 bilization for active duty service, is amended by striking
3 “December 31, 2023” and inserting “December 31,
4 2024”.

5 (b) TITLE 10 AUTHORITIES RELATING TO HEALTH
6 CARE PROFESSIONALS.—The following sections of title
7 10, United States Code, are amended by striking “Decem-
8 ber 31, 2023” and inserting “December 31, 2024”:

9 (1) Section 2130a(a)(1), relating to nurse offi-
10 cer candidate accession program.

11 (2) Section 16302(d), relating to repayment of
12 education loans for certain health professionals who
13 serve in the Selected Reserve.

14 (c) AUTHORITIES RELATING TO NUCLEAR OFFI-
15 CERS.—Section 333(i) of title 37, United States Code, is
16 amended by striking “December 31, 2023” and inserting
17 “December 31, 2024”.

18 (d) AUTHORITIES RELATING TO TITLE 37 CONSOLI-
19 DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-
20 THORITIES.—The following sections of title 37, United
21 States Code, are amended by striking “December 31,
22 2023” and inserting “December 31, 2024”:

23 (1) Section 331(h), relating to general bonus
24 authority for enlisted members.

1 (2) Section 332(g), relating to general bonus
2 authority for officers.

3 (3) Section 334(i), relating to special aviation
4 incentive pay and bonus authorities for officers.

5 (4) Section 335(k), relating to special bonus
6 and incentive pay authorities for officers in health
7 professions.

8 (5) Section 336(g), relating to contracting
9 bonus for cadets and midshipmen enrolled in the
10 Senior Reserve Officers' Training Corps.

11 (6) Section 351(h), relating to hazardous duty
12 pay.

13 (7) Section 352(g), relating to assignment pay
14 or special duty pay.

15 (8) Section 353(i), relating to skill incentive
16 pay or proficiency bonus.

17 (9) Section 355(h), relating to retention incen-
18 tives for members qualified in critical military skills
19 or assigned to high priority units.

20 (e) AUTHORITY TO PROVIDE TEMPORARY INCREASE
21 IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section
22 403(b) of title 37, United States Code, is amended—

23 (1) in paragraph (7)(E), relating to an area
24 covered by a major disaster declaration or con-
25 taining an installation experiencing an influx of mili-

1 tary personnel, by striking “December 31, 2023”
2 and inserting “December 31, 2024”; and

3 (2) by striking subparagraph (C) of paragraph
4 (8), relating to an area where actual housing costs
5 differ from current rates by more than 20 percent,
6 and inserting the following:

7 “(C) This paragraph shall cease to be effective on De-
8 cember 31, 2024.”.

9 **SEC. 614. AUTHORIZATION OF MONTHLY BONUS PAY FOR A**
10 **JUNIOR MEMBER OF THE UNIFORMED SERV-**
11 **ICES DURING CALENDAR YEAR 2024.**

12 (a) AUTHORIZATION.—Beginning on January 1,
13 2024, if the Secretary concerned determines that pre-
14 vailing economic conditions may adversely affect an eligi-
15 ble member, the Secretary concerned may pay a monthly
16 bonus to each eligible member.

17 (b) AMOUNT OF PAY.—Each bonus payment under
18 this section shall be in an amount equal to a percentage,
19 determined by the Secretary concerned, of the rate—

20 (1) in effect on December 31, 2023; and

21 (2) of, for an eligible member—

22 (A) pay under section 204 of title 37,
23 United States Code; or

24 (B) compensation under section 206 of
25 title 37, United States Code.

1 (c) RELATIONSHIP TO OTHER PAY AND ALLOW-
2 ANCES.—Bonus pay paid to an eligible member under this
3 section is in addition to any other pay and allowances to
4 which the eligible member is entitled.

5 (d) TERMINATION.—No bonus may be paid under
6 this section after December 31, 2024.

7 (e) ELIGIBLE MEMBER DEFINED.—In this section,
8 the term “eligible member” means a member of the uni-
9 formed services who—

10 (1) is entitled to pay or compensation described
11 in subsection (b)(2); and

12 (2) is in a grade below E-6.

13 **SEC. 615. DETERMINATION OF COLD WEATHER LOCATION**
14 **FOR PURPOSES OF SPECIAL DUTY PAY.**

15 For purposes of special duty pay under section 352
16 of title 37, United States Code, the Secretary concerned
17 shall determine that a duty station is a cold weather loca-
18 tion if, at such duty station, the temperature is expected
19 to drop below -20 °F according to the 2012 Plant Hardi-
20 ness Zone Map published by the Agricultural Research
21 Service of the Department of Agriculture.

1 **SEC. 616. FEASIBILITY STUDY REGARDING ASSIGNMENT IN-**
2 **CENTIVE PAY FOR MEMBERS OF THE AIR**
3 **FORCE ASSIGNED TO REMOTELY PILOTED**
4 **AIRCRAFT.**

5 Not later than 180 days after the date of enactment
6 of this Act, the Secretary of the Air Force shall submit
7 to the Committees on Armed Services of the Senate and
8 House of Representatives a report on the feasibility and
9 advisability of paying assignment incentive pay under sec-
10 tion 307a of title 37, United States Code, to members of
11 the Air Force assigned to remotely piloted aircraft, includ-
12 ing at Creech Air Force Base. The study shall include—

13 (1) an assessment of the financial stress experi-
14 enced by such members, especially junior members
15 with families, associated with—

16 (A) the daily commute to and from the
17 duty station;

18 (B) the unique demands of the mission to
19 remotely pilot aircraft; and

20 (C) limited access to essential services, in-
21 cluding child care, housing, and readily acces-
22 sible health care; and

23 (2) the overall cost to the United States, and fi-
24 nancial relief provided by, such assignment incentive
25 pay authorized by the Secretary of the Air Force in
26 2008 for such members.

1 **Subtitle C—Allowances**

2 **SEC. 621. MODIFICATION OF CALCULATION OF GROSS**
3 **HOUSEHOLD INCOME FOR BASIC NEEDS AL-**
4 **LOWANCE TO ADDRESS AREAS OF DEM-**
5 **ONSTRATED NEED.**

6 (a) IN GENERAL.—Section 402b(k)(1)(B) of title 37,
7 United States Code, is amended by inserting “or that oth-
8 erwise has a demonstrated need” after “high cost of liv-
9 ing”.

10 (b) IMPLEMENTATION GUIDANCE.—The Secretary of
11 Defense shall revise the guidance issued with respect to
12 implementation of the basic needs allowance under section
13 402b of title 37, United States Code, to reflect the amend-
14 ment made by subsection (a).

15 **SEC. 622. IMPROVED CALCULATION OF BASIC ALLOWANCE**
16 **FOR HOUSING FOR JUNIOR ENLISTED MEM-**
17 **BERS.**

18 Section 403 of title 37, United States Code, is
19 amended, in subsection (b)(5), by striking “and shall be
20 based” and all that follows and inserting a period.

21 **SEC. 623. BASIC ALLOWANCE FOR HOUSING FOR MEMBERS**
22 **ASSIGNED TO VESSELS UNDERGOING MAIN-**
23 **TENANCE.**

24 Section 403(f)(2) of title 37, United States Code, is
25 amended—

1 (1) in subparagraph (A), by striking “subpara-
2 graphs (B) and (C)” and inserting “subparagraphs
3 (B), (C), and (D)”; and

4 (2) by adding at the end the following new sub-
5 paragraph:

6 “(D)(i) Under regulations prescribed by the Sec-
7 retary concerned, the Secretary may authorize the pay-
8 ment of a basic allowance for housing to a member of a
9 uniformed service without dependents who is serving in
10 a pay grade below E-6 and has orders to a naval vessel
11 during a shipyard availability or maintenance period.

12 “(ii) In prescribing regulations under clause (i), the
13 Secretary concerned shall consider the availability of quar-
14 ters for members serving in pay grades below E-6 before
15 authorizing the payment of a basic allowance for housing
16 for such members.”.

17 **SEC. 624. DUAL BASIC ALLOWANCE FOR HOUSING FOR**
18 **TRAINING.**

19 Section 403 of title 37, United States Code, as
20 amended by sections 622 and 623, is further amended,
21 in subsection (g)(3), by striking “Paragraphs” and insert-
22 ing “Except in the case of a member of a reserve compo-
23 nent without dependents who is called or ordered to active
24 duty to attend training for at least 140 days but fewer
25 than 365 days, paragraphs”.

1 **SEC. 627. OCONUS COST-OF-LIVING ALLOWANCE: ADJUST-**
2 **MENTS.**

3 Section 617 of the James M. Inhofe National Defense
4 Authorization Act for Fiscal Year 2023 (Public Law 117–
5 263) is amended by striking subsections (a), (b), and (c)
6 and inserting the following:

7 “(a) REDUCTIONS.—The Secretary of Defense may
8 reduce an OCONUS COLA in accordance with this sub-
9 section.

10 “(1) FREQUENCY.—The Secretary may not an-
11 nounce a reduction to an OCONUS COLA for a lo-
12 cation outside the continental United States more
13 than twice per calendar year.

14 “(2) MAXIMUM REDUCTION.—A reduction to an
15 OCONUS COLA may not exceed the lesser of—

16 “(A) 10 OCONUS COLA index points; or

17 “(B) the number of OCONUS COLA
18 index points by which the cost of living of the
19 permanent duty station of the covered member
20 exceeds the average cost of living index in the
21 continental United States.

22 “(3) LIMITATIONS.—Paragraphs (1) and (2)
23 shall not apply to a reduction on the basis of—

24 “(A) a change in the rate of exchange of
25 foreign currencies; or

1 “(B) a permanent change of station for a
2 covered member.

3 “(4) IMPLEMENTATION.—The Secretary may
4 phase in a reduction under this subsection.

5 “(b) INCREASES.—The Secretary may increase an
6 OCONUS COLA at any time.

7 “(c) REPORTING.—Not later than February 1 of each
8 year, the Secretary shall submit to the Committees on
9 Armed Services of the Senate and House of Representa-
10 tives a report regarding reductions and increases to
11 OCONUS COLAs during the previous calendar year. Such
12 report shall include the following elements:

13 “(1) The areas outside the continental United
14 States subject to such a reduction or increase.

15 “(2) The previous and new amounts of an ad-
16 justed OCONUS COLA for a member with three de-
17 pendents, 10 years of service, and in grade—

18 “(A) E-6; and

19 “(B) O-4.

20 “(3) The number of OCONUS COLA index
21 points by which a new OCONUS COLA index dif-
22 fers from such previous index.

23 “(4) The number of members of the uniformed
24 services affected by each such reduction or increase.

1 “(5) The assessment of the Secretary of the
2 calculation of an OCONUS COLA. In making such
3 assessment, the Secretary shall consider factors in-
4 cluding—

5 “(A) Costs of local transportation in the
6 area surrounding the duty station of a member.

7 “(B) Costs of travel from such duty sta-
8 tion to the United States.

9 “(C) Other costs the Secretary determines
10 appropriate.

11 “(d) DEFINITIONS.—In this section:

12 “(1) The term ‘continental United States’ has
13 the meaning given such term in section 101 of title
14 37, United States Code.

15 “(2) The term ‘covered member’ means a mem-
16 ber of the uniformed services—

17 “(A) who is assigned to a permanent duty
18 station located outside the continental United
19 States; or

20 “(B) whose dependents reside outside the
21 continental United States but not withing the
22 vicinity to permanent duty station of such mem-
23 ber.

24 “(3) The term ‘OCONUS COLA’ means a cost-
25 of-living allowance paid to a member of the uni-

1 formed services on the basis that such member is a
2 covered member.

3 “(4) The term ‘OCONUS COLA index’ means
4 the index computed by the Secretary of the weighted
5 average prices of goods and services (excluding hous-
6 ing costs) in a location outside the continental
7 United States, relative to the weighted average of
8 prices of the same goods and services in the conti-
9 nental United States.

10 “(5) The term ‘OCONUS COLA index point’
11 means 1 percent of the OCONUS COLA index for
12 the weighted average prices of goods and services
13 (excluding housing costs) in a location in the conti-
14 nental United States.”.

15 **SEC. 628. EXTENSION OF ONE-TIME UNIFORM ALLOWANCE**
16 **FOR OFFICERS WHO TRANSFER TO THE**
17 **SPACE FORCE.**

18 Section 606(d)(1) of the William M. (Mac) Thorn-
19 berry National Defense Authorization Act for Fiscal Year
20 2021 (Public Law 116–283; 37 U.S.C. 416 note) is
21 amended by striking “September 30, 2023” and inserting
22 “September 30, 2025”.

1 (A) in the matter preceding clause (i), by
2 inserting after “offense” the following: “or an
3 offense described in subsection (b)(3)(B)”;

4 (B) in clause (ii), by striking “; and” and
5 inserting a semicolon; and

6 (2) in subparagraph (B), by striking “(if the
7 basis” and all that follows through “offense)”.

8 (c) DEFINITION OF DEPENDENT CHILD.—Sub-
9 section (l) of such section is amended, in the matter pre-
10 ceding paragraph (1)—

11 (1) by striking “resulting in the separation of
12 the former member or” and inserting “referred to in
13 subsection (b) or”; and

14 (2) by striking “resulting in the separation of
15 the former member and” and inserting “and”.

16 (d) DELEGATION OF DETERMINATIONS RELATING
17 TO EXCEPTIONAL ELIGIBILITY.—Subsection (m)(4) of
18 such section is amended to read as follows:

19 “(4) The Secretary concerned may delegate the au-
20 thority under paragraph (1) to authorize eligibility for
21 benefits under this section for dependents and former de-
22 pendants of a member or former member to the first gen-
23 eral or flag officer (or civilian equivalent) in the chain of
24 command of the member.”.

1 **SEC. 632. LODGING EXPENSES FOR DEPENDENTS OF MEM-**
2 **BERS SEPARATED FOR DEPENDENT ABUSE.**

3 Section 1059 of title 10, United States Code, as
4 amended by section 631, is further amended—

5 (1) in the heading, by adding “; **lodging ex-**
6 **penses**” at the end;

7 (2) by redesignating subsections (k), (l), and
8 (m) as subsections (m), (n), and (l), respectively;

9 (3) by striking “subsection (k)” each place it
10 appears and inserting “subsection (m)”; and

11 (4) by inserting, after subsection (j), the fol-
12 lowing new subsection (k):

13 “(k) **LODGING EXPENSES.**—A dependent or former
14 dependent entitled to payment of monthly transitional
15 compensation under this section shall, while receiving pay-
16 ments in accordance with this section, be entitled to lodg-
17 ing expenses for a period not longer than 30 days.”.

18 **SEC. 633. ACCESS TO COMMISSARY AND EXCHANGE PRIVI-**
19 **LEGES FOR REMARRIED SURVIVING**
20 **SPOUSES.**

21 (a) **IN GENERAL.**—Section 1062 of title 10, United
22 States Code, is amended—

23 (1) by striking “The Secretary of Defense” and
24 inserting the following:

25 “(a) **CERTAIN UNREARRIED FORMER SPOUSES.**—
26 The Secretary of Defense”;

1 (2) by striking “commissary and exchange
2 privileges” and inserting “use commissary stores
3 and MWR retail facilities”;

4 (3) by adding at the end the following new sub-
5 section:

6 “(b) CERTAIN REMARRIED SURVIVING SPOUSES.—
7 The Secretary of Defense shall prescribe such regulations
8 as may be necessary to provide that a surviving spouse
9 of a deceased member of the armed forces, regardless of
10 the marital status of the surviving spouse, is entitled to
11 use commissary stores and MWR retail facilities to the
12 same extent and on the same basis as an unremarried sur-
13 viving spouse of a member of the uniformed services.”;
14 and

15 (4) by adding at the end the following new sub-
16 section:

17 “(c) MWR RETAIL FACILITIES DEFINED.—In this
18 section, the term ‘MWR retail facilities’ has the meaning
19 given that term in section 1063 of this title.”.

20 (b) REGULATIONS.—The Secretary of Defense shall
21 prescribe regulations under section 1062(b) of title 10,
22 United States Code, as added by subsection (a)(3), not
23 later than October 1, 2025.

1 (c) CLERICAL AMENDMENT.—The heading of such
2 section is amended by adding “**and surviving**
3 **spouses**” at the end.

4 **SEC. 634. ASSISTANCE FOR MILITARY SPOUSES TO OBTAIN**
5 **CERTIFICATIONS AS DOULAS AND INTER-**
6 **NATIONAL BOARD CERTIFIED LACTATION**
7 **CONSULTANTS.**

8 Section 1784a of title 10, United States Code, is
9 amended—

10 (1) by redesignating subsections (d) and (e) as
11 subsections (e) and (f), respectively; and

12 (2) by inserting after subsection (c) the fol-
13 lowing new subsection (d):

14 “(d) DOULA AND IBCLC CERTIFICATIONS.—In car-
15 rying out the programs authorized by subsection (a), the
16 Secretary shall provide assistance to the spouse of a mem-
17 ber of the armed forces described in subsection (b) with
18 obtaining certification—

19 “(1) as a doula or International Board Certified
20 Lactation Consultant; and

21 “(2) provided by an organization that receives
22 reimbursement under the extramedical maternal
23 health providers demonstration project required by
24 section 746 of the William M. (Mac) Thornberry

1 National Defense Authorization Act for Fiscal Year
2 2021 (Public Law 116–283; 10 U.S.C. 1073 note).”.

3 **SEC. 635. EXPANSION OF QUALIFYING EVENTS FOR WHICH**
4 **A MEMBER OF THE UNIFORMED SERVICES**
5 **MAY BE REIMBURSED FOR SPOUSAL RELI-**
6 **CENSING OR BUSINESS COSTS DUE TO THE**
7 **MEMBER’S RELOCATION.**

8 Section 453(g) of title 37, United States Code, is
9 amended—

10 (1) by striking the subsection heading and in-
11 sserting “REIMBURSEMENT OF QUALIFYING SPOUSE
12 RELICENSING COSTS AND BUSINESS COSTS”;

13 (2) in paragraph (1)—

14 (A) in the matter preceding subparagraph
15 (A), by striking “or qualified business costs”
16 and inserting “and qualified business costs”;

17 (B) by amending subparagraph (A) to read
18 as follows:

19 “(A) the member relocates to a new jurisdiction
20 or geographic area as the result of—

21 “(i) an assignment to a duty station;

22 “(ii) a reassignment, either as a result of
23 a permanent change of station or permanent
24 change of assignment, between duty stations;

1 “(iii) a transfer from a regular component
2 of a uniformed service into the Selected Reserve
3 of the Ready Reserve of a uniformed service, if
4 the member is authorized a final move from the
5 last duty station to the new jurisdiction or geo-
6 graphic area; or

7 “(iv) placement on the temporary disability
8 retired list under chapter 61 of title 10; and”;
9 and

10 (C) in subparagraph (B), by striking “re-
11 assignment” and inserting “relocation”;

12 (3) in paragraph (2), by striking “reassign-
13 ment” both places it appears and inserting “reloca-
14 tion”;

15 (4) in paragraph (4)—

16 (A) in subparagraph (A), by striking
17 “movement described in” and all that follows
18 through the semicolon and inserting “the mem-
19 ber’s relocation described in paragraph (1);”;
20 and

21 (B) in subparagraph (B), by striking “re-
22 assignment” and inserting “relocation”; and

23 (5) in paragraph (5)—

24 (A) in subparagraph (A), by striking
25 “movement described in” and all that follows

1 through the semicolon and inserting “the mem-
2 ber’s relocation described in paragraph (1);”;
3 and

4 (B) in subparagraph (B), by striking “re-
5 assignment” and inserting “relocation”.

6 **TITLE VII—HEALTH CARE** 7 **PROVISIONS**

Subtitle A—TRICARE and Other Health Care Benefits

- Sec. 701. Waiver of cost-sharing for three mental health outpatient visits for certain beneficiaries under the TRICARE program.
- Sec. 702. Extension of period of eligibility for health benefits under TRICARE Reserve Select for survivors of a member of the Selected Reserve.
- Sec. 703. Expansion of eligibility for hearing aids to include children of certain retired members of the uniformed services.
- Sec. 704. Authority to provide dental care for dependents located at certain remote or isolated locations.
- Sec. 705. Clarification of applicability of required mental health self-initiated referral process for members of the Selected Reserve.
- Sec. 706. Naloxone and fentanyl: regulations; briefing.
- Sec. 707. Authority to expand the TRICARE Competitive Plans Demonstration Project.

Subtitle B—Health Care Administration

- Sec. 711. Modification of requirement to transfer research and development and public health functions to the Defense Health Agency.
- Sec. 712. Increase in stipend for participants in health professions scholarship and financial assistance programs.
- Sec. 713. Modification of administration of medical malpractice claims by members of the uniformed services.
- Sec. 714. Networks of the Defense Health Agency: delayed implementation; GAO study.
- Sec. 715. Real-time data sharing agreement regarding medical care provided to members of the Coast Guard.
- Sec. 716. Establishment of military pharmaceutical and medical device vulnerability working group.

Subtitle C—Studies, Briefings, Reports, and Other Matters

- Sec. 721. Modification of partnership program for military trauma care and research.
- Sec. 722. Study on opioid alternatives.
- Sec. 723. Program of the Department of Defense to study treatment of certain conditions using certain psychedelic substances.
- Sec. 724. Annual report regarding overdoses by certain members of the Armed Forces.

Sec. 725. Study and report on health conditions of members of the Armed Forces on active duty developed after administration of COVID-19 vaccine.

Sec. 726. GAO study on health care available to certain individuals supporting the missions of United States Forces Japan and Joint Region Marianas.

1 **Subtitle A—TRICARE and Other**
2 **Health Care Benefits**

3 **SEC. 701. WAIVER OF COST-SHARING FOR THREE MENTAL**
4 **HEALTH OUTPATIENT VISITS FOR CERTAIN**
5 **BENEFICIARIES UNDER THE TRICARE PRO-**
6 **GRAM.**

7 (a) TRICARE SELECT.—Section 1075(c) of title 10,
8 United States Code, is amended by adding at the end the
9 following new paragraph:

10 “(4)(A) Consistent with other provisions of this
11 chapter and subject to requirements to be prescribed
12 by the Secretary, the Secretary may waive cost-shar-
13 ing requirements for the first three outpatient men-
14 tal health visits each year of any of the following
15 beneficiaries:

16 “(i) Beneficiaries in the active-duty family
17 member category.

18 “(ii) Beneficiaries covered by section
19 1110b of this title.

20 “(B) This paragraph shall terminate on the
21 date that is five years after the date of the enact-

1 ment of the National Defense Authorization Act for
2 Fiscal Year 2024.”.

3 (b) TRICARE PRIME.—Section 1075a(a) of such
4 title is amended by adding at the end the following new
5 paragraph:

6 “(4)(A) Consistent with other provisions of this
7 chapter and subject to requirements to be prescribed
8 by the Secretary, the Secretary may waive cost-shar-
9 ing requirements for the first three outpatient men-
10 tal health visits each year of a beneficiary in the ac-
11 tive-duty family member category (as described in
12 section 1075(b)(1)(A) of this title).

13 “(B) This paragraph shall terminate on the
14 date that is five years after the date of the enact-
15 ment of the National Defense Authorization Act for
16 Fiscal Year 2024.”.

17 **SEC. 702. EXTENSION OF PERIOD OF ELIGIBILITY FOR**
18 **HEALTH BENEFITS UNDER TRICARE RE-**
19 **SERVE SELECT FOR SURVIVORS OF A MEM-**
20 **BER OF THE SELECTED RESERVE.**

21 (a) IN GENERAL.— Section 1076d(e) of title 10,
22 United States Code, is amended by striking “six months”
23 and inserting “three years”.

24 (b) EFFECTIVE DATE.—The amendment made by
25 subsection (a) shall take effect on October 1, 2025.

1 **SEC. 703. EXPANSION OF ELIGIBILITY FOR HEARING AIDS**
2 **TO INCLUDE CHILDREN OF CERTAIN RE-**
3 **TIRED MEMBERS OF THE UNIFORMED SERV-**
4 **ICES.**

5 Paragraph (16) of section 1077(a) of title 10, United
6 States Code, is amended to read as follows:

7 “(16) Except as provided by subsection (g), a
8 hearing aid, but only if the dependent has a pro-
9 found hearing loss, as determined under standards
10 prescribed in regulations by the Secretary of Defense
11 in consultation with the administering Secretaries,
12 and only for the following dependents:

13 “(A) A dependent of a member of the uni-
14 formed services on active duty.

15 “(B) A dependent under subparagraph (D)
16 or (I) of section 1072(2) of this title of a
17 former member of the uniformed services who—

18 “(i) is entitled to retired or retainer
19 pay, or equivalent pay; and

20 “(ii) is enrolled in family coverage
21 under TRICARE Prime.”.

22 **SEC. 704. AUTHORITY TO PROVIDE DENTAL CARE FOR DE-**
23 **PENDENTS LOCATED AT CERTAIN REMOTE**
24 **OR ISOLATED LOCATIONS.**

25 Section 1077(c) of title 10, United States Code, is
26 amended—

1 (1) in paragraph (1), by striking “paragraph
2 (2)” and inserting “paragraphs (2) and (3)”; and

3 (2) by adding at the end the following new
4 paragraph:

5 “(3)(A) Dependents who reside within a specified ge-
6 ographic area and are covered by a dental plan established
7 under section 1076a may receive dental care in a dental
8 treatment facility of the uniformed services on a space
9 available basis if the Secretary of Defense determines
10 that—

11 “(i) civilian dental care within the specified geo-
12 graphic area is inadequate or is not sufficiently
13 available; and

14 “(ii) adequate resources exist to provide space
15 available dental care to the dependents at the facil-
16 ity.

17 “(B) Care under subparagraph (A) shall be provided
18 on a reimbursable basis.”.

19 **SEC. 705. CLARIFICATION OF APPLICABILITY OF REQUIRED**
20 **MENTAL HEALTH SELF-INITIATED REFERRAL**
21 **PROCESS FOR MEMBERS OF THE SELECTED**
22 **RESERVE.**

23 Section 1090b(e) of title 10, United States Code, is
24 amended—

1 (1) in paragraph (1), in the matter preceding
2 subparagraph (A), by inserting “described in para-
3 graph (3)” after “member of the armed forces”; and

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

6 “(3) A member of the armed forces described in
7 this paragraph is—

8 “(A) a member on active duty for a period
9 of longer than 30 days; or

10 “(B) a member of the Selected Reserve in
11 a duty status.”.

12 **SEC. 706. NALOXONE AND FENTANYL: REGULATIONS;**
13 **BRIEFING.**

14 (a) REGULATIONS.—Not later than January 1, 2025,
15 the Secretary of Defense, in coordination with the Secre-
16 taries of the military departments shall prescribe regula-
17 tions regarding naloxone and fentanyl on military installa-
18 tions. Such regulations shall—

19 (1) ensure that naloxone is available for mem-
20 bers of the Armed Forces—

21 (A) on all military installations; and

22 (B) in each operational environment; and

23 (2) establish a standardized tracking system—

24 (A) for naloxone distributed under para-
25 graph (1); and

1 (B) of the illegal use of fentanyl and other
2 controlled substances in the military depart-
3 ments.

4 (b) BRIEFING.—Not later than June 1, 2025, the
5 Secretary of Defense shall submit to the Committees on
6 Armed Services of the Senate and House of Representa-
7 tives a briefing regarding naloxone and fentanyl. Such
8 briefing shall include the following elements:

9 (1) Progress in the implementation of regula-
10 tions prescribed under subsection (a).

11 (2) The prevalence and incidence of the illegal
12 use of fentanyl and other controlled substances in
13 the military departments during the five years pre-
14 ceding the briefing.

15 (3) Processes of the military departments to
16 mitigate substance abuse, particularly with regards
17 to fentanyl.

18 (c) NALOXONE DEFINED.—In this section, the term
19 “naloxone” means naloxone and any other medication
20 used to reverse opioid overdose.

21 **SEC. 707. AUTHORITY TO EXPAND THE TRICARE COMPETI-**
22 **TIVE PLANS DEMONSTRATION PROJECT.**

23 (a) AUTHORITY.—To the extent practicable, the Sec-
24 retary of Defense shall seek to expand the TRICARE
25 Competitive Plans Demonstration Project to not fewer

1 than five locations not later than one year after the date
2 of the enactment of this Act.

3 (b) TRICARE COMPETITIVE PLANS DEMONSTRA-
4 TION PROJECT DEFINED.—In this section, the term
5 “TRICARE Competitive Plans Demonstration Project”
6 means the project designed to test the contract acquisition
7 strategy of providing an opportunity for local, regional,
8 and national health plans to participate in the competition
9 for managed care support functions under the TRICARE
10 program, in accordance with section 705(e)(3) of the Na-
11 tional Defense Authorization Act for Fiscal Year 2017
12 (Public Law 114–328; 10 U.S.C. 1073a note).

13 **Subtitle B—Health Care**
14 **Administration**

15 **SEC. 711. MODIFICATION OF REQUIREMENT TO TRANSFER**
16 **RESEARCH AND DEVELOPMENT AND PUBLIC**
17 **HEALTH FUNCTIONS TO THE DEFENSE**
18 **HEALTH AGENCY.**

19 (a) IN GENERAL.—Section 1073c of title 10, United
20 States Code, is amended—

21 (1) in subsection (e), in the matter preceding
22 paragraph (1), by striking “Not later than Sep-
23 tember 30, 2022,” and inserting “Not later than
24 September 30, 2024, and subject to subsection (f),”;

1 (2) by redesignating subsections (f) and (g) as
2 subsections (g) and (h), respectively; and

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

5 “(f) EXCEPTION TO ESTABLISHMENT OF ADDI-
6 TIONAL DHA ORGANIZATIONS.—At the discretion of the
7 Secretary of Defense, a military department may retain
8 a function that would otherwise be transferred to the De-
9 fense Health Agency under subsection (e) if the Secretary
10 of Defense determines the function—

11 “(1) addresses a need that is unique to the
12 military department; and

13 “(2) is in direct support of operating forces and
14 necessary to execute strategies relating to national
15 security and defense.”.

16 (b) BRIEFING UPDATE.—Not later than September
17 30, 2024, the Secretary of Defense shall provide to the
18 Committees on Armed Services of the House of Represent-
19 atives and the Senate an update to the briefing under sec-
20 tion 720(b) of the James F. Inhofe National Defense Au-
21 thorization Act for Fiscal Year 2023 (Public Law 117-
22 263; 10 U.S.C. 1073c note), including—

23 (1) a description of each function that the Sec-
24 retary has determined to retain in a military depart-
25 ment pursuant to subsection (f) of section 1073c of

1 title 10, United States Code, as amended by sub-
2 section (a); and

3 (2) the rationale for each such determination.

4 **SEC. 712. INCREASE IN STIPEND FOR PARTICIPANTS IN**
5 **HEALTH PROFESSIONS SCHOLARSHIP AND**
6 **FINANCIAL ASSISTANCE PROGRAMS.**

7 Section 2121(d) of title 10, United States Code, is
8 amended, in the matter preceding paragraph (1), by strik-
9 ing “\$30,000” and inserting “\$50,000”.

10 **SEC. 713. MODIFICATION OF ADMINISTRATION OF MEDICAL**
11 **MALPRACTICE CLAIMS BY MEMBERS OF THE**
12 **UNIFORMED SERVICES.**

13 Section 2733a of title 10, United States Code, is
14 amended—

15 (1) in subsection (a), by striking “subsection
16 (f)” and inserting “subsection (g)”;

17 (2) in subsection (b)(6), by striking “subsection
18 (f)” and inserting “subsection (g)”;

19 (3) in subsection (d)(1), by striking “subsection
20 (f)” and inserting “subsection (g)”;

21 (4) by redesignating subsections (f) through (i)
22 as subsections (g) through (j), respectively; and

23 (5) by inserting after subsection (e) the fol-
24 lowing new subsection (f):

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

3 (A) An assessment of the structure of such
4 networks, including—

5 (i) the analytical basis for the size and
6 number of networks established;

7 (ii) an analysis of personnel require-
8 ments for the network model;

9 (iii) a review of how input from inter-
10 nal and external stakeholders was incor-
11 porated; and

12 (iv) the plans for achieving consolida-
13 tion of business functions across military
14 medical treatment facilities within the new
15 networks;

16 (B) an assessment of how the Director of
17 the Defense Health Agency considered lessons
18 learned from previous market offices, including
19 the allocation of personnel and budgetary re-
20 source sharing; and

21 (C) a comparison of the new network
22 model to previous organizational structures of
23 the Defense Health Agency, including market
24 structures and component models.

1 (3) BRIEFING; REPORT.—Not later than May 1,
2 2024, the Comptroller General shall brief the Com-
3 mittees on Armed Services of the Senate and the
4 House of Representatives on the preliminary find-
5 ings of the study, with a report to follow at such
6 time and in such format as is mutually agreed upon
7 by the committees and the Comptroller General.

8 (c) TECHNICAL CORRECTIONS.—

9 (1) DEFENSE HEALTH AGENCY REGIONS IN
10 CONUS.—Subsection (c) of section 712 of the John
11 S. McCain National Defense Authorization Act for
12 Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.
13 1073c note) is amended—

14 (A) in paragraph (1), in the paragraph
15 heading, by striking “HEALTHAGENCY” and in-
16 serting “HEALTH AGENCY”; and

17 (B) in paragraph (2)(A), by striking “mili-
18 tary”.

19 (2) DEFENSE HEALTH AGENCY REGIONS
20 OCONUS.—Subsection (d)(3) of such section is
21 amended by striking “defense health regions” and
22 inserting “Defense Health Agency regions”.

23 (3) PLANNING AND COORDINATION.—Sub-
24 section (e)(1)(A) of such section is amended by

1 striking “defense health region” and inserting “De-
2 fense Health Agency region”.

3 **SEC. 715. REAL-TIME DATA SHARING AGREEMENT REGARD-**
4 **ING MEDICAL CARE PROVIDED TO MEMBERS**
5 **OF THE COAST GUARD.**

6 Not later than one year after the date of the enact-
7 ment of this Act, the Secretary of Defense shall consult
8 and enter into an agreement with the Secretary of Home-
9 land Security with respect to policies, mechanisms, and
10 processes that the Secretaries concerned shall establish to
11 allow ongoing use by the Coast Guard for access to data,
12 records, and information regarding access by members of
13 the Coast Guard and beneficiaries of such members to
14 military medical facilities or care provided through the
15 TRICARE program that will enhance the ability to mon-
16 itor, assess, and optimize healthcare services.

17 **SEC. 716. ESTABLISHMENT OF MILITARY PHARMA-**
18 **CEUTICAL AND MEDICAL DEVICE VULNER-**
19 **ABILITY WORKING GROUP.**

20 (a) ESTABLISHMENT.—Not later than one year after
21 the date of the enactment of this Act, the Secretary of
22 Defense, in coordination with the Chairman of the Joint
23 Chiefs of Staff, the Under Secretary of Defense for Per-
24 sonnel and Readiness, and the Under Secretary of Defense
25 for Acquisition and Sustainment, shall establish a military

1 pharmaceutical and medical device vulnerability working
2 group.

3 (b) MEMBERSHIP.—Each member of the working
4 group shall be a member of the Armed Forces or a civilian
5 employee of the Department of Defense.

6 (c) COCHAIRS.—The Secretary shall appoint a chair
7 of the working group. The working group shall elect a co-
8 chair from among its members.

9 (d) DUTIES.—The duties of the working group shall
10 include the following:

11 (1) To provide a forum for members of the
12 working group to discuss issues involving access,
13 threats, and vulnerabilities to pharmaceuticals,
14 therapeutics and medical devices in operational envi-
15 ronments of the Department.

16 (2) To identify current vulnerabilities, including
17 supply chain issues, active pharmaceutical ingredient
18 supplies, device component issues and cyber and
19 electronic threats that may disrupt operations of the
20 Department.

21 (3) To identify locations where the Secretary
22 can support manufacturing capabilities needed to
23 improve the timely increase of domestic production.

1 (4) To review policies of the Department to
2 identify pharmaceutical manufacturing and supply
3 guidance related to—

4 (A) diversification of the supply chain;

5 (B) transparency from pharmaceutical sup-
6 pliers and manufacturers;

7 (C) prerequisites for a vendor to sell to the
8 Department during a shortage;

9 (D) timely communication regarding a po-
10 tential shortage or other supply chain disrup-
11 tion; and

12 (E) the application of rules and processes
13 of the Food and Drug Administration to the
14 Department.

15 (5) To include any information in the joint
16 medical estimate of the Department or a similar re-
17 port that highlights information that would be clas-
18 sified as sensitive or requiring a security classifica-
19 tion above unclassified.

20 (6) To develop a plan for the allocation of
21 scarce pharmaceutical resources within the Depart-
22 ment during a supply chain disruption and potential
23 conflicts with competitors highlighted in the national
24 defense strategy.

1 (7) To develop a plan for stockpiling essential
2 medications to ensure availability of a 180-day sup-
3 ply during an armed conflict or other supply chain
4 disruption.

5 (8) To develop a plan that mitigates
6 vulnerabilities to active pharmaceutical ingredient
7 supply chains and reduces dependence on active
8 pharmaceutical ingredients from foreign sources.

9 (e) BRIEFINGS.—

10 (1) INITIAL BRIEFING.—Not later than 180
11 days after the date of the enactment of this Act, the
12 Secretary shall submit to the Committees on Armed
13 Services of the Senate and House of Representatives
14 an interim briefing on the organization, activities,
15 plans, actions and milestones of the working group.

16 (2) ANNUAL BRIEFING.—Not later than Sep-
17 tember 30 of each year, beginning in 2025 and end-
18 ing in 2028, the Secretary shall submit to the Com-
19 mittees on Armed Services of the Senate and House
20 of Representatives a briefing describing the activi-
21 ties, funding, plans, actions, and milestones of the
22 working group, and other matters determined by the
23 Secretary, during the preceding year.

24 (f) TERMINATION.—The working group shall termi-
25 nate on September 30, 2028.

1 **Subtitle C—Studies, Briefings,**
2 **Reports, and Other Matters**

3 **SEC. 721. MODIFICATION OF PARTNERSHIP PROGRAM FOR**
4 **MILITARY TRAUMA CARE AND RESEARCH.**

5 Section 736 of the James M. Inhofe National Defense
6 Authorization Act for Fiscal Year 2023 (Public Law 117–
7 263; 10 U.S.C. 1071 note) is amended—

8 (1) by redesignating paragraphs (7) through
9 (9) as paragraphs (8) through (10), respectively;
10 and

11 (2) by inserting after paragraph (6) the fol-
12 lowing new paragraph (7):

13 “(7) The provision of training and support to
14 Ukraine for the treatment of individuals with ex-
15 tremity trauma, amputations, post-traumatic stress
16 disorder, traumatic brain injuries, and any other
17 mental health conditions associated with post-trau-
18 matic stress disorder or traumatic brain injuries, in-
19 cluding—

20 “(A) the exchange of subject matter exper-
21 tise;

22 “(B) training and support relating to ad-
23 vanced clinical skills development; and

24 “(C) training and support relating to clin-
25 ical case management support.”.

1 **SEC. 722. STUDY ON OPIOID ALTERNATIVES.**

2 (a) ESTABLISHMENT.—Not later than 180 days after
3 the date of the enactment of this Act, the Secretary of
4 Defense shall carry out a study in military treatment fa-
5 cilities on the efficacy of opioid alternatives for pain man-
6 agement.

7 (b) REPORT.—Not later than one year after the date
8 of the enactment of this Act, the Secretary shall submit
9 to the Committees on Armed Services of the Senate and
10 House of Representatives a report on the results of the
11 study under this section. Such report shall include rec-
12 ommendations of the Secretary regarding the use of opioid
13 alternatives in military treatment facilities.

14 (c) OPIOID ALTERNATIVE DEFINED.—In this sec-
15 tion, the term “opioid alternative” includes the following:

- 16 (1) Cryotherapy.
17 (2) Hyperbaric oxygen therapy.
18 (3) Sensory deprivation.

19 **SEC. 723. PROGRAM OF THE DEPARTMENT OF DEFENSE TO**
20 **STUDY TREATMENT OF CERTAIN CONDI-**
21 **TIONS USING CERTAIN PSYCHEDELIC SUB-**
22 **STANCES.**

23 (a) ESTABLISHMENT.—Not later than 180 days after
24 the date of enactment of this Act, the Secretary of Defense
25 shall establish a process to fund eligible entities to conduct
26 research on the treatment of eligible members of the

1 Armed Forces with a covered condition using covered psy-
2 chedelic substances. Not later than 180 days after the
3 date of the enactment of this Act, the Secretary shall des-
4 ignate a lead administrator to carry out the program
5 under this section.

6 (b) ELIGIBLE ENTITIES.—The Secretary may enter
7 into a partnership and award funding under this section
8 to any of the following:

9 (1) A department or agency of the Federal Gov-
10 ernment or a State government.

11 (2) An academic institution.

12 (c) PARTICIPATION IN CLINICAL TRIALS.—The Sec-
13 retary may authorize any member of the Armed Forces
14 serving on active duty who is diagnosed with a covered
15 condition to participate in a clinical trial that is conducted
16 using funding awarded under this section and is author-
17 ized pursuant to section 505 of the Federal Food, Drug,
18 and Cosmetic Act (21 U.S.C. 355), without regard to—

19 (1) whether the clinical trial involves a sub-
20 stance included in the schedule under section 202 of
21 the Controlled Substances Act (21 U.S.C. 812); or

22 (2) section 912a of title 10, United States Code
23 (article 112a of the Uniform Code of Military Jus-
24 tice).

1 (d) REPORT REQUIRED.—Not later than one year
2 after the date of the enactment of this Act, and annually
3 thereafter for three years, the Secretary shall submit to
4 the Committees on Armed Services of the House of Rep-
5 resentatives and the Senate a report on funding awarded
6 under this section, including the following:

7 (1) Identification of clinics designated to host
8 activities under the program.

9 (2) A description of entities to whom the Sec-
10 retary has awarded such funding.

11 (3) The number of members of the Armed
12 Forces serving on active duty who participated in a
13 clinical trial described in subsection (c), the covered
14 conditions of such members treated, and whether
15 such members returned to full duty.

16 (4) Information on the findings of such clinical
17 trials.

18 (e) DEFINITIONS.—In this section:

19 (1) The term “covered condition” means any of
20 the following:

21 (A) Post-traumatic stress.

22 (B) Traumatic brain injury.

23 (2) The term “covered psychedelic substances”
24 means any of the following:

1 (A) 3,4-Methylenedioxy-methamphetamine
2 (commonly known as “MDMA”).

3 (B) Psilocybin.

4 (C) Ibogaine.

5 (D) 5-Methoxy-N,N-dimethyltryptamine
6 (commonly known as “5-MeO-DMT”).

7 (E) Qualified plant-based alternative thera-
8 pies.

9 (3) The term “Secretary” means the Secretary
10 of Defense.

11 (4) The term “State” has the meaning given
12 such term in section 901 of title 32, United States
13 Code.

14 **SEC. 724. ANNUAL REPORT REGARDING OVERDOSES BY**
15 **CERTAIN MEMBERS OF THE ARMED FORCES.**

16 (a) REPORT REQUIRED.—

17 (1) IN GENERAL.—Not later than one year
18 after the date of the enactment of this Act, and an-
19 nually thereafter for four years, the Secretary of De-
20 fense shall submit to the Committee on Armed Serv-
21 ices of the Senate and House of Representatives a
22 report on the number of annual overdoses among
23 covered members.

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

1 (A) The total number of covered members
2 who suffered a fatal or nonfatal overdose during
3 the previous calendar year, including—

4 (i) demographic information, including
5 gender, race, age, military department,
6 military rank, pay grade, and station;

7 (ii) the location of the fatal overdose,
8 including whether the overdose was on a
9 military base; and

10 (iii) a list of the substances involved
11 in the fatal overdose.

12 (B) Of the covered members identified in
13 subparagraph (A)—

14 (i) the number of covered members
15 who received mental health or substance
16 use disorder services prior to a fatal or
17 nonfatal overdose, including a description
18 of whether such services were received
19 from a private sector provider;

20 (ii) the number of covered members
21 with comorbid mental health diagnoses;

22 (iii) the number of covered members
23 who had been prescribed opioids,
24 benzodiazepines, or stimulants;

1 (iv) the number of covered members
2 who had been categorized as high-risk and
3 prescribed or provided naloxone prior to a
4 fatal or nonfatal overdose;

5 (v) the number of covered members
6 who had a positive drug test prior to the
7 fatal overdose, including any substance
8 identified in such test;

9 (vi) the number of covered members
10 referred to, including by self-referral, or
11 engaged in medical treatment, including
12 medication treatment for opioid use dis-
13 order;

14 (vii) with respect to each covered
15 member identified in clause (vi), whether
16 the covered member was referred after a
17 positive drug test and the source of such
18 referral; and

19 (viii) the number of fatal overdoses
20 and intentional overdoses.

21 (C) An analysis of discernable patterns in
22 fatal and nonfatal overdoses of covered mem-
23 bers.

24 (D) A description of existing or anticipated
25 response efforts to fatal and nonfatal overdoses

1 at military bases that have rates of fatal
2 overdoses that exceed the average rate of fatal
3 overdoses in the United States.

4 (E) An assessment of the availability of
5 substance use disorder treatment for covered
6 members.

7 (F) The number of medical facilities of, or
8 affiliated with, the Department of Defense that
9 have opioid treatment programs.

10 (G) A description of punitive measures
11 taken by the Secretary of Defense in response
12 to substance misuse, substance use disorder, or
13 overdose by covered member.

14 (3) PRIVACY.—

15 (A) IN GENERAL.—Nothing in this sub-
16 section shall be construed to authorize the dis-
17 closure by the Secretary of Defense of person-
18 ally identifiable information of covered members
19 or military family members, including
20 anonymized personal information that could be
21 used to identify covered members or military
22 family members.

23 (B) APPLICATION OF HIPAA.—In carrying
24 out this subsection, the Secretary of Defense
25 shall take steps to protect the privacy of cov-

1 ered members and military family members
2 pursuant to regulations prescribed under sec-
3 tion 264(e) of the Health Insurance Portability
4 and Accountability Act of 1996 (42 U.S.C.
5 1320d–2 note; Public Law 104–191).

6 (b) DEFINITIONS.—In this section:

7 (1) The term “covered member” means a mem-
8 ber of the Army, Navy, Air Force, Marine Corps, or
9 Space Force.

10 (2) The term “military family member” means
11 a family member of a covered member, including—

12 (A) the spouse, parent, dependent, or child
13 of a covered member; or

14 (B) an individual who has legal responsi-
15 bility for the child of a covered member.

16 **SEC. 725. STUDY AND REPORT ON HEALTH CONDITIONS OF**
17 **MEMBERS OF THE ARMED FORCES ON AC-**
18 **TIVE DUTY DEVELOPED AFTER ADMINISTRA-**
19 **TION OF COVID–19 VACCINE.**

20 (a) STUDY.—The Secretary of Defense shall conduct
21 a study to assess and evaluate any health conditions aris-
22 ing in members of the Armed Forces on active duty one
23 year after receiving the first dose of a COVID–19 vaccine.

24 (b) STUDY PARAMETERS.—In conducting the study
25 under subsection (a), the Secretary shall—

1 (1) disaggregate data collected by—

2 (A) vaccine type and manufacturer;

3 (B) age group at the time such first dose
4 was administered;

5 (C) any health condition developed after
6 receiving such first dose, regardless of whether
7 the condition is attributable to the receipt of
8 such first dose; and

9 (D) an accounting of adverse events (in-
10 cluding hyperimmune response), including fur-
11 ther disaggregation by history of infection; and

12 (2) assess the prevalence of each such health
13 condition by each age group specified in paragraph
14 (1)(B) among the unvaccinated population for each
15 of years 2017, 2018, and 2019.

16 (c) REPORT.—Not later than one year after the date
17 of the enactment of this Act and each year thereafter for
18 the subsequent four years, the Secretary shall submit to
19 the Committees on Armed Services of the House of Rep-
20 resentatives and the Senate a report on the results of each
21 study conducted under subsection (a).

22 (d) COVID-19 VACCINE DEFINED.—The term
23 “COVID-19 vaccine” means a vaccine licensed under sec-
24 tion 351 of the Public Health Service Act (42 U.S.C. 262)
25 or authorized for emergency use under section 564 of the

1 Federal Food, Drug, and Cosmetic Act (21 U.S.C.
2 360bbb-3) for immunization against the virus responsible
3 for COVID-19.

4 **SEC. 726. GAO STUDY ON HEALTH CARE AVAILABLE TO**
5 **CERTAIN INDIVIDUALS SUPPORTING THE**
6 **MISSIONS OF UNITED STATES FORCES JAPAN**
7 **AND JOINT REGION MARIANAS.**

8 (a) STUDY REQUIRED.—The Comptroller General of
9 the United States shall conduct a study to determine
10 whether health care services available to covered individ-
11 uals are sufficient to support the missions and readiness
12 of United States Forces Japan and Joint Region Mari-
13 anas.

14 (b) ELEMENTS.—The study under this section shall
15 include the following elements:

16 (1) The assessment of the Comptroller General
17 of the effects of the changes to the administration
18 and management of the military health system—

19 (A) under Defense Health Agency Region
20 Indo-Pacific Administrative Instruction
21 6025.02, signed on December 22, 2022; and

22 (B) on health care services available to
23 covered individuals through the direct care com-
24 ponent of the TRICARE program.

25 (2) An estimate of—

1 (A) the number of covered individuals who
2 in fiscal years 2020 through 2023 received
3 health care services through the military health
4 system on a space-available basis; and

5 (B) the percentage of covered individuals
6 described in subparagraph (A) who had health
7 insurance not provided through the military
8 health system.

9 (3) A summary of any health-related screenings
10 administered by the Federal Government to a civil-
11 ian employee before such civilian employee begins an
12 assignment in the area of responsibility of the
13 United States Indo-Pacific Command.

14 (4) The determination of the Comptroller Gen-
15 eral whether the Secretary of Defense has conducted
16 or participated in an assessment of health care serv-
17 ices—

18 (A) provided to covered individuals through
19 the military health system; or

20 (B) otherwise available to covered individ-
21 uals.

22 (5) The evaluation of the Comptroller General
23 of the most recent assessment described in para-
24 graph (4).

1 (6) Other information the Comptroller General
2 determines appropriate.

3 (c) BRIEFING; REPORT.—The Comptroller General
4 shall submit to the Committees on Armed Services of the
5 Senate and House of Representatives—

6 (1) an interim briefing on the study not later
7 than 180 days after the date of the enactment of
8 this Act; and

9 (2) a final report on the study in a format and
10 on a date agreed to by the Comptroller General and
11 such Committees during such briefing.

12 (d) COVERED INDIVIDUAL DEFINED.—In this sec-
13 tion, the term “covered individual” means an individual
14 who supports the mission of United States Forces Japan
15 or Joint Region Marianas, who is—

16 (1) a United States citizen, national, or lawful
17 permanent resident and—

18 (A) a civilian employee of the Federal Gov-
19 ernment; or

20 (B) an employee of a contractor or subcon-
21 tractor under an agreement between such con-
22 tractor and the Secretary of Defense; or

23 (2) a dependent of—

24 (A) a member of the Armed Forces; or

- 1 (B) an individual described in paragraph
2 (1).

3 **TITLE VIII—ACQUISITION POL-**
4 **ICY, ACQUISITION MANAGE-**
5 **MENT, AND RELATED MAT-**
6 **TERS**

Subtitle A—Acquisition Policy and Management

- Sec. 801. Commercial nature determination memo available to contractor.
Sec. 802. Modification of truthful cost or pricing data submissions and report.
Sec. 803. Prohibition on the transfer of certain data on employees of the Department of Defense to third parties.
Sec. 804. Prohibition on contracting with persons that have fossil fuel operations with the Government of the Russian Federation or the Russian energy sector.
Sec. 805. Prohibition of the Department of Defense procurement related to entities identified as Chinese military companies operating in the United States.
Sec. 806. Principal Technology Transition Advisor.
Sec. 807. Senior contracting official for Strategic Capabilities Office.
Sec. 808. Pilot program for the use of innovative intellectual property strategies.
Sec. 809. Pilot program for anything-as-a-service.
Sec. 810. Updated guidance on planning for exportability features for future programs.
Sec. 811. Modernizing the Department of Defense requirements process.
Sec. 812. Preventing conflicts of interest for entities that provide certain consulting services to the Department of Defense.
Sec. 813. Focused commercial solutions openings opportunities.

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

- Sec. 820. Amendments to multiyear procurement authority.
Sec. 821. Modification of approval authority for certain follow-on production contracts or transactions.
Sec. 822. Clarification of other transaction authority for installation or facility prototyping.
Sec. 823. Extension and revisions to never contract with the enemy.
Sec. 824. Modification and extension of temporary authority to modify certain contracts and options based on the impacts of inflation.
Sec. 825. Countering adversary logistics information technologies.
Sec. 826. Modification of contracts and options to provide economic price adjustments.
Sec. 827. Modifications to earned value management system requirements.

Subtitle C—Domestic Sourcing Requirements

- Sec. 831. Emergency acquisition authority for purposes of replenishing United States stockpiles.
- Sec. 832. Requirement for full domestic production of flags of the United States acquired by the Department of Defense.
- Sec. 833. Amendment to requirement to buy certain metals from American sources.
- Sec. 834. Acquisition of sensitive material prohibition exception amendment.
- Sec. 835. Enhanced domestic content requirement for major defense acquisition programs.

Subtitle D—Provisions Relating to Programs for Accelerating Acquisition

- Sec. 841. Pilot program to accelerate contracting and pricing processes.
- Sec. 842. Demonstration and prototyping program to advance international product support capabilities in a contested logistics environment.
- Sec. 843. Special authority for rapid contracting for commanders of combatant commands.

Subtitle E—Industrial Base Matters

- Sec. 851. Additional national security objectives for the national technology and industrial base.
- Sec. 852. Department of Defense Mentor-Protege Program.
- Sec. 853. Modifications to the Procurement Technical Assistance Program.
- Sec. 854. Modification of effective date for expansion on the prohibition on acquiring certain metal products.
- Sec. 855. Extension of pilot program for distribution support and services for weapons systems contractors.
- Sec. 856. Pilot program to analyze and monitor certain supply chains.
- Sec. 857. Department of Defense notification of certain transactions.

Subtitle F—Small Business Matters

- Sec. 860. Amendments to defense research and development rapid innovation program.
- Sec. 861. Annual reports regarding the SBIR program of the Department of Defense.
- Sec. 862. Payment of subcontractors.
- Sec. 863. Increase in Governmentwide goal for participation in Federal contracts by small business concerns owned and controlled by service-disabled veterans.
- Sec. 864. Eliminating self-certification for service-disabled veteran-owned small businesses.
- Sec. 865. Consideration of the past performance of affiliate companies of small business concerns.

Subtitle G—Other Matters

- Sec. 871. Extension of mission management pilot program.
- Sec. 872. Extension of pilot program to incentivize contracting with employee-owned businesses.
- Sec. 873. Program and processes relating to foreign acquisition.
- Sec. 874. Pilot program to incentivize progress payments.
- Sec. 875. Study on reducing barriers to acquisition of commercial products and services.

1 **Subtitle A—Acquisition Policy and**
2 **Management**

3 **SEC. 801. COMMERCIAL NATURE DETERMINATION MEMO**
4 **AVAILABLE TO CONTRACTOR.**

5 Section 3456(b)(2) of title 10, United States Code,
6 is amended—

7 (1) by striking “for such determination” and
8 inserting “why the product or service was deter-
9 mined to be commercial or noncommercial”; and

10 (2) by adding at the end the following: “Upon
11 the request of the contractor or subcontractor offer-
12 ing the product or service for which such determina-
13 tion is summarized in such memorandum, the con-
14 tracting officer shall provide to such contractor or
15 subcontractor a copy of such memorandum.”.

16 **SEC. 802. MODIFICATION OF TRUTHFUL COST OR PRICING**
17 **DATA SUBMISSIONS AND REPORT.**

18 Section 3705(b)(2) of title 10, United States Code,
19 is amended—

20 (1) in subparagraph (B), by adding at the end
21 the following new sentence: “The Under Secretary
22 shall make appropriate portions of the report avail-
23 able to the leadership of the offerors named in such
24 report.”; and

1 (2) by adding at the end the following new sub-
2 paragraph:

3 “(C) The Under Secretary of Defense for Acquisition
4 and Sustainment shall develop a framework for revising
5 what constitutes a denial of uncertified cost or pricing
6 data, including—

7 “(i) identifying situations under which such de-
8 nials occur to exclude situations outside the control
9 of the offeror or Federal Government;

10 “(ii) identifying whether such denial is from the
11 prime contractor or subcontractor; and

12 “(iii) developing an appropriate timeframe for
13 requiring submission of uncertified cost or pricing
14 data before a request for such data is considered a
15 denial, including a standardized determination of a
16 starting point and conclusion for such requests.”.

17 **SEC. 803. PROHIBITION ON THE TRANSFER OF CERTAIN**
18 **DATA ON EMPLOYEES OF THE DEPARTMENT**
19 **OF DEFENSE TO THIRD PARTIES.**

20 Chapter 363 of title 10, United States Code, is
21 amended by adding at the end the following new section:

1 **“§ 4662. Prohibition on the transfer of certain data on**
2 **employees of the Department of Defense**
3 **to third parties**

4 “(a) IN GENERAL.—Each contract entered into by
5 the Department of Defense on or after the date of the
6 enactment of this section shall include a provision prohib-
7 iting the contractor and each subcontractor under such
8 contract from selling, licensing, or otherwise transferring
9 covered individually identifiable Department employee
10 data to any individual or entity other than the Federal
11 Government, except to the extent required to perform such
12 contract or a subcontract under such contract and that
13 would be permissible pursuant to statute or guidance from
14 the Director of the Office of Management and Budget.

15 “(b) WAIVER.—The Secretary of Defense may waive
16 the requirements of subsection (a) with respect to a sale,
17 licensing, or other transfer of covered individually identifi-
18 able Department employee data if the Secretary deter-
19 mines that such waiver is appropriate.

20 “(c) DEFINITIONS.—In this section:

21 “(1) The term ‘covered individually identifiable
22 Department employee data’ means individually iden-
23 tifiable Department employee data obtained by—

24 “(A) a contractor pursuant to the perform-
25 ance of a contract described in subsection (a)
26 by such contractor; or

1 “(B) a subcontractor pursuant to the per-
2 formance of a subcontract under such a con-
3 tract by such subcontractor.

4 “(2) The term ‘individually identifiable Depart-
5 ment employee data’ means information related to
6 an employee of the Department of Defense, includ-
7 ing a member of the Armed Forces, that—

8 “(A) identifies such employee; or

9 “(B) which may be used to infer, by either
10 direct or indirect means, the identity of such an
11 employee to whom the information applies.”.

12 **SEC. 804. PROHIBITION ON CONTRACTING WITH PERSONS**
13 **THAT HAVE FOSSIL FUEL OPERATIONS WITH**
14 **THE GOVERNMENT OF THE RUSSIAN FED-**
15 **ERATION OR THE RUSSIAN ENERGY SECTOR.**

16 (a) PROHIBITION.—

17 (1) IN GENERAL.—Except as provided under
18 subsections (b), (c), and (d), the Secretary of De-
19 fense may not enter into a contract for the procure-
20 ment of goods or services with any person that is or
21 that has fossil fuel business operations with a person
22 that is not less than 50 percent owned, individually
23 or collectively, by—

24 (A) an authority of the Government of the
25 Russian Federation; or

1 (B) a fossil fuel company that operates in
2 the Russian Federation, except if the fossil fuel
3 company transports oil or gas—

4 (i) through the Russian Federation
5 for sale outside of the Russian Federation;
6 and

7 (ii) that was extracted from a country
8 other than the Russian Federation with re-
9 spect to the energy sector of which the
10 President has not imposed sanctions as of
11 the date on which the contract is awarded.

12 (2) OIL AND GAS ORIGIN.—For the purposes of
13 applying the exception under paragraph (1)(B), oil
14 and gas transported by a fossil fuel company shall
15 be deemed to have been extracted from the location
16 of extraction specified in the certificate of origin or
17 other documentation confirming the origin of such
18 oil or gas unless the person with respect to which
19 such exception would apply knew or had reason to
20 know that such location in such documentation was
21 false or incorrect.

22 (b) EXCEPTIONS.—

23 (1) IN GENERAL.—The prohibition under sub-
24 section (a) does not apply to a contract that the Sec-

1 retary of Defense and the Secretary of State jointly
2 determine—

3 (A) is necessary—

4 (i) for purposes of providing humani-
5 tarian assistance to the people of Russia;
6 or

7 (ii) for purposes of providing disaster
8 relief and other urgent life-saving meas-
9 ures;

10 (B) is vital to the military readiness, bas-
11 ing, or operations of the United States or the
12 North Atlantic Treaty Organization;

13 (C) is vital to the national security inter-
14 ests of the United States; or

15 (D) was a business operation with a fossil
16 fuel company in a country other than the Rus-
17 sian Federation that was entered into prior to
18 the date of the enactment of this section.

19 (2) NOTIFICATION REQUIREMENT.—The Sec-
20 retary of Defense shall notify the appropriate con-
21 gressional committees of any contract entered into
22 on the basis of an exception provided for under
23 paragraph (1).

24 (3) OFFICE OF FOREIGN ASSETS CONTROL LI-
25 CENSES.—The prohibition in subsection (a) shall not

1 apply to a person that has a valid license to operate
2 in Russia issued by the Office of Foreign Assets
3 Control of the Department of the Treasury or is oth-
4 erwise authorized to operate in Russia by the Fed-
5 eral Government notwithstanding the imposition of
6 sanctions.

7 (4) AMERICAN DIPLOMATIC MISSION IN RUS-
8 SLIA.—The prohibition in subsection (a) shall not
9 apply to contracts related to the operation and main-
10 tenance of the United States Government’s consular
11 offices and diplomatic posts in Russia.

12 (c) APPLICABILITY.—This section shall take effect on
13 the date of the enactment of this Act and apply with re-
14 spect to any contract entered into on or after such effec-
15 tive date.

16 (d) SUNSET.—This section shall terminate on De-
17 cember 31, 2029.

18 (e) DEFINITIONS.—In this section:

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

22 (A) the Committee on Oversight and Ac-
23 countability, the Committee on Armed Services,
24 and the Committee on Foreign Affairs of the
25 House of Representatives; and

1 (B) the Committee on Homeland Security
2 and Governmental Affairs, the Committee on
3 Armed Services, and the Committee on Foreign
4 Relations of the Senate.

5 (2) BUSINESS OPERATIONS.—

6 (A) IN GENERAL.—The term “business op-
7 erations” means engaging in commerce in any
8 form, including acquiring, developing, maintain-
9 ing, owning, selling, possessing, leasing, or op-
10 erating equipment, facilities, personnel, prod-
11 ucts, services, personal property, real property,
12 or any other apparatus of business or com-
13 merce.

14 (B) EXCEPTIONS.—The term “business
15 operations” does not include—

16 (i) any shipment subject to price caps
17 as specified in the “Statement of the G7
18 and Australia on a Price Cap for Seaborne
19 Russian-Origin Crude Oil”, issued on De-
20 cember 2, 2022, between member countries
21 of that coalition, or the price caps as speci-
22 fied in the “Statement of the G7 and Aus-
23 tralia on price caps for seaborne Russian-
24 origin petroleum products Berlin, Brussels,
25 Canberra, London, Ottawa, Paris, Rome,

1 Tokyo, Washington”, issued on February
2 4, 2023, between such members, if such
3 shipment complies with the applicable price
4 caps;

5 (ii) actions taken for the benefit of
6 the country of Ukraine, as determined by
7 the Secretary of Defense; or

8 (iii) actions taken to support the sus-
9 pension or termination of business oper-
10 ations for commercial activities during the
11 period beginning on the date of the enact-
12 ment of this Act and ending on the date
13 described in subsection (d), including—

14 (I) any action to secure or divest
15 from facilities, property, or equip-
16 ment;

17 (II) the provision of products or
18 services provided to reduce or elimi-
19 nate operations in territory inter-
20 nationally recognized as the Russian
21 Federation or to comply with sanc-
22 tions relating to the Russian Federa-
23 tion; and

24 (III) activities that are incident
25 to liquidating, dissolving, or winding

1 down a subsidiary or legal entity in
2 Russia.

3 (3) FOSSIL FUEL COMPANY.—The term “fossil
4 fuel company” means a person that—

5 (A) carries out oil, gas, or coal exploration,
6 development, or production activities;

7 (B) processes or refines oil, gas, or coal; or

8 (C) transports, or constructs facilities for
9 the transportation of, Russian oil, gas, or coal.

10 (4) PERSON.—The term “person” means—

11 (A) a natural person, corporation, com-
12 pany, business association, partnership, society,
13 trust, or any other nongovernmental entity, or-
14 ganization, or group;

15 (B) any governmental entity or instrumen-
16 tality of a government, including a multilateral
17 development institution (as defined in section
18 1701(c)(3) of the International Financial Insti-
19 tutions Act (22 U.S.C. 262r(c)(3))); and

20 (C) any successor, subunit, parent entity,
21 or subsidiary of, or any entity under common
22 ownership or control with, any entity described
23 in subparagraph (A) or (B).

1 **SEC. 805. PROHIBITION OF THE DEPARTMENT OF DEFENSE**
2 **PROCUREMENT RELATED TO ENTITIES IDEN-**
3 **TIFIED AS CHINESE MILITARY COMPANIES**
4 **OPERATING IN THE UNITED STATES.**

5 (a) PROHIBITION ON USE OR PROCUREMENT.—

6 (1) IN GENERAL.—Except as provided under
7 subsection (d), the Secretary may not—

8 (A) enter into, renew, or extend a contract
9 for the procurement of goods, services, or tech-
10 nology with an entity described in paragraph
11 (2); or

12 (B) enter into, renew, or extend a contract
13 for the procurement of goods or services that
14 include goods or services produced or developed
15 by an entity described in paragraph (2).

16 (2) ENTITIES DESCRIBED.—An entity described
17 in this paragraph is—

18 (A) an entity that is identified in the an-
19 nual list published in the Federal Register by
20 the Department of Defense of Chinese military
21 companies operating in the United States pur-
22 suant to section 1260H of the William M.
23 (Mac) Thornberry National Defense Authoriza-
24 tion Act for Fiscal Year 2021 (10 U.S.C. 113
25 note); or

1 (B) any entity subject to the control of an
2 entity described in subparagraph (A).

3 (3) LIMITATION ON APPLICABILITY.—

4 (A) IN GENERAL.—Nothing in paragraph
5 (1) shall prohibit the Secretary from entering
6 into, renewing, or extending a contract for the
7 procurement of goods, services, or technology to
8 provide a service that connects to the facilities
9 of a third party, including backhaul, roaming,
10 or interconnection arrangements.

11 (B) EXISTING CONTRACTS.—Nothing in
12 this section shall permit the Secretary to apply
13 the prohibitions in paragraph (1) to existing
14 contracts for goods, services, or technology, in-
15 cluding when such contracts are modified, ex-
16 tended, or renewed, entered into prior to the
17 relevant date described in subsection (b).

18 (C) COMPONENTS.—Paragraph (1) shall
19 not apply with respect to components (as de-
20 fined in section 105 of title 41, United States
21 Code).

22 (4) RULEMAKING.—

23 (A) ENTITY PROHIBITION.—Not later than
24 one year after the date of the enactment of this
25 Act, the Secretary shall amend the Defense

1 Federal Acquisition Regulation Supplement to
2 implement the prohibitions in paragraph (1)(A)
3 for the Department of Defense.

4 (B) GOODS AND SERVICES PROHIBITION.—
5 Not later than 545 days after the date of the
6 enactment of this Act, the Secretary shall
7 amend the Defense Federal Acquisition Regula-
8 tion Supplement to implement the prohibitions
9 in paragraph (1)(B) for the Department of De-
10 fense, including—

11 (i) best practices to avoid being sub-
12 ject to the prohibitions described in para-
13 graph (1)(B); and

14 (ii) technical support to assist affected
15 businesses, institutions, and organizations
16 as is reasonably necessary for those af-
17 fected entities to comply with this section.

18 (b) EFFECTIVE DATES.—The prohibition under sub-
19 section (a)(1)(A) shall take effect on June 30, 2026, and
20 the prohibition under subsection (a)(1)(B) shall take ef-
21 fect on June 30, 2027.

22 (c) WAIVER AUTHORITY.—

23 (1) IN GENERAL.—The Secretary may waive
24 the requirements under subsection (a) with respect

1 to an entity that requests such a waiver if the entity
2 seeking the waiver—

3 (A) provides to the Secretary a compelling
4 justification for the additional time to imple-
5 ment the requirements under such subsection,
6 as determined by the Secretary of Defense; and

7 (B) provides to the Secretary a phase-out
8 plan to eliminate goods, services, or technology
9 produced or developed by an entity described in
10 subsection (a)(2) from the systems of the enti-
11 ty.

12 (2) DURATION.—A waiver granted under para-
13 graph (1) may remain in effect until the date on
14 which the Secretary determines that commercially
15 viable providers exist outside of the People’s Repub-
16 lic of China that can and are willing to provide the
17 Department of Defense with quality goods and serv-
18 ices in the quantity demanded.

19 (3) DELEGATION.—The Secretary may des-
20 ignate the authority under this section only to—

21 (A) the service acquisition executive of the
22 military department (as such terms are defined
23 in section 101(a) of title 10, United States
24 Code) concerned; or

1 (B) the official responsible for all acquisi-
2 tion functions of such other element or organi-
3 zation of the Department of Defense concerned.

4 (d) EXCEPTION.—The President shall not be re-
5 quired to apply or maintain the prohibition under sub-
6 section (a) for activities subject to the reporting require-
7 ments under title V of the National Security Act of 1947
8 (50 U.S.C. 3091 et seq.), or to any authorized intelligence
9 activities of the United States.

10 (e) DEFINITIONS.—In this section:

11 (1) CONTROL.—The term “control” has the
12 meaning given that term in part 800.208 of title 31,
13 Code of Federal Regulations, or any successor regu-
14 lations.

15 (2) SECRETARY.—The term “Secretary” means
16 the Secretary of Defense.

17 **SEC. 806. PRINCIPAL TECHNOLOGY TRANSITION ADVISOR.**

18 (a) DESIGNATION.—Not later than one year after the
19 date of the enactment of this Act, each service acquisition
20 executive of a military department shall designate a Prin-
21 cipal Technology Transition Advisor who shall advise each
22 Secretary of a military department on the transition of
23 technologies, including technologies from science and tech-
24 nology programs of the Department, private commercial
25 entities, research institutions, and universities, to fulfill

1 identified and potential warfighter requirements for the
2 military department.

3 (b) ADVISOR STATUS.—The Principal Technology
4 Transition Advisor of a military department designated
5 under subsection (a) shall be a member of the Senior Ex-
6 ecutive Service or a general officer and directly report to
7 the service acquisition executive of such military depart-
8 ment.

9 (c) RESPONSIBILITIES.—The Principal Technology
10 Transition Advisor of a military department designated
11 under subsection (a) shall do the following:

12 (1) Identify technologies being researched, de-
13 veloped, tested, or evaluated by science and tech-
14 nology programs of the Department, including De-
15 fense research facilities (as defined in section
16 4125(b) of title 10, United States Code), that the
17 military department may use to meet identified and
18 potential warfighter requirements, including tech-
19 nologies for which the Department owns and main-
20 tains the intellectual property rights.

21 (2) Consult with Department of Defense inno-
22 vation programs to identify technologies from private
23 commercial entities, research institutions, univer-
24 sities, and other entities that the military depart-

1 ment may use to meet identified and potential
2 warfighter requirements.

3 (3) Make recommendations to the service acqui-
4 sition executive of the military department regarding
5 the acquisition of technologies identified under para-
6 graphs (1) and (2) for acquisition decisions at the
7 service acquisition executive level.

8 (4) Inform program managers (as defined in
9 section 1737 of title 10, United States Code) and
10 other relevant acquisition officials of the military de-
11 partment of relevant technologies identified under
12 paragraphs (1) and (2).

13 (5) Develop policies and processes for pro-
14 moting to small business concerns (as defined under
15 section 3 of the Small Business Act (15 U.S.C.
16 632)) and nontraditional defense contractors (as de-
17 fined in section 3014 of title 10, United States
18 Code) opportunities to license intellectual property
19 developed by the Department, including opportuni-
20 ties and methods for small business concerns and
21 nontraditional defense contractors to engage with
22 the Department regarding such licensing.

23 (6) Develop and maintain metrics tracking the
24 outcomes of projects and other activities of the mili-
25 tary department for which the military department

1 expended amounts designated as budget activity 3
2 (Advanced Technology Development), budget activity
3 4 (Advanced Component Development and Proto-
4 types), and budget activity 5 (System Development
5 and Demonstration), as those budget activity classi-
6 fications are set forth in volume 2B, chapter 5 of
7 the Department of Defense Financial Management
8 Regulation (DOD 7000.14-R).

9 (d) CONGRESSIONAL REPORT.—Not later than one
10 year after the designation of the Principal Technology
11 Transition Advisor of a military department under sub-
12 section (a), and annually thereafter, the Principal Tech-
13 nology Transition Advisor of such military department
14 shall submit to Congress a report on the following for the
15 one-year period preceding the submission of the report:

16 (1) The activities of the Principal Technology
17 Transition Advisor.

18 (2) The outcomes of projects and other activi-
19 ties described in subsection (c)(6), including the
20 metrics described in such subsection.

21 (e) DEFINITIONS.—In this section—

22 (1) the term “Department” means the Depart-
23 ment of Defense;

24 (2) the term “Department of Defense innova-
25 tion programs” means the Defense Innovation Unit

1 of the Department of Defense, AFWERX of the Air
2 Force, and other programs sponsored by the Depart-
3 ment of Defense, or any component thereof, with a
4 focus on accelerating the adoption of emerging tech-
5 nologies for mission-relevant applications or innova-
6 tion; and

7 (3) the terms “military department” and “serv-
8 ice acquisition executive” have the meanings given
9 such terms in section 101(a) of title 10, United
10 States Code.

11 **SEC. 807. SENIOR CONTRACTING OFFICIAL FOR STRATEGIC**
12 **CAPABILITIES OFFICE.**

13 (a) SENIOR CONTRACTING OFFICIAL.—The staff of
14 the Director of the Strategic Capabilities Office shall in-
15 clude a senior contracting official (as defined in section
16 1737 of title 10, United States Code) who shall have the
17 authority to enter into and administer contracts, grants,
18 cooperative agreements, and other transactions in execu-
19 tion of the program activities of the Strategic Capabilities
20 Office.

21 (b) EFFECTIVE DATE; IMPLEMENTATION PLAN.—

22 (1) EFFECTIVE DATE.—The authorities de-
23 scribed in subsection (a) shall take effect 30 days
24 after the date on which the Secretary of Defense
25 submits the plan described in paragraph (2).

1 (2) PLAN.—Not later than 90 days after the
2 date of the enactment of this Act, the Secretary
3 shall submit to the congressional defense committees
4 a plan for the implementation of the authorities de-
5 scribed in subsection (a). The plan shall include the
6 following:

7 (A) A plan for oversight of the senior con-
8 tracting official described under subsection (a).

9 (B) An assessment of the acquisition work-
10 force needs of the Strategic Capabilities Office
11 to support the authority provided under sub-
12 section (a).

13 (C) Other matters as appropriate.

14 **SEC. 808. PILOT PROGRAM FOR THE USE OF INNOVATIVE**
15 **INTELLECTUAL PROPERTY STRATEGIES.**

16 (a) ESTABLISHMENT.—The Secretary of Defense
17 shall establish a pilot program for the use of innovative
18 intellectual property strategies that meet the criteria de-
19 scribed in subsection (b) to acquire the necessary technical
20 data rights required for the operation, maintenance, and
21 installation of, and training for, covered programs des-
22 ignated under subsection (c).

23 (b) CRITERIA FOR STRATEGIES.—The innovative in-
24 tellectual property strategies used in a pilot program es-
25 tablished under this section may include the following:

1 (1) The use of an escrow account to verify and
2 hold intellectual property data.

3 (2) The use of royalties or licenses.

4 (3) Other strategies, as determined by the Sec-
5 retary.

6 (c) DESIGNATION OF COVERED PROGRAMS.—Not
7 later than May 1, 2024, and with respect to the pilot pro-
8 gram established under this section—

9 (1) the Secretary of each military department
10 shall designate one covered program within the mili-
11 tary department under the jurisdiction of such Sec-
12 retary; and

13 (2) the Under Secretary of Defense for Acquisi-
14 tion and Sustainment shall designate one covered
15 program within the Defense Agencies or Department
16 of Defense Field Activities (as defined, respectively,
17 in section 101 of title 10, United States Code).

18 (d) BRIEFING REQUIREMENT.—Not later than 180
19 days after the date of the enactment of this Act, the Under
20 Secretary of Defense for Acquisition and Sustainment, in
21 coordination with the Secretaries of the military depart-
22 ments, shall provide a briefing to the Committees on
23 Armed Services of the Senate and the House of Represent-
24 atives with a detailed plan to implement the pilot program
25 required under this section.

1 (e) ANNUAL REPORT.—Beginning on the date on
2 which the first program is designated under subsection (c)
3 and until the termination date in subsection (f), the Under
4 Secretary of Defense for Acquisition and Sustainment, in
5 coordination with the Secretaries of the military depart-
6 ments, shall provide an annual report to the Committees
7 on Armed Services of the Senate and the House of Rep-
8 resentatives on—

9 (1) the effectiveness of the pilot program in ac-
10 quiring the necessary technical data rights necessary
11 to support timely, cost-effective maintenance and
12 sustainment of the acquisition programs designated
13 under subsection (c); and

14 (2) any recommendations for the applicability
15 of lessons learned from the pilot program.

16 (f) TERMINATION.—The authority to carry out the
17 pilot program established under this section shall termi-
18 nate on December 31, 2028.

19 (g) DEFINITIONS.—In this section:

20 (1) The term “covered program” means an ac-
21 quisition program under which procurements are
22 conducted using a pathway of the adaptive acquisi-
23 tion framework (as described in Department of De-
24 fense Instruction 5000.02, “Operation of the Adapt-
25 ive Acquisition Framework”).

1 (2) The term “technical data rights” has the
2 meaning given in section 3771 of title 10, United
3 States Code.

4 **SEC. 809. PILOT PROGRAM FOR ANYTHING-AS-A-SERVICE.**

5 (a) IN GENERAL.—The Secretary of Defense shall es-
6 tablish a pilot program to explore the use of consumption-
7 based solutions to address any defense need, hereafter
8 “anything-as-a-service”, that is feasible to provide users
9 on-demand access, quickly add newly released capabilities,
10 and bill based on actual usage at fixed price units.

11 (b) REQUIREMENTS.—A contract or other agreement
12 for anything-as-a-service entered into under the pilot pro-
13 gram shall require the outcomes of the capability to be
14 measurable, including the cost and speed of delivery in
15 comparison to using processes other than anything-as-a-
16 service, at the regular intervals that are customary for the
17 type of solution provided.

18 (c) NOTICE.—With respect to each opportunity to
19 participate in the pilot program established under sub-
20 section (a), the Secretary shall make publicly available a
21 notice of such opportunity for not less than 60 days.

22 (d) TIMING.—The Secretary shall, to the extent prac-
23 ticable, enter into a contract or other agreement under
24 this section not later than 100 days after the date on
25 which the Secretary, under subsection (c), makes publicly

1 available a notice to participate in the pilot program estab-
2 lished under this section.

3 (e) EXEMPTIONS.—A contract or other agreement
4 entered into under this section shall be exempt from the
5 following:

6 (1) The requirements of section 3702 of title
7 10, United States Code.

8 (2) With respect to a modification to add new
9 features or capabilities in an amount less than or
10 equal to 25 percent of the total value of such con-
11 tract or other agreement, the requirements of full
12 and open competition (as defined in section 2302 of
13 title 10, United States Code).

14 (f) BRIEFING.—Not later than June 30, 2024, the
15 Secretary of Defense shall provide a briefing to the con-
16 gressional defense committees on the implementation of
17 the pilot program.

18 (g) ANYTHING-AS-A-SERVICE DEFINED.—In this sec-
19 tion, the term “anything-as-a-service” means a model
20 under which a technology-supported capability is provided
21 to the Department of Defense and may utilize any com-
22 bination of software, hardware or equipment, data, and
23 labor or services that provides a capability that is metered
24 and billed based on actual usage at fixed price units.

1 **SEC. 810. UPDATED GUIDANCE ON PLANNING FOR**
2 **EXPORTABILITY FEATURES FOR FUTURE**
3 **PROGRAMS.**

4 (a) PROGRAM GUIDANCE ON PLANNING FOR
5 EXPORTABILITY FEATURES.—Not later than one year
6 after the date of the enactment of this Act, the Under
7 Secretary of Defense for Acquisition and Sustainment
8 shall ensure that the program guidance for major defense
9 acquisition programs (as defined in section 4201 of title
10 10, United States Code) and for acquisition programs and
11 projects that are carried out using the rapid fielding or
12 rapid prototyping acquisition pathway under section 804
13 of the National Defense Authorization Act for Fiscal Year
14 2016 (Public Law 114–92; 10 U.S.C. 3201 note prec.)
15 is revised to integrate planning for exportability features
16 under section 4067 of title 10, United States Code, includ-
17 ing—

18 (1) for major defense acquisition programs, an
19 assessment of such programs to identify potential
20 exportability needs; and

21 (2) for technologies under an acquisition pro-
22 gram or project carried out using the rapid fielding
23 or rapid prototyping acquisition pathway that are
24 transitioned to a major capability acquisition pro-
25 gram, an assessment of potential exportability needs

1 of such technologies not later than one year after
2 the date of such transition.

3 (b) REVISION OF GUIDANCE FOR PROGRAM PROTEC-
4 TION PLANS.—Not later than three years after the date
5 of the enactment of this Act, the Under Secretary shall
6 revise guidance for program protection plans to integrate
7 a requirement to determine exportability for the programs
8 covered by such plans.

9 **SEC. 811. MODERNIZING THE DEPARTMENT OF DEFENSE**
10 **REQUIREMENTS PROCESS.**

11 (a) MODERNIZING THE DEPARTMENT OF DEFENSE
12 REQUIREMENTS PROCESS.—Not later than October 1,
13 2025, the Secretary of Defense, acting through the Vice
14 Chairman of the Joint Chiefs of Staff, in coordination
15 with the Secretaries of the military departments and the
16 commanders of the combatant commands, and in consulta-
17 tion with the Under Secretary of Defense for Acquisition
18 and Sustainment, shall develop and implement a stream-
19 lined requirements development process for the Depart-
20 ment of Defense, to include revising the Joint Capabilities
21 Integration and Development System, in order to improve
22 alignment between modern warfare concepts, technologies,
23 and system development and reduce the time to deliver
24 needed capabilities to warfighters.

1 (b) REFORM ELEMENTS.—The process required by
2 subsection (a) shall—

3 (1) streamline requirements documents, re-
4 views, and approval processes, focusing on programs
5 below the major defense acquisition program thresh-
6 old described in section 4201 of title 10, United
7 States Code;

8 (2) revise requirements management practices
9 using a clean-sheet approach that avoids prescriptive
10 language, is based on mission outcomes and assessed
11 threats, enables a more iterative and collaborative
12 approach with the Armed Forces, maximizes the use
13 of commercial products or commercial services in ac-
14 cordance with section 3453 of title 10, United States
15 Code, and allows for a broader range of new or al-
16 ternative technological opportunities to be incor-
17 porated without the requirement being validated
18 again;

19 (3) develop a capability needs and requirements
20 framework and pathways that are aligned to the
21 pathways of the adaptive acquisition framework (as
22 described in Department of Defense Instruction
23 5000.02, “Operation of the Adaptive Acquisition
24 Framework”), and better aligned and integrated

1 with the science and technology development pro-
2 cesses of the Department;

3 (4) provide continuity to the acquisition and re-
4 search programs of the military departments by ena-
5 bling the military departments to develop, with re-
6 spect to collections of capabilities grouped by func-
7 tion by the Department of Defense, sets of require-
8 ments that are designed to remain applicable to pro-
9 grams and systems relating to such capabilities over
10 substantial periods of time;

11 (5) require the military departments to—

12 (A) articulate in a concise model and docu-
13 ment with a set of mission impact measures the
14 sets of requirements developed under paragraph
15 (4); and

16 (B) seek to continuously improve the capa-
17 bilities subject to such sets of requirements the
18 acquisition of additional capabilities;

19 (6) establish a process to rapidly validate the
20 ability of commercial products and services to meet
21 capability needs or opportunities;

22 (7) retire and replace the Department of De-
23 fense Architecture Framework with a new structure
24 focused on enabling interoperability through applica-
25 tion program interfaces, enterprise architectures and

1 platforms, and government and commercial stand-
2 ards; and

3 (8) ensure that requirements processes for soft-
4 ware, artificial intelligence, data, and related capa-
5 bility areas enable a more rapid, dynamic, and
6 iterative approach than the requirements processes
7 for traditional hardware systems.

8 (c) ELEMENTS.—With respect to the implementation
9 of the process required by subsection (a), the Vice Chair-
10 man of the Joint Chiefs of Staff shall—

11 (1) collaborate with industry partners, contrac-
12 tors of the Department and nontraditional defense
13 contractors (as defined in section 3014 of title 10,
14 United States Code), and Department of Defense
15 science and technology reinvention laboratories (as
16 designated under section 4121(b) of title 10, United
17 States Code) regarding the development of the
18 streamlined requirements development process under
19 subsection (a) to ensure such process effectively uses
20 the innovation ecosystem (as defined in section
21 236(g) of the James M. Inhofe National Defense
22 Authorization Act for Fiscal Year 2023 (10 U.S.C.
23 4001 note));

24 (2) develop a formal career path, training, and
25 structure for requirements managers; and

1 (3) publish new policies, guidance, and tem-
2 plates for the operational, requirements, and acquisi-
3 tion workforces online in digital formats.

4 (d) INTERIM REPORT.—Not later than October 1,
5 2024, the Secretary of Defense shall submit to the con-
6 gressional defense committees a report on the development
7 and implementation of the process required by subsection
8 (a), including—

9 (1) a description of the efforts to develop and
10 implement the streamlined requirements develop-
11 ment process under subsection (a);

12 (2) the plans of the Department of Defense to
13 implement, communicate, and continuously improve
14 the requirements development process required by
15 subsection (a); and

16 (3) any additional recommendations for legisla-
17 tion that the Secretary determines appropriate.

18 (e) FINAL REPORT.—Not later than October 1, 2025,
19 the Secretary of Defense shall submit to the congressional
20 defense committees a report describing activities carried
21 out pursuant to this section.

1 **SEC. 812. PREVENTING CONFLICTS OF INTEREST FOR ENTI-**
2 **TIES THAT PROVIDE CERTAIN CONSULTING**
3 **SERVICES TO THE DEPARTMENT OF DE-**
4 **FENSE.**

5 (a) IN GENERAL.—

6 (1) CERTIFICATION.—Not later than 180 days
7 after the date of the enactment of this Act, the Sec-
8 retary of Defense shall amend the Department of
9 Defense Supplement to the Federal Acquisition Reg-
10 ulation to require any entity that provides consulting
11 services and is assigned a North American Industry
12 Classification System code beginning with 5416,
13 after the effective date of such amendment and be-
14 fore entering into a covered contract, to certify
15 that—

16 (A) neither the entity nor any subsidiaries
17 or affiliates of the entity (as that term is de-
18 fined in section 2.101 of the Federal Acquisi-
19 tion Regulation) hold a contract for consulting
20 services with one or more covered foreign enti-
21 ties; or

22 (B) the entity maintains a Conflict of In-
23 terest Mitigation plan described under sub-
24 section (b) that is auditable by a contract over-
25 sight entity.

1 (2) PROHIBITION.—The Secretary of Defense
2 may not enter into a covered contract with an entity
3 described in paragraph (1) that is unable to make
4 the certification required under such paragraph.

5 (b) CONFLICT OF INTEREST MITIGATION PLAN.—A
6 Conflict of Interest Mitigation plan described under this
7 subsection shall include—

8 (1) an identification, where such identification
9 is not otherwise prohibited by law or regulation, of
10 any covered contracts of an entity described in sub-
11 section (a) with a covered foreign entity;

12 (2) a written analysis, including a course of ac-
13 tion for avoiding, neutralizing, or mitigating the ac-
14 tual or potential conflict of interest of such a cov-
15 ered contract with the Department of Defense;

16 (3) a description of the procedures adopted by
17 an entity to ensure that individuals who will be per-
18 forming a covered contract will not, for the duration
19 of such contract, also provide any consulting services
20 to any covered foreign entity; and

21 (4) a description of the procedures by which an
22 entity will submit to the contract oversight entities
23 a notice of an unmitigated conflict of interest with
24 respect to a covered contract within 15 days of de-
25 termining that such a conflict has arisen.

1 (c) ALTERNATIVE IDENTIFICATION OF COVERED
2 FOREIGN ENTITIES.—If an entity is unable to identify
3 covered foreign entities under subsection (b)(1) due to
4 confidentiality obligations, the entity shall identify any
5 such covered foreign entity as an entity described in sub-
6 paragraphs (A) through (F) of subsection (f)(4) in the
7 Conflict of Interest Mitigation plan.

8 (d) NOTIFICATION.—Before determining to withhold
9 an award of a covered contract based on a conflict of inter-
10 est under this section that cannot be avoided or mitigated,
11 the contracting officer for the contract shall notify the of-
12 feror of the reasons for such withholding and allow the
13 offeror a reasonable opportunity to respond. If the con-
14 tracting officer for the contract finds that it is in the best
15 interests of the United States to award the contract not-
16 withstanding such a conflict of interest, a request for waiv-
17 er shall be submitted in accordance with section 9.503 of
18 title 48, Code of Federal Regulations. The waiver request
19 and decision shall be included in the contract file.

20 (e) WAIVER.—

21 (1) AUTHORITY.—The Secretary of Defense
22 may issue a waiver with respect to the requirements
23 of this section for the award of a covered contract
24 on a case-by-case basis as may be necessary in the
25 interest of national security. The Secretary of De-

1 fense may not delegate the authority under this sub-
2 section to an official who has not been Presidentially
3 appointed and confirmed by the Senate.

4 (2) WAIVER NOTIFICATION.—Not later than 30
5 days after issuing a waiver under this subsection,
6 the Secretary of Defense shall provide a written no-
7 tification to the Committee on Armed Services of the
8 Senate and the Committee on Armed Services of the
9 House of Representatives regarding the use of such
10 waiver authority. The notification shall include—

11 (A) the specific justification for providing
12 the waiver;

13 (B) an identification of the covered foreign
14 entity that is the subject of the waiver request;

15 (C) the number of bidders for the covered
16 contract for which the waiver was granted;

17 (D) the number of bidders for the covered
18 contract that did not request a waiver; and

19 (E) the total dollar value of the covered
20 contract.

21 (f) DEFINITIONS.—In this section:

22 (1) The term “consulting services” has the
23 meaning given the term “advisory and assistance
24 services” in section 2.101 of the Federal Acquisition

1 Regulation, except that the term does not include
2 the provision of products or services related to—

3 (A) compliance with legal, audit, account-
4 ing, tax, reporting, or other requirements of the
5 laws and standards of countries; or

6 (B) participation in a judicial, legal, or eq-
7 uitable dispute resolution proceeding.

8 (2) The term “contract oversight entity” means
9 any of the following:

10 (A) The contracting officer.

11 (B) The contracting officer representative.

12 (C) The Defense Contract Management
13 Agency.

14 (D) The Defense Contract Audit Agency.

15 (E) The Office of Inspector General of the
16 Department of Defense or any subcomponent of
17 such office.

18 (F) The Government Accountability Office.

19 (3) The term “covered contract” means a con-
20 tract of the Department of Defense for consulting
21 services.

22 (4) The term “covered foreign entity” means
23 any of the following:

24 (A) The Government of the People’s Re-
25 public of China, the Chinese Communist Party,

1 the People's Liberation Army, the Ministry of
2 State Security, or other security service or in-
3 telligence agency of the People's Republic of
4 China.

5 (B) The Government of the Russian Fed-
6 eration or any entity sanctioned by the Sec-
7 retary of the Treasury under Executive Order
8 13662 titled "Blocking Property of Additional
9 Persons Contributing to the Situation in
10 Ukraine" (79 Fed. Reg. 16169).

11 (C) The government of any country if the
12 Secretary of State determines that such govern-
13 ment has repeatedly provided support for acts
14 of international terrorism pursuant to any of
15 the following:

16 (i) Section 1754(c)(1)(A) of the Ex-
17 port Control Reform Act of 2018 (50
18 U.S.C. 4318(c)(1)(A)).

19 (ii) Section 620A of the Foreign As-
20 sistance Act of 1961 (22 U.S.C. 2371).

21 (iii) Section 40 of the Arms Export
22 Control Act (22 U.S.C. 2780).

23 (iv) Any other provision of law.

1 (D) Any entity included on any of the fol-
2 lowing lists maintained by the Department of
3 Commerce:

4 (i) The Entity List set forth in Sup-
5 plement No. 4 to part 744 of the Export
6 Administration Regulations.

7 (ii) The Denied Persons List as de-
8 scribed in section 764.3(a)(2) of the Ex-
9 port Administration Regulations.

10 (iii) The Unverified List set forth in
11 Supplement No. 6 to part 744 of the Ex-
12 port Administration Regulations.

13 (iv) The Military End User List set
14 forth in Supplement No. 7 to part 744 of
15 the Export Administration Regulations.

16 (E) Any entity identified by the Secretary
17 of Defense pursuant to section 1237(b) of the
18 Strom Thurmond National Defense Authoriza-
19 tion Act for Fiscal Year 1999 (Public Law
20 105–261; 50 U.S.C. 1701 note).

21 (F) Any entity on the Non-SDN Chinese
22 Military-Industrial Complex Companies List
23 (NS–CMIC List) maintained by the Office of
24 Foreign Assets Control of the Department of
25 the Treasury under Executive Order 14032 (86

1 Fed. Reg. 30145; relating to addressing the
2 threat from securities investments that finance
3 certain companies of the People's Republic of
4 China), or any successor order.

5 **SEC. 813. FOCUSED COMMERCIAL SOLUTIONS OPENINGS**
6 **OPPORTUNITIES.**

7 (a) REQUIREMENT.—During each fiscal year begin-
8 ning after the date of the enactment of this Act, the Sec-
9 retary of Defense, in coordination with the service acquisi-
10 tion executives of each military department, shall exercise
11 the authority under section 3458 of title 10, United States
12 Code, not less than four times to acquire goods or services
13 addressing the mission needs of a geographic combatant
14 command.

15 (b) EXECUTION.—With respect to acquisition carried
16 out under section 3458 of title 10, United States Code,
17 pursuant to subsection (a), the Secretary of Defense
18 shall—

19 (1) assign the responsibility for carrying out
20 such acquisition to a program executive officer and
21 a head of a science and technology reinvention lab-
22 oratory from the same military department, who
23 shall co-lead such acquisition; and

24 (2) ensure that the program executive officer
25 and the head of a science and technology reinvention

1 laboratory assigned as co-leads under paragraph (1)
2 have similar existing requirements and funding for
3 transitioning technologies to acquisition programs
4 within the area of focus for such acquisition.

5 (c) SUNSET.—Subsection (a) shall expire on Sep-
6 tember 30, 2027.

7 (d) DEFINITIONS.—In this section:

8 (1) The terms “military department” and
9 “services acquisition executive” have the meanings
10 given such terms in section 101(a) of title 10,
11 United States Code.

12 (2) The term “program executive officer” has
13 the meaning given such term in section 1737(a) of
14 title 10, United States Code.

15 (3) The term “science and technology reinven-
16 tion laboratory” means a science and technology re-
17 invention laboratory designated under section
18 4121(b) of title 10, United States Code.

19 **Subtitle B—Amendments to Gen-**
20 **eral Contracting Authorities,**
21 **Procedures, and Limitations**

22 **SEC. 820. AMENDMENTS TO MULTIYEAR PROCUREMENT**
23 **AUTHORITY.**

24 Section 3501(a)(1) of title 10, United States Code,
25 is amended—

1 (1) by striking “will result in significant sav-
2 ings” and inserting the following: “will result in—

3 “(A) significant savings”; and

4 (2) by striking “annual contracts.” and insert-
5 ing the following: “annual contracts; or

6 “(B) necessary defense industrial base sta-
7 bility not otherwise achievable through annual
8 contracts.”.

9 **SEC. 821. MODIFICATION OF APPROVAL AUTHORITY FOR**
10 **CERTAIN FOLLOW-ON PRODUCTION CON-**
11 **TRACTS OR TRANSACTIONS.**

12 Section 4022 of title 10, United States Code, is
13 amended—

14 (1) in subsection (a)(2)(C)(i)(I), by inserting
15 after “subsection (d)” the following: “were met for
16 the prior transaction for the prototype project that
17 provided for the award of the follow-on production
18 contract or transaction, and the requirements of
19 subsection (f)”;

20 (2) in subsection (d), by adding at the end the
21 following new paragraph:

22 “(3) The requirements of this subsection do not
23 apply to follow-on production contracts or trans-
24 actions under subsection (f).”.

1 **SEC. 822. CLARIFICATION OF OTHER TRANSACTION AU-**
2 **THORITY FOR INSTALLATION OR FACILITY**
3 **PROTOTYPING.**

4 (a) IN GENERAL.—Section 4022(i) of title 10, United
5 States Code, is amended—

6 (1) in paragraph (2)—

7 (A) in subparagraph (A), by inserting “ex-
8 cept for projects carried out for the purpose of
9 repairing a facility,” before “not more”; and

10 (B) in subparagraph (B), by striking
11 “\$200,000,000” and inserting “\$300,000,000”;

12 (2) by redesignating paragraph (3) as para-
13 graph (4); and

14 (3) by inserting after paragraph (2) the fol-
15 lowing new paragraph:

16 “(3) USE OF AMOUNTS.—The Secretary of De-
17 fense or the Secretary of a military department may
18 carry out prototype projects under the pilot program
19 established under paragraph (1) using amounts
20 available to the Secretary of Defense or the Sec-
21 retary of a military department (as applicable) for
22 military construction, operation and maintenance, or
23 research, development, test, and evaluation, notwith-
24 standing—

25 “(A) subchapters I and III of chapter 169
26 of this title; and

1 “(B) chapters 221 and 223 of this title.”.

2 (b) APPLICABILITY.—The amendments made by this
3 section shall apply with respect to transactions entered
4 into on or after the date of the enactment of this Act.

5 **SEC. 823. EXTENSION AND REVISIONS TO NEVER CON-**
6 **TRACT WITH THE ENEMY.**

7 (a) IN GENERAL.—Section 841 of the Carl Levin and
8 Howard P. “Buck” McKeon National Defense Authoriza-
9 tion Act for Fiscal Year 2015 (Public Law 113–291; 10
10 U.S.C. 4871 note prec.) is amended—

11 (1) by striking the section heading and insert-
12 ing “**THREAT MITIGATION IN COMMERCIAL**
13 **SUPPORT TO OPERATIONS**”;

14 (2) in subsection (a)—

15 (A) by striking the subsection heading and
16 inserting “PROGRAM ESTABLISHED”; and

17 (B) in matter preceding paragraph (1), by
18 striking “and in consultation with the Secretary
19 of State” and all that follows through the pe-
20 riod at the end and inserting “and the Sec-
21 retary of State, establish a program to enable
22 commanders of combatant commands to iden-
23 tify and manage risks resulting from covered
24 persons and entities engaging in covered activi-
25 ties. The Secretary of Defense shall issue guid-

1 ance establishing such program, including iden-
2 tifying who shall be responsible for carrying out
3 and overseeing the program, procedures for
4 using information available from intelligence,
5 security, and law enforcement sources to iden-
6 tify such risks, and strategies for managing the
7 risks posed by covered persons and entities en-
8 gaging in covered activities.”;

9 (3) by amending subsection (b) to read as fol-
10 lows:

11 “(b) AUTHORITY.—

12 “(1) IDENTIFICATION.—

13 “(A) IN GENERAL.—Under the program
14 established under subsection (a), the com-
15 mander of the combatant command concerned
16 shall evaluate covered persons and entities with-
17 in the area of responsibility of such command
18 to identify such covered persons and entities
19 that are engaging in covered activities.

20 “(B) NOTIFICATION.—Upon identification
21 of a covered person or entity who is engaging
22 in covered activities pursuant to an evaluation
23 under subparagraph (A), the commander of the
24 combatant command concerned, or the des-
25 ignated deputies of such commander, shall sub-

1 mit to the Under Secretary of Defense for Ac-
2 quisition and Sustainment, the Under Secretary
3 of Defense for Intelligence and Security, and
4 the Under Secretary of Defense for Policy a no-
5 tice of such identification and the rationale for
6 such identification.

7 “(2) COVERED PROCUREMENT ACTIONS.—The
8 head of a contracting activity may take a covered
9 procurement action with respect to a person or enti-
10 ty identified as engaging in a covered activity under
11 the program established under subsection (a) if such
12 head receives a notification from the Under Sec-
13 retary of Defense for Acquisition and Sustainment
14 stating that, based on a risk assessment conducted
15 by the commander of a combatant command who
16 made such identification—

17 “(A) such person or entity is a covered
18 person or entity;

19 “(B) such person or entity is or was en-
20 gaging in one or more covered activities; and

21 “(C) less intrusive measures are not rea-
22 sonably available to manage the risk posed by
23 such person or entity.”;

24 (4) by amending subsection (c) to read as fol-
25 lows:

1 “(c) NOTIFICATION TO COVERED PERSON OR ENTI-
2 TY.—

3 “(1) ADVANCE NOTICE.—The head of a con-
4 tracting activity, or other appropriate official, shall
5 notify covered persons and entities of the following:

6 “(A) The program established under sub-
7 section (a).

8 “(B) The authorities provided by sub-
9 section (b).

10 “(C) The responsibilities of covered per-
11 sons or entities to exercise due diligence to miti-
12 gate their engagement in covered activities.

13 “(2) NOTICE OF COVERED PROCUREMENT AC-
14 TIONS.—

15 “(A) IN GENERAL.—Not later than 30
16 days prior to taking a covered procurement ac-
17 tion, the head of a contracting activity shall no-
18 tify the covered person or entity of the covered
19 procurement action. The covered person or enti-
20 ty shall be permitted the opportunity to chal-
21 lenge the covered procurement action by re-
22 questing an administrative review of the action
23 under the procedures of the Department of De-
24 fense not later than 30 days after receipt of no-
25 tice of the action.

1 “(B) LIMITATION ON DISCLOSURE OF IN-
2 FORMATION.—The rationale of the commander
3 of a combatant command that identified the
4 covered person or entity receiving a notice
5 under subparagraph (A) as a covered person or
6 entity engaging in a covered activity under sub-
7 section (b)(1) shall not be disclosed to such cov-
8 ered person or entity, or their representatives,
9 to the extent that such disclosure would com-
10 promise national security or pose an unaccept-
11 able threat to personnel of the United States or
12 its partners or allies.

13 “(C) PROTECTION OF CLASSIFIED INFOR-
14 MATION.—Classified information relied upon to
15 take a covered procurement action may not be
16 disclosed to a covered person or entity, or to
17 their representatives, unless a protective order
18 issued by a court of competent jurisdiction es-
19 tablished under article I or article III of the
20 Constitution of the United States specifically
21 addresses the conditions under which such clas-
22 sified information may be disclosed.”;

23 (5) by amending subsection (d) to read as fol-
24 lows:

1 “(d) COVERED PROCUREMENT ACTION REPORT-
2 ING.—Not later than 15 days after the head of a con-
3 tracting activity takes a covered procurement action, such
4 head of a contracting activity shall report such covered
5 procurement action to the Under Secretary of Defense for
6 Acquisition and Sustainment and include such covered
7 procurement action in the Federal Awardee Performance
8 and Integrity Information System or other formal systems
9 of record and, in the case that such cover procurement
10 action is for the exclusion a person or commercial entity
11 from an award, the System for Award Management.”;

12 (6) by amending subsection (e) to read as fol-
13 lows:

14 “(e) ANNUAL REVIEW.—The Secretary of Defense,
15 in coordination with the Director of National Intelligence
16 and the Secretary of State, shall, on an annual basis, re-
17 view the lists of persons and entities previously subject to
18 a covered procurement action under subsection (b)(2) to
19 determine whether or not such persons and entities con-
20 tinue to warrant use of the covered procurement action.”;

21 (7) by amending subsection (f) to read as fol-
22 lows:

23 “(f) WAIVER.—The Secretary of Defense, in conjunc-
24 tion with the Secretary of State, may grant a waiver for

1 actions taken under subsection (b) if it is in the best inter-
2 est of national security.”;

3 (8) by amending subsection (g) to read as fol-
4 lows:

5 “(g) DELEGATION OF AUTHORITY.—The authority
6 provided by subsection (b) to make a determination to use
7 a covered procurement action, in whole or in part, may
8 not be delegated below the level of head of contracting ac-
9 tivity, or equivalent official, for purposes of grants or co-
10 operative agreements.”;

11 (9) by amending subsection (h) to read as fol-
12 lows:

13 “(h) UPDATING REGULATIONS.—The Federal Acqui-
14 sition Regulation and the Defense Federal Acquisition
15 Regulation Supplement shall be revised to implement the
16 provisions of this subtitle.”;

17 (10) in subsection (i)—

18 (A) in paragraph (1)—

19 (i) by striking “Director of the Office
20 of Management and Budget” and inserting
21 “Secretary of Defense”;

22 (ii) by striking “appropriate commit-
23 tees of Congress” and inserting “congres-
24 sional defense committees (as defined in

1 section 101(a) of title 10, United States
2 Code)”;

3 (iii) in subparagraph (A)—

4 (I) by striking “an executive
5 agency exercised the authority to ter-
6minate, void, or restrict a contract,
7 grant, and cooperative agreement pur-
8suant to subsection (c), based on a
9 notification under subsection (b)” and
10 inserting “a head of contracting activ-
11ity took a covered procurement ac-
12tion”;

13 (II) in clause (i), by striking “ex-
14ecutive agency” and inserting “head
15of contracting activity”;

16 (III) in clause (ii), by striking
17 “the action taken” and inserting
18 “taking the covered procurement ac-
19tion”;

20 (IV) in clause (iii), by striking
21 “voided or terminated” and inserting
22 “subject to the covered procurement
23 action”; and

24 (V) in clause (iv)—

1 (aa) by striking “of the ex-
2 ecutive agency in force” and in-
3 sserting “the Department of De-
4 fense has”; and

5 (bb) by striking “at the time
6 the contract, grant, or coopera-
7 tive agreement was terminated or
8 voided” and inserting “at the
9 time of taking the covered pro-
10 curement action”; and

11 (iv) in subparagraph (B)—

12 (I) by striking “an executive
13 agency did not exercise the authority
14 to terminate, void, or restrict a con-
15 tract, grant, and cooperative agree-
16 ment pursuant to subsection (c),
17 based on a notification” and inserting
18 “a head of contracting activity did not
19 take a covered procurement action fol-
20 lowing an identification from a com-
21 batant commander”;

22 (II) in clause (i), by striking “ex-
23 ecutive agency” and inserting “head
24 of contracting activity”; and

1 (III) in clause (ii), by inserting
2 “covered procurement” before “ac-
3 tion”; and

4 (B) in paragraph (2), by striking “Direc-
5 tor” and inserting “Secretary of Defense”;

6 (11) by striking subsections (j) and (m) and re-
7 designating subsections (k), (l), and (n) as sub-
8 sections (j), (k), and (l), respectively;

9 (12) in subsection (k), as redesignated by para-
10 graph (11), by striking “Except as provided in sub-
11 section (m), the” and inserting “The”; and

12 (13) in subsection (l), as so redesignated, by
13 striking “December 31, 2025” and inserting “De-
14 cember 31, 2033”.

15 (b) ACCESS TO RECORDS.—Section 842 of the Carl
16 Levin and Howard P. “Buck” McKeon National Defense
17 Authorization Act for Fiscal Year 2015 is amended by
18 striking subsections (a) through (c) and inserting the fol-
19 lowing:

20 “(a) ADDITIONAL ACCESS TO RECORDS.—The Sec-
21 retary of Defense may examine any records of persons or
22 entities that have existing contracts with, or are active re-
23 cipients of a grant or cooperative agreement from, the De-
24 partment of Defense, including any subcontractors or sub-

1 grantees, to the extent necessary to support the program
2 established under section 841 of this Act.

3 “(b) LIMITATION.—The examination authorized
4 under subsection (a) may only take place after a written
5 determination is made by the contracting officer, based
6 on a finding from the combatant commander, stating that
7 this examination will support the program established
8 under such section 841 and that less intrusive measures
9 are not reasonably available to manage the risk.”.

10 (c) DEFINITIONS.—Section 843 of the Carl Levin
11 and Howard P. “Buck” McKeon National Defense Au-
12 thorization Act for Fiscal Year 2015 is amended—

13 (1) by striking paragraphs (1), (2), (3), (7),
14 and (9) and redesignating paragraphs (5), (6), and
15 (8) as paragraphs (2), (3), and (7);

16 (2) before paragraph (2), as so redesignated, by
17 inserting the following new paragraph:

18 “(1) COVERED ACTIVITIES.—The term ‘covered
19 activities’ means activities where a covered person or
20 entity is—

21 “(A) engaging in acts of violence against
22 personnel of the United States or its partners
23 and allies;

1 “(B) providing financing, logistics, train-
2 ing, or intelligence to a person described in sub-
3 paragraph (A);

4 “(C) engaging in foreign intelligence activi-
5 ties against the United States or its partners
6 and allies;

7 “(D) engaging in transnational organized
8 crime or criminal activities; or

9 “(E) engaging in other activities that
10 present a direct or indirect risk to United
11 States or partner and allied missions and
12 forces.”;

13 (3) in paragraph (2), as so redesignated, by
14 striking “with an estimated value in excess of
15 \$50,000 that is performed outside the United
16 States, including its possessions and territories, in
17 support” and all that follows through the period at
18 the end and inserting “that is performed outside the
19 United States, including its possessions and terri-
20 tories.”;

21 (4) by amending paragraph (3), as so redesign-
22 ated, to read as follows:

23 “(3) COVERED PERSON OR ENTITY.—The term
24 ‘covered person or entity’ means any person, cor-
25 poration, company, limited liability company, limited

1 partnership, business trust, business association, or
2 other similar entity outside of the United States or
3 any foreign reporting company in accordance with
4 section 5336(a)(11)(A)(ii) of title 31, United States
5 Code, that is responding to a covered solicitation or
6 performing work on a covered contract, grant, or co-
7 operative agreement.”; and

8 (5) by inserting after paragraph (4) the fol-
9 lowing new paragraphs:

10 “(5) COVERED PROCUREMENT ACTION.—The
11 term ‘covered procurement action’ means an action
12 taken by a head of contracting activity to—

13 “(A) exclude a person or commercial entity
14 from an award with or without an existing con-
15 tract, grant, or cooperative agreement;

16 “(B) terminate a contract, grant, or coop-
17 erative agreement for default; or

18 “(C) void, in whole or in part, a contract,
19 grant, or cooperative agreement.

20 “(6) COVERED SOLICITATION.—The term ‘cov-
21 ered solicitation’ means any solicitation by the De-
22 partment of Defense for work for which the place of
23 performance is outside of the United States.”.

24 (d) EFFECTIVE DATE.—The amendments made by
25 this section shall take effect 180 days after the date of

1 the enactment of this Act, and shall apply to covered so-
2 licitations issued and covered contracts, grants, or cooper-
3 ative agreements (as that term is defined in section 843
4 of the Carl Levin and Howard P. “Buck” McKeon Na-
5 tional Defense Authorization Act for Fiscal Year 2015,
6 as amended by subsection (c)), awarded on or after such
7 date, and to task and delivery orders that have been issued
8 on or after such date pursuant to covered contracts,
9 grants, or cooperative agreements that are awarded be-
10 fore, on, or after such date.

11 **SEC. 824. MODIFICATION AND EXTENSION OF TEMPORARY**
12 **AUTHORITY TO MODIFY CERTAIN CON-**
13 **TRACTS AND OPTIONS BASED ON THE IM-**
14 **PACTS OF INFLATION.**

15 The first section of Public Law 85–804 (50 U.S.C.
16 1431) is amended—

17 (1) in subsection (b), by adding at the end the
18 following new sentence: “If any such amounts are so
19 specifically provided, the Secretary may use them for
20 such purposes.”; and

21 (2) in subsection (e), by striking “December 31,
22 2023” and inserting “December 31, 2024”.

1 **SEC. 825. COUNTERING ADVERSARY LOGISTICS INFORMA-**
2 **TION TECHNOLOGIES.**

3 (a) COUNTERING THE SPREAD OF COVERED LOGIS-
4 TICS PLATFORMS.—

5 (1) CONTRACTING PROHIBITION.—

6 (A) IN GENERAL.—The Secretary of De-
7 fense may not enter into a contract with an en-
8 tity that provides data to covered logistics plat-
9 forms.

10 (B) APPLICABILITY.—This paragraph shall
11 apply with respect to any contract entered into
12 on or after the date that is 180 days after the
13 date of the enactment of this subsection.

14 (2) WAIVER.—The Secretary of Defense may
15 waive the provisions of this subsection for a specific
16 contract if the Secretary—

17 (A) makes a determination that such waiv-
18 er is vital to the national security of the United
19 States; and

20 (B) submits to Congress a report justifying
21 the use of such waiver and the importance of
22 such waiver to the national security of the
23 United States.

24 (3) REPORT.—Not later than one year after the
25 date of the enactment of this subsection, and annu-
26 ally for three subsequent years, the Secretary of De-

1 fense shall submit to Congress a report on the im-
2 plementation of this subsection.

3 (b) POLICY WITH RESPECT TO PORTS ACCEPTING
4 FEDERAL GRANT MONEY.—

5 (1) IN GENERAL.—Chapter 503 of title 46,
6 United States Code, is amended by adding at the
7 end the following:

8 **“§ 50309. Securing logistics information data of the**
9 **United States**

10 “(a) IN GENERAL.—

11 “(1) PROHIBITION.—A covered entity shall not
12 use a covered logistics platform.

13 “(2) ELIGIBILITY.—A covered entity that is
14 found to use a covered logistics platform shall not be
15 eligible to receive any Federal grant funding as long
16 as the covered entity uses a covered logistics plat-
17 form.

18 “(b) GUIDANCE.—The Secretary of Transportation
19 shall—

20 “(1) notify covered entities of the prohibition in
21 subsection (a) as soon as practicable, including no-
22 tice of funding opportunities for grant programs;
23 and

24 “(2) publish on a website of the Department of
25 Transportation, and update regularly, a list of cov-

1 ered logistics platforms subject to the prohibition in
2 subsection (a).

3 “(c) CONSULTATION.—In carrying out this section,
4 the Secretary shall consult with—

5 “(1) the Secretary of Defense;

6 “(2) the Secretary of the Department in which
7 the Coast Guard is operating;

8 “(3) the Secretary of State; and

9 “(4) the Secretary of Commerce.

10 “(d) WAIVER.—The Secretary of Transportation, in
11 consultation with the Secretary of Defense, may waive the
12 provisions of this section for a specific contract if the Sec-
13 retary of Transportation—

14 “(1) makes a determination that such waiver is
15 vital to the national security of the United States;
16 and

17 “(2) submits to Congress a report justifying the
18 use of such waiver and the importance of such waiv-
19 er to the national security of the United States.

20 “(e) DEFINITIONS.—In this section:

21 “(1) COVERED LOGISTICS PLATFORM.—The
22 term ‘covered logistics platform’ means a data ex-
23 change platform that utilizes or provides, in part or
24 whole—

1 “(A) the national transportation logistics
2 public information platform (commonly referred
3 to as ‘LOGINK’) provided by the People’s Re-
4 public of China, or departments, ministries,
5 centers, agencies, or instrumentalities of the
6 Government of the People’s Republic of China;

7 “(B) any national transportation logistics
8 information platform provided by or sponsored
9 by the People’s Republic of China, or a con-
10 trolled commercial entity; or

11 “(C) a similar system provided by Chinese
12 state-affiliated entities.

13 “(2) COVERED ENTITY.—The term ‘covered en-
14 tity’ means—

15 “(A) a port authority that receives funding
16 after the date of the enactment of this section
17 under—

18 “(i) the port infrastructure develop-
19 ment program under section 54301;

20 “(ii) the maritime transportation sys-
21 tem emergency relief program under sec-
22 tion 50308; or

23 “(iii) any Federal grant funding pro-
24 gram;

1 “(B) any marine terminal operator located
2 on property owned by a port authority as de-
3 scribed in subparagraph (A) or at a seaport de-
4 scribed in subparagraph (D);

5 “(C) any agency or instrumentality of the
6 United States Government or that of a State;
7 or

8 “(D) a commercial strategic seaport within
9 the National Port Readiness Network.”.

10 (2) CLERICAL AMENDMENT.—The analysis for
11 chapter 503 of title 46, United States Code, is
12 amended by adding at the end the following new
13 item:

“50309. Securing logistics information data of the United States.”.

14 (3) APPLICABILITY.—Section 50309 of title 46,
15 United States Code, as added by paragraph (1),
16 shall apply with respect to any contract entered into
17 on or after the date that is 180 days after the date
18 of the enactment of this subsection.

19 (4) REPORTING.—Not later than one year after
20 the date of the enactment of this subsection, and an-
21 nually for three subsequent years, the Secretary of
22 Transportation shall submit to Congress a report on
23 the implementation of section 50309 of title 46,
24 United States Code, as added by paragraph (1).

25 (c) NEGOTIATIONS WITH ALLIES AND PARTNERS.—

1 (1) NEGOTIATIONS REQUIRED.—The Secretary
2 of State shall seek to enter into negotiations with
3 United States ally and partner countries, including
4 those described in paragraph (3), if the President
5 determines that ports or other entities operating
6 within the jurisdiction of such ally or partner coun-
7 tries are using or are considering using a covered lo-
8 gistics platform.

9 (2) ELEMENTS.—As part of the negotiations
10 described in paragraph (1), the President shall—

11 (A) urge governments of such ally and
12 partner countries to require entities within the
13 jurisdiction of such governments to terminate
14 the use of a covered logistics platform;

15 (B) describe the threats posed by a covered
16 logistics platform to United States military and
17 strategic interests and the implications such
18 threats may have for the presence of members
19 of the Armed Forces of the United States in
20 such countries;

21 (C) urge governments to use their voice,
22 influence, and vote to align with the United
23 States and to counter attempts by foreign ad-
24 versaries at international standards-setting bod-

1 ies to adopt standards that incorporate a cov-
2 ered logistics platform; and

3 (D) attempt to establish, through multilat-
4 eral entities, bilateral or multilateral negotia-
5 tions, military cooperation, and other relevant
6 engagements or agreements, a prohibition on
7 the use of a covered logistics platform.

8 (3) ALLIES AND PARTNERS DESCRIBED.—The
9 countries and entities with which the President shall
10 conduct negotiations described in this subsection
11 shall include—

12 (A) all countries party to a collective de-
13 fense treaty or other collective defense arrange-
14 ment with the United States;

15 (B) India; and

16 (C) Taiwan.

17 (4) REPORT.—Not later than one year after the
18 date of the enactment of this subsection, the Sec-
19 retary of State shall submit a report to the appro-
20 priate congressional committees describing—

21 (A) the efforts made by the United States
22 Government as of the date of the submission of
23 the report in the negotiations described in this
24 subsection; and

1 (B) the actions taken by the governments
2 of ally and partner countries pursuant to the
3 negotiation priorities described in this sub-
4 section.

5 (d) DEFINITIONS.—In this section:

6 (1) APPROPRIATE CONGRESSIONAL COMMIT-
7 TEES.—The term “appropriate congressional com-
8 mittees” means—

9 (A) the Committees on Armed Services,
10 Foreign Affairs, and Transportation and Infra-
11 structure of the House of Representatives; and

12 (B) the Committees on Armed Services,
13 Foreign Relations, and Commerce, Science, and
14 Transportation of the Senate.

15 (2) COVERED LOGISTICS PLATFORM.—The term
16 “covered logistics platform” has the meaning given
17 in section 50309 of title 46, United States Code, as
18 added by this section.

19 (3) FOREIGN ADVERSARY.—The term “foreign
20 adversary” means—

21 (A) the People’s Republic of China, includ-
22 ing the Hong Kong and Macau Special Admin-
23 istrative Regions;

24 (B) the Republic of Cuba;

25 (C) the Islamic Republic of Iran;

1 (D) the Democratic People’s Republic of
2 Korea;

3 (E) the Russian Federation; and

4 (F) the Bolivarian Republic of Venezuela
5 under the regime of Nicolás Maduro Moros.

6 **SEC. 826. MODIFICATION OF CONTRACTS AND OPTIONS TO**
7 **PROVIDE ECONOMIC PRICE ADJUSTMENTS.**

8 (a) **AUTHORITY.**—Amounts authorized to be appro-
9 priated by this Act for the Department of Defense may
10 be used to modify the terms and conditions of a contract
11 or option to provide an economic price adjustment con-
12 sistent with sections 16.203–1 and 16.203–2 of the Fed-
13 eral Acquisition Regulation during the relevant period of
14 performance for that contract or option and as specified
15 in section 16.203–3 of the Federal Acquisition Regulation,
16 to the extent and in such amounts as specifically provided
17 in advance in appropriations Acts for the purposes of this
18 section.

19 (b) **GUIDANCE.**—Not later than 30 days after the
20 date of the enactment of this Act, the Under Secretary
21 of Defense for Acquisition and Sustainment shall issue
22 guidance implementing the authority under this section.

1 **SEC. 827. MODIFICATIONS TO EARNED VALUE MANAGE-**
2 **MENT SYSTEM REQUIREMENTS.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Department of De-
5 fense Supplement to the Federal Acquisition Regulation
6 shall be revised to—

7 (1) exempt all software contracts and sub-
8 contracts of the Department of Defense from earned
9 value management system requirements;

10 (2) impose earned value management system
11 requirements for cost contracts or incentive con-
12 tracts with a value greater than or equal to
13 \$20,000,000 and less than \$50,000,000; and

14 (3) require a defense contractor to use an
15 earned value management system for contracts
16 awarded with a value greater than or equal to
17 \$50,000,000 and less than \$100,000,000.

18 (b) IMPLEMENTATION.—If the Department of De-
19 fense Supplement to the Federal Acquisition Regulation
20 is not revised as described in subsection (a) before the
21 deadline specified in such subsection, the Under Secretary
22 of Defense for Acquisition and Sustainment shall provide
23 to the Committees on Armed Services of the Senate and
24 the House of Representatives a briefing on the timeline
25 for such revisions.

1 **Subtitle C—Domestic Sourcing**
2 **Requirements**

3 **SEC. 831. EMERGENCY ACQUISITION AUTHORITY FOR PUR-**
4 **POSES OF REPLENISHING UNITED STATES**
5 **STOCKPILES.**

6 Section 3601(a)(1) of title 10, United States Code,
7 is amended—

8 (1) in subparagraph (A)(iv), by striking “or” at
9 the end;

10 (2) in subparagraph (B), by striking the period
11 at the end and inserting “; or”; and

12 (3) by adding at the end the following new sub-
13 paragraph:

14 “(C) with respect to an armed attack by a
15 country of concern (as defined in section 1(m)
16 of the State Department Basic Authorities Act
17 of 1956 (22 U.S.C. 2651a(m)), to which the
18 United States is not a party, for purposes of—

19 “(i) replenishing United States stock-
20 piles of defense articles when such stock-
21 piles are diminished as a result of the
22 United States providing defense articles in
23 response to such armed attack by a coun-
24 try of concern against—

1 “(I) a United States ally (as that
2 term is defined in section 201(d) of
3 the Act of December 2, 1942, titled
4 ‘To provide benefits for the injury,
5 disability, death, or enemy detention
6 of employees of contractors with the
7 United States, and for other purposes’
8 (56 Stat. 1028, chapter 668; 42
9 U.S.C. 1711(d)); or

10 “(II) a United States partner; or
11 “(ii) contracting for the movement or
12 delivery of defense articles transferred to
13 such ally or partner through the Presi-
14 dent’s drawdown authorities under sections
15 506(a)(1) and 614 of the Foreign Assist-
16 ance Act of 1961 (22 U.S.C. 2318(a)(1)
17 and 2364) in connection with such re-
18 sponse.”.

19 **SEC. 832. REQUIREMENT FOR FULL DOMESTIC PRODUC-**
20 **TION OF FLAGS OF THE UNITED STATES AC-**
21 **QUIRED BY THE DEPARTMENT OF DEFENSE.**

22 (a) IN GENERAL.—Section 4862 of title 10, United
23 States Code, is amended—

24 (1) in subsection (b), by adding at the end the
25 following new paragraph:

1 “(5) A flag of the United States.”; and

2 (2) in subsection (h)—

3 (A) in paragraph (1), by striking “Sub-
4 section (a)” and inserting “Except with respect
5 to purchases of flags of the United States, sub-
6 section (a)”;

7 (B) by redesignating paragraph (2) as
8 paragraph (3); and

9 (C) by inserting after paragraph (1) the
10 following new paragraph:

11 “(2)(A)(i) Except as provided by subparagraph
12 (B), subsection (a) does not apply to purchases of
13 flags of the United States for amounts not greater
14 than \$10,000.

15 “(ii) A proposed procurement in an
16 amount greater than \$10,000 may not be di-
17 vided into several purchases or contracts for
18 lesser amounts in order to qualify for the excep-
19 tion under clause (i).

20 “(B) The Secretary of Defense may waive sub-
21 section (a) with respect to a purchase of flags of the
22 United States in an amount greater than \$10,000 if
23 the Secretary of Defense determines such waiver ap-
24 propriate.

1 “(C) in another country covered under
2 subparagraph (1)(B).”;

3 (2) by redesignating subsections (l) and (m) as
4 subsections (m) and (n), respectively; and

5 (3) by inserting after subsection (k) the fol-
6 lowing new subsection:

7 “(1) PROVENANCE OF AEROSPACE-GRADE METALS.—

8 (1) The Secretary of Defense shall require that, for any
9 system or component for which the provenance of mate-
10 rials must be tracked to comply with safety regulations
11 concerning flight, the supplier of such system or compo-
12 nent shall inform the government if any of the materials
13 were known to be manufactured or processed in—

14 “(A) China;

15 “(B) Iran;

16 “(C) North Korea; or

17 “(D) Russia.

18 “(2) Not later than March 31 of each year, the Sec-
19 retary of Defense shall submit to the congressional defense
20 committees a report indicating how much specialty metal
21 has been acquired and placed into systems of the Depart-
22 ment of Defense from the countries described in para-
23 graph (1).”.

1 (b) EFFECTIVE DATE.—Subsection (a) shall take ef-
2 fect on the date that is 24 months after the date of the
3 enactment of this Act.

4 **SEC. 834. ACQUISITION OF SENSITIVE MATERIAL PROHIBI-**
5 **TION EXCEPTION AMENDMENT.**

6 Section 4872(c) of title 10, United States Code, is
7 amended—

8 (1) in the matter preceding paragraph (1), by
9 striking “Subsection (a)” and inserting “Subsection
10 (a)(1)”; and

11 (2) in paragraph (1)—

12 (A) by striking “Defense determines that
13 covered materials” and inserting the following:
14 “Defense—

15 “(A) identifies a specific end item for
16 which a specific covered material”;

17 (B) by striking the period at the end and
18 inserting “; and” ; and

19 (C) by adding at the end the following new
20 subparagraph:

21 “(B) waives subsection (a)(1) for such spe-
22 cific end item and such specific covered mate-
23 rial for a period not exceeding 36 months.”.

1 **SEC. 835. ENHANCED DOMESTIC CONTENT REQUIREMENT**
2 **FOR MAJOR DEFENSE ACQUISITION PRO-**
3 **GRAMS.**

4 (a) ASSESSMENT REQUIRED.—

5 (1) IN GENERAL.—Not later than one year
6 after the date of the enactment of this Act, the Sec-
7 retary of Defense shall submit to the congressional
8 defense committees a report assessing the domestic
9 source content of procurements carried out in con-
10 nection with a major defense acquisition program.

11 (2) INFORMATION REPOSITORY.—The Secretary
12 of Defense shall establish an information repository
13 for the collection and analysis of information related
14 to domestic source content for products the Sec-
15 retary deems critical, where such information can be
16 used for continuous data analysis and program man-
17 agement activities.

18 (b) ENHANCED DOMESTIC CONTENT REQUIRE-
19 MENT.—

20 (1) IN GENERAL.—Except as provided in para-
21 graph (2), for purposes of chapter 83 of title 41,
22 United States Code, manufactured articles, mate-
23 rials, or supplies procured in connection with a
24 major defense acquisition program are manufactured
25 substantially all from articles, materials, or supplies
26 mined, produced, or manufactured in the United

1 States if the cost of such component articles, mate-
2 rials, or supplies—

3 (A) supplied not later than the date of the
4 enactment of this Act, exceeds 60 percent of
5 cost of the manufactured articles, materials, or
6 supplies procured;

7 (B) supplied during the period beginning
8 January 1, 2024, and ending December 31,
9 2028, exceeds 65 percent of the cost of the
10 manufactured articles, materials, or supplies;
11 and

12 (C) supplied on or after January 1, 2029,
13 exceeds 75 percent of the cost of the manufac-
14 tured articles, materials, or supplies.

15 (2) EXCLUSION FOR CERTAIN MANUFACTURED
16 ARTICLES.—Paragraph (1) shall not apply to manu-
17 factured articles that consist wholly or predomi-
18 nantly of iron, steel, or a combination of iron and
19 steel.

20 (3) RULEMAKING TO CREATE A FALLBACK
21 THRESHOLD.—

22 (A) IN GENERAL.—Not later than 180
23 days after the date of the enactment of this
24 Act, the Secretary of Defense shall issue rules
25 to determine the treatment of the lowest price

1 offered for a foreign end product for which 55
2 percent or more of the component articles, ma-
3 terials, or supplies of such foreign end product
4 are manufactured substantially all from articles,
5 materials, or supplies mined, produced, or man-
6 ufactured in the United States if—

7 (i) the application of paragraph (1)
8 results in an unreasonable cost; or

9 (ii) no offers are submitted to supply
10 manufactured articles, materials, or sup-
11 plies manufactured substantially all from
12 articles, materials, or supplies mined, pro-
13 duced, or manufactured in the United
14 States.

15 (B) **TERMINATION.**—Rules issued under
16 this paragraph shall cease to have force or ef-
17 fect on January 1, 2031.

18 (4) **APPLICABILITY.**—The requirements of this
19 subsection—

20 (A) shall apply to contracts entered into on
21 or after the date of the enactment of this Act;

22 (B) shall not apply to articles manufac-
23 tured in countries that have executed a recip-
24 rocal defense procurement memorandum of un-
25 derstanding with the United States entered into

1 pursuant to section 4851 of title 10, United
2 States Code; and

3 (C) shall not apply to a country that is a
4 member of the national technology and indus-
5 trial base (as defined by section 4801 of title
6 10, United States Code).

7 (c) MAJOR DEFENSE ACQUISITION PROGRAM DE-
8 FINED.—The term “major defense acquisition program”
9 has the meaning given in section 4201 of title 10, United
10 States Code.

11 **Subtitle D—Provisions Relating to**
12 **Programs for Accelerating Ac-**
13 **quisition**

14 **SEC. 841. PILOT PROGRAM TO ACCELERATE CONTRACTING**
15 **AND PRICING PROCESSES.**

16 Section 890 of the John S. McCain National Defense
17 Authorization Act for Fiscal Year 2019 (Public Law 115–
18 232) is amended—

19 (1) by redesignating subsections (b) and (c) as
20 subsections (c) and (d), respectively;

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

23 “(b) IMPLEMENTATION GUIDANCE.—The Secretary,
24 acting through the Under Secretary of Defense for Acqui-
25 sition and Sustainment, shall ensure that each senior con-

1 tracting official (as defined in section 1737 of title 10,
2 United States Code) for a contract described in subsection
3 (a) has the discretion to implement the pilot program
4 under this section efficiently and effectively by ensuring
5 the following:

6 “(1) That the pilot program does not include
7 any preferences for contract type or specific contract
8 requirements.

9 “(2) That each Secretary of a military depart-
10 ment has minimal reporting requirements to the
11 Under Secretary of Defense for Acquisition and
12 Sustainment with respect to the pilot program.”;
13 and

14 (3) in subsection (d), as so redesignated, by
15 striking “January 2, 2024” and inserting “January
16 2, 2028”.

17 **SEC. 842. DEMONSTRATION AND PROTOTYPING PROGRAM**
18 **TO ADVANCE INTERNATIONAL PRODUCT SUP-**
19 **PORT CAPABILITIES IN A CONTESTED LOGIS-**
20 **TICS ENVIRONMENT.**

21 (a) **CONTESTED LOGISTICS DEMONSTRATION AND**
22 **PROTOTYPING PROGRAM REQUIRED.**—The Secretary of
23 Defense shall establish a contested logistics demonstration
24 and prototyping program to identify, develop, dem-
25 onstrate, and field capabilities for product support in

1 order to reduce or mitigate the risks associated with oper-
2 ations in a contested logistics environment.

3 (b) ELEMENTS.—In carrying out the Program, the
4 Secretary shall do the following:

5 (1) Identify ways to capitalize on the inherent
6 interoperability, commonality, and interchangeability
7 of platforms and information systems operated by
8 the United States and one or more covered nations,
9 including to enable effective maintenance and repair
10 activities in a contested logistics environment.

11 (2) Determine, develop, or establish best prac-
12 tices to reduce time needed to return repaired equip-
13 ment to service, including the use of—

14 (A) commercial best practices for rapid
15 supply support; and

16 (B) common or shared parts pools.

17 (3) Explore opportunities to expand the ability
18 to preposition or store materials needed to enable
19 rapid surge capability or to support operations in a
20 contested logistics environment.

21 (4) Identify, develop, demonstrate, and field ef-
22 fective and efficient means of conducting repairs of
23 equipment away from permanent repair facilities.

24 (5) Explore flexible approaches to contracting
25 and use of partnership agreements to enable use or

1 development of the capabilities of covered product
2 support providers to effectively, efficiently, and time-
3 ly satisfy the product support requirements of a
4 combat commander and any applicable covered na-
5 tion in a contested logistics environment.

6 (6) Identify the resources, including any addi-
7 tional authorizations, required by the Secretary of
8 Defense to reduce or mitigate the risks associated
9 with operations in a contested logistics environment.

10 (7) Identify and document impediments to the
11 performance of product support by covered product
12 support providers in a contested logistics environ-
13 ment, including impediments created by statute, reg-
14 ulation, policy, agency guidance, or limitations on
15 expenditure, transfer, or receipt of funds for product
16 support in contested logistics environments.

17 (8) Identify and document any statutory or reg-
18 ulatory waivers or exemptions that may be applica-
19 ble or necessary to enable the United States and
20 covered nations to jointly carry out product support
21 activities in contested logistics environments located
22 outside of the United States, including, for each
23 such waiver and exemption—

24 (A) the person responsible for requesting
25 such waiver or exemption;

1 (B) the criteria for approval of such waiver
2 or exemption; and

3 (C) the person responsible for approving
4 such waiver or exemption.

5 (c) ADVANCE PLANNING AND PREPARATION.—The
6 Secretary may establish a product support arrangement,
7 including an agreement for repositioning or storage of
8 materials, with a covered product support provider to en-
9 able a rapid response in a contingency operation (as de-
10 fined in section 101(a) of title 10, United States Code)
11 to the product support requirements of such contingency
12 operation.

13 (d) AUTHORITIES.—In carrying out the Program, the
14 Secretary may, in accordance with section 3 of the Arms
15 Export Control Act (22 U.S.C. 2753), use the authorities
16 under sections 2342, 2474, 3601, 4021, and 4022 of title
17 10, United States Code.

18 (e) REPORT.—Not later than 24 months after the
19 date of the enactment of this Act, the Secretary shall sub-
20 mit to Congress a report summarizing Program activities,
21 including—

22 (1) any recommendations to reduce impedi-
23 ments to meeting the requirements of a combatant
24 command or covered nation for product support in
25 a contested logistics environment;

1 (2) a summary of impediments identified under
2 subsection (b)(7) and specific recommendations for
3 necessary changes to statutory, regulatory, policy,
4 agency guidance, or current limitations on expendi-
5 ture, transfer, or receipt of funds to carry out the
6 product support activities under this pilot indefi-
7 nitely;

8 (3) a summary of waivers or exemptions identi-
9 fied under subsection (b)(8), along with any rec-
10 ommendations for changes to the processes for ob-
11 taining such waivers or exemptions; and

12 (4) recommendations for improving the Pro-
13 gram, including whether to extend or make the Pro-
14 gram permanent.

15 (f) DEVELOPMENT AND PROMULGATION OF DEPART-
16 MENT OF DEFENSE GUIDANCE.—Not later than 180 days
17 after the date of the enactment of this Act, the Secretary
18 shall issue guidance implementing the Program.

19 (g) SUNSET.—The authority under this section shall
20 terminate on the date that is three years after the date
21 of the enactment of this Act.

22 (h) DEFINITIONS.—In this section:

23 (1) CONTESTED LOGISTICS ENVIRONMENT.—
24 The term “contested logistics environment” has the

1 meaning given such term in section 2926 of title 10,
2 United States Code.

3 (2) COVERED NATIONS.—The term “covered
4 nation” means—

5 (A) Australia;

6 (B) Canada;

7 (C) New Zealand;

8 (D) the United Kingdom of Great Britain
9 and Northern Ireland; or

10 (E) other nations as designated as a cov-
11 ered nation for the purposes of this Program by
12 the Secretary.

13 (3) COVERED PRODUCT SUPPORT PROVIDER.—
14 The term “covered product support provider”
15 means—

16 (A) a product support provider that in-
17 cludes an entity within the government of a cov-
18 ered nation;

19 (B) a private sector product support pro-
20 vider; or

21 (C) a product support integrator domiciled
22 in the United States or a covered nation.

23 (4) PRODUCT SUPPORT; PRODUCT SUPPORT IN-
24 TEGRATOR; PRODUCT SUPPORT PROVIDER.—The
25 terms “product support”, “product support inte-

1 grator”, and “product support provider” have the
2 meanings given, respectively, in section 4324 of title
3 10, United States Code.

4 (5) PRODUCT SUPPORT ARRANGEMENT.—

5 (A) IN GENERAL.—The term “product
6 support arrangement” means a contract, task
7 order, or any other type of agreement or ar-
8 rangement, between the United States and a
9 covered product support provider, for the per-
10 formance of the functions described in subpara-
11 graph (B) with respect to—

12 (i) a platform or information system
13 operated by the United States and the cov-
14 ered nation of such covered product sup-
15 port provider; or

16 (ii) a subsystem or components of
17 such a platform or information system.

18 (B) FUNCTIONS DESCRIBED.—The func-
19 tions described in this subparagraph, with re-
20 spect to a platform, information system, sub-
21 system, or component described in subpara-
22 graph (A), are the following:

23 (i) Performance-based logistics.

24 (ii) Sustainment support.

25 (iii) Contractor logistics support.

1 (iv) Life-cycle product support.

2 (v) Weapon system product support.

3 (6) PROGRAM.—The term “Program” means
4 the demonstration and prototyping program estab-
5 lished under subsection (a).

6 (7) SECRETARY.—The term “Secretary” means
7 the Secretary of Defense.

8 **SEC. 843. SPECIAL AUTHORITY FOR RAPID CONTRACTING**
9 **FOR COMMANDERS OF COMBATANT COM-**
10 **MANDS.**

11 (a) IN GENERAL.—The commander of a combatant
12 command, upon providing a written determination to a
13 senior contracting official (as defined in section 1737 of
14 title 10, United States Code), may request use of the spe-
15 cial authorities described in subsection (b)—

16 (1) in support of a contingency operation (as
17 defined in section 101(a) of title 10, United States
18 Code);

19 (2) to facilitate the defense against or recovery
20 from a cyber attack, nuclear attack, biological at-
21 tack, chemical attack, or radiological attack against
22 the United States;

23 (3) in support of a humanitarian or peace-
24 keeping operation (as the term is defined in section
25 3015(2) of title 10, United States Code); and

1 (4) for purposes of protecting the national secu-
2 rity interests of the United States during directed
3 operations that are below the threshold of traditional
4 armed conflict.

5 (b) SPECIAL AUTHORITIES DESCRIBED.—The special
6 authorities for contracting that may be used by the senior
7 contracting official to rapidly respond to time-sensitive or
8 unplanned emergency situations are as follows:

9 (1) Procedures applicable to purchases below
10 micro-purchase threshold (described in section 1902
11 of title 41, United States Code), with respect to a
12 single contracting action taken under subsection (a)
13 for a contract to be awarded and performed, or pur-
14 chase to be made—

15 (A) in the United States, with a value less
16 than \$15,000; or

17 (B) outside the United States, with a value
18 less than \$25,000.

19 (2) Simplified acquisition procedures (described
20 in section 1901 of title 41, United States Code),
21 with respect to a single contracting action taken
22 under subsection (a) for a contract to be awarded
23 and performed, or purchase to be made—

24 (A) in the United States, with a value less
25 than \$750,000; or

1 (B) outside the United States, with a value
2 less than \$1,500,000.

3 (3) For simplified procedures for purchases
4 under section 3205 of title 10, United States Code,
5 subsection (a)(2) of such section shall be applied by
6 substituting “\$10,000,000” for “\$5,000,000”.

7 (4) The property or service being procured may
8 be treated as a commercial product or a commercial
9 service for the purpose of carrying out the procure-
10 ment.

11 (c) DETERMINATION.—A written determination re-
12 quired under subsection (a)—

13 (1) may include more than one requested ac-
14 tion;

15 (2) may be directed to more than one senior
16 contracting official; and

17 (3) shall include—

18 (A) the rationale for the request in accord-
19 ance with paragraphs (1) through (4) of such
20 subsection;

21 (B) a description of any special authority
22 requested; and

23 (C) an attestation that funds are available
24 for such special authority.

1 (d) SUNSET.—The authority under subsection (a)
2 shall terminate on September 30, 2028.

3 (e) ANNUAL REPORT.—Not later than January 15,
4 2025, and annually thereafter for four years, the Chair-
5 man of the Joint Chiefs of Staff, in coordination with the
6 Under Secretary of Defense for Acquisition and
7 Sustainment, shall submit to the congressional defense
8 committees a report on the use of the authority under this
9 section for the fiscal year preceding the date of submission
10 of the report. The report shall include a summary of each
11 instance of the authority being used, including—

12 (1) an identification of each commander sub-
13 mitting a request under subsection (a);

14 (2) an identification of each senior contracting
15 official responding to such request; and

16 (3) the specific special authority requested, in-
17 cluding an identification of the contractor that per-
18 formed the contract and the value of the contract.

19 **Subtitle E—Industrial Base Matters**

20 **SEC. 851. ADDITIONAL NATIONAL SECURITY OBJECTIVES**

21 **FOR THE NATIONAL TECHNOLOGY AND IN-** 22 **DUSTRIAL BASE.**

23 Section 4811(a)(9) of title 10, United States Code,
24 is amended—

1 (1) by inserting “services, supplies, and” before
2 “materials”; and

3 (2) by inserting before the period at the end the
4 following: “, including by reducing reliance on poten-
5 tial adversaries for such services, supplies, and ma-
6 terials to the maximum extent practicable”.

7 **SEC. 852. DEPARTMENT OF DEFENSE MENTOR-PROTEGE**
8 **PROGRAM.**

9 Section 4902(e) of title 10, United States Code, is
10 amended—

11 (1) in paragraph (1), by redesignating subpara-
12 graphs (A) through (D) as clauses (i) through (iv),
13 respectively;

14 (2) by redesignating paragraphs (1) and (2) as
15 subparagraphs (A) and (B), respectively;

16 (3) by striking “Before providing assistance”
17 and inserting “(1) Before providing assistance”; and

18 (4) by adding at the end the following new
19 paragraph:

20 “(2) An agreement under this subsection may be a
21 contract, cooperative agreement, or a partnership inter-
22 mediary agreement.”.

1 **SEC. 853. MODIFICATIONS TO THE PROCUREMENT TECH-**
2 **NICAL ASSISTANCE PROGRAM.**

3 (a) DEFINITIONS.—Section 4951 of title 10, United
4 States Code, is amended—

5 (1) in paragraph (1)(C), by striking “private,
6 nonprofit organization” and inserting “nonprofit or-
7 ganization”; and

8 (2) by adding at the end the following new
9 paragraph:

10 “(5) The term ‘business entity’ means a cor-
11 poration, association, partnership, limited liability
12 company, limited liability partnership, consortia,
13 not-for-profit, or other legal entity.”.

14 (b) COOPERATIVE AGREEMENTS.—Section 4954 of
15 title 10, United States Code, is amended—

16 (1) in subsection (b)—

17 (A) by redesignating paragraphs (1) and
18 (2) as subparagraphs (A) and (B);

19 (B) by inserting “(1)” before “Under”;
20 and

21 (C) by adding at the end the following new
22 paragraph:

23 “(2) The Secretary shall have the ability to waive or
24 modify the percentages specified in paragraph (1), on a
25 case-by-case basis, if the Secretary determines that it
26 would be in the best interest of the program.”;

1 (2) by striking subsection (c) and redesignating
2 subsections (d), (e), and (f) as subsections (c), (d),
3 and (e); and

4 (3) by inserting after subsection (e), as redesignated by paragraph (2), the following new subsection:
5
6

7 “(f) WAIVER OF GOVERNMENT COST SHARE RESTRICTION.—If the Secretary of Defense determines it to
8 be in the best interests of the Federal Government, the
9 Secretary may waive the restrictions on the percentage of
10 Secretary may waive the restrictions on the percentage of
11 eligible costs covered by the program under section (b).
12 The Secretary shall submit to the congressional defense
13 committees a written justification for such determination.”
14

15 (c) AUTHORITY TO PROVIDE CERTAIN TYPES OF
16 TECHNICAL ASSISTANCE.—Section 4958(c) of title 10,
17 United States Code, is amended—

18 (1) in paragraph (1), by striking “; and” and
19 inserting a semicolon;

20 (2) in paragraph (2), by striking the period at
21 the end and inserting a semicolon; and

22 (3) by adding at the end the following new
23 paragraphs:

24 “(3) under clause 252.204–7012 of the Defense
25 Acquisition Regulation Supplement, or any successor

1 regulation, and on compliance with those require-
2 ments (and any successor requirements); and

3 “(4) under section 847 of the National Defense
4 Authorization Act for Fiscal Year 2020 (Public Law
5 116–92; 133 Stat. 1505), and on compliance with
6 those requirements (and any such successor require-
7 ments).”.

8 **SEC. 854. MODIFICATION OF EFFECTIVE DATE FOR EXPAN-**
9 **SION ON THE PROHIBITION ON ACQUIRING**
10 **CERTAIN METAL PRODUCTS.**

11 Section 844(b) of the William M. (Mac) Thornberry
12 National Defense Authorization Act for Fiscal Year 2021
13 (Public Law 116–283; 134 Stat. 3766) is amended by
14 striking “5 years” and inserting “6 years”.

15 **SEC. 855. EXTENSION OF PILOT PROGRAM FOR DISTRIBU-**
16 **TION SUPPORT AND SERVICES FOR WEAPONS**
17 **SYSTEMS CONTRACTORS.**

18 Section 883 of the National Defense Authorization
19 Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.
20 4292 note prec.) is amended—

21 (1) in subsection (a), by striking “seven-year
22 pilot program” and inserting “eight-year pilot pro-
23 gram”; and

24 (2) in subsection (g), by striking “seven years”
25 and inserting “eight years”.

1 **SEC. 856. PILOT PROGRAM TO ANALYZE AND MONITOR**
2 **CERTAIN SUPPLY CHAINS.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of the enactment of this Act, the Under Secretary
5 of Defense for Acquisition and Sustainment shall establish
6 and carry out a pilot program to analyze, map, and mon-
7 itor supply chains for up to five covered weapons plat-
8 forms, under which the Under Secretary shall—

9 (1) identify impediments to production and op-
10 portunities to expand the production of components
11 of such a covered weapons platform;

12 (2) identify potential risks to and vulnerabilities
13 of suppliers for such covered weapons platforms and
14 ways to mitigate such risks; and

15 (3) identify critical suppliers for such covered
16 weapons platforms.

17 (b) USE OF TOOLS.—The Under Secretary may use
18 a combination of commercial tools and tools available to
19 the Department of Defense to carry out the program es-
20 tablished under this section, including artificial intel-
21 ligence and machine learning tools to improve data anal-
22 ysis capabilities for such supply chains.

23 (c) ANNUAL REPORTS.—Not later than one year
24 after the date of the enactment of this Act, and annually
25 thereafter until the date specified in subsection (d), the

1 Under Secretary shall submit to the congressional defense
2 committees a report containing—

3 (1) a list of the vulnerabilities of the supply
4 chains for each covered weapons platform selected
5 under subsection (a), categorized by severity of
6 threat or risk to deployment of such a platform;

7 (2) for each vulnerability, a description of such
8 vulnerability, whether such vulnerability has been re-
9 solved, and, if resolved, the time from identification
10 to resolution; and

11 (3) an assessment of any efficiencies achieved
12 by addressing impediments to the supply chain.

13 (d) **TERMINATION.**—The authority to carry out the
14 pilot program under this section shall terminate on Janu-
15 ary 1, 2028.

16 (e) **COVERED WEAPONS PLATFORM DEFINED.**—In
17 this section, the term “covered weapons platform” means
18 any weapons platform identified in the reports submitted
19 under section 1251(d)(1) of the William M. (Mac) Thorn-
20 berry National Defense Authorization Act for Fiscal Year
21 2021 (10 U.S.C. 113 note).

22 **SEC. 857. DEPARTMENT OF DEFENSE NOTIFICATION OF**
23 **CERTAIN TRANSACTIONS.**

24 The parties to a proposed merger or acquisition that
25 will require a review by the Department of Defense who

1 are required to file the notification and provide supple-
2 mentary information to the Department of Justice or the
3 Federal Trade Commission under section 7A of the Clay-
4 ton Act (15 U.S.C. 18a) shall concurrently provide such
5 information to the Department of Defense during the
6 waiting period under section 7A of the Clayton Act (15
7 U.S.C. 18a).

8 **Subtitle F—Small Business Matters**

9 **SEC. 860. AMENDMENTS TO DEFENSE RESEARCH AND DE-** 10 **VELOPMENT RAPID INNOVATION PROGRAM.**

11 Section 4061 of title 10, United States Code, is
12 amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1)—

15 (i) by inserting “to enable and assist
16 small businesses” after “merit-based pro-
17 gram”;

18 (ii) by striking “fielding of tech-
19 nologies” and inserting “commercialization
20 of various technologies, including critical
21 technologies”; and

22 (iii) by inserting “capabilities devel-
23 oped through competitively awarded proto-
24 type agreements” after “defense labora-
25 tories,”; and

1 (B) in paragraph (2), by inserting “sup-
2 port the integration of such products,” after
3 “evaluation outcomes,”;

4 (2) in subsection (b)—

5 (A) in paragraph (1), by inserting “pri-
6 marily major defense acquisition programs, but
7 also other” after “candidate proposals in sup-
8 port of”; and

9 (B) in paragraph (2), by striking “by each
10 military department” and inserting “by each
11 Office of Small Business Programs of each mili-
12 tary department”; and

13 (3) in subsection (d)(2), by striking
14 “\$3,000,000” and inserting “\$6,000,000”.

15 **SEC. 861. ANNUAL REPORTS REGARDING THE SBIR PRO-**
16 **GRAM OF THE DEPARTMENT OF DEFENSE.**

17 Section 279(a) of the William M. (Mac) Thornberry
18 National Defense Authorization Act for Fiscal Year 2021
19 (Public Law 116–283; 134 Stat. 3507) is amended by
20 striking “each fiscal years 2021, 2022, and 2023” and
21 replacing with “each fiscal year through fiscal year 2028”.

22 **SEC. 862. PAYMENT OF SUBCONTRACTORS.**

23 (a) IN GENERAL.—Section 8(d)(13) of the Small
24 Business Act (15 U.S.C. 637(d)(13)) is amended—

1 (1) in subparagraph (B)(i), by striking “90
2 days” and inserting “30 days”;

3 (2) in subparagraph (C)—

4 (A) by striking “contract shall” and insert-
5 ing “contract—

6 “(i) shall”;

7 (B) in clause (i), as so designated, by
8 striking the period at the end and inserting “;
9 and”; and

10 (C) by adding at the end the following:

11 “(ii) may enter or modify past per-
12 formance information of the prime con-
13 tractor in connection with the unjustified
14 failure to make a full or timely payment to
15 a subcontractor subject to this paragraph
16 before or after close-out of the covered con-
17 tract.”;

18 (3) in subparagraph (D), by striking “subpara-
19 graph (E)” and inserting “subparagraph (F)”;

20 (4) by redesignating subparagraph (E) as sub-
21 paragraph (F); and

22 (5) by inserting after subparagraph (D) the fol-
23 lowing:

24 “(E) COOPERATION.—

1 “(i) IN GENERAL.—Once a con-
2 tracting officer determines, with respect to
3 the past performance of a prime con-
4 tractor, that there was an unjustified fail-
5 ure by the prime contractor on a covered
6 contract to make a full or timely payment
7 to a subcontractor covered by subpara-
8 graph (B) or (C), the prime contractor is
9 required to cooperate with the contracting
10 officer, who shall consult with the Director
11 of Small Business Programs or the Direc-
12 tor of Small and Disadvantaged Business
13 Utilization acting pursuant to section
14 15(k)(6) and other representatives of the
15 Government, regarding correcting and
16 mitigating the unjustified failure to make a
17 full or timely payment to a subcontractor.

18 “(ii) DURATION.—The duty of co-
19 operation under this subparagraph for a
20 prime contractor described in clause (i)
21 continues until the subcontractor is made
22 whole or the determination of the con-
23 tracting officer determination is no longer
24 effective, and regardless of performance or
25 close-out status of the covered contract.”.

1 (b) REGULATIONS.—Not later than 180 days after
2 the date of the enactment of this Act, the Administrator
3 shall submit to the Federal Acquisition Regulatory Council
4 proposed revisions to regulations that the Administrator
5 determines necessary to carry out the amendments made
6 by this section.

7 **SEC. 863. INCREASE IN GOVERNMENTWIDE GOAL FOR PAR-**
8 **TICIPATION IN FEDERAL CONTRACTS BY**
9 **SMALL BUSINESS CONCERNS OWNED AND**
10 **CONTROLLED BY SERVICE-DISABLED VET-**
11 **ERANS.**

12 Section 15(g)(1)(A)(ii) of the Small Business Act (15
13 U.S.C. 644(g)(1)(A)(ii)) is amended by striking “3 per-
14 cent” and inserting “5 percent”.

15 **SEC. 864. ELIMINATING SELF-CERTIFICATION FOR SERV-**
16 **ICE-DISABLED VETERAN-OWNED SMALL BUSI-**
17 **NESSES.**

18 (a) DEFINITIONS.—In this section:

19 (1) ADMINISTRATOR.—The term “Adminis-
20 trator” means the Administrator of the Small Busi-
21 ness Administration.

22 (2) SMALL BUSINESS CONCERN; SMALL BUSI-
23 NESS CONCERNS OWNED AND CONTROLLED BY
24 SERVICE-DISABLED VETERANS.—The terms “small
25 business concern” and “small business concerns

1 owned and controlled by service-disabled veterans”
2 have the meanings given those terms in section 3 of
3 the Small Business Act (15 U.S.C. 632).

4 (b) ELIMINATING SELF-CERTIFICATION IN PRIME
5 CONTRACTING AND SUBCONTRACTING FOR SDVOSBs.—

6 (1) IN GENERAL.—Each prime contract award
7 and subcontract award that is counted for the pur-
8 pose of meeting the goals for participation by small
9 business concerns owned and controlled by service-
10 disabled veterans in procurement contracts for Fed-
11 eral agencies, as established in section 15(g)(2) of
12 the Small Business Act (15 U.S.C. 644(g)(2)), shall
13 be entered into with small business concerns cer-
14 tified by the Administrator as small business con-
15 cerns owned and controlled by service-disabled vet-
16 erans under section 36 of such Act (15 U.S.C.
17 657f).

18 (2) EFFECTIVE DATE.—Paragraph (1) shall
19 take effect on October 1 of the fiscal year beginning
20 after the Administrator promulgates the regulations
21 required under subsection (d).

22 (c) PHASED APPROACH TO ELIMINATING SELF-CER-
23 TIFICATION FOR SDVOSBs.—Notwithstanding any other
24 provision of law, any small business concern that self-cer-

1 tified as a small business concern owned and controlled
2 by service-disabled veterans may—

3 (1) if the small business concern files a certifi-
4 cation application with the Administrator before the
5 end of the 1-year period beginning on the date of the
6 enactment of this Act, maintain such self-certifi-
7 cation until the Administrator makes a determina-
8 tion with respect to such certification; and

9 (2) if the small business concern does not file
10 a certification application before the end of the 1-
11 year period beginning on the date of enactment of
12 this Act, lose, at the end of such 1-year period, any
13 self-certification of the small business concern as a
14 small business concern owned and controlled by serv-
15 ice-disabled veterans.

16 (d) RULEMAKING.—Not later than 180 days after the
17 date of the enactment of this Act, the Administrator shall
18 promulgate regulations to carry out this section.

19 **SEC. 865. CONSIDERATION OF THE PAST PERFORMANCE OF**
20 **AFFILIATE COMPANIES OF SMALL BUSINESS**
21 **CONCERNS.**

22 Not later than July 1, 2024, the Secretary of Defense
23 shall amend section 215.305 of the Defense Federal Ac-
24 quisition Supplement (or any successor regulation) to re-
25 quire that when small business concerns bid on Depart-

1 ment of Defense contracts, the past performance evalua-
2 tion and source selection processes shall consider, if rel-
3 evant, the past performance information of affiliate com-
4 panies of the small business concerns.

5 **Subtitle G—Other Matters**

6 **SEC. 871. EXTENSION OF MISSION MANAGEMENT PILOT** 7 **PROGRAM.**

8 Section 871 of the National Defense Authorization
9 Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
10 191 note) is amended—

11 (1) in subsection (b)—

12 (A) in paragraph (1)—

13 (i) by striking “IN GENERAL.—EX-
14 cept” and inserting the following: “IN
15 GENERAL.—

16 “(A) SELECTION.—Except”; and

17 (ii) by adding at the end the following
18 new subparagraph:

19 “(B) DELEGATION OF OVERSIGHT AND
20 MANAGEMENT.—The Deputy Secretary of De-
21 fense may delegate to one or more mission
22 managers the responsibility to oversee the se-
23 lected missions and provide mission manage-
24 ment.”; and

1 (B) by adding at the end the following new
2 paragraph:

3 “(4) IDENTIFICATION OF FUNDING.—For each
4 mission selected under paragraph (1), the Deputy
5 Secretary of Defense shall identify funding sources
6 in detail in defense budget materials submitted to
7 Congress pursuant to section 1105 of title 31,
8 United States Code, for the first year for which the
9 selected mission is intended to be carried out. Such
10 materials shall also include a description of each
11 such selected mission and the proposed solution to
12 achieve the goals of such mission.”;

13 (2) in subsection (c)(2)—

14 (A) in subparagraph (E), by striking “;
15 and” and inserting a semicolon;

16 (B) by redesignating subparagraph (F) as
17 subparagraph (G); and

18 (C) by inserting after subparagraph (E)
19 the following new subparagraph:

20 “(F) assist the Deputy Secretary of De-
21 fense in the identification of funding that could
22 contribute to the mission through existing au-
23 thorized methods to realign, reprogram, or
24 transfer funds; and”;

1 (3) in subsection (f)(1)(A), by striking “every
2 six months thereafter until the date that is five
3 years after the date of the enactment of this Act”
4 and inserting “annually thereafter until September
5 30, 2028”; and

6 (4) in subsection (h), by striking “terminate on
7 the date that is five years after the date of the en-
8 actment of this Act” and inserting “terminate on
9 September 30, 2028”.

10 **SEC. 872. EXTENSION OF PILOT PROGRAM TO INCENTIVIZE**

11 **CONTRACTING WITH EMPLOYEE-OWNED**
12 **BUSINESSES.**

13 Section 874 of the National Defense Authorization
14 Act for Fiscal Year 2022 (10 U.S.C. 3204 note) is amend-
15 ed—

16 (1) in subsection (b)—

17 (A) in paragraph (1), by inserting “and
18 prescribe regulations” after “establish a pilot
19 program”;

20 (B) in paragraph (2)—

21 (i) by inserting “or for” after “serv-
22 ices procured by”; and

23 (ii) by inserting “or for” after “may
24 be procured by”; and

1 (C) in paragraph (3), by striking “A quali-
2 fied” and inserting “Each contract held by a
3 qualified”;

4 (2) in subsection (c)(2), by striking “expended
5 on subcontracts, subject to such necessary and rea-
6 sonable waivers” and inserting the following: “ex-
7 pended on subcontracts, except—

8 “(A) to the extent subcontracted amounts
9 exceeding 50 percent are subcontracted to other
10 qualified businesses wholly-owned through an
11 Employee Stock Ownership Plan;

12 “(B) in the case of contracts for products,
13 to the extent subcontracted amounts exceeding
14 50 percent are for materials not available from
15 another qualified business wholly-owned
16 through an Employee Stock Ownership Plan; or

17 “(C) pursuant to such necessary and rea-
18 sonable waivers”; and

19 (3) in subsection (e), by striking “five years
20 after” and inserting “eight years after”.

21 **SEC. 873. PROGRAM AND PROCESSES RELATING TO FOR-**
22 **EIGN ACQUISITION.**

23 (a) PILOT PROGRAM FOR COMBATANT COMMAND
24 USE OF DEFENSE ACQUISITION WORKFORCE DEVELOP-
25 MENT ACCOUNT.—Each commander of a geographic com-

1 batant command may use amounts from the Defense Ac-
2 quisition Workforce Development Account established
3 under section 1705 of title 10, United States Code, to hire
4 not more than two members of the acquisition workforce
5 (as defined in section 101 of such title) or contracting offi-
6 cers to advise the combatant command on the processes
7 for foreign military sales authorized under chapter 2 of
8 the Arms Export Control Act (22 U.S.C. 2761 et seq.)
9 and the Department of Defense security cooperation proc-
10 esses under chapter 16 of title 10, United States Code,
11 for the purpose of facilitating the effective implementation
12 of such processes.

13 (b) INDUSTRY DAY.—

14 (1) IN GENERAL.—Not later than March 1,
15 2024, and not less frequently than annually there-
16 after, the Secretary of Defense shall conduct an
17 event to be known as the “industry day”—

18 (A) to raise awareness and understanding
19 among officials of foreign governments, covered
20 embassy personnel, and representatives of the
21 defense industrial base with respect to the role
22 of the Department of Defense in implementing
23 the foreign military sales process and the De-
24 partment of Defense security cooperation proc-
25 ess; and

1 (B) to raise awareness—

2 (i) within the private sector of the
3 United States with respect to—

4 (I) foreign demand for United
5 States weapon systems; and

6 (II) potential foreign industry
7 partnering opportunities; and

8 (ii) among officials of foreign govern-
9 ments and covered embassy personnel with
10 respect to potential United States materiel
11 solutions for capability needs.

12 (2) FORMAT.—In conducting each industry day
13 under paragraph (1), the Secretary of Defense, to
14 the extent practicable, shall seek to maximize par-
15 ticipation by representatives of the defense industrial
16 base and government officials while minimizing cost,
17 by—

18 (A) ensuring that information provided at
19 the industry day is unclassified;

20 (B) making the industry day publicly ac-
21 cessible through teleconference or other virtual
22 means; and

23 (C) posting any supporting materials on a
24 publicly accessible internet website.

1 (3) COVERED EMBASSY PERSONNEL.—In this
2 subsection, the term “covered embassy personnel”
3 means personnel at United States diplomatic and
4 consular posts and personnel of foreign missions lo-
5 cated in the United States.

6 (c) SENIOR-LEVEL INDUSTRY ADVISORY GROUP.—
7 Not later than 180 days after the date of the enactment
8 of this Act, the Secretary of Defense, in coordination with
9 representatives of the defense industrial base, shall estab-
10 lish or designate senior-level individuals working in the de-
11 fense industrial base to serve on an advisory group for
12 the purpose of focusing on the role of the Department of
13 Defense in the foreign military sales process and the De-
14 partment of Defense security cooperation process. Such
15 advisory group shall terminate on the date specified in
16 subsection (f).

17 (d) DEPARTMENT OF DEFENSE POINTS OF CONTACT
18 FOR FOREIGN MILITARY SALES.—

19 (1) IN GENERAL.—Not later than 90 days after
20 the date of the enactment of this Act, the Under
21 Secretary of Defense for Acquisition and
22 Sustainment and the Secretary of each military de-
23 partment shall each designate an individual to serve
24 as a single point of contact—

1 (A) to coordinate information and outreach
2 on Department of Defense implementation of
3 the foreign military sales process; and

4 (B) to respond to inquiries from represent-
5 atives of the defense industrial base and part-
6 ner countries.

7 (2) POINTS OF CONTACT.—The Under Sec-
8 retary of Defense for Acquisition and Sustainment
9 and the Secretary of each military department shall
10 each ensure that the contact information for each in-
11 dividual designated under paragraph (1) is pub-
12 licized at each industry day conducted under sub-
13 section (b) and disseminated among the members of
14 the advisory group established under subsection (c).

15 (3) TERMINATION.—The responsibilities of each
16 individual designated under paragraph (1) shall ter-
17minate on the date specified in subsection (f).

18 (e) REGIONAL THEATER NEEDS FOR
19 EXPORTABILITY.—Not later than July 1, 2024, and annu-
20 ally thereafter until the date specified in (f), the Under
21 Secretary of Defense for Acquisition and Sustainment, in
22 consultation with the commander of each geographic com-
23 batant command, the Director of Strategy, Plans, and
24 Policy on the Joint Staff, each Secretary of a military de-
25 partment, and the Secretary of State, shall provide to the

1 Secretary of Defense a list of systems relating to research
2 and development, procurement, or sustainment that would
3 benefit from investment for exportability features in sup-
4 port of the security cooperation objectives of the regional
5 theaters.

6 (f) TERMINATION.—The requirements of and the au-
7 thority under this section shall cease to have effect on De-
8 cember 31, 2028.

9 **SEC. 874. PILOT PROGRAM TO INCENTIVIZE PROGRESS**
10 **PAYMENTS.**

11 (a) PILOT PROGRAM.—The Under Secretary of De-
12 fense for Acquisition and Sustainment shall establish and
13 implement a pilot program to incentivize contractor per-
14 formance by paying covered contractors a progress pay-
15 ment rate that is up to 10 percent higher than the cus-
16 tomary progress payment rate on a contract-by-contract
17 basis.

18 (b) INCENTIVE CRITERIA.—The Under Secretary
19 shall develop and establish clear and measurable criteria
20 for the payment to contractors of higher progress pay-
21 ments as described in subsection (a), including criteria for
22 qualifying for such payments and the amount of such pay-
23 ments.

24 (c) APPLICABILITY.—The Under Secretary shall
25 apply the criteria established under subsection (b) and any

1 associated incentive on a contract-by-contract basis when
2 determining whether to pay a contractor a higher progress
3 payment under the pilot program established under sub-
4 section (a) and the amount of such payment.

5 (d) PARTICIPATION VOLUNTARY.—Participation in
6 the pilot program established under subsection (a) shall
7 be on a voluntary basis.

8 (e) NOTICE AND COMMENT.—The Under Secretary
9 shall issue the regulations implementing the pilot program
10 established under subsection (a) and establishing the cri-
11 teria required by subsection (b) after notice and an oppor-
12 tunity for public comment of not more than 30 days.

13 (f) REPORT.—Not later than September 30, 2024,
14 and annually thereafter, the Under Secretary for Acquisi-
15 tion and Sustainment shall submit to the Committees on
16 Armed Services of the Senate and House of Representa-
17 tives a report on the implementation and activities of the
18 pilot program established under subsection (a), including
19 a comprehensive list of contractors that received increased
20 progress payments under the pilot program and the con-
21 tracts with respect to which such increased progress pay-
22 ments were made.

23 (g) DEFINITIONS.—In this section:

24 (1) COVERED CONTRACTOR.—The term “cov-
25 ered contractor” means a contractor of the Depart-

1 ment of Defense that is eligible for progress pay-
2 ments under section 3804 of title 10, United States
3 Code.

4 (2) CUSTOMARY PROGRESS PAYMENT RATE.—
5 The term “customary progress payment rate” refers
6 to the rate of progress payments provided for under
7 section 3804 of title 10, United States Code, and
8 payable in accordance with the applicable provisions
9 of the Federal Acquisition Regulation and the De-
10 fense Federal Acquisition Regulation Supplement.

11 (3) UNDER SECRETARY.—The term “Under
12 Secretary” means the Under Secretary for Acquisi-
13 tion and Sustainment.

14 (h) SUNSET.—

15 (1) IN GENERAL.—Except as provided by para-
16 graph (2), the authority to carry out the pilot pro-
17 gram established under subsection (a) shall termi-
18 nate on January 1, 2029.

19 (2) EXISTING CONTRACTS.—Notwithstanding
20 paragraph (1), a contractor that the Under Sec-
21 retary determines under the pilot program estab-
22 lished under subsection (a) shall be paid a higher
23 progress payment under such pilot program with re-
24 spect to a contract in effect as of the date described

1 in paragraph (1) shall receive such higher progress
2 payments until the earlier of—

3 (A) the termination or expiration of the
4 contract; or

5 (B) the date on which the contractor be-
6 comes ineligible for progress payments or high-
7 er progress payments under such pilot program.

8 **SEC. 875. STUDY ON REDUCING BARRIERS TO ACQUISITION**
9 **OF COMMERCIAL PRODUCTS AND SERVICES.**

10 (a) IN GENERAL.—The Secretary of Defense, acting
11 through the Under Secretary of Defense for Acquisition
12 and Sustainment, shall conduct a study on the feasibility
13 and advisability of—

14 (1) establishing a default determination that
15 products and services acquired by the Department of
16 Defense are commercial and do not require commer-
17 cial determination as provided under section 3456 of
18 title 10, United States Code;

19 (2) establishing a requirement for a product or
20 service to be determined not to be a commercial
21 product or service prior to the use of procedures
22 other than procedures under part 12 of the Federal
23 Acquisition Regulation; and

24 (3) mandating the use of commercial proce-
25 dures under part 12 of the Federal Acquisition Reg-

1 ulation unless a justification for a determination
2 that a product or service is not a commercial prod-
3 uct or service is determined.

4 (b) REPORT.—Not later than 180 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 study conducted under sub-
8 section (a). The report shall include specific findings with
9 relevant data and proposed recommendations, including
10 any necessary and desirable modifications to applicable
11 statute for any changes the Department seeks to make
12 regarding paragraphs (1) through (3) of subsection (a).

13 **TITLE IX—DEPARTMENT OF DE-**
14 **FENSE ORGANIZATION AND**
15 **MANAGEMENT**

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

- Sec. 901. Conforming amendments to carry out elimination of position of Chief Management Officer.
- Sec. 902. Modification of responsibilities of Director of Cost Assessment and Program Evaluation.
- Sec. 903. Establishment of Office of Strategic Capital.
- Sec. 904. Establishment and assignment of roles and responsibilities for combined joint all-domain command and control in support of integrated joint warfighting.
- Sec. 905. Principal Deputy Assistant Secretaries to support Assistant Secretary of Defense for Special Operations and Low Intensity Conflict.

Subtitle B—Other Department of Defense Organization and Management Matters

- Sec. 911. Additional requirements under general policy for total force management.
- Sec. 912. Addition of College of International Security Affairs to National Defense University.
- Sec. 913. Codification of the Defense Innovation Unit.
- Sec. 914. Repeal of authority to appoint a Naval Research Advisory Committee.

- Sec. 915. Eligibility of members of Space Force for instruction at the Naval Postgraduate School.
- Sec. 916. Membership of the Air Force Reserve Forces Policy Committee.
- Sec. 917. Modification of cross-functional team to address emerging threat relating to anomalous health incidents.
- Sec. 918. Technology release and foreign disclosure reform initiative.
- Sec. 919. Software-based capability to facilitate scheduling between the Department of Defense and Congress.
- Sec. 920. Metrics to operationalize audit readiness.
- Sec. 921. Next generation business health metrics.
- Sec. 922. Independent assessment of defense business enterprise architecture.
- Sec. 923. Future force design of the Department of the Air Force.
- Sec. 924. Feasibility study on the consolidation or transfer of space functions of the National Guard to the Space Force.

1 **Subtitle A—Office of the Secretary**
2 **of Defense and Related Matters**

3 **SEC. 901. CONFORMING AMENDMENTS TO CARRY OUT**
4 **ELIMINATION OF POSITION OF CHIEF MAN-**
5 **AGEMENT OFFICER.**

6 (a) REMOVAL OF REFERENCES TO CHIEF MANAGE-
7 MENT OFFICER IN PROVISIONS OF LAW RELATING TO
8 PRECEDENCE.—Chapter 4 of title 10, United States Code,
9 is amended—

10 (1) in section 133a(c)—

11 (A) in paragraph (1), by striking “, the
12 Deputy Secretary of Defense, and the Chief
13 Management Officer of the Department of De-
14 fense” and inserting “and the Deputy Secretary
15 of Defense”; and

16 (B) in paragraph (2), by striking “the
17 Chief Management Officer,”;

18 (2) in section 133b(c)—

1 (A) in paragraph (1), by striking “the
2 Chief Management Officer of the Department
3 of Defense,”; and

4 (B) in paragraph (2), by striking “the
5 Chief Management Officer,”;

6 (3) in section 137a(d), by striking “the Chief
7 Management Officer of the Department of De-
8 fense,”; and

9 (4) in section 138(d), by striking “the Chief
10 Management Officer of the Department of De-
11 fense,”.

12 (b) ASSIGNMENT OF PERIODIC REVIEW OF DEFENSE
13 AGENCIES AND DOD FIELD ACTIVITIES TO SECRETARY
14 OF DEFENSE.—Section 192(c) of such title is amended—

15 (1) in paragraph (1)—

16 (A) in subparagraph (A), by striking “the
17 Chief Management Officer of the Department
18 of Defense” and inserting “the Secretary of De-
19 fense”; and

20 (B) in subparagraphs (B) and (C), by
21 striking “the Chief Management Officer” and
22 inserting “the Secretary”; and

23 (2) in paragraph (2), by striking “the Chief
24 Management Officer” each place it appears and in-
25 serting “the Secretary”.

1 (c) ASSIGNMENT OF RESPONSIBILITY FOR FINAN-
2 CIAL IMPROVEMENT AND AUDIT REMEDIATION TO
3 UNDER SECRETARY OF DEFENSE (COMPTROLLER).—

4 Section 240b of such title is amended—

5 (1) in subsection (a)(1), by striking “The Chief
6 Management Officer of the Department of Defense
7 shall, in consultation with the Under Secretary of
8 Defense (Comptroller),” and inserting “The Under
9 Secretary of Defense (Comptroller) shall, in con-
10 sultation with the Performance Improvement Officer
11 of the Department of Defense,”; and

12 (2) in subsection (b)(1)(C)(ii), by striking “the
13 Chief Management Officer” and inserting “the Per-
14 formance Improvement Officer”.

15 (d) REMOVAL OF CHIEF MANAGEMENT OFFICER AS
16 RECIPIENT OF REPORTS OF AUDITS BY EXTERNAL AUDI-
17 TORS.—Section 240d(d)(1)(A) of such title is amended by
18 striking “and the Chief Management Officer of the De-
19 partment of Defense”.

20 (e) CONFORMING AMENDMENTS TO PROVISIONS OF
21 LAW RELATED TO FREEDOM OF INFORMATION ACT EX-
22 EMPTIONS.—Such title is further amended—

23 (1) in section 130e—

24 (A) by striking subsection (d);

1 (B) by redesignating subsections (e) and
2 (f) as subsections (d) and (e), respectively; and

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

4 (i) by striking “, or the Secretary’s
5 designee,”; and

6 (ii) by striking “, through the Office
7 of the Director of Administration and
8 Management”;

9 (2) in section 2254a—

10 (A) by striking subsection (c);

11 (B) by redesignating subsection (d) as sub-
12 section (c); and

13 (C) in subsection (c), as so redesignated—

14 (i) by striking “, or the Secretary’s
15 designee,”; and

16 (ii) by striking “, through the Office
17 of the Director of Administration and
18 Management”.

19 (f) ASSIGNMENT OF RESPONSIBILITY FOR ANNUAL
20 REVIEW OF AGENCY INFORMATION TECHNOLOGY PORT-
21 FOLIO TO THE CHIEF INFORMATION OFFICER.—Section
22 11319(d)(4) of title 40, United States Code, is amended,
23 in the second sentence, by striking “the Chief Manage-
24 ment Officer of the Department of Defense (or any suc-
25 cessor to such Officer), in consultation with the Chief In-

1 formation Officer, the Under Secretary of Defense for Ac-
2 quisition and Sustainment, and” and inserting “the Chief
3 Information Officer of the Department of Defense, in con-
4 sultation with the Under Secretary of Defense for Acquisi-
5 tion and Sustainment and”.

6 (g) REMOVAL OF CHIEF MANAGEMENT OFFICER AS
7 REQUIRED COORDINATOR ON DEFENSE RESALE MAT-
8 TERS.—Section 631(a) of the National Defense Authoriza-
9 tion Act for Fiscal Year 2020 (Public Law 116–92; 10
10 U.S.C. 2481 note) is amended by striking “, in coordina-
11 tion with the Chief Management Officer of the Depart-
12 ment of Defense,”.

13 **SEC. 902. MODIFICATION OF RESPONSIBILITIES OF DIREC-**
14 **TOR OF COST ASSESSMENT AND PROGRAM**
15 **EVALUATION.**

16 (a) IN GENERAL.—Section 139a of title 10, United
17 States Code, is amended—

18 (1) in subsection (d)—

19 (A) in paragraph (5)—

20 (i) by striking “, ensuring” and in-
21 serting “and ensuring”; and

22 (ii) by striking “, and assessing” and
23 all that follows through “economy”; and

24 (B) in paragraph (8), by inserting after
25 “defense resources” the following: “, including

1 the standardization of analytical methodologies
2 and the establishment and maintenance of a
3 centralized knowledge repository of physical at-
4 tributes or other data for modeling and simula-
5 tion purposes”; and

6 (2) by adding at the end the following new sub-
7 sections:

8 “(e) PROGRAM EVALUATION COMPETITIVE ANALYSIS
9 CELL.—

10 “(1) Not later than June 1, 2024, the Sec-
11 retary of Defense shall establish a team, to be
12 known as the ‘Program Evaluation Competitive
13 Analysis Cell’ (referred to in this subsection as the
14 ‘Cell’), to critically assess the analytical methodolo-
15 gies, assumptions, and data used in key strategic
16 and operational analyses conducted by the Director
17 of Cost Assessment and Program Evaluation.

18 “(2) The Secretary of Defense shall—

19 “(A) designate an individual to serve as
20 the head of the Cell; and

21 “(B) ensure that the Cell has a sufficient
22 number of personnel to carry out the duties de-
23 scribed in this subsection.

24 “(3) The Cell shall be independent of the Direc-
25 tor of Cost Assessment and Program Evaluation.

1 The head of the Cell shall report directly to the Sec-
2 retary of Defense or the Deputy Secretary of De-
3 fense.

4 “(4)(A) Not less frequently than once every two
5 years, the Cell shall conduct an alternative oper-
6 ational or strategic analysis of an analytical question
7 identified by the Chairman of the Joint Chiefs of
8 Staff under subparagraph (B). In conducting such
9 alternative analysis, the Cell shall use assumptions
10 different from the assumptions used by the Director
11 of Cost Assessment and Program Evaluation for the
12 original analysis of such question.

13 “(B) For purposes of each alternative analysis
14 required under subparagraph (A), at an appropriate
15 time before the commencement of such analysis—

16 “(i) the Director of the Joint Staff shall
17 submit to the Chairman of the Joint Chiefs of
18 Staff a list of not fewer than three operational
19 or strategic questions previously studied by the
20 Director of Cost Assessment and Program
21 Evaluation that could potentially serve as the
22 basis of for such alternative analysis; and

23 “(ii) from such list, the Chairman shall se-
24 lect one question to serve as the basis for such
25 analysis.

1 “(f) INCLUSION OF RISK ESTIMATES IN CERTAIN
2 SUBMISSIONS.—In any case in which the Director of Cost
3 Assessment and Program Evaluation submits to the Sec-
4 retary of Defense an analytical product that recommends
5 not meeting or changing a requirement established by the
6 Joint Requirements Oversight Council, the Director shall
7 include with such submission—

8 “(1) a risk assessment that assesses any risks
9 of the recommended course of action with respect to
10 the execution of operational plans and the long-term
11 ability of the armed forces to meet the needs of com-
12 batant commanders (as determined by the Secretary
13 of Defense); and

14 “(2) a risk estimate from the military service in
15 question that assesses the risks described in para-
16 graph (1).

17 “(g) ANNUAL REPORTS.—

18 “(1) IN GENERAL.—Not later than February 1,
19 2024, and annually thereafter, the Director of Cost
20 Assessment and Program Evaluation shall submit to
21 the congressional defense committees a report on
22 any strategic and operational analyses conducted
23 under paragraphs (2), (3), (6), (7), or (8) of sub-
24 section (d). Each report shall include—

1 “(A) a review of strategic portfolio reviews
2 completed in the fiscal year preceding submis-
3 sion of the report and a description of such re-
4 views planned for the fiscal year that begins
5 after submission of the report;

6 “(B) a review of analyses of alternatives
7 completed in the fiscal year preceding submis-
8 sion of the report and a description of such
9 analyses planned for the fiscal year that begins
10 after submission of the report; and

11 “(C) a review of defense program projec-
12 tions completed in the fiscal year preceding sub-
13 mission of the report and a description of such
14 projections planned for the fiscal year that be-
15 gins after submission of the report.

16 “(2) FORM.—Each report required by para-
17 graph (1) shall be submitted in classified form, but
18 shall include an unclassified summary.

19 “(3) BRIEFINGS.—Not later than 15 days after
20 the submission of each report required by paragraph
21 (1), the Director of Cost Assessment and Program
22 Evaluation shall provide to the congressional defense
23 committees a briefing on the contents of the report.

24 “(h) QUARTERLY BRIEFINGS.—Beginning not later
25 than 30 days after the date of the enactment of this sub-

1 section, and on a quarterly basis thereafter, the Director
2 of Cost Assessment and Program Evaluation shall provide
3 to the congressional defense committees a briefing on the
4 activities carried out by Director during the preceding
5 quarter an any ongoing activities of the Director as of the
6 date of briefing.”.

7 (b) PILOT PROGRAM ON ALTERNATIVE ANALYSIS.—

8 (1) IN GENERAL.—Not later than May 1, 2024,
9 the Director of Cost Assessment and Program Eval-
10 uation shall establish a pilot program on alternative
11 analysis (referred to in this subsection as the “pilot
12 program”).

13 (2) STRUCTURE.—Under the pilot program, the
14 Director shall establish three analytical groups fo-
15 cused on programmatic analysis in the following:

16 (A) Year 1 of the future-years defense pro-
17 gram under section 221 of title 10, United
18 States Code, beginning with fiscal year 2025.

19 (B) Years 2 through 5 of the future-years
20 defense program.

21 (C) Years outside the future-years defense
22 program.

23 (3) REQUIREMENTS.—The Director shall en-
24 sure that at least one strategic portfolio review or an

1 equivalent analytical effort is conducted each year
2 under the pilot program.

3 (4) TERMINATION.—The pilot program shall
4 terminate on September 30, 2028.

5 (c) ESTABLISHMENT OF ANALYSIS WORKING
6 GROUP.—

7 (1) IN GENERAL.—Not later than May 1, 2024,
8 the Secretary of Defense shall establish within the
9 Department of Defense a working group to be
10 known as the “Analysis Working Group”.

11 (2) PERSONNEL.—The Secretary of Defense
12 shall ensure that the Analysis Working Group pos-
13 sesses sufficient full-time equivalent support per-
14 sonnel to carry out the duties of the Group, includ-
15 ing expansive coordination activities across the De-
16 partment of Defense.

17 (3) MEMBERSHIP.—

18 (A) REGULAR MEMBERS.—The Analysis
19 Working Group shall be composed of at least
20 one representative from each of the following
21 components of the Department of Defense:

22 (i) The Office of the Director of Cost
23 Assessment and Program Evaluation.

24 (ii) The Directorate for Joint Force
25 Development (J7) of the Joint Staff.

1 (iii) The Directorate for Force Struc-
2 ture, Resources, and Assessment (J8) of
3 the Joint Staff.

4 (iv) The Office of the Secretary of De-
5 fense for Policy.

6 (v) The Chief Digital and Artificial
7 Intelligence Office.

8 (B) OBSERVERS.—At least one representa-
9 tive from each of the following commands shall
10 serve as observers of the Analysis Working
11 Group:

12 (i) The United States Indo-Pacific
13 Command.

14 (ii) The United States European
15 Command.

16 (iii) The United States Central Com-
17 mand.

18 (4) DUTIES.—The Analysis Working Group
19 shall—

20 (A) establish clear priorities and standards
21 to focus analysts on decision support;

22 (B) improve transparency of methodolo-
23 gies, tools, and tradecraft across the analytic
24 community, including testing and validation for

1 new or emerging methodologies, tools, and
2 tradecraft;

3 (C) improve quality of and expand access
4 to data, including evaluation of new data sets,
5 or application of existing data sets in new or
6 novel ways;

7 (D) evolve the methodologies, tools, and
8 tradecraft methods and tools used in strategic
9 analysis;

10 (E) resolve classified access and infrastruc-
11 ture challenges;

12 (F) foster a workforce and organizations
13 that are innovative, creative, and provide high-
14 quality strategic decision support; and

15 (G) carry out such other activities as the
16 Secretary of Defense determines appropriate.

17 (d) RULE OF CONSTRUCTION.—Nothing in sub-
18 section (b) or (c) shall be construed to interfere with the
19 authority of the Chiefs of Staff of the Armed Forces to
20 establish military requirements, performance require-
21 ments, and joint performance requirements, or the author-
22 ity of the Joint Requirements Oversight Council to vali-
23 date such requirements under section 181 of title 10,
24 United States Code.

1 **SEC. 903. ESTABLISHMENT OF OFFICE OF STRATEGIC CAP-**
2 **ITAL.**

3 (a) ESTABLISHMENT OF OFFICE.—Chapter 4 of title
4 10, United States Code, as amended by section 241, is
5 further amended by adding at the end the following new
6 section:

7 **“§ 149. Office of Strategic Capital**

8 “(a) ESTABLISHMENT.—There is in the Office of the
9 Secretary of Defense an office to be known as the Office
10 of Strategic Capital (in this section referred to as the ‘Of-
11 fice’).

12 “(b) DIRECTOR.—The Office shall be headed by a Di-
13 rector (in this section referred to as the ‘Director’), who
14 shall be appointed by the Secretary from among employees
15 in Senior Executive Service positions (as defined in section
16 3132 of title 5), or from outside the civil service who have
17 successfully held equivalent positions.

18 “(c) DUTIES.—The Office shall—

19 “(1) develop, integrate, and implement capital
20 investment strategies proven in the commercial sec-
21 tor to shape and scale investment in critical tech-
22 nologies and assets;

23 “(2) identify and prioritize promising critical
24 technologies and assets that require capital assist-
25 ance and have the potential to benefit the Depart-
26 ment of Defense; and

1 “(3) make eligible investments in such tech-
2 nologies and assets, such as supply chain tech-
3 nologies not always supported through direct invest-
4 ment.

5 “(d) NON-FEDERAL FUNDING REQUIREMENTS FOR
6 CERTAIN INVESTMENTS.—In the case of an eligible invest-
7 ment made through a direct loan, not less than 80 percent
8 of the total capital provided for the specific technology to
9 be funded by the investment shall be derived from non-
10 Federal sources as of the time of the investment.

11 “(e) DEFINITIONS.—In this section:

12 “(1) The term ‘capital assistance’ means a loan,
13 loan guarantee, or technical assistance.

14 “(2) The term ‘covered technology category’
15 means the following:

16 “(A) Advanced bulk materials.

17 “(B) Advanced manufacturing.

18 “(C) Autonomous mobile robots.

19 “(D) Battery storage.

20 “(E) Biochemicals.

21 “(F) Bioenergetics.

22 “(G) Biomass.

23 “(H) Cybersecurity.

24 “(I) Data fabric.

25 “(J) Decision science.

- 1 “(K) Edge computing.
- 2 “(L) External communication.
- 3 “(M) Hydrogen generation and storage.
- 4 “(N) Mesh networks.
- 5 “(O) Microelectronics assembly, testing, or
- 6 packaging.
- 7 “(P) Microelectronics design and develop-
- 8 ment.
- 9 “(Q) Microelectronics fabrication.
- 10 “(R) Microelectronics manufacturing
- 11 equipment.
- 12 “(S) Microelectronics materials.
- 13 “(T) Nanomaterials and metamaterials.
- 14 “(U) Open RAN.
- 15 “(V) Optical communications.
- 16 “(W) Sensor hardware.
- 17 “(X) Solar.
- 18 “(Y) Space launch.
- 19 “(Z) Spacecraft.
- 20 “(AA) Space-enabled services and equip-
- 21 ment.
- 22 “(BB) Synthetic biology.
- 23 “(CC) Quantum computing.
- 24 “(DD) Quantum security.
- 25 “(EE) Quantum sensing.

- 1 “(3) The term ‘eligible entity’ means—
- 2 “(A) an individual;
- 3 “(B) a corporation;
- 4 “(C) a partnership, which may include a
- 5 public-private partnership, limited partnership,
- 6 or general partnership;
- 7 “(D) a joint venture;
- 8 “(E) a trust;
- 9 “(F) a State, including a political subdivi-
- 10 sion or any other instrumentality of a State;
- 11 “(G) a Tribal government or consortium of
- 12 Tribal governments;
- 13 “(H) any other governmental entity or
- 14 public agency in the United States, including a
- 15 special purpose district or public authority, in-
- 16 cluding a port authority;
- 17 “(I) a multi-State or multi-jurisdictional
- 18 group of public entities; or
- 19 “(J) a strategic alliance among two or
- 20 more entities described in subparagraphs (A)
- 21 through (I).
- 22 “(4) The term ‘eligible investment’ means an
- 23 investment, in the form of capital assistance pro-
- 24 vided to an eligible entity, for a technology that—

1 “(A) is in a covered technology category;

2 and

3 “(B) is not a technology that solely has de-
4 fense applications.”.

5 (b) PILOT PROGRAM ON CAPITAL ASSISTANCE TO
6 SUPPORT DEFENSE INVESTMENT IN THE INDUSTRIAL
7 BASE.—

8 (1) CAPITAL ASSISTANCE.—To the extent and
9 in such amounts as specifically provided in advance
10 in appropriations Acts for the purposes detailed in
11 this subsection, the Secretary of Defense, acting
12 through the Director of the Office of Strategic Cap-
13 ital (referred to in this section as the “Director”),
14 may carry out a pilot program under this subsection
15 to provide capital assistance to eligible entities for
16 eligible investments to develop technologies that sup-
17 port the duties and elements of the Office and meet
18 the needs of the Department of Defense.

19 (2) ELIGIBILITY AND APPLICATION PROCESS.—

20 (A) IN GENERAL.—An eligible entity seek-
21 ing capital assistance for an eligible investment
22 under this subsection shall submit to the Direc-
23 tor an application at such time, in such man-
24 ner, and containing such information as the Di-
25 rector may require.

1 (B) SELECTION OF INVESTMENTS.—The
2 Director shall establish criteria for selecting
3 among eligible investments for which applica-
4 tions are submitted under subparagraph (A).
5 The criteria shall include—

6 (i) the extent to which an investment
7 supports the national security or economic
8 interests of the United States;

9 (ii) the likelihood that capital assist-
10 ance provided for an investment would en-
11 able the investment to proceed sooner than
12 the investment would otherwise be able to
13 proceed; and

14 (iii) the creditworthiness of an invest-
15 ment.

16 (3) CAPITAL ASSISTANCE.—

17 (A) LOANS AND LOAN GUARANTEES.—

18 (i) IN GENERAL.—To the extent and
19 in such amounts as specifically provided in
20 advance in appropriations Acts for the pur-
21 poses detailed in this subsection, the Direc-
22 tor may provide loans or loan guarantees
23 to finance or refinance the costs of an eli-
24 gible investment selected pursuant to para-
25 graph (2)(B).

- 1 (ii) ADMINISTRATION OF LOANS.—
- 2 (I) INTEREST RATE.—
- 3 (aa) IN GENERAL.—Except
- 4 as provided under item (bb), the
- 5 interest rate on a loan provided
- 6 under clause (i) shall be not less
- 7 than the yield on marketable
- 8 United States Treasury securities
- 9 of a similar maturity to the ma-
- 10 turity of the loan on the date of
- 11 execution of the loan agreement.
- 12 (bb) EXCEPTION.—The Di-
- 13 rector may waive the requirement
- 14 under item (aa) with respect to
- 15 an investment if the investment
- 16 is determined by the Secretary of
- 17 Defense to be vital to the na-
- 18 tional security of the United
- 19 States.
- 20 (cc) CRITERIA.—The Direc-
- 21 tor shall establish separate and
- 22 distinct criteria for interest rates
- 23 for loan guarantees with private
- 24 sector lending institutions.

1 (II) FINAL MATURITY DATE.—

2 The final maturity date of a loan pro-
3 vided under clause (i) shall be not
4 later than 50 years after the date on
5 which the loan was provided.

6 (III) PREPAYMENT.—A loan pro-
7 vided under clause (i) may be paid
8 earlier than is provided for under the
9 loan agreement without a penalty.

10 (IV) NONSUBORDINATION.—

11 (aa) IN GENERAL.—A loan
12 provided under clause (i) shall
13 not be subordinated to the claims
14 of any holder of investment obli-
15 gations in the event of bank-
16 ruptcy, insolvency, or liquidation
17 of the obligor.

18 (bb) EXCEPTION.—The Di-
19 rector may waive the requirement
20 under item (aa) with respect to
21 the investment in order to miti-
22 gate risks to loan repayment.

23 (V) SALE OF LOANS.—The Di-
24 rector may sell to another entity or
25 reoffer into the capital markets a loan

1 provided under clause (i) if the Direc-
2 tor determines that the sale or re-
3 offering can be made on favorable
4 terms.

5 (VI) LOAN GUARANTEES.—Any
6 loan guarantee provided under clause
7 (i) shall specify the percentage of the
8 principal amount guaranteed. If the
9 Secretary determines that the holder
10 of a loan guaranteed by the Depart-
11 ment of Defense defaults on the loan,
12 the Director shall pay the holder as
13 specified in the loan guarantee agree-
14 ment.

15 (VII) INVESTMENT-GRADE RAT-
16 ING.—The Director shall establish a
17 credit rating system to ensure a rea-
18 sonable reassurance of repayment.
19 The system may include use of exist-
20 ing credit rating agencies where ap-
21 propriate.

22 (VIII) TERMS AND CONDI-
23 TIONS.—Loans and loan guarantees
24 provided under clause (i) shall be sub-
25 ject to such other terms and condi-

1 tions and contain such other cov-
2 enants, representations, warranties,
3 and requirements (including require-
4 ments for audits) as the Secretary de-
5 termines appropriate.

6 (IX) APPLICABILITY OF FED-
7 ERAL CREDIT REFORM ACT OF 1990.—
8 Loans and loan guarantees provided
9 under clause (i) shall be subject to the
10 requirements of the Federal Credit
11 Reform Act of 1990 (2 U.S.C. 661 et
12 seq.).

13 (B) TECHNICAL ASSISTANCE.—Subject to
14 appropriations Acts, the Director may provide
15 technical assistance with respect to developing
16 and financing investments to eligible entities
17 seeking capital assistance for eligible invest-
18 ments and eligible entities receiving capital as-
19 sistance under this subsection.

20 (C) TERMS AND CONDITIONS.—

21 (i) AMOUNT OF CAPITAL ASSIST-
22 ANCE.—To the extent and in such amounts
23 as specifically provided in advance in ap-
24 propriations Acts for the purposes detailed
25 in this subsection, the Director shall pro-

1 vide to an eligible investment selected pur-
2 suant to paragraph (2)(B) the amount of
3 capital assistance necessary to carry out
4 the investment.

5 (ii) USE OF UNITED STATES DOL-
6 LARS.—All financial transactions con-
7 ducted under this section shall be con-
8 ducted in United States dollars.

9 (4) NON-FEDERAL FUNDING REQUIREMENTS.—
10 The requirements of section 149(d) of title 10,
11 United States Code (as added by subsection (a))
12 shall apply to eligible investments under this sub-
13 section.

14 (5) ESTABLISHMENT OF ACCOUNTS.—

15 (A) CREDIT PROGRAM ACCOUNT.—

16 (i) ESTABLISHMENT.—There is estab-
17 lished in the Treasury of the United States
18 a Department of Defense Credit Program
19 Account to make and guarantee loans
20 under this subsection in accordance with
21 section 502 of the Federal Credit Reform
22 Act of 1990 (2 U.S.C. 661a).

23 (ii) FUNDING.—The Credit Program
24 Account shall consist of amounts appro-

1 pried pursuant to the authorization of
2 appropriations.

3 (B) USE OF FUNDS.—To the extent and in
4 such amounts as specifically provided in ad-
5 vance in appropriations Acts for the purposes
6 detailed in this subsection, the Director is au-
7 thorized to pay, from amounts in the Depart-
8 ment of Defense Credit Program Account—

9 (i) the cost, as defined in section 502
10 of the Federal Credit Reform Act of 1990
11 (2 U.S.C. 661a), of loans and loan guaran-
12 tees and other capital assistance;

13 (ii) administrative expenses associated
14 with activities under this section;

15 (iii) project-specific transaction costs;
16 and

17 (iv) the cost of providing support au-
18 thorized by this subsection.

19 (6) REGULATIONS.—The Secretary of Defense
20 may prescribe such regulations as the Secretary de-
21 termines to be appropriate to carry out this sub-
22 section.

23 (7) ANNUAL REPORT.—Not later than the first
24 Monday in February of a fiscal year, the Secretary
25 of Defense shall submit to the congressional defense

1 committees an annual report describing activities
2 carried out pursuant to this subsection in the pre-
3 ceding fiscal year and the goals of the Department
4 of Defense in accordance with this subsection for the
5 next fiscal year.

6 (8) NOTIFICATION REQUIREMENT.—The Sec-
7 retary of Defense shall notify the congressional de-
8 fense committees not later than 30 days after a use
9 of loans, loan guarantees, or technical assistance
10 under this subsection.

11 (9) SUNSET.—The authorities provided under
12 this subsection shall expire on October 1, 2028.

13 (10) DEFINITIONS.—In this subsection:

14 (A) The term “capital assistance” means
15 loans, loan guarantees, or technical assistance
16 provided under paragraph (3).

17 (B) The terms “eligible entity” and “eligi-
18 ble investment” have the meanings given those
19 terms in section 149(e) of title 10, United
20 States Code (as added by subsection (a)).

21 (C) The term “obligor” means a party that
22 is primarily liable for payment of the principal
23 of or interest on a loan.

1 **SEC. 904. ESTABLISHMENT AND ASSIGNMENT OF ROLES**
2 **AND RESPONSIBILITIES FOR COMBINED**
3 **JOINT ALL-DOMAIN COMMAND AND CONTROL**
4 **IN SUPPORT OF INTEGRATED JOINT**
5 **WARFIGHTING.**

6 (a) IN GENERAL.—The Secretary of Defense shall es-
7 tablish, and assign to appropriate components of the Of-
8 fice of the Secretary, roles and responsibilities relating
9 to—

10 (1) the development of combined joint all-do-
11 main command and control (commonly known as
12 “CJADC2”) capabilities in support of integrated
13 joint warfighting; and

14 (2) the delivery of such capabilities to the com-
15 batant commands.

16 (b) ROLES AND RESPONSIBILITIES.—The roles and
17 responsibilities established and assigned under subsection
18 (a) shall include, at a minimum, the following:

19 (1) Identifying new technology and operational
20 concepts for experimentation and prototyping for de-
21 livery to the Joint Force to address key operational
22 challenges.

23 (2) Providing technical support for the Joint
24 Force in exploring and analyzing new combined joint
25 all-domain command and control capabilities and

1 operational concepts, including through advanced
2 modeling and simulation.

3 (3) Executing experimentation associated with
4 such capabilities through the Rapid Defense Experi-
5 mentation Reserve or another mechanism.

6 (4) Enabling the acquisition of cross-domain,
7 joint, and cross-system mission capabilities, includ-
8 ing resourcing of modifications necessary for inte-
9 gration and interoperability among mission compo-
10 nents.

11 (5) Ensuring the effectiveness of cross-domain,
12 joint, and cross-system mission capabilities through
13 analysis and testing.

14 (6) Creating and operating a complete capa-
15 bility for software development that allows for
16 iterative, secure, and continuous deployment of de-
17 velopmental, prototype, and operational tools and ca-
18 pabilities from multiple vendors to test networks and
19 operational networks for combatant commanders
20 to—

21 (A) gain operational awareness, make deci-
22 sions, and take actions;

23 (B) integrate relevant data sources to sup-
24 port target selection, target prioritization, and
25 weapon-target pairing; and

1 (C) assign targets through networks, tools,
2 and systems of the Armed Forces and combat
3 support agencies.

4 (c) INITIAL PRIORITIZATION.—In establishing an ini-
5 tial set of roles and responsibilities under subsection (a),
6 the Secretary of Defense shall prioritize the development
7 and delivery of capabilities that meet the requirements of
8 the United States Indo-Pacific Command.

9 (d) BRIEFINGS REQUIRED.—Not later than 90 days
10 after the date of the enactment of this Act, and not less
11 frequently than once every 180 days thereafter through
12 December 31, 2026, the Secretary of Defense shall provide
13 to the congressional defense committees a briefing on—

14 (1) any activities carried out in accordance with
15 the roles and responsibilities under subsection (a);
16 and

17 (2) any plans associated with such roles and re-
18 sponsibilities.

19 **SEC. 905. PRINCIPAL DEPUTY ASSISTANT SECRETARIES TO**
20 **SUPPORT ASSISTANT SECRETARY OF DE-**
21 **FENSE FOR SPECIAL OPERATIONS AND LOW**
22 **INTENSITY CONFLICT.**

23 The Secretary of Defense may appoint two Principal
24 Deputy Assistant Secretaries to report to the Assistant

1 Secretary of Defense for Special Operations and Low In-
2 tensity Conflict—

3 (1) one of whom may be assigned to support
4 the Assistant Secretary in the discharge of respon-
5 sibilities specified in clause (i) of section
6 138(b)(2)(A) of title 10, United States Code; and

7 (2) one of whom may be assigned to support
8 the Assistant Secretary in the discharge of respon-
9 sibilities specified in clause (ii) of that section.

10 **Subtitle B—Other Department of**
11 **Defense Organization and Man-**
12 **agement Matters**

13 **SEC. 911. ADDITIONAL REQUIREMENTS UNDER GENERAL**
14 **POLICY FOR TOTAL FORCE MANAGEMENT.**

15 Section 129a(c)(2) of title 10, United States Code,
16 is amended by adding at the end the following: “The Sec-
17 retary of Defense shall ensure that the requirements de-
18 termination, planning, programming, and budgeting con-
19 ducted under this paragraph considers all components of
20 the total force (including active and reserve military, the
21 civilian workforce, and contract support) in a holistic man-
22 ner—

23 “(A) to avoid duplication of efforts and
24 waste of resources attributable to a component

1 working outside the scope of its responsibilities;
2 and

3 “(B) to ensure that risk, cost, and mission
4 validation and prioritization considerations are
5 consistent with the national defense strategy.”.

6 **SEC. 912. ADDITION OF COLLEGE OF INTERNATIONAL SE-**
7 **CURITY AFFAIRS TO NATIONAL DEFENSE**
8 **UNIVERSITY.**

9 Section 2165(b) of title 10, United States Code, is
10 amended—

11 (1) by redesignating paragraph (6) as para-
12 graph (7); and

13 (2) by inserting after paragraph (5) the fol-
14 lowing new paragraph (6):

15 “(6) The College of International Security Af-
16 fairs.”.

17 **SEC. 913. CODIFICATION OF THE DEFENSE INNOVATION**
18 **UNIT.**

19 (a) CODIFICATION OF DEFENSE INNOVATION
20 UNIT.—

21 (1) IN GENERAL.—Subchapter III of chapter
22 303 of title 10, United States Code, is amended by
23 adding at the end the following new section:

1 **“§ 4127. Defense innovation unit**

2 “(a) ESTABLISHMENT.—There is established in the
3 Department of Defense a Defense Innovation Unit (re-
4 ferred to in this section as the ‘Unit’).

5 “(b) DIRECTOR AND DEPUTY DIRECTOR.—There is
6 a Director of the Unit who shall be appointed by the Sec-
7 retary of Defense from among persons with substantial ex-
8 perience in innovation and commercial technology, as de-
9 termined by the Secretary.

10 “(c) AUTHORITY OF DIRECTOR.—The Director is the
11 head of the Unit. The Director—

12 “(1) shall serve as a principal staff assistant to
13 the Secretary of Defense on matters within the re-
14 sponsibility of the Unit;

15 “(2) shall report directly to the Secretary with-
16 out intervening authority; and

17 “(3) may communicate views on matters within
18 the responsibility of the Unit directly to the Sec-
19 retary without obtaining the approval or concurrence
20 of any other official within the Department of De-
21 fense.

22 “(d) RESPONSIBILITIES.—The Unit shall have the
23 following responsibilities:

24 “(1) Seek out, identify, and support develop-
25 ment of and experimentation with commercial tech-

1 nologies that have the potential to be implemented
2 within the Department of Defense.

3 “(2) Accelerate the adoption or integration of
4 commercial technologies within the Department of
5 Defense to transform military capacity and capabili-
6 ties.

7 “(3) Serve as the principal liaison between the
8 Department of Defense and individuals and entities
9 in the national security innovation base, including
10 entrepreneurs, startups, commercial technology com-
11 panies, and venture capital sources.

12 “(4) Carry out programs, projects, and other
13 activities to strengthen the national security innova-
14 tion base.

15 “(5) Coordinate and harmonize the activities of
16 other organizations and elements of the Department
17 of Defense on matters relating to commercial tech-
18 nologies, dual use technologies, and the innovation of
19 such technologies.

20 “(6) Coordinate and advise efforts among ele-
21 ments of the Department of Defense on matters re-
22 lating to the development, procurement, and fielding
23 of nontraditional capabilities.

24 “(7) Coordinate with the Joint Staff and the
25 commanders of the combatant commands to identify

1 operational challenges that have the potential to be
2 addressed through the use of nontraditional capabili-
3 ties, including dual-use technologies, that are being
4 developed and financed in the commercial sector.

5 “(8) Using funds made available to the Unit—

6 “(A) select projects to be carried out by
7 one or more of the service-level innovation orga-
8 nizations;

9 “(B) allocate funds to service-level innova-
10 tion organizations to carry out such projects;
11 and

12 “(C) monitor the execution of such
13 projects by the service-level innovation organiza-
14 tions.

15 “(9) Serve as the principal liaison between the
16 Department of Defense, nontraditional defense con-
17 tractors, investors in nontraditional defense compa-
18 nies, and departments and agencies of the Federal
19 Government pursuing nontraditional capabilities simi-
20 lar to those pursued by the Department.

21 “(10) Lead engagement with industry, aca-
22 demia, and other nongovernment entities to de-
23 velop—

24 “(A) domestic capacity with respect to in-
25 novative, commercial, and dual-use technologies

1 and the use of nontraditional defense contrac-
2 tors; and

3 “(B) the capacity of international allies
4 and partners of the United States with respect
5 to such technologies and the use of such con-
6 tractors.

7 “(11) Carry out such other activities as the
8 Secretary of Defense determines appropriate.

9 “(e) SUPPORT FOR MULTI-STAKEHOLDER PARTNER-
10 SHIPS.—

11 “(1) The Director shall identify and support
12 multi-stakeholder research and innovation partner-
13 ships that—

14 “(A) have the potential to generate tech-
15 nologies, processes, products, or other solutions
16 that address national defense or security needs;
17 and

18 “(B) have as an objective the technology
19 transfer or commercialization of the work prod-
20 uct generated by the partnership, which may in-
21 clude work product that incorporates Govern-
22 ment-developed intellectual property licensed to
23 the partnership in accordance with paragraph
24 (3).

1 “(2) Support provided by the Director to a
2 multi-stakeholder research and innovation partner-
3 ship under this subsection may include—

4 “(A) providing funding or other resources
5 to the partnership;

6 “(B) participating in the partnership;

7 “(C) providing technical and technological
8 advice and guidance to the partnership;

9 “(D) suggesting and introducing other par-
10 ticipants for inclusion in the partnership;

11 “(E) providing the partnership with insight
12 into desired solutions for defense and security
13 needs; and

14 “(F) such other forms of support as the
15 Director determines appropriate.

16 “(3) To the extent the Director determines ap-
17 propriate, the Director shall seek to actively inform
18 potential participants in multi-stakeholder research
19 and innovation partnerships of the availability of
20 Government-developed intellectual property that may
21 be licensed to the partnership.

22 “(4) On an annual basis, the Director shall
23 submit to the Secretary of Defense and the congress-
24 sional defense committees a report on the activities,
25 advances, outcomes, and work product of the multi-

1 stakeholder research and innovation partnerships
2 supported under this subsection.

3 “(f) DEFINITIONS.—In this section:

4 “(1) The term ‘multi-stakeholder research and
5 innovation partnership’ means a partnership com-
6 posed of any combination of two or more of the fol-
7 lowing:

8 “(A) Universities, colleges, or other institu-
9 tions of higher education with research and in-
10 novation capability.

11 “(B) Non-profit organizations that provide
12 policy, research, outreach, operations, organiza-
13 tional, management, testing, evaluation, tech-
14 nology transfer, legal, financial, or advocacy ex-
15 pertise.

16 “(C) For-profit commercial enterprises
17 that may be publicly or privately owned, early
18 stage or mature, and incorporated or operating
19 by another ownership structure.

20 “(D) Departments or agencies of the Fed-
21 eral Government with expertise, operations, or
22 resources related to the objectives of the multi-
23 stakeholder research and innovation partner-
24 ship.

1 “(2) The term ‘nontraditional capability’ means
2 a solution to an operational challenge that can sig-
3 nificantly leverage commercial innovation or external
4 capital with minimal dependencies on fielded sys-
5 tems.

6 “(3) The term ‘nontraditional defense con-
7 tractor’ has the meaning given that term in section
8 3014 of this title.”.

9 (2) MODIFICATION OF OTHER TRANSACTION
10 AUTHORITY.—Section 4021 of title 10, United
11 States Code, is amended—

12 (A) in subsection (b), by inserting “, the
13 Defense Innovation Unit,” after “Defense Ad-
14 vanced Research Projects Agency”; and

15 (B) in subsection (f), by striking “and the
16 Defense Advanced Research Projects Agency”
17 and inserting “, the Defense Innovation Unit,
18 and the Defense Advanced Research Projects
19 Agency”.

20 (3) MODIFICATION OF AUTHORITY TO CARRY
21 OUT CERTAIN PROTOTYPE PROJECTS.—Section 4022
22 of title 10, United States Code, is amended—

23 (A) in subsection (a)—

24 (i) in paragraph (1), by inserting “the
25 Director of the Defense Innovation Unit,”

1 after “Defense Advanced Research
2 Projects Agency,”;

3 (ii) in paragraph (2)(A), by inserting
4 “, the Defense Innovation Unit,” after
5 “Defense Advanced Research Projects
6 Agency”; and

7 (iii) in paragraph (3), by inserting “,
8 Defense Innovation Unit,” after “Defense
9 Advanced Research Projects Agency”; and
10 (B) in subsection (e)(1)—

11 (i) by redesignating subparagraphs
12 (C) through (E) as subparagraphs (D)
13 through (F), respectively; and

14 (ii) by inserting after subparagraph
15 (B) the following new subparagraph:

16 “(C) the Director of the Defense Innova-
17 tion Unit;”.

18 (4) CONFORMING AMENDMENTS.—Section 1766
19 of title 10, United States Code, is amended—

20 (A) in subsection (b), by striking “as de-
21 termined by the Under Secretary of Defense for
22 Research and Engineering” and inserting “as
23 determined by the Secretary of Defense”; and

24 (B) in subsection (c)(3), by striking “as di-
25 rected by the Under Secretary of Defense for

1 Research and Engineering” and inserting “as
2 directed by the Secretary of Defense”.

3 (b) EFFECTIVE DATE AND IMPLEMENTATION.—

4 (1) EFFECTIVE DATE.—The amendments made
5 by subsection (a) shall take effect 180 days after the
6 date of the enactment of this Act.

7 (2) IMPLEMENTATION.—Not later than the ef-
8 fective date specified in paragraph (1), the Secretary
9 of Defense shall issue or modify any rules, regula-
10 tions, policies, or other guidance necessary to imple-
11 ment the amendments made by subsection (a).

12 (c) MANPOWER SUFFICIENCY EVALUATION.—

13 (1) EVALUATION.—The Secretary of Defense
14 shall evaluate the staffing levels of the Defense In-
15 novation Unit as of the date of the enactment of this
16 Act to determine if the Unit is sufficiently staffed to
17 achieve the responsibilities of the Unit under section
18 4127 of title 10, United States Code, as added by
19 subsection (a) of this section.

20 (2) REPORT.—Not later than the effective date
21 specified in subsection (b)(1), the Secretary of De-
22 fense shall submit to the Committees on Armed
23 Services of the Senate and the House of Representa-
24 tives a report on the results of the evaluation under
25 paragraph (1). The report shall include a plan—

1 (A) to address any staffing shortfalls iden-
2 tified as a part of the assessment; and

3 (B) for funding any activities necessary to
4 address such shortfalls.

5 **SEC. 914. REPEAL OF AUTHORITY TO APPOINT A NAVAL RE-**
6 **SEARCH ADVISORY COMMITTEE.**

7 Section 8024 of title 10, United States Code, is re-
8 pealed.

9 **SEC. 915. ELIGIBILITY OF MEMBERS OF SPACE FORCE FOR**
10 **INSTRUCTION AT THE NAVAL POST-**
11 **GRADUATE SCHOOL.**

12 Section 8545 of title 10, United States Code, is
13 amended—

14 (1) in subsection (a)(1), by striking “and Coast
15 Guard” and inserting “Space Force, and Coast
16 Guard”; and

17 (2) in subsection (c), by striking “and Coast
18 Guard” and inserting “Space Force, and Coast
19 Guard”.

20 **SEC. 916. MEMBERSHIP OF THE AIR FORCE RESERVE**
21 **FORCES POLICY COMMITTEE.**

22 Section 10305(b) of title 10, United States Code, is
23 amended—

1 (1) by striking “consists of” and inserting
2 “shall have voting members, who shall be” before
3 “officers”;

4 (2) by redesignating paragraphs (1) through
5 (3) as subparagraphs (A) through (C), respectively;

6 (3) by inserting “(1)” before “The committee”;
7 and

8 (4) by adding at the end the following new
9 paragraph:

10 “(2)(A) The committee shall have four nonvoting
11 members, who shall be the Chief Master Sergeants of the
12 Air Force, the Air Force Reserve, the Air National Guard,
13 and the Space Force.

14 “(B) A nonvoting member who cannot attend a meet-
15 ing of the committee may designate a member in the grade
16 of E–8 or E–9 to attend in their stead.”.

17 **SEC. 917. MODIFICATION OF CROSS-FUNCTIONAL TEAM TO**
18 **ADDRESS EMERGING THREAT RELATING TO**
19 **ANOMALOUS HEALTH INCIDENTS.**

20 Section 910 of the National Defense Authorization
21 Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
22 111 note) is amended—

23 (1) in subsection (a), by inserting “, including
24 capabilities that plausibly could result in such inci-
25 dents,” after “(as defined by the Secretary)”;

1 (2) in subsection (b), by striking paragraphs
2 (1) through (3) and inserting the following new
3 paragraphs:

4 “(1) to investigate and carry out such other ac-
5 tivities as may be necessary—

6 “(A) to identify anomalous health inci-
7 dents;

8 “(B) to determine the causes and sources
9 of such incidents, including identification of any
10 individuals, entities, capabilities, or phenomena
11 to which such incidents may plausibly be attrib-
12 uted; and

13 “(C) to understand how such incidents
14 may be mitigated and treated;

15 “(2) to address the challenges posed by anoma-
16 lous health incidents, including by coordinating re-
17 search into—

18 “(A) non-kinetic capabilities that plausibly
19 might result in such incidents, such as anti-per-
20 sonnel capabilities and directed energy capabili-
21 ties;

22 “(B) the detection and mitigation of such
23 capabilities; and

24 “(C) the development of countermeasures
25 for such capabilities;

1 “(3) to integrate and deconflict the efforts of
2 the Department of Defense regarding anomalous
3 health incidents with the efforts of other depart-
4 ments or agencies of the Federal Government re-
5 garding such incidents; and

6 “(4) to undertake any other efforts regarding
7 non-kinetic threats to personnel and anomalous
8 health incidents that the Secretary considers appro-
9 priate.”;

10 (3) in subsection (d), by striking “in consulta-
11 tion with the Director of National Intelligence and”;
12 and

13 (4) in subsection (e)(2)—

14 (A) by striking “March 1, 2026” and in-
15 serting “March 1, 2028”; and

16 (B) by striking “with respect to the efforts
17 of the Department regarding anomalous health
18 incidents” and inserting “on any activities car-
19 ried out to fulfill the duties specified in sub-
20 section (b) since the date of the preceding brief-
21 ing under this section”.

22 **SEC. 918. TECHNOLOGY RELEASE AND FOREIGN DISCLO-**
23 **SURE REFORM INITIATIVE.**

24 (a) INITIATIVE REQUIRED.—

1 (1) IN GENERAL.—The Secretary of Defense
2 shall carry out an initiative to reform and improve
3 the policies, processes, and procedures applicable to
4 technology release and foreign disclosure decisions
5 by the Department of Defense.

6 (2) OBJECTIVES.—The objectives of such initia-
7 tive shall be—

8 (A) to develop recommendations for the
9 continuous improvement of such policies, proc-
10 esses, and procedures within the Department
11 and across other departments and agencies of
12 the Federal Government involved in technology
13 release and foreign disclosure decisions;

14 (B) to increase efficiency and reduce
15 timelines for the processing of such decisions;

16 (C) to standardize, to the extent prac-
17 ticable, processes and information sharing sys-
18 tems applicable to such decisions; and

19 (D) to provide for the continuous exchange
20 of timely and relevant information among—

21 (i) the principal organizations involved
22 in technology release and foreign disclosure
23 decisions;

24 (ii) the broader acquisition and pro-
25 gram executive officer communities; and

1 (iii) interagency partners of the De-
2 partment.

3 (3) METHOD OF IMPLEMENTATION.—For pur-
4 poses of the initiative required under paragraph (1),
5 the Secretary of Defense may—

6 (A) establish a new initiative;

7 (B) modify an existing initiative of the De-
8 partment of Defense; or

9 (C) carry out the initiative through a com-
10 bination of the approaches described in sub-
11 paragraphs (A) and (B).

12 (b) METRICS.—

13 (1) IN GENERAL.—In conjunction with the ini-
14 tiative required under subsection (a), the Under Sec-
15 retary of Defense for Policy shall develop metrics for
16 the management of the technology release and for-
17 eign disclosure process to provide objective and sub-
18 jective measures of performance and improve senior
19 leader decision-making in the Department of De-
20 fense.

21 (2) ELEMENTS.—The metrics developed under
22 paragraph (1) shall include—

23 (A) methods for tracking individual tech-
24 nology release and foreign disclosure decisions

1 made by the Defense Technology Security Ad-
2 ministration;

3 (B) objectives and deadlines related to the
4 completion of such decisions; and

5 (C) a method of prioritizing among tech-
6 nology release and foreign disclosure requests
7 that takes into account—

8 (i) the importance of the request to
9 the national security of the United States;
10 and

11 (ii) the risks associated with the re-
12 lease or disclosure.

13 (3) BRIEFING REQUIRED.—Not later than June
14 1, 2024, the Under Secretary of Defense for Policy
15 shall provide to the congressional defense commit-
16 tees a briefing on the metrics developed under para-
17 graph (1).

18 (c) DESIGNATION OF POINTS OF CONTACT.—Not
19 later than 90 days after the date of the enactment of this
20 Act—

21 (1) the Under Secretary of Defense for Policy
22 shall establish or designate—

23 (A) one position within the Office of the
24 Under Secretary to lead the development and
25 oversee the implementation of technology re-

1 lease and foreign disclosure policies for the De-
2 partment of Defense; and

3 (B) one position within the Office to co-
4 ordinate information and outreach to relevant
5 stakeholders on relevant Department of Defense
6 technology release and foreign disclosure poli-
7 cies and to respond to inquiries from represent-
8 atives of the commercial defense industry and
9 partner countries; and

10 (2) each Secretary of a military department
11 shall establish or designate—

12 (A) one position within the department
13 under the jurisdiction of such Secretary to lead
14 the development and oversee the implementa-
15 tion of technology release and foreign disclosure
16 policies for that department; and

17 (B) one position within such department to
18 coordinate information and outreach to relevant
19 stakeholders on relevant Department of Defense
20 technology release and foreign disclosure poli-
21 cies and to respond to inquiries from represent-
22 atives of the commercial defense industry and
23 partner countries.

24 (d) REPORT REQUIRED.—

1 (1) IN GENERAL.—Not later than December 31,
2 2024, the Secretary of Defense shall submit to the
3 congressional defense committees a report that in-
4 cludes the following:

5 (A) An assessment of the staffing levels of
6 the organizations specified in paragraph (2).

7 (B) An assessment of the feasibility and
8 advisability of consolidating the functions and
9 organizations of the Department of Defense in-
10 volved in technology release and foreign disclo-
11 sure decisions, including the organizations spec-
12 ified in paragraph (2).

13 (C) A review of any statutes and regula-
14 tions applicable to technology release and for-
15 eign disclosure, together with recommendations
16 for any changes to such statutes and regula-
17 tions.

18 (D) A survey and description of the data
19 and methodology used to assess operational
20 risk, technology risk, and the effects of tech-
21 nology release and foreign disclosure decisions
22 on the defense industrial base.

23 (E) An assessment of the benefits of devel-
24 oping and implementing anticipatory policies for
25 technology release and foreign disclosure that

1 include standardized capability thresholds for
2 countries and geopolitical regions, especially for
3 emerging capabilities for partners and allies of
4 the United States.

5 (F) An assessment of the extent to which
6 the lessons learned from technology release and
7 foreign disclosure decisions made in support of
8 the Ukraine conflict have been applied to broad-
9 er processes.

10 (2) ORGANIZATIONS SPECIFIED.—The organiza-
11 tions specified in this paragraph are—

12 (A) the Defense Technology Security Ad-
13 ministration;

14 (B) the Low Observable/Counter Low Ob-
15 servable Tri-Service Committee;

16 (C) the Executive Agent for Anti-Tamper;

17 (D) the Communications Security Review
18 and Advisory Board; and

19 (E) the organizations responsible for tech-
20 nology release and foreign disclosure in each of
21 the military departments.

1 **SEC. 919. SOFTWARE-BASED CAPABILITY TO FACILITATE**
2 **SCHEDULING BETWEEN THE DEPARTMENT**
3 **OF DEFENSE AND CONGRESS.**

4 Not later than September 30, 2024, the Secretary of
5 Defense shall seek to develop and implement a software-
6 based capability to facilitate the mutual scheduling of en-
7 gagements between the Department of Defense and the
8 congressional defense committees. Such capability shall—

9 (1) enable the automated transmission of sched-
10 uling data to and from the congressional defense
11 committees; and

12 (2) be compatible and interoperable with the in-
13 formation technology systems of such committees.

14 **SEC. 920. METRICS TO OPERATIONALIZE AUDIT READI-**
15 **NESS.**

16 (a) METRICS REQUIRED.—

17 (1) IN GENERAL.—The Secretary of Defense, in
18 coordination with the Secretaries of the military de-
19 partments, shall develop a set of metrics that reflect
20 the Secretary's audit remediation goals and metrics
21 to measure progress made by the military depart-
22 ments with respect to such goals.

23 (2) FFRDC SUPPORT.—The Secretary of De-
24 fense may enter into a contract or other agreement
25 with a federally funded research and development
26 center or university-affiliated research center to sup-

1 port the development of the metrics required under
2 paragraph (1).

3 (3) DEADLINE.—The Secretary of Defense shall
4 develop and implement an initial set of metrics
5 under paragraph (1) by not later than April 30,
6 2025.

7 (b) LEADER PERFORMANCE ASSESSMENTS.—

8 (1) IN GENERAL.—The Secretary of Defense, in
9 coordination with the Secretaries of the military de-
10 partments and the Under Secretary of Defense for
11 Personnel and Readiness, shall evaluate means by
12 which the metrics developed under subsection (a)
13 can be used in the performance evaluation of general
14 officers, flag officers, and employees of the military
15 departments who are members of the Senior Execu-
16 tive Service.

17 (2) BRIEFING REQUIRED.—Not later than Sep-
18 tember 30, 2024, the Secretary of Defense shall pro-
19 vide to the Committees on Armed Services of the
20 Senate and the House of Representatives a briefing
21 on the evaluation conducted under paragraph (1).

22 The briefing shall include the following:

23 (A) Identification of the general officer,
24 flag officer, and Senior Executive Service posi-
25 tions in the military departments for which it

1 would be appropriate to use the metrics devel-
2 oped under subsection (a) in support of the per-
3 formance evaluation process.

4 (B) Evaluations of available measures to
5 reward or recognize superior or above-average
6 performance with respect to such metrics.

7 (C) Assessment of the potential value, and
8 challenges, to integrating such measures into
9 the annual performance evaluations for posi-
10 tions identified under subparagraph (A).

11 (D) Any other issues the Secretary con-
12 siders appropriate.

13 **SEC. 921. NEXT GENERATION BUSINESS HEALTH METRICS.**

14 (a) **METRICS REQUIRED.**—The Secretary of Defense,
15 in coordination with the Secretaries of the military depart-
16 ments, shall develop an updated set of business health
17 metrics to inform decision-making by senior leaders of the
18 Department of Defense.

19 (b) **ELEMENTS.**—In developing the metrics required
20 by subsection (a), the Secretary of Defense shall—

21 (1) using the latest literature on performance
22 measurement, determine what additional new
23 metrics should be implemented, or current metrics
24 should be adapted, to reduce output-based measures
25 and emphasize objective, measurable indicators

1 aligned to enduring strategic goals of the Depart-
2 ment of Defense;

3 (2) assess the current business processes of the
4 Department and provide recommendations to align
5 the metrics with available data sources to determine
6 what gaps might exist in such processes;

7 (3) ensure that data can be collected automati-
8 cally and, on a long-term basis, in a manner that
9 provides for longitudinal analysis;

10 (4) link the metrics with the Strategic Manage-
11 ment Plan and other performance documents guid-
12 ing the Department;

13 (5) identify any shortfalls in resources, data,
14 training, policy, or law that could be an impediment
15 to implementing the metrics;

16 (6) revise leading and lagging indicators associ-
17 ated with each such metric to provide a benchmark
18 against which to assess progress;

19 (7) improve visualization of and comprehension
20 for the use of the metrics in data-driven decision-
21 making, including adoption of new policies and
22 training as needed;

23 (8) incorporate the ability to aggregate and
24 disaggregate data to provide the ability to focus on
25 functional, component-level metrics; and

1 (9) increase standardization of the use and col-
2 lection of business health metrics across the Depart-
3 ment.

4 (c) **ADDITIONAL SUPPORT.**—The Secretary of De-
5 fense may enter into a contract or other agreement with
6 a federally funded research and development center or uni-
7 versity-affiliated research center to support the develop-
8 ment of the metrics required under subsection (a).

9 **SEC. 922. INDEPENDENT ASSESSMENT OF DEFENSE BUSI-**
10 **NESS ENTERPRISE ARCHITECTURE.**

11 (a) **IN GENERAL.**—The Secretary of Defense shall
12 seek to enter into a contract or other agreement with a
13 federally funded research and development center or a uni-
14 versity affiliated research center to conduct an inde-
15 pendent assessment of the defense business enterprise ar-
16 chitecture developed under section 2222(e) of title 10,
17 United States Code.

18 (b) **ELEMENTS.**—The assessment required by sub-
19 section (a) shall include the following elements:

20 (1) An assessment of the effectiveness of the
21 defense business enterprise architecture as of the
22 date of the enactment of this Act in providing an
23 adequate and useful framework for planning, man-
24 aging, and integrating the business systems of the
25 Department of Defense.

1 (2) A comparison of the defense business enter-
2 prise architecture with similar models in use by
3 other government agencies in the United States, for-
4 eign governments, and major commercial entities, in-
5 cluding an assessment of any lessons from such
6 models that might be applied to the defense business
7 enterprise architecture.

8 (3) An assessment of the adequacy of the de-
9 fense business enterprise architecture in informing
10 business process reengineering and being sufficiently
11 responsive to changes in business processes over
12 time.

13 (4) An identification of any shortfalls or imple-
14 mentation challenges in the utility of the defense
15 business enterprise architecture.

16 (5) Recommendations for replacement of the
17 existing defense business enterprise architecture or
18 for modifications to the existing architecture to
19 make that architecture and the process for updating
20 that architecture more effective and responsive to
21 the business process needs of the Department.

22 (c) INTERIM BRIEFING.—Not later than April 1,
23 2024, the Secretary of Defense shall provide to the Com-
24 mittees on Armed Services of the Senate and the House

1 of Representatives a briefing on the status of the assess-
2 ment required by subsection (a).

3 (d) FINAL REPORT.—Not later than January 30,
4 2025, the Secretary of Defense shall submit to the Com-
5 mittees on Armed Services of the Senate and the House
6 of Representatives a report on the results of the assess-
7 ment required by subsection (a).

8 **SEC. 923. FUTURE FORCE DESIGN OF THE DEPARTMENT OF**
9 **THE AIR FORCE.**

10 (a) FORCE DESIGN REQUIRED.—Not later than Au-
11 gust 31, 2024, the Secretary of the Air Force shall develop
12 a force design for the Air Force and Space Force projected
13 through 2050.

14 (b) ELEMENTS.—The force design under subsection
15 (a) shall address—

16 (1) the concepts, capabilities, and structural
17 elements (including size and form) of the Air Force
18 and Space Force that are necessary to ensure those
19 forces effectively execute their core functions
20 through 2050 in support of the National Defense
21 Strategy and the National Military Strategy;

22 (2) force structure, including the development
23 of capabilities (including platforms and systems) at
24 the correct level of capacity to address the challenges

1 outlined by the National Defense Strategy and the
2 National Military Strategy;

3 (3) force composition, including recruitment
4 and development of human capital, effective distribu-
5 tion of forces in the total force, and policies to in-
6 crease career flexibility across the various compo-
7 nents of the force;

8 (4) organizational design, including develop-
9 ment of potential models to increase agility and
10 operational effectiveness across the Air Force and
11 Space Force; and

12 (5) such other matters as the Secretary of the
13 Air Force determines to be relevant.

14 (c) INFORMATION TO CONGRESS.—Not later than 60
15 days after completion of the force design required under
16 subsection (a), the Secretary of the Air Force shall—

17 (1) submit a summary of the force design to
18 the congressional defense committees; and

19 (2) provide to the congressional defense com-
20 mittees a briefing on the force design.

21 **SEC. 924. FEASIBILITY STUDY ON THE CONSOLIDATION OR**
22 **TRANSFER OF SPACE FUNCTIONS OF THE NA-**
23 **TIONAL GUARD TO THE SPACE FORCE.**

24 (a) STUDY REQUIRED.—The Secretary of Defense
25 shall conduct a study to assess the feasibility and advis-

1 ability of transferring all covered space functions of the
2 National Guard to the Space Force.

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

5 (1) An analysis and recommendations address-
6 ing, at a minimum, each of the following courses of
7 action with respect to the covered space functions of
8 the National Guard:

9 (A) Maintaining the current model under
10 which the Air National Guard has units and
11 personnel performing such functions.

12 (B) Transferring such functions, including
13 units and personnel, to the Space Force.

14 (C) The establishment of a new National
15 Guard component of the Space Force to per-
16 form such functions.

17 (2) A cost-benefit analysis for each course of
18 action addressed under paragraph (1).

19 (3) An assessment any risks or benefits to the
20 mission or readiness of the Space Force, including
21 the ability of the Space Force to meet applicable ob-
22 jectives of the National Defense Strategy, that may
23 be presented by transferring or consolidating units
24 of the Air National Guard as described in paragraph
25 (1).

1 (c) INTERIM BRIEFING.—Not later than February 1,
2 2024, the Secretary of Defense shall provide to the Com-
3 mittees on Armed Services of the Senate and House of
4 Representatives an interim briefing on the preliminary re-
5 sults of the study conducted under subsection (a).

6 (d) FINAL REPORT.—

7 (1) IN GENERAL.—Not later than March 1,
8 2024, the Secretary of Defense shall submit to the
9 Committees on Armed Services of the Senate and
10 House of Representatives a report on the final re-
11 sults of the study conducted under subsection (a),
12 including the results of the study with respect to
13 each element specified in subsection (b).

14 (2) FORM OF REPORT.—The report required
15 under paragraph (1) shall be submitted in unclassi-
16 fied form, but may include a classified annex.

17 (e) COVERED SPACE FUNCTIONS OF THE NATIONAL
18 GUARD DEFINED.—In this section, the term “covered
19 space functions of the National Guard” means all units,
20 personnel billets, equipment, and resources of the Air Na-
21 tional Guard associated with the performance a space re-
22 lated function that is (as determined by the Secretary of
23 the Air Force, in consultation with the Chief of Space Op-
24 erations)—

- 1 (1) a core space-related function of the Space
2 Force; or
- 3 (2) otherwise integral to the mission of the
4 Space Force.

5 **TITLE X—GENERAL PROVISIONS**

Subtitle A—Financial Matters

- Sec. 1001. General transfer authority.
- Sec. 1002. Annual report on budget prioritization by Secretary of Defense and military departments.
- Sec. 1003. Additional reporting requirements related to unfunded priorities of armed forces and combatant commands.
- Sec. 1004. Audit requirement for Department of Defense components.
- Sec. 1005. Requirement for unqualified opinion on Department of Defense financial statements.

Subtitle B—Counterdrug Activities

- Sec. 1010. Enhanced support for counterdrug activities and activities to counter transnational organized crime.
- Sec. 1011. Modification of support for counterdrug activities and activities to counter transnational organized crime: increase in cap for small scale construction projects.
- Sec. 1012. Drug interdiction and counter-drug activities.
- Sec. 1013. Disruption of fentanyl trafficking.

Subtitle C—Naval Vessels and Shipyards

- Sec. 1015. Modifications to annual naval vessel construction plan.
- Sec. 1016. Critical components of national sea-based deterrence vessels.
- Sec. 1017. Grants for improvement of Navy ship repair or alterations capability.
- Sec. 1018. Repeal of obsolete provision of law regarding vessel nomenclature.
- Sec. 1019. Responsibility of Commandant of the Marine Corps with respect to naval battle force ship assessment and requirement reporting.
- Sec. 1020. Policy of the United States on shipbuilding defense industrial base.
- Sec. 1021. Prohibition on retirement of certain naval vessels.
- Sec. 1022. Authority to use incremental funding to enter into a contract for the advance procurement and construction of a San Antonio-class amphibious ship.
- Sec. 1023. Authority to use incremental funding to enter into a contract for the advance procurement and construction of a submarine tender.
- Sec. 1024. Biannual briefings on submarine readiness.

Subtitle D—Counterterrorism

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

- Sec. 1032. Extension of prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 1033. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to certain countries.
- Sec. 1034. Extension of prohibition on use of funds to close or relinquish control of United States Naval Station, Guantanamo Bay, Cuba.

Subtitle E—Miscellaneous Authorities and Limitations

- Sec. 1041. Limitation on availability of certain funds until submission of Chairman's Risk Assessment; briefing requirement.
- Sec. 1042. Assistance in support of Department of Defense accounting for missing United States Government personnel.
- Sec. 1043. Implementation of arrangements to build transparency, confidence, and security.
- Sec. 1044. Modification to definitions of Confucius Institute.
- Sec. 1045. Termination of authority to issue waiver of limitation on use of funds to institutions of higher education hosting Confucius Institutes.
- Sec. 1046. Vetting procedures and monitoring requirements for allies and partners participating in education or training activities in the United States.
- Sec. 1047. Authority to include funding requests for the chemical and biological defense program in budget accounts of military departments.
- Sec. 1048. Limitation on availability of funds until delivery of report on next generation tactical communications.
- Sec. 1049. Establishment of procedure of the Department of Defense to determine certain complaints or requests regarding public displays or public expressions of religion on property of the Department.
- Sec. 1050. Limitation on availability of funds for destruction of landmines.
- Sec. 1051. Limitation on availability of funds for travel expenses of Office of the Secretary of Defense until submission of certain plans.
- Sec. 1052. Prohibition on display of unapproved flags.
- Sec. 1053. Collaboration with partner countries to develop and maintain military-wide transformational strategies for operational energy.
- Sec. 1054. Student loan deferment for dislocated military spouses.

Subtitle F—Studies and Reports

- Sec. 1061. Modifications of reporting requirements.
- Sec. 1062. Extension of requirement to submit a report on Department of Defense support for Department of Homeland Security at the international borders of the United States.
- Sec. 1063. Briefing on Defense POW/MIA Accounting Agency capabilities required to expand accounting for persons missing from designated past conflicts.
- Sec. 1064. Air Force plan for maintaining proficient aircrews in certain mission areas.
- Sec. 1065. Independent study on naval mine warfare.
- Sec. 1066. Annual report and briefing on implementation of Force Design 2030.
- Sec. 1067. Study and report on potential inclusion of black box data recorders in tactical vehicles.

- Sec. 1068. Plan on countering human trafficking.
- Sec. 1069. Update to strategic plan on Department of Defense combating trafficking in persons program.
- Sec. 1070. Report on use of tactical fighter aircraft for deployments and homeland defense missions.
- Sec. 1071. Report on equipping certain ground combat units with small unmanned aerial systems.
- Sec. 1072. Biannual briefings on homeland defense planning.
- Sec. 1073. Report on effectiveness of current use of United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 1074. Holistic training range assessment.
- Sec. 1075. Special operations force structure.
- Sec. 1076. Comprehensive assessment of Marine Corps Force Design 2030.
- Sec. 1077. Assessment and recommendations relating to infrastructure, capacity, resources, and personnel on Guam.
- Sec. 1078. Feasibility study on conversion of Joint Task Force North into Joint Interagency Task Force North.

Subtitle G—Other Matters

- Sec. 1080. Modification of definition of domestic source for title III of the Defense Production Act of 1950.
- Sec. 1081. Integrated and authenticated access to Department of Defense systems for certain congressional staff for oversight purposes.
- Sec. 1082. Modification of compensation for members of the Afghanistan War Commission.
- Sec. 1083. Senate National Security Working Group.
- Sec. 1084. Tribal liaisons at military installations.
- Sec. 1085. Commercial integration cell plan within certain combatant commands.
- Sec. 1086. Guidance for use of unmanned aircraft systems by National Guard.
- Sec. 1087. Public disclosure of Afghanistan war records.
- Sec. 1088. Implementation plan for Joint Concept for Competing.
- Sec. 1089. Notification of safety and security concerns at certain Department of Defense laboratories.
- Sec. 1090. Conduct of weather reconnaissance in the United States.
- Sec. 1091. Sense of Congress regarding authority of Secretary of Defense with respect to irregular warfare.
- Sec. 1092. Red Hill health impacts.

1 **Subtitle A—Financial Matters**

2 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

3 (a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

- 4 (1) AUTHORITY.—Upon determination by the
- 5 Secretary of Defense that such action is necessary in
- 6 the national interest, the Secretary may transfer
- 7 amounts of authorizations made available to the De-

1 partment of Defense in this division for fiscal year
2 2024 between any such authorizations for that fiscal
3 year (or any subdivisions thereof). Amounts of au-
4 thorizations so transferred shall be merged with and
5 be available for the same purposes as the authoriza-
6 tion to which transferred.

7 (2) LIMITATION.—Except as provided in para-
8 graph (3), the total amount of authorizations that
9 the Secretary may transfer under the authority of
10 this section may not exceed \$6,000,000,000.

11 (3) EXCEPTION FOR TRANSFERS BETWEEN
12 MILITARY PERSONNEL AUTHORIZATIONS.—A trans-
13 fer of funds between military personnel authoriza-
14 tions under title IV shall not be counted toward the
15 dollar limitation in paragraph (2).

16 (b) LIMITATIONS.—The authority provided by sub-
17 section (a) to transfer authorizations—

18 (1) may only be used to provide authority for
19 items that have a higher priority than the items
20 from which authority is transferred; and

21 (2) may not be used to provide authority for an
22 item that has been denied authorization by Con-
23 gress.

24 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A
25 transfer made from one account to another under the au-

1 thority of this section shall be deemed to increase the
2 amount authorized for the account to which the amount
3 is transferred by an amount equal to the amount trans-
4 ferred.

5 (d) NOTICE TO CONGRESS.—The Secretary shall
6 promptly notify Congress of each transfer made under
7 subsection (a).

8 **SEC. 1002. ANNUAL REPORT ON BUDGET PRIORITIZATION**
9 **BY SECRETARY OF DEFENSE AND MILITARY**
10 **DEPARTMENTS.**

11 Chapter 9 of title 10, United States Code, is amended
12 by inserting after section 222d the following new section:

13 **“§ 222e. Programs, projects, and activities that were**
14 **internally changed in the submission of**
15 **the President’s budget: annual report**

16 “(a) IN GENERAL.—The Secretary of Defense, acting
17 through the Secretaries of the military departments and
18 the officers of Department of Defense agencies and offices
19 not under the control of a Secretary of a military depart-
20 ment, shall submit to the congressional defense commit-
21 tees each year, not later than 30 days after the submission
22 of the budget of the President for the fiscal year beginning
23 in such year under section 1105(a) of title 31, a report
24 that includes organized tabulations of programs, projects,
25 and activities in research, development, test, and evalua-

1 tion, procurement, and military construction the total
2 obligational authority for which was changed in the cur-
3 rent budget year proposal compared to the prior-year pro-
4 jection for the current year.

5 “(b) ELEMENTS.—The tabulations required under
6 subsection (a) shall include, for each program, project, or
7 activity that was internally changed, the following ele-
8 ments:

9 “(1) Whether the program, project, or activity
10 was added, eliminated, or reduced and in which fis-
11 cal year.

12 “(2) The appropriations sub-account.

13 “(3) The appropriate program element, line
14 item number, or sub-activity group.

15 “(4) The program, project, or activity name.

16 “(5) The prior year enacted appropriation.

17 “(6) The prior year projected current year
18 budget.

19 “(7) The current year budget request.

20 “(8) If applicable, the amount reduced or saved
21 by the current year elimination or reduction over the
22 future years defense plan.

23 “(9) A characterization of the change as a fact-
24 of-life change, a prioritization change, a pro-

1 grammatic change, or a change due to congressional
2 action.

3 “(c) FORM.—The report required under subsection
4 (a) shall be submitted in machine readable, electronic
5 form.”.

6 **SEC. 1003. ADDITIONAL REPORTING REQUIREMENTS RE-**
7 **LATED TO UNFUNDED PRIORITIES OF ARMED**
8 **FORCES AND COMBATANT COMMANDS.**

9 Section 222a(c)(1) of title 10, United States Code,
10 is amended by adding at the end the following new sub-
11 paragraphs:

12 “(E) The requirement to be addressed by
13 the unfunded priority.

14 “(F) The reason why funding for the pri-
15 ority was not included in the budget of the
16 President.

17 “(G) A description of any funding provided
18 for the requirement for the current and pre-
19 ceding fiscal year.

20 “(H) An assessment of the effect that pro-
21 viding funding for the priority would have on
22 the future-years defense plan.”.

1 **SEC. 1004. AUDIT REQUIREMENT FOR DEPARTMENT OF DE-**
2 **FENSE COMPONENTS.**

3 (a) IN GENERAL.—During fiscal year 2024, and dur-
4 ing each of the nine fiscal years thereafter, each compo-
5 nent of the Department of Defense shall be subject to an
6 independent audit. Any such component that fails to be
7 subject to such an audit during any fiscal year shall have
8 1.5 percent of unobligated amounts available for the com-
9 ponent be cancelled and returned to the general fund of
10 the Treasury for deficit reduction, except as provided in
11 subsection (b).

12 (b) EXCEPTIONS.—The following accounts are ex-
13 cluded from any reductions:

14 (1) Military personnel, reserve personnel, and
15 National Guard personnel accounts of the Depart-
16 ment of Defense.

17 (2) The Defense Health Program account of
18 the Department of Defense.

19 **SEC. 1005. REQUIREMENT FOR UNQUALIFIED OPINION ON**
20 **DEPARTMENT OF DEFENSE FINANCIAL**
21 **STATEMENTS.**

22 The Secretary of Defense shall ensure that the De-
23 partment of Defense has received an unqualified opinion
24 on the financial statements of the Department by not later
25 than December 31, 2028.

1 **Subtitle B—Counterdrug Activities**

2 **SEC. 1010. ENHANCED SUPPORT FOR COUNTERDRUG AC-** 3 **TIVITIES AND ACTIVITIES TO COUNTER** 4 **TRANSNATIONAL ORGANIZED CRIME.**

5 Section 284(b)(9) of title 10, United States Code, is
6 amended by striking “linguist and intelligence analysis”
7 and inserting “linguist, intelligence analysis, and plan-
8 ning”.

9 **SEC. 1011. MODIFICATION OF SUPPORT FOR** 10 **COUNTERDRUG ACTIVITIES AND ACTIVITIES** 11 **TO COUNTER TRANSNATIONAL ORGANIZED** 12 **CRIME: INCREASE IN CAP FOR SMALL SCALE** 13 **CONSTRUCTION PROJECTS.**

14 Section 284(i)(3) of title 10, United States Code, is
15 amended by striking “\$750,000” and inserting
16 “\$1,000,000”.

17 **SEC. 1012. DRUG INTERDICTION AND COUNTER-DRUG AC-** 18 **TIVITIES.**

19 Section 112(a)(3) of title 32, United States Code, is
20 amended by striking “\$5,000” and inserting “\$15,000”.

21 **SEC. 1013. DISRUPTION OF FENTANYL TRAFFICKING.**

22 (a) DEVELOPMENT OF STRATEGY TO COUNTER
23 FENTANYL TRAFFICKING.—

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

1 Defense, in consultation with the Secretary of State
2 and the Attorney General and in coordination with
3 appropriate Federal, State, Tribal, and local law en-
4 forcement agencies, shall develop and submit to the
5 appropriate congressional committees a strategy to
6 address threats to the national security of the
7 United States caused or exacerbated by fentanyl
8 trafficking.

9 (2) CONTENTS.—The strategy required by
10 paragraph (1) shall outline how the Secretary of De-
11 fense will—

12 (A) leverage existing authorities regarding
13 counterdrug and counter-transnational orga-
14 nized crime activities with a counter-fentanyl
15 nexus to detect and monitor activities related to
16 fentanyl trafficking;

17 (B) leverage existing authorities, as appro-
18 priate, to support operations to counter
19 fentanyl trafficking carried out by Federal,
20 State, Tribal, and local law enforcement agen-
21 cies, or foreign security forces;

22 (C) coordinate efforts of the Department
23 of Defense for the detection and monitoring of
24 aerial, maritime, and surface traffic suspected
25 of carrying fentanyl bound for the United

1 States, including efforts to unify the use of
2 technology, surveillance, and related resources
3 across air and maritime domains to counter
4 fentanyl trafficking, including with respect to
5 data collection, data processing, and integrating
6 sensors across such domains, consistent with
7 paragraphs (6) and (10) of section 284(b) of
8 title 10, United States Code, and section 124 of
9 title 10, United States Code;

10 (D) provide Department of Defense-spe-
11 cific capabilities to support activities by the
12 United States Government and foreign security
13 forces to detect and monitor the trafficking of
14 fentanyl and precursor chemicals used in
15 fentanyl production, consistent with relevant ex-
16 isting law;

17 (E) leverage existing counterdrug and
18 counter-transnational organized crime programs
19 of the Department to counter fentanyl traf-
20 ficking;

21 (F) assess existing training programs of
22 the Department and assess whether opportuni-
23 ties exist for the provision of training for Fed-
24 eral, State, Tribal, and local law enforcement
25 agencies to counter fentanyl trafficking, con-

1 sistent with section 284(b)(5) of title 10,
2 United States Code;

3 (G) engage with foreign security forces to
4 ensure the counterdrug and counter-
5 transnational organized crime programs of the
6 Department—

7 (i) support efforts to counter fentanyl
8 trafficking; and

9 (ii) build capacity to interdict fentanyl
10 in foreign countries, including programs to
11 train security forces in partner countries to
12 counter fentanyl trafficking, including
13 countering illicit flows of fentanyl precur-
14 sors, consistent with sections 284(e) and
15 333 of title 10, United States Code;

16 (H) increase domain awareness to detect
17 and monitor fentanyl trafficking through the
18 North American Defense Ministerial and the bi-
19 lateral defense working groups and bilateral
20 military cooperation roundtables with Canada
21 and Mexico;

22 (I) evaluate existing policies, procedures,
23 processes, resources, and existing joint inter-
24 agency task forces focused on supporting the
25 countering of fentanyl trafficking by Federal,

1 State, Tribal, and local law enforcement agen-
2 cies, consistent with existing counterdrug and
3 counter-transnational organized crime authori-
4 ties;

5 (J) describe any previous actions taken by
6 the Department of Defense in cyberspace to
7 counter illegal activities by transnational crimi-
8 nal organizations that traffic fentanyl; and

9 (K) assess the resources that the Secretary
10 can deploy to counter transnational criminal or-
11 ganizations' cyber activities.

12 (3) FORM.—The strategy required by para-
13 graph (1) shall be submitted in unclassified form,
14 but may include a classified annex.

15 (4) BRIEFING.—Not later than 60 days after
16 the submission of the strategy required by para-
17 graph (1), the Secretary shall provide to the appro-
18 priate congressional committees a briefing on the
19 strategy and plans for its implementation.

20 (b) COOPERATION WITH MEXICO.—The Secretary of
21 Defense shall seek to enhance cooperation with defense of-
22 ficials of the Government of Mexico to target, disrupt, and
23 degrade transnational criminal organizations within Mex-
24 ico that traffic fentanyl.

1 (c) DEFINITION OF APPROPRIATE CONGRESSIONAL
2 COMMITTEES.—In this section, the term “appropriate
3 congressional committees” means—

4 (1) the Committee on Armed Services of the
5 Senate;

6 (2) the Committee on Armed Services of the
7 House of Representatives;

8 (3) the Committee on Foreign Affairs of the
9 House of Representatives;

10 (4) the Committee on Foreign Relations of the
11 Senate;

12 (5) the Committee on the Judiciary of the Sen-
13 ate; and

14 (6) the Committee on the Judiciary of the
15 House of Representatives.

16 **Subtitle C—Naval Vessels and**
17 **Shipyards**

18 **SEC. 1015. MODIFICATIONS TO ANNUAL NAVAL VESSEL**
19 **CONSTRUCTION PLAN.**

20 Section 231 of title 10, United States Code, is
21 amended—

22 (1) in subsection (a)—

23 (A) in paragraph (2), by inserting before
24 the period at the end the following: “, together
25 with the views of the Chief of Naval Operations

1 and Commandant of the Marine Corps on the
2 budget”; and

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

5 “(3) The unaltered assessment of the Chief of
6 Naval Operations and the Commandant of the Ma-
7 rine Corps of the plan required under paragraph
8 (1).”; and

9 (2) in subsection (b), by adding at the end the
10 following new paragraphs:

11 “(3) In developing annual naval vessel construction
12 plans for purposes of subsection (a)(1), the Secretary of
13 the Navy shall take into consideration the most recent bi-
14 ennial report on shipbuilder training and the defense in-
15 dustrial base required by section 8693 of this title.”.

16 **SEC. 1016. CRITICAL COMPONENTS OF NATIONAL SEA-**
17 **BASED DETERRENCE VESSELS.**

18 Section 2218a(k)(3) of title 10, United States Code,
19 is amended by adding at the end the following new sub-
20 paragraphs:

21 “(P) Major bulkheads and tanks.

22 “(Q) All major pumps and motors.

23 “(R) Large vertical array.

24 “(S) Atmosphere control equipment.

25 “(T) Diesel systems and components.

1 “(U) Hydraulic valves and components.

2 “(V) Bearings.

3 “(W) Major air and blow valves and com-
4 ponents.

5 “(X) Decks and superstructure.

6 “(Y) Castings, forgings, and tank struc-
7 ture.

8 “(Z) Hatches and hull penetrators.”.

9 **SEC. 1017. GRANTS FOR IMPROVEMENT OF NAVY SHIP RE-**
10 **PAIR OR ALTERATIONS CAPABILITY.**

11 Chapter 131 of title 10, United States Code, is
12 amended by inserting after section 2218a the following
13 new section:

14 **“§ 2219. Grants for improvement of Navy ship repair**
15 **or alterations capability**

16 “(a) ASSISTANCE AUTHORIZED.—(1) Subject to the
17 availability of appropriations, the Secretary of the Navy
18 may make grants to an eligible entity for the purpose of
19 carrying out—

20 “(A) a capital improvement project; or

21 “(B) a maritime training program designed to
22 foster technical skills and operational productivity.

23 “(2) The amount of a grant under this section may
24 not exceed 75 percent of the total cost of the project or
25 program funded by the grant.

1 “(3) A grant provided under this section may not be
2 used to construct buildings or other physical facilities, ex-
3 cept for piers, dry docks, and structures in support of
4 piers and dry docks, or to acquire land.

5 “(4) The Secretary may not award a grant to an eli-
6 gible entity under this section unless the Secretary deter-
7 mines that—

8 “(A) the entity has access to sufficient non-
9 Federal funding to meet the requirement under
10 paragraph (2);

11 “(B) the entity has authority to carry out the
12 proposed project; and

13 “(C) the project or program would improve—

14 “(i) efficiency, competitive operations, ca-
15 pability, or quality of United States Navy ship
16 repair or alterations; or

17 “(ii) employee, or potential employee, skills
18 and enhanced productivity related to United
19 States Navy ship repair or alterations.

20 “(b) ELIGIBILITY.—To be eligible for a grant under
21 this section, an entity shall—

22 “(1) be a shipyard or other entity that provides
23 ship repair or alteration for non-nuclear ships;

24 “(2) submit an application, at such time, in
25 such form, and containing such information and as-

1 surances as the Secretary may require, including a
2 comprehensive description of—

3 “(A) the need for the project or program
4 proposed to be funded under the grant;

5 “(B) the methodology to be used to imple-
6 ment the project or program; and

7 “(C) any existing programs or arrange-
8 ments that could be used to supplement or le-
9 verage a grant provided under this section; and

10 “(3) enter into an agreement with the Secretary
11 under which the entity agrees—

12 “(A) to complete the project or program
13 funded by the grant within a certain timeframe
14 and without unreasonable delay and the Sec-
15 retary determines such project or program is
16 likely to be completed within the timeframe pro-
17 vided in such agreement;

18 “(B) to return to the Secretary any
19 amount of the grant that is—

20 “(i) not used by the grant recipient
21 for the purpose for which the grant was
22 awarded; or

23 “(ii) not obligated or expended within
24 the timeframe provided in the agreement;

1 “(C) to maintain such records as the Sec-
2 retary may require and make such records
3 available for review and audit by the Secretary;
4 and

5 “(D) not to purchase any product or mate-
6 rial for the project or program using grant
7 funds, including any commercially available off-
8 the-shelf item, unless such product or material
9 is—

10 “(i) an unmanufactured article, mate-
11 rial, or supply that has been mined or pro-
12 duced in the United States; or

13 “(ii) a manufactured article, material,
14 or supply that has been manufactured in
15 the United States substantially all from ar-
16 ticles, materials, or supplies mined, pro-
17 duced, or manufactured in the United
18 States.

19 “(c) GUIDELINES.—The Secretary shall issue guide-
20 lines to establish appropriate accounting, reporting, and
21 review procedures to ensure that—

22 “(1) amounts awarded as grants under this sec-
23 tion are used for the purposes for which such
24 amounts were made available; and

1 “(2) an entity that receives a grant under this
2 section complies with the terms of the agreement
3 such entity enters into with the Secretary pursuant
4 to subsection (b)(3).

5 “(d) DEFINITIONS.—In this section:

6 “(1) The term ‘commercially available off-the-
7 shelf item’—

8 “(A) means any item of supply (including
9 construction material) that is—

10 “(i) a commercial item, as defined by
11 section 2.101 of title 48, Code of Federal
12 Regulations (as in effect on the date of the
13 enactment of the National Defense Author-
14 ization Act for Fiscal Year 2024); and

15 “(ii) sold in substantial quantities in
16 the commercial marketplace; and

17 “(B) does not include bulk cargo, as de-
18 fined in section 40102(4) of title 46, such as
19 agricultural products and petroleum products.

20 “(2) The term ‘product or material’, with re-
21 spect to a project or program—

22 “(A) means an article, material, or supply
23 brought to the site where the project or pro-
24 gram is being carried out for incorporation into
25 the project or program; and

1 “(B) includes an item brought to the site
2 preassembled from articles, materials, or sup-
3 plies.

4 “(3) The term ‘United States’ includes the Dis-
5 trict of Columbia, the Commonwealth of Puerto
6 Rico, the Northern Mariana Islands, Guam, Amer-
7 ican Samoa, and the Virgin Islands.”.

8 **SEC. 1018. REPEAL OF OBSOLETE PROVISION OF LAW RE-**
9 **GARDING VESSEL NOMENCLATURE.**

10 Section 8662 of title 10, United States Code, is
11 amended—

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

13 (2) by redesignating subsection (c) as sub-
14 section (b).

15 **SEC. 1019. RESPONSIBILITY OF COMMANDANT OF THE MA-**
16 **RINE CORPS WITH RESPECT TO NAVAL BAT-**
17 **TLE FORCE SHIP ASSESSMENT AND REQUIRE-**
18 **MENT REPORTING.**

19 Section 8695(e) of title 10, United States Code, is
20 amended—

21 (1) in the subsection heading, by striking “AM-
22 PHIBIOUS WARFARE SHIPS” and inserting “RE-
23 SPONSIBILITIES OF COMMANDANT OF MARINE
24 CORPS”; and

1 (2) by inserting before the period at the end the
2 following: “and for naval vessels with the primary
3 mission of transporting Marines”.

4 **SEC. 1020. POLICY OF THE UNITED STATES ON SHIP-**
5 **BUILDING DEFENSE INDUSTRIAL BASE.**

6 Section 1025(a) of the National Defense Authoriza-
7 tion Act for Fiscal Year 2018 (Public Law 115–91; 10
8 U.S.C. 7291 note) is amended—

9 (1) by striking “United States” and all that fol-
10 lows and inserting “United States—”; and

11 (2) by adding at the end the following new
12 paragraphs:

13 “(1) to have available, as soon as practicable,
14 not fewer than 355 battle force ships, comprised of
15 the optimal mix of platforms, with funding subject
16 to the availability of appropriations or other funds;
17 and

18 “(2) that the United States shipbuilding de-
19 fense industrial base is fundamental to achieving the
20 shipbuilding requirements of the Navy and con-
21 stitutes a unique national security imperative that
22 requires sustainment and support by the Navy and
23 Congress.”.

1 **SEC. 1021. PROHIBITION ON RETIREMENT OF CERTAIN**
2 **NAVAL VESSELS.**

3 None of the funds authorized to be appropriated by
4 this Act for fiscal year 2024 may be obligated or expended
5 to retire, prepare to retire, or place in storage any of the
6 following naval vessels:

7 (1) USS Germantown (LSD 42).

8 (2) USS Gunston Hall (LSD 44).

9 (3) USS Tortuga (LSD 46).

10 (4) USS Shiloh (CG 67).

11 **SEC. 1022. AUTHORITY TO USE INCREMENTAL FUNDING TO**
12 **ENTER INTO A CONTRACT FOR THE ADVANCE**
13 **PROCUREMENT AND CONSTRUCTION OF A**
14 **SAN ANTONIO-CLASS AMPHIBIOUS SHIP.**

15 (a) **IN GENERAL.**—Amounts authorized to be appro-
16 priated by this Act or otherwise made available for the
17 Navy for Shipbuilding and Conversion for any of fiscal
18 years 2023 through 2025 may be used by the Secretary
19 of the Navy to enter into an incrementally funded contract
20 for the advance procurement and construction of a San
21 Antonio-class amphibious ship.

22 (b) **AVAILABILITY OF FUNDS.**—A contract entered
23 into under subsection (a) shall provide that any obligation
24 of the United States to make a payment under the con-
25 tract is subject to the availability of appropriations for
26 that purpose, and that total liability to the Government

1 for the termination of the contract shall be limited to the
2 total amount of funding obligated at time of termination.

3 **SEC. 1023. AUTHORITY TO USE INCREMENTAL FUNDING TO**
4 **ENTER INTO A CONTRACT FOR THE ADVANCE**
5 **PROCUREMENT AND CONSTRUCTION OF A**
6 **SUBMARINE TENDER.**

7 (a) IN GENERAL.—Amounts authorized to be appro-
8 priated by this Act or otherwise made available for the
9 Navy for Shipbuilding and Conversion for fiscal year 2024
10 may be used by the Secretary of the Navy to enter into
11 an incrementally funded contract for the advance procure-
12 ment and construction of a submarine tender.

13 (b) AVAILABILITY OF FUNDS.—A contract entered
14 into under subsection (a) shall provide that any obligation
15 of the United States to make a payment under the con-
16 tract is subject to the availability of appropriations for
17 that purpose, and that total liability to the Government
18 for the termination of the contract shall be limited to the
19 total amount of funding obligated at time of termination.

20 **SEC. 1024. BIENNIAL BRIEFINGS ON SUBMARINE READI-**
21 **NESS.**

22 (a) IN GENERAL.—Not later than 90 days after the
23 date of the enactment of this Act, and once every 180 days
24 thereafter until September 30, 2026, the Secretary of the

1 Navy shall provide to the congressional defense commit-
2 tees a briefing on submarine maintenance and readiness.

3 (b) ELEMENTS.—Each briefing required under sub-
4 section (a) shall include the following:

5 (1) An overview of submarine maintenance ac-
6 tivities, including—

7 (A) the original estimated schedule for
8 completion of attack, ballistic, and guided mis-
9 sile submarine depot-level maintenance activi-
10 ties;

11 (B) any adjustments made to such sched-
12 ule;

13 (C) in the case of any such adjustment—

14 (i) the reason why the adjustment was
15 necessary; and

16 (ii) an identification of the new time-
17 frame for completion and any additional
18 costs, broken out by shipyard or private
19 entity (by site), by name, and by type of
20 submarine;

21 (iii) a discussion of the reasons for
22 the scheduling delays (manpower, parts, or
23 other), including projections with respect
24 to the availability of parts;

1 (iv) a discussion of how the cannibal-
2 ization of submarines for parts affects the
3 overall maintenance capacity and sched-
4 uling, as well as a discussion on how mov-
5 ing money from program to program dur-
6 ing the year of execution affects the sched-
7 uling of maintenance; and

8 (v) a discussion of the efforts the
9 Navy has taken to address the ongoing
10 delays.

11 (2) A discussion of ongoing Shipyard Infra-
12 structure Optimization Program efforts and how
13 such efforts affect depot-level maintenance activities
14 for attack, ballistic, and guided missile submarines.

15 (3) A discussion of how the Department of the
16 Navy is applying lessons learned from other Navy
17 programs to the submarine maintenance enterprise.

18 (4) Recommendations for legislative changes re-
19 quired with respect to policies or resources to ensure
20 efficient and effective maintenance and operational
21 readiness for the submarine enterprise.

1 **Subtitle D—Counterterrorism**

2 **SEC. 1031. EXTENSION OF PROHIBITION ON USE OF FUNDS**
3 **FOR TRANSFER OR RELEASE OF INDIVID-**
4 **UALS DETAINED AT UNITED STATES NAVAL**
5 **STATION, GUANTANAMO BAY, CUBA, TO THE**
6 **UNITED STATES.**

7 Section 1033 of the John S. McCain National De-
8 fense Authorization Act for Fiscal Year 2019 (Public Law
9 115–232; 132 Stat. 1953), as most recently amended by
10 section 1031 of the James M. Inhofe National Defense
11 Authorization Act for Fiscal Year 2023 (Public Law 117–
12 263), is further amended by striking “December 31,
13 2023” and inserting “December 31, 2024”.

14 **SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS**
15 **TO CONSTRUCT OR MODIFY FACILITIES IN**
16 **THE UNITED STATES TO HOUSE DETAINEES**
17 **TRANSFERRED FROM UNITED STATES NAVAL**
18 **STATION, GUANTANAMO BAY, CUBA.**

19 Section 1034(a) of the John S. McCain National De-
20 fense Authorization Act for Fiscal Year 2019 (Public Law
21 115–232; 132 Stat. 1954), as most recently amended by
22 section 1032 of the James M. Inhofe National Defense
23 Authorization Act for Fiscal Year 2023 (Public Law 117–
24 263), is further amended by striking “December 31,
25 2023” and inserting “December 31, 2024”.

1 **SEC. 1033. EXTENSION OF PROHIBITION ON USE OF FUNDS**
2 **FOR TRANSFER OR RELEASE OF INDIVID-**
3 **UALS DETAINED AT UNITED STATES NAVAL**
4 **STATION, GUANTANAMO BAY, CUBA, TO CER-**
5 **TAIN COUNTRIES.**

6 Section 1035 of the John S. McCain National De-
7 fense Authorization Act for Fiscal Year 2019 (Public Law
8 115–232; 132 Stat. 1954), as most recently amended by
9 section 1033 of the James M. Inhofe National Defense
10 Authorization Act for Fiscal Year 2023 (Public Law 117–
11 263), is further amended by striking “December 31,
12 2023” and inserting “December 31, 2024”.

13 **SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS**
14 **TO CLOSE OR RELINQUISH CONTROL OF**
15 **UNITED STATES NAVAL STATION, GUANTA-**
16 **NAMO BAY, CUBA.**

17 Section 1036 of the National Defense Authorization
18 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
19 1551), as most recently amended by section 1034 of the
20 James M. Inhofe National Defense Authorization Act for
21 Fiscal Year 2023 (Public Law 117–263), is further
22 amended by striking “2023” and inserting “2024”.

1 **Subtitle E—Miscellaneous**
2 **Authorities and Limitations**

3 **SEC. 1041. LIMITATION ON AVAILABILITY OF CERTAIN**
4 **FUNDS UNTIL SUBMISSION OF CHAIRMAN'S**
5 **RISK ASSESSMENT; BRIEFING REQUIREMENT.**

6 (a) OFFICE OF THE CHAIRMAN OF THE JOINT
7 CHIEFS OF STAFF.—Of the amounts authorized to be ap-
8 propriated by this Act for fiscal year 2024 for operation
9 and maintenance, Defense-wide, and available for the Of-
10 fice of the Chairman of the Joint Chiefs of Staff for travel
11 expenses, not more than 80 percent may be obligated or
12 expended until the date that is 15 days after the date on
13 which the Secretary of Defense submits to the Committees
14 on Armed Services of the Senate and House of Represent-
15 atives the risk assessment mandated by paragraph (2) of
16 subsection (b) of section 153 of title 10, United States
17 Code, and required to be submitted pursuant to paragraph
18 (3) of such subsection by not later than February 15,
19 2024.

20 (b) OFFICE OF THE SECRETARY OF DEFENSE.—Of
21 the amounts authorized to be appropriated by this Act for
22 fiscal year 2024 for operation and maintenance, Defense-
23 wide, and available for the Office of the Secretary of De-
24 fense for travel expenses, not more than 80 percent may
25 be obligated or expended until the date that is 15 days

1 after the date on which the Secretary submits to the Com-
2 mittees on Armed Services of the Senate and the House
3 of Representatives the risk mitigation plan required to be
4 submitted as part of the assessment referred to in sub-
5 section (a), if applicable.

6 (c) BRIEFING REQUIREMENT.—Section 153 of title
7 10, United States Code, is amended by adding at the end
8 the following new subsection:

9 “(d) BRIEFING REQUIREMENT.—(1) Not later than
10 15 days after the submission of the risk assessment re-
11 quired under subsection (b)(2) or March 1 of each even-
12 numbered year, whichever is earlier, the Chairman shall
13 provide to the Committees on Armed Services of the Sen-
14 ate and the House of Representatives a briefing on the
15 activities of the Chairman under this section.

16 “(2) The briefing required under paragraph (1) shall
17 include—

18 “(A) a detailed review of the risk assessment
19 required under paragraph (2) of subsection (b), in-
20 cluding how such risk assessment addresses the ele-
21 ments required in subparagraph (B) of such para-
22 graph;

23 “(B) an analysis of how the risk assessment in-
24 forms and supports other Joint Staff assessments,
25 including joint capability development assessments,

1 joint force development assessments, comprehensive
2 joint readiness assessments, and global military inte-
3 gration assessments; and

4 “(C) if the risk assessment is not delivered at
5 or before the time of the briefing, a timeline for
6 when the risk assessment will be submitted to the
7 Committees on Armed Services of the Senate and
8 the House of Representatives.”.

9 **SEC. 1042. ASSISTANCE IN SUPPORT OF DEPARTMENT OF**
10 **DEFENSE ACCOUNTING FOR MISSING UNITED**
11 **STATES GOVERNMENT PERSONNEL.**

12 (a) MODIFICATION OF ASSISTANCE.—Section 408 of
13 title 10, United States Code, is amended—

14 (1) in the section heading, by striking “**Equip-**
15 **ment and training of foreign personnel to**
16 **assist in**” and inserting “**Assistance in sup-**
17 **port of**”;

18 (2) in subsection (b), by adding at the end the
19 following new paragraph:

20 “(5) Funds.”;

21 (3) in subsection (d)—

22 (A) in the subsection heading, by striking
23 “LIMITATION” and inserting “LIMITATIONS”;

24 (B) by striking “The” and inserting “(1)
25 Except as provided in paragraph (2), the”;

1 (C) by striking “\$1,000,000” and inserting
2 “\$5,000,000”; and

3 (D) by adding at the end the following new
4 paragraphs:

5 “(2) The Secretary may waive the limitation under
6 paragraph (1) if the Secretary submits to the congres-
7 sional defense committees notice of the waiver together
8 with the reasons why the waiver is necessary.

9 “(3) No assistance may be provided under this sec-
10 tion to a foreign nation the government of which the Sec-
11 retary of State determines has repeatedly provided sup-
12 port for international terrorism pursuant to—

13 “(A) section 1754(c)(1)(A) of the Export Con-
14 trol Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A));

15 “(B) section 620A of the Foreign Assistance
16 Act of 1961 (22 U.S.C. 2371); or

17 “(C) section 40 of the Arms Export Control Act
18 (22 U.S.C. 2780).”;

19 (4) by striking subsection (f); and

20 (5) by adding at the end the following new sub-
21 section (f):

22 “(f) ANNUAL REPORT.—Not later than December 31
23 of each year, the Secretary of Defense shall submit to the
24 congressional defense committees a report on the assist-

1 ance provided under this section during the preceding fis-
2 cal year.”.

3 (b) BRIEFING.—Not later than July 1, 2024, the Sec-
4 retary of Defense shall provide to the Committees on
5 Armed Services of the Senate and House of Representa-
6 tives a briefing on the provision of funds under section
7 408 of title 10, United States Code, as amended by sub-
8 section (a), and the anticipated demand for such funds.

9 **SEC. 1043. IMPLEMENTATION OF ARRANGEMENTS TO**
10 **BUILD TRANSPARENCY, CONFIDENCE, AND**
11 **SECURITY.**

12 Section 2241 of title 10, United States Code, is
13 amended by adding at the end the following new sub-
14 section:

15 “(d) IMPLEMENTATION OF VIENNA DOCUMENT
16 2011.—Amounts appropriated for operation and mainte-
17 nance may be used by the Secretary of Defense for travel,
18 transportation, and subsistence expenses for meetings and
19 demonstrations hosted by the Department of Defense for
20 the implementation of the Vienna Document 2011 on Con-
21 fidence and Security-Building Measures.”.

22 **SEC. 1044. MODIFICATION TO DEFINITIONS OF CONFUCIUS**
23 **INSTITUTE.**

24 (a) LIMITATION ON PROVISION OF FUNDS TO INSTI-
25 TUTIONS OF HIGHER EDUCATION.—Paragraph (1) of sec-

1 tion 1062(d) of the William M. (Mac) Thornberry Na-
2 tional Defense Authorization Act for Fiscal Year 2021
3 (Public Law 116–283; 10 U.S.C. 2241) is amended to
4 read as follows:

5 “(1) CONFUCIUS INSTITUTE.—The term ‘Con-
6 fucius Institute’ means—

7 “(A) any program that receives funding or
8 support from—

9 “(i) the Chinese International Edu-
10 cation Foundation; or

11 “(ii) the Center for Language Ex-
12 change Cooperation of the Ministry of
13 Education of the People’s Republic of
14 China; or

15 “(B) any cultural institute funded by the
16 Government of the People’s Republic of
17 China.”.

18 (b) PROHIBITION OF FUNDS FOR CHINESE LAN-
19 GUAGE INSTRUCTION.—Paragraph (2) of section 1091(d)
20 of the of the John S. McCain National Defense Authoriza-
21 tion Act for Fiscal Year 2019 (Public Law 115–232; 132
22 Stat. 1998) is amended to read as follows:

23 “(2) CONFUCIUS INSTITUTE.—The term ‘Con-
24 fucius Institute’ means—

1 “(A) any program that receives funding or
2 support from—

3 “(i) the Chinese International Edu-
4 cation Foundation; or

5 “(ii) the Center for Language Ex-
6 change Cooperation of the Ministry of
7 Education of the People’s Republic of
8 China; or

9 “(B) any cultural institute funded by the
10 Government of the People’s Republic of
11 China.”.

12 **SEC. 1045. TERMINATION OF AUTHORITY TO ISSUE WAIVER**
13 **OF LIMITATION ON USE OF FUNDS TO INSTI-**
14 **TUTIONS OF HIGHER EDUCATION HOSTING**
15 **CONFUCIUS INSTITUTES.**

16 Section 1062(b) of the William M. (Mac) Thornberry
17 National Defense Authorization Act for Fiscal Year 2021
18 (Public Law 116–283; 10 U.S.C. 2241 note) is amended
19 by adding at the end the following new paragraph:

20 “(3) **TERMINATION OF AUTHORITY.**—The au-
21 thority to issue a waiver under paragraph (1) shall
22 terminate on October 1, 2026, and any waiver
23 issued under such paragraph shall not apply on or
24 after such date.”.

1 **SEC. 1046. VETTING PROCEDURES AND MONITORING RE-**
2 **QUIREMENTS FOR ALLIES AND PARTNERS**
3 **PARTICIPATING IN EDUCATION OR TRAINING**
4 **ACTIVITIES IN THE UNITED STATES.**

5 (a) WAIVER BY SECRETARY OF DEFENSE.—Sub-
6 section (a) of section 1090 of the William M. (Mac)
7 Thornberry National Defense Authorization Act for Fiscal
8 Year 2021 (Public Law 116–283; 10 U.S.C. 113 note) is
9 amended by adding at the end the following new para-
10 graph:

11 “(5) WAIVER.—

12 “(A) IN GENERAL.—The Secretary of De-
13 fense, with the concurrence of the Secretary of
14 State, and without delegation, may waive the
15 requirement to vet covered individuals under
16 this section—

17 “(i) on a person-by-person basis, if
18 the Secretary of Defense determines that
19 the waiver is in the national security inter-
20 ests of the United States; or

21 “(ii) on a country-by-country basis,
22 with respect to foreign nationals or other
23 appropriate persons who hold a security
24 clearance issued by that country, if the
25 Secretary of Defense determines that the
26 vetting procedures of the country are func-

1 tionally equivalent to the vetting proce-
2 dures of the United States for United
3 States military personnel.

4 “(B) FUNCTIONAL EQUIVALENCE.—

5 “(i) DEFINITION.—The Secretary of
6 Defense, acting through the Under Sec-
7 retary of Defense for Intelligence and Se-
8 curity and in consultation, as appropriate,
9 with the Secretary of State, shall establish
10 and submit to the congressional defense
11 committees a definition of functional
12 equivalence for purposes of making a de-
13 termination under subparagraph (A)(ii).
14 The Secretary of Defense shall notify the
15 congressional defense committees of any
16 subsequent modification the Secretary
17 makes to the definition.

18 “(ii) ASSESSMENT.—The Secretary of
19 Defense shall conduct an assessment of the
20 vetting procedures of a country prior to
21 making a determination of functional
22 equivalence under subparagraph (A)(ii).
23 Such assessment shall take into consider-
24 ation any information about such proce-

1 dures provided to the Secretary of Defense
2 by the Secretary of State.

3 “(C) NOTIFICATION REQUIREMENT.—The
4 Secretary of Defense shall submit a written no-
5 tification to the congressional defense commit-
6 tees not later than 48 hours after exercising the
7 waiver authority under subparagraph (A), in-
8 cluding a justification for the waiver and an as-
9 sessment of the vetting procedures of a country,
10 if appropriate.”.

11 (b) TYPE OF ACCESS COVERED.—Subsections (a)
12 through (c) of such section 1090 are further amended by
13 striking “physical access” each place it appears and in-
14 serting “unescorted physical access”.

15 (c) DEFINITIONS.—

16 (1) COVERED INDIVIDUAL.—Subsection (e)(2)
17 of such section is amended to read as follows:

18 “(2) The term ‘covered individual’—

19 “(A) except as provided in subparagraph
20 (B), means a foreign national or other appro-
21 priate person who is—

22 “(i) seeking unescorted physical ac-
23 cess to a Department of Defense installa-
24 tion or facility within the United States;
25 and

1 “(ii)(I) selected, nominated, or accept-
2 ed for training or education for a period of
3 more than 14 days occurring on a Depart-
4 ment of Defense installation or facility
5 within the United States; or

6 “(II) an immediate family member ac-
7 companying a foreign national or other ap-
8 propriate person who has been so selected,
9 nominated, or accepted for such training
10 or education; and

11 “(B) does not include a foreign national or
12 other appropriate person of Australia, Canada,
13 New Zealand, or the United Kingdom who
14 holds a security clearance issued by the country
15 of the foreign national and has provided the
16 Department of Defense a certification of such
17 clearance.”.

18 (2) IMMEDIATE FAMILY MEMBER.—Subsection
19 (e)(4) of such section is amended—

20 (A) by striking “means the parent” and in-
21 serting the following: “means a person who—

22 “(A) is the parent”;

23 (B) in subparagraph (A), as designated by
24 subparagraph (A) of this paragraph, by striking
25 the period and inserting “; and”; and

1 (C) by adding at the end the following new
2 subparagraph:

3 “(B) has attained the age of 16 years old
4 at the time that unescorted physical access is to
5 begin.”.

6 (3) FOREIGN NATIONAL; OTHER APPROPRIATE
7 PERSON.—Section 1090(e) of such Act is amended
8 by adding at the end the following new paragraphs:

9 “(5) The term ‘foreign national’ means a per-
10 son who is not a citizen or national of the United
11 States or an alien lawfully admitted for permanent
12 residence in the United States under the Immigra-
13 tion and Nationality Act (8 U.S.C. 1101 et seq.).

14 “(6) The term ‘other appropriate person’ means
15 a person who is a citizen of both the United States
16 and another country or who is an alien lawfully ad-
17 mitted for permanent residence in the United States,
18 if such person intends to attend training or edu-
19 cation on behalf of a foreign country.”.

20 (d) CLARIFYING AMENDMENT.—Such section is fur-
21 ther amended by striking “Secretary” each place it ap-
22 pears and inserting “Secretary of Defense” in the fol-
23 lowing provisions:

24 (1) Paragraphs (2), (3), and (4) of subsection
25 (a).

1 (2) Paragraph (1) of subsection (b) in the mat-
2 ter preceding subparagraph (A).

3 **SEC. 1047. AUTHORITY TO INCLUDE FUNDING REQUESTS**
4 **FOR THE CHEMICAL AND BIOLOGICAL DE-**
5 **FENSE PROGRAM IN BUDGET ACCOUNTS OF**
6 **MILITARY DEPARTMENTS.**

7 Section 1701(d)(2) of the National Defense Author-
8 ization Act for Fiscal Year 1994 (Public Law 103–160;
9 50 U.S.C. 1522(d)(2)) is amended by striking “may not
10 be included in the budget accounts” and inserting “may
11 be included in the budget accounts”.

12 **SEC. 1048. LIMITATION ON AVAILABILITY OF FUNDS UNTIL**
13 **DELIVERY OF REPORT ON NEXT GENERA-**
14 **TION TACTICAL COMMUNICATIONS.**

15 (a) REPORT REQUIRED.—Not later than 180 days
16 after the date of the enactment of this Act, the Com-
17 mander of the United States Special Operations Command
18 and the Assistant Secretary of Defense for Special Oper-
19 ations and Low Intensity Conflict shall jointly submit to
20 the congressional defense committees a report on special
21 operations forces tactical communications requirements
22 and plans for addressing such requirements.

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

1 (1) A description of special operations forces
2 tactical communications requirements.

3 (2) An explanation of how funding provided in
4 prior fiscal years, and the proposed funding for fis-
5 cal year 2024, has enhanced, and will continue to
6 enhance, the fielding of tactical communications ca-
7 pabilities to special operations forces components.

8 (3) A description of deficiencies identified with
9 the AN/PRC-163 radio and a plan for addressing
10 such deficiencies.

11 (4) An update on the status of fielding of two-
12 channel manpack and two-channel handheld radios
13 to special operations forces, including an explanation
14 for any special operations forces components or
15 units that have requested, but not yet received, such
16 radios.

17 (5) An articulation of lessons learned from the
18 prior testing and fielding of tactical communications
19 capabilities to meet unique mission requirements of
20 special operations forces components.

21 (6) An explanation of the approach of the
22 United States Special Operations Command to en-
23 suring that communications capabilities under the
24 tactical communications program meet security and
25 resiliency requirements mandated by section 168 of

1 the National Defense Authorization Act for Fiscal
2 Year 2020 (Public Law 116–92).

3 (7) Any other matter the Commander of United
4 States Special Operations Command and the Assist-
5 ant Secretary of Defense for Special Operations and
6 Low Intensity Conflict determine relevant.

7 (c) LIMITATION ON USE OF FUNDS.—Of the funds
8 authorized to be appropriated by this Act or otherwise
9 made available for fiscal year 2024 for the United States
10 Special Operations Command for procurement of next
11 generation tactical communications, not more than 90 per-
12 cent may be obligated or expended until the Commander
13 of United States Special Operations Command and the
14 Assistant Secretary of Defense for Special Operations and
15 Low Intensity Conflict submit to the congressional defense
16 committees the report required under subsection (a).

17 **SEC. 1049. ESTABLISHMENT OF PROCEDURE OF THE DE-**
18 **PARTMENT OF DEFENSE TO DETERMINE**
19 **CERTAIN COMPLAINTS OR REQUESTS RE-**
20 **GARDING PUBLIC DISPLAYS OR PUBLIC EX-**
21 **PRESSIONS OF RELIGION ON PROPERTY OF**
22 **THE DEPARTMENT.**

23 (a) ESTABLISHMENT.—Not later than 180 days after
24 the date of the enactment of this Act, the Secretary of
25 Defense shall prescribe regulations that establish the pro-

1 cedure for the timely determination of a covered complaint
2 or request regarding a public display or public expression
3 of religion on property of the Department of Defense.

4 Such regulations shall ensure that—

5 (1) the officer or official of the Department who
6 receives such complaint or request forwards the cov-
7 ered complaint or request—

8 (A) to the individual authorized to make a
9 determination under subsection (b); and

10 (B) not later than 10 days after such re-
11 ceipt; and

12 (2) such individual—

13 (A) makes such determination not later
14 than 30 days after such individual receives such
15 forwarded covered complaint or request; and

16 (B) timely notifies the individual or entity
17 who made such covered complaint or request,
18 and the officer or official of the Department
19 who received such covered complaint or request,
20 of such determination.

21 (b) DETERMINATIONS.—A determination under regu-
22 lations prescribed under subsection (a) shall be made—

23 (1) by—

24 (A) the Secretary of the military depart-
25 ment concerned; or

1 (B) the head of the Defense Agency or De-
2 partment of Defense Field Activity concerned;
3 and

4 (2) after consultation with—

5 (A)(i) in the case of a determination made
6 by the Secretary of the military department
7 concerned, the Chief of Chaplains of the mili-
8 tary department concerned; or

9 (ii) in the case of a determination made by
10 the head of the Defense Agency or Department
11 of Defense Field Activity concerned, the Armed
12 Forces Chaplains Board; and

13 (B)(i) a civilian attorney under the juris-
14 diction the Secretary of the military department
15 concerned or the head of the Defense Agency or
16 Department of Defense Field Activity con-
17 cerned; or

18 (ii) an officer of the Judge Advocate Gen-
19 eral's Corps.

20 (c) COVERED COMPLAINT OR REQUEST DEFINED.—

21 In this section, the term “covered complaint or request”
22 means a complaint or request—

23 (1) regarding a public display or public expres-
24 sion of religion on property of the Department of
25 Defense; and

1 (2) made by an individual or entity other
2 than—

3 (A) a member of the Armed Forces;

4 (B) a civilian employee of the Department
5 of Defense; or

6 (C) a contractor of the Department of De-
7 fense.

8 **SEC. 1050. LIMITATION ON AVAILABILITY OF FUNDS FOR**
9 **DESTRUCTION OF LANDMINES.**

10 (a) **LIMITATION.**—Except as provided in subsection
11 (b), of the funds authorized to be appropriated by this Act
12 or otherwise made available for fiscal year 2024 for the
13 Department of Defense for the destruction of anti-per-
14 sonnel landmine munitions, not more than 30 percent may
15 be obligated or expended before the date on which the Sec-
16 retary of Defense submits the report required by sub-
17 section (c).

18 (b) **EXCEPTION FOR SAFETY.**—Notwithstanding sub-
19 section (a), the Secretary may obligate or expend funds
20 referred to in such subsection in excess of the limitation
21 under such subsection as necessary for the destruction of
22 any anti-personnel landmine munition that the Secretary
23 determines is unsafe or could pose a safety risk to the
24 United States Armed Forces if not demilitarized or de-
25 stroyed.

1 (c) REPORT REQUIRED.—

2 (1) IN GENERAL.—Not later than one year
3 after the date of the enactment of this Act, the Sec-
4 retary of Defense shall submit to the congressional
5 defense committees a report that includes each of
6 the following:

7 (A) A description of the policy of the De-
8 partment of Defense regarding the use of anti-
9 personnel landmines, including any available
10 methods for commanders to seek waivers to use
11 such munitions.

12 (B) Projections covering the period of 10
13 years following the date of the report of—

14 (i) the inventory levels for all anti-per-
15 sonnel landmine munitions, taking into ac-
16 count future production of anti-personnel
17 landmine munitions, any plans for demili-
18 tarization of such munitions, the age of the
19 munitions, storage and safety consider-
20 ations, and any other factors that are ex-
21 pected to affect the size of the inventory;

22 (ii) the cost to achieve the inventory
23 levels projected in clause (i), including the
24 cost for potential demilitarization or dis-
25 posal of such munitions; and

1 (iii) the cost to develop and produce
2 new anti-personnel landmine munitions if
3 the Secretary determines such munitions
4 are necessary to meet the demands of
5 operational plans.

6 (C) An assessment by the Chairman of the
7 Joint Chiefs of Staff of the adequacy of the in-
8 ventory levels projected under subparagraph
9 (B)(i) to meet operational requirements.

10 (D) Any other matters that the Secretary
11 determines appropriate for inclusion in the re-
12 port.

13 (2) FORM OF REPORT.—The report required by
14 paragraph (1) shall be submitted in unclassified
15 form, but may include a classified annex.

16 (d) BRIEFING REQUIRED.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of this Act, the Sec-
19 retary of Defense shall provide to the congressional
20 defense committees a briefing on the status, as of
21 the date of the briefing, of research and development
22 into operational alternatives to anti-personnel land-
23 mine munitions.

24 (2) FORM OF BRIEFING.—The briefing required
25 by paragraph (1) may contain classified information.

1 (e) ANTI-PERSONNEL LANDMINE MUNITIONS DE-
2 FINED.—In this section, the term “anti-personnel land-
3 mine munitions” includes anti-personnel landmines and
4 submunitions, as defined by the Convention on the Prohi-
5 bition of the Use, Stockpiling, Production and Transfer
6 of Anti-Personnel Mines and on their Destruction, con-
7 cluded at Oslo September 18, 1997, as determined by the
8 Secretary.

9 **SEC. 1051. LIMITATION ON AVAILABILITY OF FUNDS FOR**
10 **TRAVEL EXPENSES OF OFFICE OF THE SEC-**
11 **RETARY OF DEFENSE UNTIL SUBMISSION OF**
12 **CERTAIN PLANS.**

13 Of the funds authorized to be appropriated by this
14 Act for fiscal year 2024 for operation and maintenance,
15 Defense-wide, and available for the Office of the Secretary
16 of Defense for travel expenses, not more than 80 percent
17 may be obligated or expended until the Secretary of De-
18 fense submits—

19 (1) the implementation plan required by section
20 1087(b) of the National Defense Authorization Act
21 for Fiscal Year 2023 (Public Law 117–263; 136
22 Stat. 2802; 10 U.S.C. 161 note) relating to the re-
23 quirement of such section to establish a joint force
24 headquarters in the area of operations of United

1 States Indo-Pacific Command to serve as an oper-
2 ational command; and

3 (2) the plan required by section 1332(g) of the
4 National Defense Authorization Act for Fiscal Year
5 2022 (Public Law 117–81; 135 Stat. 2008) relating
6 to strategic competition in the areas of responsibility
7 of United States Southern Command and United
8 States Africa Command.

9 **SEC. 1052. PROHIBITION ON DISPLAY OF UNAPPROVED**
10 **FLAGS.**

11 (a) PROHIBITION.—No flag other than an approved
12 flag shall be displayed in any work place, common access
13 area, or public area of the Department of Defense.

14 (b) EXCLUSIONS.—The prohibition under subsection
15 (a) shall not apply to—

16 (1) the public display or depiction of a flag
17 other than an approved flag in a museum exhibit,
18 State-issued license plate, grave site, memorial
19 marker, monument, educational display, historical
20 display, or work of art, if the nature of the display
21 or depiction cannot reasonably be viewed as endorse-
22 ment of the flag by the Department of Defense; or

23 (2) a building or area that primarily serves as
24 a place of residence, including a barracks, dormitory,

1 bachelor quarters, government-operated housing, or
2 public-private venture housing area.

3 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion shall be construed to affect the authority of a military
5 commander to enforce good order and discipline on a mili-
6 tary installation.

7 (d) DEFINITIONS.—In this section:

8 (1) The term “approved flag” means any of the
9 following:

10 (A) The American flag.

11 (B) The flag of a State or of the District
12 of Columbia.

13 (C) A military service flag.

14 (D) A flag or general officer flag.

15 (E) A Presidentially-appointed, Senate-
16 confirmed civilian flag.

17 (F) A Senior Executive Service or military
18 department-specific flag.

19 (G) The National League of Families
20 POW/MIA flag.

21 (H) The flag of another country that is an
22 ally or partner of the United States or for offi-
23 cial protocol purposes.

24 (I) The flag of an organization of which
25 the United States is a member.

1 (J) A ceremonial, command, unit, or
2 branch flag or guidon.

3 (K) The flag of an athletic team, club,
4 cadet-led organization, academic department,
5 unit subdivision, or other entity approved to op-
6 erate at a Service Academy (as such term is de-
7 fined in section 347 of title 10, United States
8 Code) or in conjunction with a Reserve Officer
9 Training Corps activity.

10 (L) A flag or banner displayed by a retail
11 tenant or non-government entity operating in a
12 building owned or controlled by the Department
13 of Defense, for the purposes of advertising busi-
14 ness products and services, if authorized by
15 contract.

16 (M) A religious flag or banner, including a
17 holiday flag, if otherwise authorized.

18 (N) A flag approved at the discretion of
19 the military chain of command or senior civilian
20 leadership, as appropriate.

21 (2) The term “work place, common access area,
22 or public area of the Department of Defense” in-
23 cludes the following:

24 (A) An office building, facility, naval ves-
25 sel, aircraft, governmental vehicle, hangar, ga-

1 rage, ready room, storage room, tool and equip-
2 ment room, or workshop.

3 (B) A sensitive compartmented informa-
4 tion facility of other secure facility.

5 (C) A schoolhouse or training facility.

6 (D) The area in plain view of such a build-
7 ing that is not residential in nature, including
8 the areas outside of buildings of the Depart-
9 ment of Defense.

10 **SEC. 1053. COLLABORATION WITH PARTNER COUNTRIES TO**
11 **DEVELOP AND MAINTAIN MILITARY-WIDE**
12 **TRANSFORMATIONAL STRATEGIES FOR**
13 **OPERATIONAL ENERGY.**

14 Section 2926(e)(2)(E) of title 10, United States
15 Code, is amended—

16 (1) by striking “An assessment” and inserting
17 “A biennial assessment”;

18 (2) by striking the period at the end and insert-
19 ing “, which shall include—”; and

20 (3) by adding at the end the following new
21 clauses:

22 “(i) an identification of efforts by the
23 United States and allied and partner countries
24 to mitigate mutual contested logistics challenges

1 and to develop complementary energy security
2 and energy reliance measures;

3 “(ii) an analysis of investments made by
4 allied and partner countries in any technology,
5 including electric, hydrogen, nuclear, biofuels,
6 and any other sustainable fuel technology or re-
7 newable energy technology, that may reduce de-
8 mand for operational energy in the near-term
9 or long-term;

10 “(iii) an identification of any limitations or
11 barriers to closing or mitigating gaps in oper-
12 ational energy investment with allied and part-
13 ner countries, including any additional authori-
14 ties or appropriations that may be required;
15 and

16 “(iv) an analysis of the feasibility and ad-
17 visability of establishing a partnership program
18 using existing authorities to collaborate with
19 the national security forces of allied and part-
20 ner countries for the purpose of developing and
21 maintaining transformational strategies for
22 operational energy with the objectives of en-
23 hancing the readiness of such countries and em-
24 ploying diverse energy sources that reduce de-
25 mand and logistical vulnerabilities.”.

1 **SEC. 1054. STUDENT LOAN DEFERMENT FOR DISLOCATED**
2 **MILITARY SPOUSES.**

3 (a) IN GENERAL.—Section 455(f) of the Higher Edu-
4 cation Act of 1965 (20 U.S.C. 1087e(f)) is amended—

5 (1) by redesignating paragraphs (4) and (5) as
6 paragraphs (5) and (6), respectively; and

7 (2) by inserting after paragraph (3) the fol-
8 lowing:

9 “(4) DEFERMENT FOR DISLOCATED MILITARY
10 SPOUSES.—

11 “(A) DURATION AND EFFECT ON PRIN-
12 CIPAL AND INTEREST.—A borrower of a loan
13 made under this part who meets the require-
14 ments of subparagraph (B) shall be eligible for
15 a deferment for an aggregate period of 180
16 days, during which periodic installments of
17 principal need not be paid, and interest—

18 “(i) shall not accrue, in the case of
19 a—

20 “(I) Federal Direct Stafford
21 Loan; or

22 “(II) a Federal Direct Consolida-
23 tion Loan that consolidated only Fed-
24 eral Direct Stafford Loans, or a com-
25 bination of such loans and Federal
26 Stafford Loans for which the student

1 borrower received an interest subsidy
2 under section 428; or

3 “(ii) shall accrue and be capitalized or
4 paid by the borrower, in the case of a Fed-
5 eral Direct PLUS Loan, a Federal Direct
6 Unsubsidized Stafford Loan, or a Federal
7 Direct Consolidation Loan not described in
8 clause (i)(II).

9 “(B) ELIGIBILITY.—A borrower of a loan
10 made under this part shall be eligible for a
11 deferment under subparagraph (A) if the bor-
12 rower—

13 “(i) is the spouse of a member of the
14 Armed Forces serving on active duty; and

15 “(ii) has experienced a loss of employ-
16 ment as a result of relocation to accommo-
17 date a permanent change in duty station of
18 such member.

19 “(C) DOCUMENTATION AND APPROVAL.—

20 “(i) IN GENERAL.—A borrower may
21 establish eligibility for a deferment under
22 subparagraph (A) by providing to the Sec-
23 retary—

24 “(I) the documentation described
25 in clause (ii); or

1 “(II) such other documentation
2 as the Secretary determines appro-
3 priate.

4 “(ii) DOCUMENTATION.—The docu-
5 mentation described in this clause is—

6 “(I) evidence that the borrower is
7 the spouse of a member of the Armed
8 Forces serving on active duty;

9 “(II) evidence that a military
10 permanent change of station order
11 was issued to such member; and

12 “(III)(aa) evidence that the bor-
13 rower is eligible for unemployment
14 benefits due to a loss of employment
15 resulting from relocation to accommo-
16 date such permanent change in duty
17 station; or

18 “(bb) a written certification, or
19 an equivalent as approved by the Sec-
20 retary, that the borrower is registered
21 with a public or private employment
22 agency due to a loss of employment
23 resulting from relocation to accommo-
24 date such permanent change in duty
25 station.”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall take effect 90 days after the date of
3 the enactment of this Act.

4 **Subtitle F—Studies and Reports**

5 **SEC. 1061. MODIFICATIONS OF REPORTING REQUIRE-** 6 **MENTS.**

7 (a) CONSOLIDATED BUDGET QUARTERLY REPORT
8 ON USE OF FUNDS.—Section 381(b) of title 10, United
9 States Code, is amended—

10 (1) in the subsection heading, by striking
11 “QUARTERLY REPORT” and inserting “SEMIANNUAL
12 REPORT”;

13 (2) by striking “Not later than 60 days after
14 the end of each calendar quarter, the” and inserting
15 “The”;

16 (3) by striking “Defense during such calendar
17 quarter” and inserting “Defense—”; and

18 (4) by adding at the end the following new
19 paragraphs:

20 “(1) by not later than August 31 of each year,
21 for the first six-month period of that year; and

22 “(2) by not later than February 28 of each
23 year, for the second six-month period of the pre-
24 ceding year.”.

1 (b) NATIONAL SECURITY STRATEGY FOR THE NA-
2 TIONAL TECHNOLOGY AND INDUSTRIAL BASE.—Section
3 4811(a) of title 10, United States Code, is amended by
4 striking “The Secretary shall submit such strategy to Con-
5 gress not later than 180 days after the date of submission
6 of the national security strategy report required under sec-
7 tion 108 of the National Security Act of 1947 (50 U.S.C.
8 3043).” and inserting “The Secretary shall submit such
9 strategy to Congress as an integrated part of the report
10 submitted under section 4814 of this title.”.

11 (c) NATIONAL TECHNOLOGY AND INDUSTRIAL BASE
12 REPORT AND QUARTERLY BRIEFING.—

13 (1) IN GENERAL.—Section 4814 of title 10,
14 United States Code, is amended—

15 (A) by amending the section heading to
16 read as follows:

17 “§ 4814. **National technology and industrial base: bi-**
18 **ennial report”;**

19 (B) by striking “(a) ANNUAL REPORT.—”;

20 (C) by striking “March 1 of each year”
21 and inserting “March 1 of each odd-numbered
22 year”; and

23 (D) by striking subsection (b).

24 (2) CLERICAL AMENDMENT.—The table of sec-
25 tions at the beginning of chapter 382 of such title

1 is amended by striking the item relating to section
2 4814 and inserting the following:

“4814. National technology and industrial base: biennial report.”.

3 (3) CONFORMING AMENDMENT.—Section
4 858(b)(2) of the James M. Inhofe National Defense
5 Authorization Act for Fiscal Year 2023 (Public Law
6 117–263) is amended—

7 (A) by striking subparagraph (A); and
8 (B) by redesignating subparagraphs (B)
9 through (H) as subparagraphs (A) through (G),
10 respectively.

11 (d) ANNUAL MILITARY CYBERSPACE OPERATIONS
12 REPORT.—Section 1644 of the National Defense Author-
13 ization Act for Fiscal Year 2020 (10 U.S.C. 394 note;
14 Public Law 116–92) is amended—

15 (1) in subsection (a) in the matter preceding
16 paragraph (1) in the first sentence—

17 (A) by inserting “effects” after “all named
18 military cyberspace”; and

19 (B) by striking “, operations, cyber effects
20 enabling operations, and cyber operations con-
21 ducted as defensive operations” and inserting
22 “conducted for either offensive or defensive pur-
23 poses”; and

1 (2) in subsection (c), by inserting “or cyber ef-
2 fects operations for which Congress has otherwise
3 been provided notice” before the period.

4 (e) EXTENSION AND MODIFICATION OF AUTHORITY
5 TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPO-
6 SITION.—Section 1231(d) of the John S. McCain National
7 Defense Authorization Act for Fiscal Year 2019 (Public
8 Law 115–232) is amended—

9 (1) in the subsection heading, by striking
10 “QUARTERLY” and inserting “SEMIANNUAL”; and

11 (2) in paragraph (1)—

12 (A) in the matter preceding subparagraph
13 (A), by striking “quarterly” and inserting
14 “semiannual”; and

15 (B) in subparagraph (A), by striking “90-
16 day” and inserting “180-day”.

17 (f) THEFT, LOSS, OR RELEASE OF BIOLOGICAL SE-
18 LECT AGENTS OR TOXINS INVOLVING DEPARTMENT OF
19 DEFENSE.—Section 1067(a) of the National Defense Au-
20 thorization Act for Fiscal Year 2017 (Public Law 114–
21 328; 50 U.S.C. 1528(a)) is amended to read as follows:

22 “(a) NOTIFICATION.—(1) Subject to paragraph (2),
23 not later than 45 days after a covered report of any theft,
24 loss, or release of a biological select agent or toxin involv-
25 ing the Department of Defense is filed with the Centers

1 for Disease Control and Prevention or the Animal and
2 Plant Health Inspection Service, the Secretary of Defense,
3 acting through the Assistant Secretary of Defense for Nu-
4 clear, Chemical, and Biological Defense Programs, shall
5 provide to the congressional defense committees notice of
6 such theft, loss, or release.

7 “(2) The Secretary shall provide to the congressional
8 defense committees notice of a release under paragraph
9 (1) only if the Secretary, acting through the Assistant Sec-
10 retary, determines that the release is outside the barriers
11 of secondary containment into the ambient air or environ-
12 ment or is causing occupational exposure that presents a
13 threat to public safety.

14 “(3) In this subsection, the term ‘covered report’
15 means a report filed under any of the following (or any
16 successor regulations):

17 “(A) Section 331.19 of title 7, Code of Federal
18 Regulations.

19 “(B) Section 121.19 of title 9, Code of Federal
20 Regulations.

21 “(C) Section 73.19 of title 42, Code of Federal
22 Regulations.”.

23 (g) AUDIT OF DEPARTMENT OF DEFENSE FINAN-
24 CIAL STATEMENTS.—Section 240a of title 10, United
25 States Code, is amended—

1 (1) by striking “(A) ANNUAL AUDIT RE-
2 REQUIRED.—”; and

3 (2) by striking subsection (b).

4 (h) FINANCIAL IMPROVEMENT AND AUDIT REMEDI-
5 ATION PLAN.—Section 240b(b) of title 10, United States
6 Code, is amended—

7 (1) in paragraph (1)—

8 (A) in subparagraph (A), by striking
9 “June 30, 2019, and annually thereafter” and
10 inserting “July 31 each year”;

11 (B) in subparagraph (B)—

12 (i) by striking clauses (vii) through
13 (x); and

14 (ii) by redesignating clauses (xi), (xii),
15 and (xiii) as clauses (vii), (viii), and (ix),
16 respectively; and

17 (C) by striking subparagraph (C); and

18 (2) in paragraph (2)—

19 (A) in subparagraph (A)—

20 (i) by striking “June 30” and insert-
21 ing “July 31”; and

22 (ii) by striking the second sentence;

23 and

24 (B) in subparagraph (B)—

1 (i) by striking “June 30” and insert-
2 ing “July 31”; and

3 (ii) by striking the second sentence.

4 (i) ANNUAL REPORTS ON FUNDING.—Section
5 1009(c) of the National Defense Authorization Act for
6 Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 240b
7 note) is amended by striking “five days” and inserting “10
8 days”.

9 **SEC. 1062. EXTENSION OF REQUIREMENT TO SUBMIT A RE-**
10 **PORT ON DEPARTMENT OF DEFENSE SUP-**
11 **PORT FOR DEPARTMENT OF HOMELAND SE-**
12 **CURITY AT THE INTERNATIONAL BORDERS**
13 **OF THE UNITED STATES.**

14 Section 1014(d)(3) of the National Defense Author-
15 ization Act for Fiscal Year 2017 (Public Law 114–328;
16 10 U.S.C. 271 note) is amended by striking “December
17 31, 2024” and inserting “December 31, 2025”.

18 **SEC. 1063. BRIEFING ON DEFENSE POW/MIA ACCOUNTING**
19 **AGENCY CAPABILITIES REQUIRED TO EX-**
20 **PAND ACCOUNTING FOR PERSONS MISSING**
21 **FROM DESIGNATED PAST CONFLICTS.**

22 (a) IN GENERAL.—Not later than March 1, 2024,
23 and annually thereafter for each of the next five years,
24 the Director of the Defense POW/MIA Accounting Agency
25 shall provide to the Committees on Armed Services of the

1 Senate and House of Representatives a briefing on the ca-
2 pabilities required to expand accounting for persons miss-
3 ing from designated past conflicts.

4 (b) **AUTHORITY TO ENTER INTO AGREEMENTS.**—
5 The Director of the Defense POW/MIA Accounting Agen-
6 cy may enter into agreements with universities or research
7 organizations under which such universities or research
8 organizations agree to provide additional capabilities for
9 specialized missions or research requirements relating to
10 expanding accounting for persons missing from designated
11 past conflicts.

12 **SEC. 1064. AIR FORCE PLAN FOR MAINTAINING PRO-**
13 **FICIENT AIRCREWS IN CERTAIN MISSION**
14 **AREAS.**

15 (a) **PLAN REQUIRED.**— The Secretary of the Air
16 Force shall develop a plan, and the associated actions and
17 milestones for implementing the plan, to designate, equip,
18 and train the number of combat air forces aviation units
19 (in this section referred to as “CAF units”), equipped with
20 fixed-wing or rotorcraft assets, that are required in order
21 to maintain proficient aircrew skills in accordance with the
22 Core Mission Essential Task List and Designed Oper-
23 ational Capability Statement of each such unit in the fol-
24 lowing mission areas:

25 (1) Close air support.

1 (2) Forward air controller–airborne.

2 (3) Combat search and rescue.

3 (4) Airborne battle management.

4 (b) REPORT.—The Secretary of the Air Force shall
5 submit to the congressional defense committees a report
6 on the plan required under subsection (a). Such report
7 shall include the following information:

8 (1) The number of CAF units required to meet
9 steady-state, contingency, and wartime mission re-
10 quirements for each mission area referred to in sub-
11 section (a).

12 (2) The number of proficient aircrews each unit
13 must maintain in order to be qualified and current
14 in each such mission area.

15 (3) The number of CAF units and aircrew per-
16 sonnel that, as of the date of the enactment of this
17 Act, are trained and equipped to meet steady-state,
18 contingency, and wartime mission requirements for
19 each such mission area.

20 (4) The location of any CAF unit and associ-
21 ated aircraft that have been designated to be pro-
22 ficient in such mission areas.

23 (5) The minimum quantity of initial training
24 and continuation training sorties and events aircrews
25 will be required to achieve monthly and yearly to be

1 qualified as proficient, current, and experienced in
2 such mission areas.

3 (6) Any other information, data, or analyses the
4 Secretary determines relevant.

5 (c) LIMITATION.—The Secretary of the Air Force
6 may not reduce the total inventory of the Air Force of
7 A-10 aircraft below 218 until the date that is 180 days
8 after the date on which the Secretary submits the report
9 required under subsection (b).

10 (d) DEFINITION OF PROFICIENT.—In this section,
11 the term “proficient”, with respect to an aircrew, means
12 that such aircrew—

13 (1) has thorough knowledge but occasionally
14 may make an error of omission or commission;

15 (2) is able to operate in a complex, fluid envi-
16 ronment and is able to handle most contingencies
17 and unusual circumstances; and

18 (3) is prepared for mission tasking on the first
19 sortie in a theater of operations.

20 **SEC. 1065. INDEPENDENT STUDY ON NAVAL MINE WAR-**
21 **FARE.**

22 (a) STUDY REQUIRED.—Not later than 60 days after
23 the date of the enactment of this Act, the Secretary of
24 the Navy shall seek to enter into an agreement with a fed-
25 erally funded research and development center to conduct

1 an independent study of the mine warfare capabilities of
2 the Navy.

3 (b) ELEMENTS.—The study under subsection (a)
4 shall include an assessment and comprehensive review
5 of—

6 (1) the offensive and defensive mine warfare ca-
7 pabilities of the Navy; and

8 (2) the offensive mine inventories of Navy as of
9 the date of study.

10 (c) RESULTS.—Following the completion of the study
11 under subsection (a), the federally funded research and
12 development center that conducts the study shall submit
13 to the Secretary of Defense a report on the results of the
14 study. The report shall include—

15 (1) a summary of the research and other activi-
16 ties carried out as part of the study; and

17 (2) considerations and recommendations to im-
18 prove the mine warfare capabilities of the Navy, in-
19 cluding recommendations for any legislation that
20 may be needed for such purpose.

21 (d) SUBMITTAL TO CONGRESS.—

22 (1) IN GENERAL.—Not later than December 31,
23 2024, the Secretary of Defense shall submit to the
24 Committees on Armed Services of the Senate and
25 the House of Representatives—

1 (A) an unaltered copy of the results of the
2 study, as submitted to the Secretary under sub-
3 section (c); and

4 (B) the written responses of the Secretary
5 and the Chairman of the Joint Chiefs of Staff
6 to such results.

7 (2) FORM.—The submission under paragraph
8 (1) shall be submitted in unclassified form, but may
9 include a classified annex.

10 **SEC. 1066. ANNUAL REPORT AND BRIEFING ON IMPLEMEN-**
11 **TATION OF FORCE DESIGN 2030.**

12 (a) IN GENERAL.—Not later than February 15,
13 2024, and annually thereafter through February 15,
14 2030, the Commandant of the Marine Corps shall submit
15 to the congressional defense committees a report detailing
16 the programmatic choices made to implement Force De-
17 sign 2030, including both new developmental and fielded
18 capabilities, as well as capabilities and capacity divested
19 to accelerate the implementation of Force Design 2030.

20 (b) BRIEFING REQUIREMENT.—Not later than
21 March 15, 2024, and annually thereafter through March
22 15, 2030, the Commandant of the Marine Corps shall pro-
23 vide to the congressional defense committees a briefing on
24 the elements described in subsection (c).

1 (c) ELEMENTS.—Each report required under sub-
2 section (a) and briefing required under subsection (b) shall
3 include the following elements:

4 (1) An assessment of changes in the national
5 defense strategy, Defense Planning Guidance, Joint
6 Warfighting Concept (and associated concept re-
7 quired capabilities), and other planning processes
8 that informed Force Design 2030.

9 (2) An inventory and assessment of the exer-
10 cises and experimentation related to the Force De-
11 sign, starting in fiscal year 2020, including an iden-
12 tification of the capabilities that were involved and
13 the extent to which such exercises and experimen-
14 tation validated or militated against proposed capa-
15 bility investments.

16 (3) An inventory of divestments of capability or
17 capacity, whether force structure or equipment,
18 starting in fiscal year 2020, including—

19 (A) a timeline of the progress of each di-
20 vestment;

21 (B) the type of force structure or equip-
22 ment divested or reduced;

23 (C) the percentage of force structure or
24 equipment divested or reduced, including any

1 equipment entered into inventory management
2 or another form of storage;

3 (D) the rationale and context behind such
4 divestment;

5 (E) an identification of whether such di-
6 vestment affects the ability of the Marine Corps
7 to meet the requirements of the Global Force
8 Management process and operational plans, in-
9 cluding an explanation of how the Marine Corps
10 plans to mitigate the loss of such capability or
11 capacity if the divestment affects the ability of
12 the Marine Corps to meet the requirements of
13 the Global Force Management process and
14 operational plans, including through new invest-
15 ments, additional joint planning and training,
16 or other methods; and

17 (F) an assessment of the actual and pro-
18 jected recruitment and retention percentages
19 for the Marine Corps, starting in fiscal year
20 2020.

21 (4) An inventory of extant or planned invest-
22 ments as a part of Force Design 2030,
23 disaggregated by integrated air and missile defense,
24 littoral mobility and maneuver, sea denial, and re-

1 connaissance and counter-reconnaissance forces, in-
2 cluding—

3 (A) capability name;

4 (B) capability purpose and context;

5 (C) capability being replaced (or not appli-
6 cable);

7 (D) date of initial operational capability;

8 (E) date of full operational capability;

9 (F) deliveries of units by year; and

10 (G) approved acquisition objective or simi-
11 lar inventory objective.

12 (5) A description of the amphibious warfare
13 ship and maritime mobility requirements the Marine
14 Corps submitted to the Department of the Navy in
15 support of the Marine Corps organization and con-
16 cepts under Force Design 2030 and its statutory re-
17 quirements, including—

18 (A) an explicit statement of the planning
19 assumptions about readiness of amphibious
20 warfare ships and maritime mobility platforms
21 that were used in developing the requirements;
22 and

23 (B) an assessment of whether the 30-year
24 shipbuilding plan of the Navy and the budget

1 for the fiscal year covered by the briefing meet
2 the amphibious ship requirements of the Navy.

3 (6) An assessment of how the capability invest-
4 ments described in paragraph (4) contribute to joint
5 force efficacy in new ways, including through sup-
6 port of other Armed Forces.

7 (7) An assessment of the ability of the Marine
8 Corps to generate required force elements for the
9 Immediate Ready Force and the Contingency Ready
10 Force over the two fiscal years preceding the fiscal
11 year during which the report and briefing are pro-
12 vided and the expected ability to generate forces for
13 the subsequent two fiscal years.

14 (8) An assessment of Marine Corps force struc-
15 ture and the readiness of Marine Expeditionary
16 Units compared to availability of amphibious ships
17 comprising an Amphibious Ready Group over the
18 two fiscal years preceding the fiscal year during
19 which the report and briefing are provided and the
20 expected availability for the subsequent two fiscal
21 years.

22 (9) An assessment by the Marine Corps of the
23 compliance of the Marine Corps with the statutory
24 organization prescribed in section 8063 of title 10,
25 United States Code, that “[t]he Marine Corps, with-

1 in the Department of the Navy, shall be so orga-
2 nized as to include not less than three combat divi-
3 sions and three air wings, and such other land com-
4 bat, aviation, and other services as may be organic
5 therein”.

6 (10) An assessment by the Marine Corps of the
7 compliance of the Marine Corps with the statutory
8 functions prescribed in section 8063 of title 10,
9 United States Code, that “[t]he Marine Corps shall
10 be organized, trained, and equipped to provide fleet
11 marine forces of combined arms, together with sup-
12 porting air components, for service with the fleet in
13 the seizure or defense of advanced naval bases and
14 for the conduct of such land operations as may be
15 essential to the prosecution of a naval campaign”.

16 (d) EFFECT ON OTHER REQUIREMENTS.—Effective
17 on the date of the submission of the first report required
18 under subsection (a), the requirement to provide a briefing
19 pursuant to section 1023 of the Joint Explanatory State-
20 ment accompanying the James M. Inhofe National De-
21 fense Authorization Act for Fiscal Year 2023 (Public Law
22 117–263) shall cease to have force or effect.

1 **SEC. 1067. STUDY AND REPORT ON POTENTIAL INCLUSION**
2 **OF BLACK BOX DATA RECORDERS IN TAC-**
3 **TICAL VEHICLES.**

4 (a) STUDY.—The Comptroller General of the United
5 States shall carry out a study to determine the extent to
6 which the Department of Defense has evaluated feasibility
7 and advisability of equipping all tactical vehicles of the
8 Armed Forces with black box data recorders.

9 (b) REPORT.—The Comptroller General shall—

10 (1) not later than 180 days after the date of
11 the enactment of this Act, the Comptroller General
12 shall provide to the congressional defense commit-
13 tees a briefing on the preliminary findings of the
14 study conducted under subsection (a); and

15 (2) submit to the congressional defense commit-
16 tees a final report on such study.

17 **SEC. 1068. PLAN ON COUNTERING HUMAN TRAFFICKING.**

18 (a) PLAN.—Not later than 120 days after the date
19 of the enactment of this Act, the Secretary of Defense
20 shall submit to the appropriate congressional committees
21 a plan for coordinating with defense partners in North
22 America and South America and supporting interagency
23 departments and agencies, as appropriate, in countering
24 human trafficking operations, including human trafficking
25 by transnational criminal organizations.

1 (b) ELEMENTS OF PLAN.—The plan under sub-
2 section (a) shall include—

3 (1) a description of the threat to United States
4 security from human trafficking operations;

5 (2) a description of the authorities of the De-
6 partment of Defense for the purposes specified in
7 subsection (a);

8 (3) a description of any current or proposed
9 Department of Defense programs or activities to co-
10 ordinate with defense partners or provide support to
11 interagency departments and agencies as described
12 in subsection (a); and

13 (4) any recommendations of the Secretary of
14 Defense for additional authorities for the purposes
15 of countering human trafficking, including by
16 transnational criminal organizations.

17 (c) BRIEFING.—Not later than 180 days after the
18 submission of the plan required under subsection (a), the
19 Secretary of Defense shall brief the appropriate congres-
20 sional committees regarding the authorities, programs,
21 and activities of the Department of Defense to counter
22 human trafficking operations.

23 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—
24 In this section, the term “appropriate congressional com-
25 mittees” means—

- 1 (1) the congressional defense committees;
- 2 (2) the Committee on Homeland Security and
- 3 Governmental Affairs and the Committee on Foreign
- 4 Relations of the Senate; and
- 5 (3) the Committee on Oversight and Adminis-
- 6 tration and the Committee on Foreign Affairs of the
- 7 House of Representatives.

8 **SEC. 1069. UPDATE TO STRATEGIC PLAN ON DEPARTMENT**
9 **OF DEFENSE COMBATING TRAFFICKING IN**
10 **PERSONS PROGRAM.**

11 (a) IN GENERAL.—The Secretary of Defense shall
12 update the strategic plan for the combating trafficking in
13 persons program of the Department of Defense.

14 (b) ELEMENTS OF PLAN.—The updated strategic
15 plan required under subsection (a) shall include each of
16 the following:

17 (1) An assessment of the efforts of the Depart-
18 ment of Defense to combat trafficking in persons in
19 areas with high populations of members of the
20 United States Armed Forces, including in overseas
21 locations.

22 (2) A review of the coordination of efforts of
23 the Department to combat trafficking in persons
24 across the military departments in areas where mul-
25 tiple military departments operate bases.

1 (3) Recommendations for improved cooperation
2 with local communities and relevant Federal, State,
3 and local law enforcement agencies in addressing
4 trafficking in persons.

5 (4) A review of new methods and concepts for
6 combating trafficking in persons that the Depart-
7 ment has implemented since the previous strategic
8 plan.

9 (5) A description of plans of the Department to
10 adapt innovative approaches, and integrate new
11 technologies.

12 (6) An analysis of Department capabilities to
13 combat child sexual abuse and exploitation in areas
14 with high populations of members of the United
15 States Armed Forces, including overseas locations.

16 (7) Recommendations for programs to educate
17 members of the United States Armed Forces on how
18 to identify and report instances of child sexual abuse
19 and exploitation, both online and in-person, to the
20 appropriate law enforcement agency.

21 (c) BRIEFING.—Not later than June 1, 2024, the
22 Secretary of Defense shall provide to the appropriate con-
23 gressional committees a briefing on the updated strategic
24 plan required under subsection (a).

1 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—

2 In this section, the term “appropriate congressional com-
3 mittees” means—

4 (1) the Committee on Armed Services, the
5 Committee on Foreign Affairs, and the Committee
6 on Oversight and Accountability of the House of
7 Representatives; and

8 (2) the Committee Armed Services, the Com-
9 mittee on Foreign Relations, and the Committee on
10 Homeland Security and Governmental Affairs of the
11 Senate.

12 **SEC. 1070. REPORT ON USE OF TACTICAL FIGHTER AIR-**
13 **CRAFT FOR DEPLOYMENTS AND HOMELAND**
14 **DEFENSE MISSIONS.**

15 (a) STUDY REQUIRED.—The Secretary of Defense, in
16 consultation with the Secretary of the Air Force and the
17 Secretary of the Navy, shall conduct a study on the use
18 of Department of Defense tactical fighter aircraft for de-
19 ployments, including taskings supporting homeland de-
20 fense missions.

21 (b) ELEMENTS.—In carrying out the study required
22 under subsection (a), the Secretary shall—

23 (1) review both deployment and exercise re-
24 quirements for tactical fighter aircraft levied by each
25 geographic combatant command;

1 (2) assess the deployable forces currently avail-
2 able to fulfill each of the requirements identified
3 under paragraph (1), including whether such forces
4 are adequate to meet the global requirements;

5 (3) review any relevant tactical fighter forces
6 that are not considered deployable or available to
7 meet the requirements of the combatant com-
8 manders and consider whether the status of such
9 forces can or should change;

10 (4) assess whether tactical fighter aircraft cov-
11 erage of the United States during the deployment of
12 tactical fighter aircraft to locations outside the
13 United States has been adequately considered, in
14 particular with respect to the areas in and around
15 Alaska and Hawaii;

16 (5) assess the land-based tactical fighter air-
17 craft units of the active and reserve components of
18 the Air Force, Navy, and Marine Corps that could
19 be considered for inclusion in homeland defense mis-
20 sion requirements; and

21 (6) identify and evaluate deployment metrics,
22 for each of the 15 fiscal years preceding the fiscal
23 year during which the study is conducted, for the
24 tactical fighter squadrons of the active and reserve

1 components of the Air Force, Navy, and Marine
2 Corps, which shall include—

3 (A) all contingency taskings supported, ag-
4 gregated by active and reserve component
5 taskings supporting Operation Noble Eagle and
6 President of the United States support missions
7 and overseas contingency taskings;

8 (B) the average number of deployments
9 per squadron, aggregated by active and reserve
10 component squadrons;

11 (C) the average deployment duration (in
12 days), aggregated by active and reserve compo-
13 nents; and

14 (D) the percentage of days deployed, ag-
15 gregated by active and reserve components.

16 (c) REPORT.—Not later than May 1, 2024, the Sec-
17 retary of Defense shall submit to the congressional defense
18 committees a report that includes the results of a study
19 required under subsection (a).

20 **SEC. 1071. REPORT ON EQUIPPING CERTAIN GROUND COM-**
21 **BAT UNITS WITH SMALL UNMANNED AERIAL**
22 **SYSTEMS.**

23 (a) REPORT REQUIRED.—Not later than one year
24 after the date of the enactment of this Act, the Secretary
25 of Defense, in consultation with the Secretaries of the

1 military departments, shall submit to the congressional de-
2 fense committees a report on equipping platoon-sized
3 ground combat formations with group 1 or group 2 un-
4 manned aerial systems.

5 (b) ELEMENTS.—The report submitted pursuant to
6 subsection (a) shall address the following:

7 (1) The use of group 1 or group 2 unmanned
8 aerial systems in the Ukraine conflict and best prac-
9 tices learned.

10 (2) The potential use of group 1 or group 2 un-
11 manned aerial systems to augment small unit tactics
12 and lethality in the ground combat forces.

13 (3) Procurement challenges, legal restrictions,
14 training shortfalls, operational limitations, or other
15 impediments to fielding group 1 or group 2 un-
16 manned aerial systems at the platoon level.

17 (4) A plan to equip platoon-sized ground com-
18 bat formations in the close combat force with group
19 1 or group 2 unmanned aerial systems at a basis of
20 issue, as determined appropriate by the Secretary of
21 the military department concerned, including a pro-
22 posed timeline and fielding strategy.

23 (5) A plan to equip such other ground combat
24 units with group 1 or group 2 unmanned aerial sys-

1 tems, as determined appropriate by the Secretary of
2 the military department concerned.

3 **SEC. 1072. BIENNIAL BRIEFINGS ON HOMELAND DEFENSE**
4 **PLANNING.**

5 (a) IN GENERAL.—Not later than 30 days after the
6 date of the enactment of this Act, and every 180 days
7 thereafter through February 1, 2026, the Secretary of De-
8 fense shall provide to the congressional defense commit-
9 tees a briefing on efforts to bolster homeland defense.

10 (b) CONTENTS.—

11 (1) FIRST BRIEFING.—The first briefing re-
12 quired by subsection (a) shall include each of the fol-
13 lowing:

14 (A) A detailed description of the homeland
15 defense policy guidance.

16 (B) The assumptions used in the drafting
17 of such guidance.

18 (C) If such guidance has not been com-
19 pleted, an explanation of the reasons for the
20 lack of completion and a timeline for comple-
21 tion.

22 (2) ALL BRIEFINGS.—Each briefing required
23 under subsection (a) shall include each of the fol-
24 lowing:

1 (A) A summary of any update made to the
2 homeland defense policy guidance.

3 (B) An update on threats to the United
4 States emanating from the Government of the
5 People's Republic of China, the Government of
6 the Russian Federation, the Government of the
7 Democratic People's Republic of Korea, the
8 Government of Iran, and any other adversary
9 country, as determined by the Secretary.

10 (C) A description of major actions taken
11 by the Department during the preceding fiscal
12 year to respond to and mitigate military threats
13 to the United States.

14 (D) A description of the homeland defense
15 policies of the Department in the event of a
16 military conflict with the People's Republic of
17 China, the Russian Federation, the Democratic
18 People's Republic of Korea, the Islamic Repub-
19 lic of Iran, or any other country as determined
20 by the Secretary.

21 (E) Any other matter the Secretary con-
22 siders relevant.

1 **SEC. 1073. REPORT ON EFFECTIVENESS OF CURRENT USE**
2 **OF UNITED STATES NAVAL STATION, GUAN-**
3 **TANAMO BAY, CUBA.**

4 (a) IN GENERAL.—Not later than April 30, 2024, the
5 Secretary of Defense shall submit to the Committees on
6 Armed Services of the Senate and House of Representa-
7 tives a report on the extent to which United States Naval
8 Station, Guantanamo Bay, Cuba, is being used effectively
9 to defend the national security interests of the United
10 States.

11 (b) ELEMENTS.—The report required by subsection
12 (a) shall include each of the following:

13 (1) An analysis of the intelligence collection,
14 cyber, and information operation activities in Cuba
15 of the militaries of foreign governments, including
16 the Russian Federation and the People’s Republic of
17 China, and an assessment of the effects of such ac-
18 tivities.

19 (2) An identification of the mitigation measures
20 currently in place for addressing the activities re-
21 ferred to in paragraph (1) and a discussion of any
22 measures that would be appropriate for further miti-
23 gation.

24 (3) Such other matters as the Secretary deter-
25 mines appropriate.

1 (c) FORM OF REPORT.—The report required by sub-
2 section (a) shall be submitted in unclassified form, but
3 may include a classified annex.

4 **SEC. 1074. HOLISTIC TRAINING RANGE ASSESSMENT.**

5 (a) ASSESSMENT REQUIRED.—The Secretary of De-
6 fense, after coordinating with the Secretaries of the mili-
7 tary departments, shall carry out a comprehensive assess-
8 ment of the capabilities, limitations, and anticipated fu-
9 ture training constraints on the use of military lands, ma-
10 rine areas, and airspace facilities that are available in the
11 United States and overseas, for training of the covered
12 Armed Forces.

13 (b) CONTENTS.—The assessment required by sub-
14 section (a) shall include each of the following:

15 (1) An assessment of the range capability of
16 each facility.

17 (2) An assessment of current and future train-
18 ing requirements, including any opportunities for re-
19 gional interconnectivity of existing sites to increase
20 capability.

21 (3) An evaluation of the adequacy of current
22 Department of Defense resources (including virtual
23 and constructive training assets as well as military
24 lands, marine areas, and airspace available in the

1 United States and overseas) to meet current and fu-
2 ture training range requirements—

3 (A) identified under paragraph (2);

4 (B) relating to testing and training of fifth
5 generation weapons systems; and

6 (C) relating to near-peer competition.

7 (4) An evaluation of threats posed by adver-
8 sarial intelligence collection at each facility.

9 (5) An assessment of current capacity for test-
10 ing and training of electromagnetic warfare oper-
11 ations, including—

12 (A) electromagnetic spectrum operations;

13 (B) operations in the information environ-
14 ment;

15 (C) Joint All Domain Command and Con-
16 trol; and

17 (D) information warfare.

18 (6) An assessment of current capacity for train-
19 ing and testing and future potential for Joint All
20 Domain operations, including—

21 (A) an assessment of current shortfalls at
22 domestic military installations; and

23 (B) an analysis of ranges capable of
24 hosting large-scale, operationally relevant, live-
25 fire campaign-level Joint All Domain operations

1 training exercises based on near-peer competi-
2 tion.

3 (7) An assessment of the capacity of the cov-
4 ered Armed Forces to routinely train, test, evaluate,
5 and qualify theater-level operations in support of op-
6 erations versus a pacing threat, as defined by the
7 most recent national defense strategy submitted pur-
8 suant to section 113(g) of title 10, United States
9 Code, for the purpose of increasing the capacity and
10 rate of force readiness with respect to deterrence
11 and defense at theater-level distances. Such assess-
12 ment shall include—

13 (A) an identification of areas in which
14 multiple ranges can be used simultaneously to
15 simulate Pacific Deterrence Initiative theater
16 operation plans, including areas for over water
17 and coastline training;

18 (B) an analysis of the combined capability
19 of the total test or training areas to simulate
20 various public, private, and academic initiatives
21 in support of the Pacific Deterrence Initiative
22 while advancing military readiness; and

23 (C) a review of any test or training areas
24 that may enhance efforts of the Department to
25 train at scale and range when persistently

1 networked into a live, virtual, and constructive
2 Pacific environment.

3 (8) Proposals to enhance training range capa-
4 bilities and mitigate any shortfalls or encroachment,
5 including Department assets within the range foot-
6 print, in current Department of Defense resources
7 identified pursuant to the assessment required under
8 this section, including timeline and budget estimates
9 for implementing any proposed mitigations.

10 (9) Such other matters as the Secretary deter-
11 mines appropriate.

12 (c) INITIAL REPORT.—At the same time as the sub-
13 mission of the budget of the President to Congress pursu-
14 ant to section 1105 of title 31, United States Code, for
15 fiscal year 2026, the Secretary shall submit to the con-
16 gressional defense committees an initial report on the as-
17 sessment required by subsection (a).

18 (d) SUBSEQUENT ANNUAL REPORTS.—At the same
19 time as the submission of the President submits to Con-
20 gress pursuant to such section for each of fiscal years
21 2027 through 2032, the Secretary shall submit to Con-
22 gress a report describing the progress made in imple-
23 menting the proposals referred to in subsection (b)(8) and
24 any additional actions taken, or to be taken, to address

1 training constraints caused by limitations on the use of
2 military lands, marine areas, and airspace.

3 (e) COVERED ARMED FORCE DEFINED.—In this sec-
4 tion, the term “covered Armed Force” means the Army,
5 Navy, Air Force, Marine Corps, and Space Force.

6 **SEC. 1075. SPECIAL OPERATIONS FORCE STRUCTURE.**

7 (a) REPORT.—Not later than 90 days after the date
8 of the enactment of this Act, the Secretary of Defense
9 shall submit to the congressional defense committees a re-
10 port containing an assessment of the optimal force struc-
11 ture for special operations forces. Such report shall in-
12 clude—

13 (1) a description of the role of special oper-
14 ations forces in implementing the most recent na-
15 tional defense strategy under section 113(g) of title
16 10, United States Code;

17 (2) a detailed accounting of the demand for
18 special operations forces by the geographic combat-
19 ant commands;

20 (3) an assessment of current and projected ca-
21 pabilities and capacities of the general purpose
22 forces of the United States Armed Forces, including
23 forces that enable special operations, that could af-
24 fect force structure capability and capacity require-
25 ments of special operations forces;

1 (4) an assessment of the size, composition, and
2 organizational structure of the special operations
3 command headquarters of each of the Armed Forces
4 and subordinate headquarters elements;

5 (5) an assessment of the adequacy of special
6 operations force structure for meeting the goals of
7 the National Military Strategy under section 153(b)
8 of title 10, United States Code;

9 (6) a description of the role of special oper-
10 ations forces in supporting the Joint Concept for
11 Competing; and

12 (7) any other matters the Secretary of Defense
13 determines relevant.

14 (b) NOTIFICATION REQUIRED.—Except as provided
15 in subsection (d), not later than 15 days before making
16 any reduction in the number of special operations forces
17 by more than 1,000 personnel and prior to implementing
18 or announcing such reduction, the Secretary of Defense
19 shall submit to the congressional defense committees writ-
20 ten notification of the decision to make such reduction.

21 (c) CONTENTS OF NOTIFICATION.—A notification re-
22 quired under subsection (b) shall include—

23 (1) details of the planned changes to force
24 structure and personnel requirements and a jus-
25 tification for the planned changes, including—

1 (A) which units or occupational skills are
2 planned to be reduced or reallocated; and

3 (B) to which units or capabilities the force
4 structure is planned to be transferred or reallo-
5 cated;

6 (2) an accounting of the personnel planned to
7 be transferred under the force structure change, in-
8 cluding which units such personnel are planned to be
9 transferred to and from;

10 (3) an analysis of the expected implications of
11 the planned change on the ability of the Department
12 of Defense to carry out operational and campaign
13 plans of combatant commanders, support the Joint
14 Concept for Competing, and meet the goals of the
15 most recent national defense strategy under section
16 113(g) of title 10, United States Code; and

17 (4) any other matters the Secretary of Defense
18 determines relevant.

19 (d) EXCEPTION.—The notification requirement under
20 subsection (b) shall not apply with respect to a reduction
21 in the number of special operations forces if the Secretary
22 of Defense submits to the congressional defense commit-
23 tees certification that such reduction needs to be imple-
24 mented expeditiously for reasons of military urgency.

25 (e) DEFINITIONS.—In this section:

1 (1) The term “special operations forces” means
2 the forces described in section 167(j) of title 10,
3 United States Code.

4 (2) The term “force structure”, when used with
5 respect to an organization, means—

6 (A) the mission of the organization;

7 (B) the personnel required to operate the
8 organization; and

9 (C) the equipment required to execute the
10 mission of the organization.

11 **SEC. 1076. COMPREHENSIVE ASSESSMENT OF MARINE**
12 **CORPS FORCE DESIGN 2030.**

13 (a) IN GENERAL.—Not later than 90 days after the
14 date of the enactment of this Act, the Secretary of Defense
15 shall seek to enter into an agreement with a federally
16 funded research and development center for the conduct
17 of an independent review, assessment, and analysis of the
18 modernization initiatives of the Marine Corps. The agree-
19 ment shall provide that not later than one year after the
20 date on which the Secretary and the center enter into the
21 agreement, the center shall provide to the Secretary a re-
22 port on the findings of the review, assessment, and anal-
23 ysis. Upon receipt of the report, the Secretary shall trans-
24 mit the report to the congressional defense committees.

1 (b) ELEMENTS.—The report required under sub-
2 section (a) shall include the following elements:

3 (1) An assessment of changes in the National
4 Defense Strategy, Defense Planning Guidance, the
5 Joint Warfighting Concept, and other strategic doc-
6 uments and concepts that informed Force Design
7 modernization requirements.

8 (2) An assessment of how the Marine Corps,
9 consistent with authorized end strength, can be
10 structured, organized, trained, equipped, and pos-
11 tured to meet the challenges of future competition,
12 crisis, and conflict to include discussion of multiple
13 structural options as relevant and the tradeoffs be-
14 tween different options.

15 (3) An assessment of the ability of the defense
16 innovation base and defense industrial base to de-
17 velop and produce the technologies required to im-
18 plement the Force Design modernization plan pub-
19 lished by the Marine Corps on a timeline and at pro-
20 duction rates sufficient to sustain military oper-
21 ations.

22 (4) An assessment of forward infrastructure
23 and the extent to which installations are
24 operationalized to deter, compete, and prevail during

1 conflict in support of the Marine Corps moderniza-
2 tion.

3 (5) An assessment of whether the Marine Corps
4 is in compliance with the statutory organization and
5 functions prescribed in section 8063 of title 10,
6 United States Code.

7 (6) An assessment of the current retention and
8 recruiting environment and the ability of the Marine
9 Corps to sustain manpower requirements necessary
10 for operational requirements levied by title 10,
11 United States Code, in light of the published Force
12 Design plan.

13 (7) The extent to which the modernization ini-
14 tiatives within the Marine Corps are nested within
15 applicable joint warfighting concepts.

16 (8) An assessment of whether the moderniza-
17 tion of the Marine Corps is consistent with the strat-
18 egy of integrated deterrence.

19 (9) An assessment of the ability of the Marine
20 Corps to generate required force elements for the
21 Immediate Ready Force and the Contingency Ready
22 Force, based on current and planned end strength
23 and structure.

24 (10) The extent to which the plan for modern-
25 ized capabilities published by the Marine Corps can

1 be integrated across the Joint Force, including
2 warfighting concepts at the combatant command
3 level.

4 (11) The extent to which the modernization ef-
5 forts of the Marine Corps currently meet the re-
6 quirements of the current plans of the combatant
7 commanders and global force management oper-
8 ations, including a description of any mechanisms
9 that exist to ensure geographic combatant require-
10 ments inform Marine Corps modernization efforts.

11 (12) The extent to which modeling and simula-
12 tion, experimentation, wargaming, and other analytic
13 methods support the changes incorporated into the
14 modernization initiatives of the Marine Corps, in-
15 cluding the underlying assumptions and outcomes of
16 such analyses.

17 (13) An inventory of extant or planned invest-
18 ments as part of the modernization efforts of the
19 Marine Corps, disaggregated by the following capa-
20 bility areas and including actual or projected dates
21 of Initial Operational Capability and Full Oper-
22 ational Capability:

23 (A) Command and Control.

24 (B) Information.

25 (C) Intelligence.

1 (D) Fires.

2 (E) Movement and Maneuver.

3 (F) Protection.

4 (G) Sustainment.

5 (14) An inventory of divestments of capability
6 or capacity, whether force structure or equipment,
7 starting in fiscal year 2020, including—

8 (A) a timeline of the progress of each di-
9 vestment;

10 (B) the type of force structure or equip-
11 ment divested or reduced;

12 (C) the percentage of force structure of
13 equipment divested or reduced, including any
14 equipment entered into inventory management
15 or other form of storage;

16 (D) the rationale and context behind such
17 divestment; and

18 (E) an identification of whether such di-
19 vestment affects the ability of the Marine Corps
20 to meet the requirements of Global Force Man-
21 agement process and the operational plans.

22 (15) An assessment of how observations regard-
23 ing the invasion and defense of Ukraine affect the
24 feasibility, advisability, and suitability of the mod-
25 ernization plans published by the Marine Corps.

1 (c) CLASSIFICATION OF REPORT.—The report re-
2 quired under subsection (a) shall be submitted in unclassi-
3 fied form, but may include a classified appendix to the
4 extent required to ensure that the report is accurate and
5 complete.

6 **SEC. 1077. ASSESSMENT AND RECOMMENDATIONS RELAT-**
7 **ING TO INFRASTRUCTURE, CAPACITY, RE-**
8 **SOURCES, AND PERSONNEL ON GUAM.**

9 (a) ASSESSMENT.—The Secretary of Defense, in co-
10 ordination with the Commander of United States Indo-
11 Pacific Command, shall assess the infrastructure, capac-
12 ity, resource, and personnel requirements for Guam dur-
13 ing fiscal years 2024 through 2029 to meet United States
14 strategic objectives.

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

17 (1) An appraisal of the potential role Guam
18 could play as a key logistics and operational hub for
19 the United States military in the Indo-Pacific re-
20 gion.

21 (2) An assessment of whether current Depart-
22 ment of Defense infrastructure, capacity, resources,
23 and personnel in Guam are sufficient to meet the ex-
24 pected demands during relevant operations and con-
25 tingency scenarios.

1 (3) An assessment of the adequacy of civilian
2 infrastructure in Guam for supporting the require-
3 ments of United States Indo-Pacific Command, in-
4 cluding—

5 (A) the resilience of such infrastructure in
6 the event of a natural disaster; and

7 (B) the vulnerability of such infrastructure
8 to cyber threats.

9 (4) A plan, including timelines and associated
10 estimated costs, to improve Department of Defense
11 infrastructure, capacity, resources, and personnel in
12 Guam during fiscal years 2024 through 2029 to
13 meet United States Indo-Pacific Command strategic
14 objectives, including the need for Department of De-
15 fense civilian recruiting and retention programs,
16 such as cost-of-living adjustments, initiatives for
17 dealing with any shortages of civilian employees, and
18 programs to improve quality-of-life for personnel as-
19 signed to Guam.

20 (5) An assessment of the implementation of
21 Joint Task Force Micronesia.

22 (6) Any other matters determined relevant by
23 the Secretary.

24 (c) REPORT.—Not later than 180 days after the date
25 of the enactment of this Act, the Secretary of Defense

1 shall submit to the congressional defense committees a re-
2 port including the results of the assessment required
3 under subsection (a).

4 **SEC. 1078. FEASIBILITY STUDY ON CONVERSION OF JOINT**
5 **TASK FORCE NORTH INTO JOINT INTER-**
6 **AGENCY TASK FORCE NORTH.**

7 (a) IN GENERAL.—Not later than 90 days after the
8 date of the enactment of this Act, the Secretary of De-
9 fense, in consultation with the head of any relevant Fed-
10 eral department or agency and acting through the Under
11 Secretary of Defense for Policy, shall submit to the con-
12 gressional defense committees a feasibility study on con-
13 verting the Joint Task Force North of the United States
14 Northern Command into a joint interagency task force to
15 be known as the “Joint Interagency Task Force North”.

16 (b) ELEMENTS.—The study under (a) shall include
17 the following elements:

18 (1) A description of the mission of a Joint
19 Interagency Task Force North.

20 (2) A detailed description of the resources of
21 the Department of Defense, including personnel, fa-
22 cilities, and operating costs, necessary to convert
23 Joint Task Force North into a joint interagency
24 task force.

25 (3) An identification of—

1 (A) each relevant department and agency
2 of the United States Government the participa-
3 tion in a Joint Interagency Task Force North
4 of which is necessary in order to enable a Joint
5 Interagency Task Force North to effectively
6 carry out its mission; and

7 (B) the interagency arrangements nec-
8 essary to ensure effective participation by each
9 such department and agency.

10 (4) An identification of each international liai-
11 son necessary for a Joint Interagency Task Force
12 North to effectively carry out its mission.

13 (5) A description of the bilateral and multilat-
14 eral agreements with foreign partners and regional
15 and international organizations that would support
16 the implementation of the mission of the Joint Inter-
17 agency Task Force North.

18 (6) A description of the relationship between a
19 Joint Interagency Task Force North and Joint
20 Interagency Task Force South of the United States
21 Southern Command.

22 (7) A description of the likely relationship be-
23 tween a Joint Interagency Task Force North and
24 the relevant security forces of the Government of
25 Mexico and the Government of the Bahamas.

1 (8) A recommendation on whether a Joint
2 Interagency Task Force North should be an endur-
3 ing entity and a discussion of the circumstances
4 under which the mission of a Joint Interagency Task
5 Force North would transition to one or more entities
6 within the United States Government other than the
7 United States Northern Command.

8 (9) Any recommendations for additional legal
9 authority needed for the Joint Interagency Task
10 Force North to effectively carry out its mission.

11 (10) Any other matters the Secretary of De-
12 fense considers relevant.

13 (c) FORM.—The study required by subsection (a)
14 shall be submitted in unclassified form but may include
15 a classified annex.

16 **Subtitle G—Other Matters**

17 **SEC. 1080. MODIFICATION OF DEFINITION OF DOMESTIC** 18 **SOURCE FOR TITLE III OF THE DEFENSE** 19 **PRODUCTION ACT OF 1950.**

20 (a) IN GENERAL.—Section 702(7) of the Defense
21 Production Act of 1950 (50 U.S.C. 4552(7)) is amend-
22 ed—

23 (1) by redesignating subparagraphs (A) and
24 (B) as clauses (i) and (ii), respectively, and by mov-

1 ing such clauses, as so redesignated, two ems to the
2 right;

3 (2) by striking “The term” and inserting the
4 following:

5 “(A) IN GENERAL.—Except as provided in
6 subparagraph (B), the term”;

7 (3) in clause (ii), as redesignated by paragraph
8 (1), by striking “subparagraph (A)” and inserting
9 “clause (i)”; and

10 (4) by adding at the end the following new sub-
11 paragraph (B):

12 “(B) DOMESTIC SOURCE FOR TITLE III.—

13 “(i) IN GENERAL.—For purposes of
14 title III, the term ‘domestic source’ means
15 a business concern that—

16 “(I) performs substantially all of
17 the research and development, engi-
18 neering, manufacturing, and produc-
19 tion activities required of such busi-
20 ness concern under a contract with
21 the United States relating to a critical
22 component or a critical technology
23 item in—

24 “(aa) the United States or
25 Canada; or

1 “(bb) subject to clause (ii),
2 Australia or the United King-
3 dom; and

4 “(II) procures from business con-
5 cerns described in subclause (I) sub-
6 stantially all of any components or as-
7 semblies required under a contract
8 with the United States relating to a
9 critical component or critical tech-
10 nology item.

11 “(ii) LIMITATIONS ON USE OF BUSI-
12 NESS CONCERNS IN AUSTRALIA AND
13 UNITED KINGDOM.—

14 “(I) IN GENERAL.—A business
15 concern described in clause (i)(I)(bb)
16 may be treated as a domestic source
17 only for purposes of the exercise of
18 authorities under title III relating to
19 national defense matters that cannot
20 be fully addressed with business con-
21 cerns described in clause (i)(I)(aa).

22 “(II) NATIONAL DEFENSE MAT-
23 TER DEFINED.—For purposes of sub-
24 clause (I), the term ‘national defense

1 matter' is a matter relating to the de-
2 velopment or production of—

3 “(aa) a defense article, as
4 defined in section 301 of title 10,
5 United States Code; or

6 “(bb) materials critical to
7 national security, as defined in
8 section 10(f) of the Strategic and
9 Critical Materials Stock Piling
10 Act (50 U.S.C. 98h–1(f)).”.

11 (b) REPORTS ON EXERCISE OF TITLE III AUTHORI-
12 TIES.—Title III of the Defense Production Act of 1950
13 (50 U.S.C. 4531 et seq.) is amended by adding at the end
14 the following new section:

15 **“SEC. 305. REPORTS ON EXERCISE OF AUTHORITIES.**

16 “(a) IN GENERAL.—The President, or the head of
17 an agency to which the President has delegated authorities
18 under this title, shall submit a report and provide a brief-
19 ing to the appropriate congressional committees with re-
20 spect to any action taken pursuant to such authorities—

21 “(1) except as provided by paragraph (2), not
22 later than 30 days after taking the action; and

23 “(2) in the case of an action that involves a
24 business concern in the United Kingdom or Aus-

1 tralia, not later than 30 days before taking the ac-
2 tion.

3 “(b) ELEMENTS.—

4 “(1) IN GENERAL.—Each report and briefing
5 required by subsection (a) with respect to an action
6 described in that subsection shall include—

7 “(A) a justification of the necessity of the
8 use of authorities under this title; and

9 “(B) a description of the financial terms of
10 any related financial transaction.

11 “(2) ADDITIONAL ELEMENTS RELATING TO
12 BUSINESS CONCERNS IN THE UNITED KINGDOM OR
13 AUSTRALIA.—Each report and briefing required by
14 subsection (a) with respect to an action described in
15 paragraph (2) of that subsection shall include, in ad-
16 dition to the elements under paragraph (1)—

17 “(A) a certification that business concerns
18 in the United States or Canada were not avail-
19 able with respect to the action; and

20 “(B) an analysis of why such business con-
21 cerns were not available.

22 “(c) APPROPRIATE CONGRESSIONAL COMMITTEES
23 DEFINED.—In this section, the term ‘appropriate congres-
24 sional committees’ means—

1 “(1) the Committee on Banking, Housing, and
2 Urban Affairs of the Senate and the Committee on
3 Financial Services of the House of Representatives;
4 and

5 “(2) in the case of an action described in sub-
6 section (a) involving materials critical to national se-
7 curity (as defined in section 702(7)(B)(ii)(II)(bb)),
8 the Committee on Energy and Natural Resources of
9 the Senate and the Committee on Natural Resources
10 of the House of Representatives.”.

11 **SEC. 1081. INTEGRATED AND AUTHENTICATED ACCESS TO**
12 **DEPARTMENT OF DEFENSE SYSTEMS FOR**
13 **CERTAIN CONGRESSIONAL STAFF FOR OVER-**
14 **SIGHT PURPOSES.**

15 Section 1046(a) of the James M. Inhofe National De-
16 fense Authorization Act for Fiscal Year 2023 (Public Law
17 117–263; 10 U.S.C. 111 note) is amended—

18 (1) in paragraph (1)(B), by striking “; and”
19 and inserting a semicolon;

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

22 (3) by adding at the end the following new
23 paragraph:

24 “(3) to the extent feasible, be integrated with
25 software used by the Department of Defense Park-

1 ing Management Office to validate parking re-
2 quests.”.

3 **SEC. 1082. MODIFICATION OF COMPENSATION FOR MEM-**
4 **BERS OF THE AFGHANISTAN WAR COMMIS-**
5 **SION.**

6 (a) COMPENSATION.—Section 1094(g)(1) of the Na-
7 tional Defense Authorization Act for Fiscal Year 2022
8 (Public Law 117–81; 135 Stat. 1942) is amended to read
9 as follows:

10 “(1) COMPENSATION OF MEMBERS.—

11 “(A) NON-FEDERAL EMPLOYEES.—A
12 member of the Commission who is not an offi-
13 cer or employee of the Federal Government
14 shall be compensated at a rate equal to the
15 daily equivalent of the annual rate of basic pay
16 prescribed for level IV of the Executive Sched-
17 ule under section 5315 of title 5, United States
18 Code, for each day (including travel time) dur-
19 ing which the member is engaged in the per-
20 formance of the duties of the Commission.

21 “(B) FEDERAL EMPLOYEES.—

22 “(i) IN GENERAL.—A member of the
23 Commission who is an employee of the
24 Federal Government may be compensated
25 as provided for under subparagraph (a) for

1 periods of time during which the member
2 is engaged in the performance of the duties
3 of the Commission that fall outside of ordi-
4 nary agency working hours, as determined
5 by the employing agency of such member.

6 “(ii) RULE OF CONSTRUCTION.—
7 Nothing in this paragraph shall be con-
8 strued to authorize dual pay for work per-
9 formed on behalf of the Commission and
10 for a Federal agency during the same
11 hours of the same day.”.

12 (b) TRAVEL SUPPORT.—Section 1050 of the James
13 M. Inhofe National Defense Authorization Act for Fiscal
14 Year 2023 (Public Law 117–263; 136 Stat. 2775) is
15 amended—

16 (1) in the section heading, by striking “**DE-**
17 **PARTMENT OF DEFENSE SUPPORT**” and insert-
18 ing “**EXECUTIVE BRANCH SUPPORT**”;

19 (2) by redesignating subsection (b) as sub-
20 section (c); and

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

23 “(b) PROVISION OF TRAVEL SUPPORT TO CERTAIN
24 COMMISSIONS.—For the purpose of providing support to
25 facilitate overseas travel requests from a legislative branch

1 commission, or any commission so designated for support
2 under this subsection jointly by the Majority Leader of
3 the Senate, the Speaker of the House of Representatives,
4 the Minority Leader of the Senate, and the Minority Lead-
5 er of the House of Representatives, the Secretary of De-
6 fense and the Secretary of State shall consider such re-
7 quests as equivalent to a request from Congress, and apply
8 the same standards in determining the extent to which
9 such support may be provided under law and regulation.
10 Any support so provided shall be funded out of amounts
11 appropriated for the operation of such commission.”.

12 **SEC. 1083. SENATE NATIONAL SECURITY WORKING GROUP.**

13 (a) IN GENERAL.—Section 21 of Senate Resolution
14 64 (113th Congress), agreed to March 5, 2013, is amend-
15 ed by striking subsection (d).

16 (b) EFFECTIVE DATE.—The amendment made by
17 subsection (a) shall take effect as though enacted on De-
18 cember 31, 2022.

19 **SEC. 1084. TRIBAL LIAISONS AT MILITARY INSTALLATIONS.**

20 (a) TRIBAL LIAISONS AT MILITARY INSTALLA-
21 TIONS.—The Secretary of Defense shall ensure that each
22 military installation under the jurisdiction of a military
23 department that has an Indian Tribe, Native Hawaiian
24 organization, or Tribal interest in the area surrounding

1 the installation has a Tribal liaison located at the installa-
2 tion.

3 (b) TRIBAL INTEREST.—For purposes of subsection
4 (a), an area surrounding a military installation shall be
5 considered to be an area in which there is a Tribal interest
6 if an Indian Tribe or Native Hawaiian organization is his-
7 torically or culturally affiliated with the land or water
8 managed or directly affected by the military installation.

9 (c) DEFINITIONS.—In this section:

10 (1) The term “Indian Tribe” has the meaning
11 given that term in section 4(e) of the Indian Self-
12 Determination and Education Assistance Act (25
13 U.S.C. 5304(e)).

14 (2) The term “Native Hawaiian organization”
15 has the meaning given that term in section 6207 of
16 the Elementary and Secondary Education Act of
17 1965 (20 U.S.C. 7517).

18 **SEC. 1085. COMMERCIAL INTEGRATION CELL PLAN WITHIN**
19 **CERTAIN COMBATANT COMMANDS.**

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of the enactment of this Act, the Commander of the
22 United States Africa Command, the Commander of the
23 United States European Command, the Commander of the
24 United States Indo-Pacific Command, the Commander of
25 the United States Northern Command, and the Com-

1 mander of the United States Southern Command shall
2 each develop a plan that includes—

3 (1) the potential establishment of a commercial
4 integration cell within the respective combatant com-
5 mand of each commander for the purpose of closely
6 integrating public and private entities with capabili-
7 ties relevant to the area of operation of such com-
8 batant command; and

9 (2) the potential establishment of a chief tech-
10 nology officer position within the respective combat-
11 ant command of each commander, the duties of
12 which would include—

13 (A) overseeing such commercial integration
14 cell; and

15 (B) reporting directly to the commander of
16 the applicable combatant command on the ac-
17 tivities of the relevant commercial integration
18 cell.

19 (b) BRIEFING.—Not later than 180 days after the
20 date of the enactment of this Act, each commander of a
21 combatant command referred to in subsection (a) shall
22 provide to the Committees on Armed Services of the Sen-
23 ate and the House of Representatives a briefing on the
24 feasibility, costs, and benefits of establishing a commercial
25 integration cell.

1 **SEC. 1086. GUIDANCE FOR USE OF UNMANNED AIRCRAFT**
2 **SYSTEMS BY NATIONAL GUARD.**

3 (a) **UPDATED GUIDANCE REQUIRED.**—Not later than
4 90 days after the date of the enactment of this Act, the
5 Secretary of Defense shall issue updated guidance on the
6 use of unmanned aircraft systems by the National Guard
7 for covered activities.

8 (b) **BRIEFING.**—Not later than 60 days after the date
9 on which the Secretary issues the updated guidance under
10 subsection (a), the Secretary shall provide to the Commit-
11 tees on Armed Services of the Senate and House of Rep-
12 resentatives. Such briefing shall include—

13 (1) an explanation of whether the updated guid-
14 ance is more restrictive than guidance on the use of
15 other types of aircraft for covered activities; and

16 (2) if the updated guidance is more restrictive,
17 an explanation for the reasons why such guidance is
18 more restrictive.

19 (c) **COVERED ACTIVITIES DEFINED.**—In this section,
20 the term “covered activities” means any of the following:

21 (1) Emergency operations.

22 (2) Search and rescue operations.

23 (3) Defense support to civil authorities.

24 (4) Support provided under section 502(f) of
25 title 32, United States Code.

1 **SEC. 1087. PUBLIC DISCLOSURE OF AFGHANISTAN WAR**
2 **RECORDS.**

3 The Secretary of Defense, in a manner consistent
4 with the protection of intelligence sources and methods,
5 shall expeditiously disclose to the public all relevant un-
6 classified records of the Department of Defense relating
7 to the war in Afghanistan.

8 **SEC. 1088. IMPLEMENTATION PLAN FOR JOINT CONCEPT**
9 **FOR COMPETING.**

10 (a) **IMPLEMENTATION PLAN REQUIRED.**—Not later
11 than March 1, 2024, the Chairman of the Joint Chiefs
12 of Staff shall submit to the congressional defense commit-
13 tees an implementation plan for of the Joint Concept for
14 Competing, released on February 10, 2023.

15 (b) **ELEMENTS.**—The implementation plan required
16 by subsection (a) shall include—

17 (1) timelines for the development of integrated
18 competitive strategies for engaging in strategic com-
19 petition, as described in the Joint Concept for Com-
20 peting, to address the challenges posed by specific
21 competitors, including such strategies designed to—

22 (A) deter adversarial military action;

23 (B) counter the efforts of specific competi-
24 tors, as necessary; and

1 (C) support the efforts of the United
2 States interagency and foreign allies, partners,
3 and multilateral organizations;

4 (2) an identification of any relevant updates to
5 joint doctrine or professional military education;

6 (3) a description of the integration of the Joint
7 Concept for Competing with other joint force devel-
8 opment and design efforts;

9 (4) a description of concept-required capabilities
10 that are necessary for joint force development and
11 design in support of the Joint Concept for Com-
12 peting, including the assignment of roles and respon-
13 sibilities and the timelines for attaining such capa-
14 bilities;

15 (5) a description of efforts to coordinate and
16 synchronize Department of Defense activities with
17 the activities of interagency and foreign partners for
18 the purpose of integrated campaigning;

19 (6) an identification of any recommendations to
20 better integrate the role of the Joint Force, as iden-
21 tified by the Joint Concept for Competing, with na-
22 tional security efforts of interagency and foreign
23 partners;

1 (7) an identification of any changes to authori-
2 ties or resources necessary to implement the Joint
3 Concept for Competing; and

4 (8) a description of any other matters the
5 Chairman determines appropriate.

6 (c) BRIEFING.—Not later than 180 days after the de-
7 livery of the implementation plan required under sub-
8 section (a), and every 180 days thereafter through March
9 1, 2026, the Chairman of the Joint Chiefs of Staff shall
10 provide to the congressional defense committees a briefing
11 that includes an update on the status of the implementa-
12 tion plan required under subsection (a).

13 **SEC. 1089. NOTIFICATION OF SAFETY AND SECURITY CON-**
14 **CERNS AT CERTAIN DEPARTMENT OF DE-**
15 **FENSE LABORATORIES.**

16 (a) IN GENERAL.—The Secretary of Defense shall
17 notify the congressional defense committees within 7 days
18 after ceasing operations at any Department of Defense
19 laboratory or facility rated at biosafety level-3 or higher
20 for safety or security reasons.

21 (b) CONTENT.—The notification required under sub-
22 section (a) shall include—

23 (1) the reason why operations have ceased at
24 the laboratory or facility;

1 (2) whether appropriate notification to other
2 Federal agencies has occurred;

3 (3) a description of the actions taken to deter-
4 mine the root cause of the cessation; and

5 (4) a description of the actions taken to restore
6 operations at the laboratory or facility.

7 **SEC. 1090. CONDUCT OF WEATHER RECONNAISSANCE IN**
8 **THE UNITED STATES.**

9 (a) CONDUCT OF RECONNAISSANCE.—

10 (1) IN GENERAL.—Subject to the availability of
11 appropriations, the 53rd Weather Reconnaissance
12 Squadron of the Air Force Reserve Command and
13 the Administrator of the National Oceanic and At-
14 mospheric Administration may use aircraft, per-
15 sonnel, and equipment necessary to meet the mission
16 requirements of—

17 (A) the National Hurricane Operations
18 Plan; and

19 (B) the National Winter Seasons Oper-
20 ation plan, as long as aircraft are able to fully
21 meet needs for hurricane monitoring response.

22 (2) ACTIVITIES.—If the 53rd Weather Recon-
23 naissance Squadron of the Air Force Reserve Com-
24 mand exercises the authority under paragraph (1),
25 such Squadron, in consultation with the Adminis-

1 trator of the National Oceanic and Atmospheric Ad-
2 ministration and appropriate line offices of the Na-
3 tional Oceanic and Atmospheric Administration,
4 shall use such authority to—

5 (A) improve the accuracy and timeliness of
6 observations of storms that result in large
7 amounts of precipitation, such as tropical cy-
8 clones and atmospheric rivers, to support the
9 forecast and warning services of the National
10 Weather Service of the United States;

11 (B) collect data in data-sparse regions
12 where conventional observations are lacking;

13 (C) support water management decision-
14 making and flood forecasting through the exe-
15 cution of targeted in-situ measurements, air-
16 borne dropsondes, buoys, autonomous platform
17 observations, satellite observations, remote sens-
18 ing observations, and other observation plat-
19 forms as appropriate, including enhanced as-
20 similation of the data from those observations
21 over the eastern, central, and western north Pa-
22 cific Ocean, the Gulf of Mexico, and the western
23 Atlantic Ocean to improve forecasts of large
24 storms for civil authorities and military decision
25 makers;

1 (D) participate in the research and oper-
2 ations partnership that guides flight planning
3 and uses research methods to improve and ex-
4 pand the capabilities and effectiveness of weath-
5 er reconnaissance over time; and

6 (E) undertake such other additional activi-
7 ties as the Administrator of the National Oce-
8 anic and Atmospheric Administration, in col-
9 laboration with the 53rd Weather Reconnois-
10 sance Squadron, considers appropriate to fur-
11 ther prediction of dangerous weather events.

12 (b) REPORTS.—

13 (1) AIR FORCE.—

14 (A) IN GENERAL.—Not later than 90 days
15 after the date of the enactment of this Act, the
16 Secretary of the Air Force, in consultation with
17 the Administrator of the National Oceanic and
18 Atmospheric Administration, shall perform a re-
19 sources review of mission capabilities needed for
20 observation to carry out the activities described
21 in subsection (a)(2) and submit to the appro-
22 priate committees of Congress a comprehensive
23 report, for the period beginning on the date of
24 the enactment of this Act and ending on De-
25 cember 31, 2035, on—

1 (i) the resources necessary for the
2 53rd Weather Reconnaissance Squadron of
3 the Air Force Reserve Command to con-
4 tinue to support—

5 (I) the National Hurricane Oper-
6 ations Plan;

7 (II) the National Winter Season
8 Operations Plan;

9 (III) emerging technologies that
10 offer new, improved, or innovative
11 ways to collect data for improved fore-
12 casts of strength and landfall for hur-
13 ricanes, atmospheric rivers, and win-
14 ter storms; and

15 (IV) any other operational re-
16 quirements relating to weather recon-
17 naissance;

18 (ii) the resources expended by the Na-
19 tional Oceanic and Atmospheric Adminis-
20 tration to cover taskings that the 53rd
21 Weather Reconnaissance Squadron of the
22 Air Force Reserve Command is unable to
23 accomplish; and

24 (iii) the resources expended by the
25 53rd Weather Reconnaissance Squadron of

1 the Air Force Reserve Command to cover
2 taskings that the National Oceanic and At-
3 mospheric Administration is unable to ac-
4 complish.

5 (B) APPROPRIATE COMMITTEES OF CON-
6 GRESS.—In this paragraph, the term “appro-
7 priate committees of Congress” means—

8 (i) the Committee on Armed Services
9 of the Senate;

10 (ii) the Subcommittee on Defense of
11 the Committee on Appropriations of the
12 Senate;

13 (iii) the Committee on Commerce,
14 Science, and Transportation of the Senate;

15 (iv) the Committee on Science, Space,
16 and Technology of the House of Represent-
17 atives;

18 (v) the Committee on Armed Services
19 of the House of Representatives; and

20 (vi) the Subcommittee on Defense of
21 the Committee on Appropriations of the
22 House of Representatives.

23 (2) COMMERCE.—Not later than 90 days after
24 the date of the enactment of this Act, the Secretary
25 of Commerce shall submit to the Committee on

1 Commerce, Science, and Transportation of the Sen-
2 ate and the Committee on Science, Space, and Tech-
3 nology of the House of Representatives a com-
4 prehensive report, for the period beginning on the
5 date of the enactment of this Act and ending on De-
6 cember 31, 2035, on—

7 (A) the resources necessary for the Na-
8 tional Oceanic and Atmospheric Administration
9 to continue to support—

10 (i) the National Hurricane Operations
11 Plan;

12 (ii) the National Winter Season Oper-
13 ations Plan;

14 (iii) emerging technologies that offer
15 new, improved, and innovative ways to col-
16 lect data for improved forecasts of strength
17 and landfall for hurricanes, atmospheric
18 rivers, and winter storms; and

19 (iv) any other operational require-
20 ments relating to weather reconnaissance;

21 (B) how taskings that the 53rd Weather
22 Reconnaissance Squadron of the Air Force Re-
23 serve Command is unable to accomplish could
24 affect the ability of the National Oceanic and

1 Atmospheric Administration to fulfill its mis-
2 sion; and

3 (C) how taskings that the National Ocea-
4 nic and Atmospheric Administration is unable
5 to accomplish could affect the ability of the
6 53rd Weather Reconnaissance Squadron of the
7 Air Force Reserve Command to fulfill its mis-
8 sion.

9 (c) TRANSFER OF FUNDS.—The Secretary of the Air
10 Force may transfer funds to the National Oceanic and At-
11 mospheric Administration for additional hurricane moni-
12 toring and response activities that fulfill the mission of
13 the Air Force, including transfers of funds for the com-
14 pensation of personnel and for the provision of other such
15 services, funds, facilities, and other support services as
16 necessary.

17 **SEC. 1091. SENSE OF CONGRESS REGARDING AUTHORITY**
18 **OF SECRETARY OF DEFENSE WITH RESPECT**
19 **TO IRREGULAR WARFARE.**

20 (a) IN GENERAL.—It is the sense of Congress that
21 the Secretary of Defense has the authority to conduct ir-
22 regular warfare operations, including clandestine irregular
23 warfare operations, to defend the United States, allies of
24 the United States, and interests of the United States,
25 when such operations have been appropriately authorized.

1 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to constitute a specific statutory
3 authorization for any of the following:

4 (1) The conduct of a covert action, as such
5 term is defined in section 503(e) of the National Se-
6 curity Act of 1947 (50 U.S.C. 3093(e)).

7 (2) The introduction of United States Armed
8 Forces, within the meaning of the War Powers Reso-
9 lution (Public Law 93–148; 50 U.S.C. 1541 et seq.),
10 into hostilities or into situations wherein hostilities
11 are clearly indicated by the circumstances.

12 **SEC. 1092. RED HILL HEALTH IMPACTS.**

13 (a) IN GENERAL.—

14 (1) REVIEW.—The Secretary of Defense (re-
15 ferred to in this section as the “Secretary”), in co-
16 ordination with the Director of the Centers for Dis-
17 ease Control and Prevention, the Secretary of Vet-
18 erans Affairs, and such State and local authorities
19 or other partners as the Secretary considers appro-
20 priate, shall—

21 (A) review the Federal programs and serv-
22 ices available to individuals exposed to petro-
23 leum;

1 (B) review current research on petroleum
2 exposure in order to identify additional research
3 needs; and

4 (C) undertake any other review or activi-
5 ties that the Secretary determines to be appro-
6 priate.

7 (2) REPORT.—Not later than one year after the
8 date of enactment of this Act, and annually there-
9 after for six subsequent years, the Secretary shall
10 submit to the appropriate congressional committees
11 a report on the review and activities undertaken
12 under paragraph (1) that includes—

13 (A) strategies for communicating and en-
14 gaging with stakeholders on the Red Hill Inci-
15 dent;

16 (B) the number of impacted and poten-
17 tially impacted individuals;

18 (C) measures and frequency of follow-up to
19 collect data and specimens related to exposure,
20 health, and developmental milestones as appro-
21 priate; and

22 (D) a summary of data and analyses on
23 exposure, health, and developmental milestones
24 for impacted individuals.

1 (3) CONSULTATION.—In carrying out para-
2 graphs (1) and (2), the Secretary shall consult with
3 non-Federal experts, including individuals with cer-
4 tification in epidemiology, toxicology, mental health,
5 pediatrics, and environmental health, and members
6 of the impacted community.

7 (b) RED HILL EPIDEMIOLOGICAL HEALTH OUT-
8 COMES STUDY.—

9 (1) CONTRACTS.—The Secretary may contract
10 with independent research institutes or consultants,
11 nonprofit or public entities, laboratories, or medical
12 schools, as the Secretary considers appropriate, that
13 are not part of the Federal Government to assist
14 with the feasibility assessment required by para-
15 graph (2).

16 (2) FEASIBILITY ASSESSMENT.—Not later than
17 one year after the date of the enactment of this Act,
18 the Secretary shall submit to the appropriate con-
19 gressional committees the results of a feasibility as-
20 sessment to determine the necessity of an epidemio-
21 logical health outcomes study and to inform the de-
22 sign of the potential epidemiological study or studies
23 to assess health outcomes for impacted individuals,
24 which may include—

1 (A) a strategy to recruit impacted individ-
2 uals to participate in the study or studies, in-
3 cluding incentives for participation;

4 (B) a description of protocols and meth-
5 odologies to assess health outcomes from the
6 Red Hill Incident, including data management
7 protocols to secure the privacy and security of
8 the personal information of impacted individ-
9 uals;

10 (C) the periodicity for data collection that
11 takes into account the differences between
12 health care practices among impacted individ-
13 uals who are—

14 (i) members of the Armed Forces on
15 active duty or spouses or dependents of
16 such members;

17 (ii) members of the Armed Forces
18 separating from active duty or spouses or
19 dependents of such members;

20 (iii) veterans and other individuals
21 with access to health care from the De-
22 partment of Veterans Affairs; and

23 (iv) individuals without access to
24 health care from the Department of De-

1 fense or the Department of Veterans Af-
2 fairs;

3 (D) a description of methodologies to ana-
4 lyze data received from the study or studies to
5 determine possible connections between expo-
6 sure to water contaminated during the Red Hill
7 Incident and adverse impacts to the health of
8 impacted individuals;

9 (E) an identification of exposures resulting
10 from the Red Hill Incident that may qualify in-
11 dividuals to be eligible for participation in the
12 study or studies as a result of those exposures;

13 (F) steps that will be taken to provide in-
14 dividuals impacted by the Red Hill Incident
15 with information on available resources and
16 services; and

17 (G) a final determination on whether it is
18 feasible to conduct an epidemiological health
19 outcomes study.

20 (3) NOTIFICATIONS; BRIEFINGS.—If the Sec-
21 retary determines, upon completion of the feasibility
22 assessment under paragraph (2), that an epidemio-
23 logical health outcomes study is feasible and nec-
24 essary, not later than one year after the completion

1 of the feasibility assessment under paragraph (2),
2 the Secretary shall—

3 (A) notify impacted individuals on the in-
4 terim findings of the study or studies; and

5 (B) brief the appropriate congressional
6 committees on the interim findings of the study
7 or studies.

8 (c) DEFINITIONS.—In this section:

9 (1) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES.—The term “appropriate congressional com-
11 mittees” means—

12 (A) the Committee on Armed Services and
13 the Subcommittee on Defense of the Committee
14 on Appropriations of the Senate;

15 (B) the Committee on Veterans’ Affairs of
16 the Senate;

17 (C) the Committee on Health, Education,
18 Labor, and Pensions of the Senate;

19 (D) the Committee on Armed Services and
20 the Subcommittee on Defense of the Committee
21 on Appropriations of the House of Representa-
22 tives;

23 (E) the Committee on Veterans’ Affairs of
24 the House of Representatives; and

1 (F) the Committee on Energy and Com-
2 merce of the House of Representatives.

3 (2) IMPACTED INDIVIDUAL.—The term “im-
4 pacted individual” means an individual who, at the
5 time of the Red Hill Incident, lived or worked in a
6 building or residence served by the community water
7 system at Joint Base Pearl Harbor-Hickam, Oahu,
8 Hawaii.

9 (3) RED HILL INCIDENT.—The term “Red Hill
10 Incident” means the release of fuel from the Red
11 Hill Bulk Fuel Storage Facility, Oahu, Hawaii, into
12 the sole-source basal aquifer located 100 feet below
13 the facility, contaminating the community water sys-
14 tem at Joint Base Pearl Harbor-Hickam on Novem-
15 ber 20, 2021.

16 **TITLE XI—CIVILIAN PERSONNEL**

Sec. 1101. Diversity, equity, and inclusion personnel grade cap.

Sec. 1102. Authorization to pay a living quarters allowance for Department of the Navy civilian employees assigned to permanent duty in Guam for performing work, or supporting work being performed, aboard or dockside, of U.S. naval vessels.

Sec. 1103. Consolidation of direct hire authorities for candidates with specified degrees at science and technology reinvention laboratories.

Sec. 1104. Direct hire authority for certain personnel of the Department of Defense.

Sec. 1105. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.

Sec. 1106. Extension of authority to grant competitive status to employees of inspectors general for overseas contingency operations.

Sec. 1107. Extension of direct hire authority for domestic industrial base facilities and Major Range and Test Facilities Base.

Sec. 1108. Exclusion of nonappropriated fund employees from limitations on dual pay.

- Sec. 1109. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.
- Sec. 1110. Modification to shore leave accrual for crews of vessels to support crew rotations and improve retention of civilian mariners.
- Sec. 1111. Assessments of staffing in Office of the Under Secretary of Defense for Personnel and Readiness.
- Sec. 1112. Military Spouse Employment Act.
- Sec. 1113. Amendments to the John S. McCain Strategic Defense Fellows Program.
- Sec. 1114. Including military service in determining family and medical leave eligibility for Federal employees.
- Sec. 1115. Exception to limitation on number of Senior Executive Service positions for the Department of Defense.
- Sec. 1116. Extension of direct hire authority for the Department of Defense for post-secondary students and recent graduates.
- Sec. 1117. Authority to employ civilian faculty members at Space Force schools.
- Sec. 1118. Report and sunset relating to inapplicability of certification of executive qualifications by qualification review boards of Office of Personnel Management.
- Sec. 1119. Expansion of noncompetitive appointment eligibility to spouses of Department of Defense civilians.
- Sec. 1120. Elimination of Government Accountability Office review requirement relating to Department of Defense personnel authorities.

1 **SEC. 1101. DIVERSITY, EQUITY, AND INCLUSION PER-**
2 **SONNEL GRADE CAP.**

3 (a) IN GENERAL.—The Secretary concerned may not
4 appoint to, or otherwise employ in, any position with pri-
5 mary duties as described in subsection (b) a civilian em-
6 ployee paid annual pay at a rate that exceeds the equiva-
7 lent of the rate payable for GS–10, not adjusted for local-
8 ity.

9 (b) COVERED DUTIES.—The duties referred to in
10 subsection (a) are as follows:

11 (1) Developing, refining, and implementing di-
12 versity, equity, and inclusion policy.

1 (2) Leading working groups and councils to de-
2 veloping diversity, equity, and inclusion goals and
3 objectives to measure performance and outcomes.

4 (3) Creating and implementing diversity, equity,
5 and inclusion education, training courses, and work-
6 shops for military and civilian personnel.

7 (c) **APPLICABILITY TO CURRENT EMPLOYEES.**—Any
8 civilian employee appointed to a position with duties de-
9 scribed in subsection (b) who is paid annual pay at a rate
10 that exceeds the amount allowed under subsection (a) shall
11 be reassigned to another position not later than 180 days
12 after the date of the enactment of this Act.

13 **SEC. 1102. AUTHORIZATION TO PAY A LIVING QUARTERS**
14 **ALLOWANCE FOR DEPARTMENT OF THE**
15 **NAVY CIVILIAN EMPLOYEES ASSIGNED TO**
16 **PERMANENT DUTY IN GUAM FOR PER-**
17 **FORMING WORK, OR SUPPORTING WORK**
18 **BEING PERFORMED, ABOARD OR DOCKSIDE,**
19 **OF U.S. NAVAL VESSELS.**

20 (a) **ALLOWANCE.**—When Government owned or
21 rented quarters are not otherwise provided without charge
22 to a covered employee, the Secretary of the Navy may
23 grant to a covered employee one or more of the following
24 allowances:

1 (1) A living quarters allowance for rent, heat,
2 light, fuel, gas, electricity, and water. The Secretary
3 is authorized to pay such allowance by reimburse-
4 ment or by advance payments.

5 (2) Under unusual circumstances, as deter-
6 mined by the Secretary, payment or reimbursement
7 for extraordinary, necessary, and reasonable ex-
8 penses, not otherwise compensated for, incurred in
9 initial repairs, alterations, and improvements to the
10 privately leased residence in Guam of a covered em-
11 ployee—

12 (A) the expenses are administratively ap-
13 proved in advance; and

14 (B) the duration and terms of the lease
15 justify payment of the expenses by the Govern-
16 ment.

17 (b) COVERED EMPLOYEE DEFINED.—In this section,
18 the term “covered employee” means any civilian employee
19 of the Department of the Navy who is assigned to perma-
20 nent duty in Guam for performing work or supporting
21 work being performed, aboard or dockside, of U.S. naval
22 vessels.

1 **SEC. 1103. CONSOLIDATION OF DIRECT HIRE AUTHORITIES**
2 **FOR CANDIDATES WITH SPECIFIED DEGREES**
3 **AT SCIENCE AND TECHNOLOGY REINVEN-**
4 **TION LABORATORIES.**

5 Section 4091 of title 10, United States Code, is
6 amended—

7 (1) in subsection (a)(1), by striking “bachelor’s
8 degree” and inserting “bachelor’s or advanced de-
9 gree”;

10 (2) in subsection (c)—

11 (A) in the subsection heading, by striking
12 “CALENDAR YEAR” and inserting “FISCAL
13 YEAR”;

14 (B) in the matter preceding paragraph (1),
15 by striking “calendar year” and inserting “fis-
16 cal year”;

17 (C) in paragraph (1), by striking “6 per-
18 cent” and inserting “11 percent”; and

19 (D) in paragraphs (1), (2), and (3), by
20 striking “the fiscal year last ending before the
21 start of such calendar year” and inserting “the
22 preceding fiscal year”;

23 (3) by striking subsection (f); and

24 (4) by redesignating subsection (g) as sub-
25 section (f).

1 **SEC. 1104. DIRECT HIRE AUTHORITY FOR CERTAIN PER-**
2 **SONNEL OF THE DEPARTMENT OF DEFENSE.**

3 Section 9905(a) of title 5, United States Code, is
4 amended—

5 (1) in the matter preceding paragraph (1), by
6 inserting “, 3307,” after “3303”; and

7 (2) by adding at the end the following new
8 paragraphs:

9 “(12) Any position in support of aircraft oper-
10 ations for which the Secretary determines there is a
11 critical hiring need or shortage of candidates.

12 “(13) Any position in support of the safety of
13 the public, law enforcement, or first response for
14 which the Secretary determines there is a critical
15 hiring need or shortage of candidates.”.

16 **SEC. 1105. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
17 **ANNUAL LIMITATION ON PREMIUM PAY AND**
18 **AGGREGATE LIMITATION ON PAY FOR FED-**
19 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
20 **SEAS.**

21 Subsection (a) of section 1101 of the Duncan Hunter
22 National Defense Authorization Act for Fiscal Year 2009
23 (Public Law 110–417; 122 Stat. 4615), as most recently
24 amended by section 1102 of the James M. Inhofe National
25 Defense Authorization Act for Fiscal Year 2023 (Public

1 Law 117–263), is further amended by striking “through
2 2023” and inserting “through 2024”.

3 **SEC. 1106. EXTENSION OF AUTHORITY TO GRANT COMPETI-**
4 **TIVE STATUS TO EMPLOYEES OF INSPEC-**
5 **TORS GENERAL FOR OVERSEAS CONTIN-**
6 **GENCY OPERATIONS.**

7 Section 419(d)(5)(B) of title 5, United States Code,
8 is amended by striking “2 years” and inserting “5 years”.

9 **SEC. 1107. EXTENSION OF DIRECT HIRE AUTHORITY FOR**
10 **DOMESTIC INDUSTRIAL BASE FACILITIES**
11 **AND MAJOR RANGE AND TEST FACILITIES**
12 **BASE.**

13 Section 1125(a) of the National Defense Authoriza-
14 tion Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.;
15 Public Law 114–328) is amended by striking “through
16 2025,” and inserting “through 2028,”.

17 **SEC. 1108. EXCLUSION OF NONAPPROPRIATED FUND EM-**
18 **PLOYEES FROM LIMITATIONS ON DUAL PAY.**

19 Section 5531(2) of title 5, United States Code, is
20 amended by striking “Government corporation and” and
21 inserting “Government corporation, but excluding”.

1 **SEC. 1109. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
2 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
3 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
4 **FICIAL DUTY IN A COMBAT ZONE.**

5 Paragraph (2) of section 1603(a) of the Emergency
6 Supplemental Appropriations Act for Defense, the Global
7 War on Terror, and Hurricane Recovery, 2006 (Public
8 Law 109–234; 120 Stat. 443), as added by section 1102
9 of the Duncan Hunter National Defense Authorization
10 Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat.
11 4616) and as most recently amended by section 1103 of
12 the James M. Inhofe National Defense Authorization Act
13 for Fiscal Year 2023 (Public Law 117–263), is further
14 amended by striking “2024” and inserting “2025”.

15 **SEC. 1110. MODIFICATION TO SHORE LEAVE ACCRUAL FOR**
16 **CREWS OF VESSELS TO SUPPORT CREW RO-**
17 **TATIONS AND IMPROVE RETENTION OF CI-**
18 **VILIAN MARINERS.**

19 Section 6305 of title 5, United States Code, is
20 amended by adding at the end the following:

21 “(d) With respect to an officer, crewmember, or other
22 employee of the Department of Defense serving aboard an
23 oceangoing vessel on an extended voyage, the first sen-
24 tence in the matter preceding paragraph (1) of subsection
25 (c) of this section shall be applied by substituting ‘7 cal-
26 endar days’ for ‘30 calendar days.’”.

1 **SEC. 1111. ASSESSMENTS OF STAFFING IN OFFICE OF THE**
2 **UNDER SECRETARY OF DEFENSE FOR PER-**
3 **SONNEL AND READINESS.**

4 (a) IN GENERAL.—

5 (1) DOD ASSESSMENT.—The Secretary of De-
6 fense shall conduct an assessment of personnel re-
7 quirements in the Office of the Under Secretary of
8 Defense for Personnel and Readiness against exist-
9 ing personnel of the Office. The assessment should
10 include military, civilian, and contractor personnel.
11 For purposes of carrying out such assessment, the
12 head of the Office shall submit to the Secretary the
13 alignment of total force manpower resources of the
14 Office against core missions, tasks, and functions,
15 including a mapping of missions to the originating
16 statute or Department policy.

17 (2) OFFICE ASSESSMENT.—The head of the Of-
18 fice shall conduct an assessment on the tasks, func-
19 tions, and associated civilian personnel the Office be-
20 lieves are necessary to perform the duties of the Of-
21 fice.

22 (3) DOD ANALYSIS.—The Secretary shall de-
23 termine whether there is any conflict between the as-
24 sessment conducted under paragraph (1) and the as-
25 sessment under paragraph (2), and what personnel

1 actions (if any) the Secretary will take to eliminate
2 such conflict.

3 (b) INTERIM BRIEFING AND REPORT.—

4 (1) INTERIM BRIEFING.—Not later than April
5 1, 2024, the Secretary of Defense shall provide to
6 the congressional defense committees an interim
7 briefing on the assessments under subsection (a).

8 (2) FINAL REPORT.—Not later than one year
9 after the date of the enactment of this Act, the Sec-
10 retary shall submit to the congressional defense com-
11 mittees a report on the assessments under sub-
12 section (a). Such report shall include the following:

13 (A) An assessment of every military, civil-
14 ian, and contractor personnel position and billet
15 (funded and unfunded, filled and unfilled) in
16 the Office against existing personnel require-
17 ments.

18 (B) The methodology and process through
19 which such assessment was performed.

20 (C) Relevant statistical analysis on per-
21 sonnel position fill rates against validated re-
22 quirements.

23 (D) Analysis of each position, grade, and
24 rank, and whether the position description,

1 grade, and rank match the function and task
2 requirements of the position.

3 (E) Plan to update rank, grades, and posi-
4 tion descriptions to meet current and future re-
5 quirements, tasks, and functions.

6 (F) Any legislative, policy or budgetary
7 recommendations of the Secretary related to the
8 subject matter of the report.

9 (d) DEFINITIONS.—In this section—

10 (1) the term “civil service” has the meaning
11 given that term in section 2101 of title 5, United
12 States Code; and

13 (2) the term “Office” means the Office of the
14 Under Secretary of Defense for Personnel and Read-
15 iness.

16 **SEC. 1112. MILITARY SPOUSE EMPLOYMENT ACT.**

17 (a) APPOINTMENT OF MILITARY SPOUSES.—Section
18 3330d of title 5, United States Code, is amended—

19 (1) in subsection (a)—

20 (A) by redesignating paragraph (3) as
21 paragraph (4);

22 (B) by inserting after paragraph (2) the
23 following:

24 “(3) The term ‘remote work’ refers to a par-
25 ticular type of telework under which an employee is

1 not expected to report to an officially established
2 agency location on a regular and recurring basis.”;
3 and

4 (C) by adding at the end the following:

5 “(5) The term ‘telework’ has the meaning given
6 the term in section 6501.”;

7 (2) in subsection (b)—

8 (A) in paragraph (1), by striking “or” at
9 the end;

10 (B) in paragraph (2), by striking the pe-
11 riod at the end and inserting “; or”; and

12 (C) by adding at the end the following:

13 “(3) a spouse of a member of the Armed Forces
14 on active duty, or a spouse of a disabled or deceased
15 member of the Armed Forces, to a position in which
16 the spouse will engage in remote work.”; and

17 (3) in subsection (e)(1), by striking “subsection
18 (a)(3)” and inserting “subsection (a)(4)”.

19 (b) GAO STUDY AND REPORT.—

20 (1) DEFINITIONS.—In this subsection—

21 (A) the terms “agency” means an agency
22 described in paragraph (1) or (2) of section
23 901(b) of title 31, United States Code;

24 (B) the term “employee” means an em-
25 ployee of an agency;

1 (C) the term “remote work” means a par-
2 ticular type of telework under which an em-
3 ployee is not expected to report to an officially
4 established agency location on a regular and re-
5 curring basis; and

6 (D) the term “telework” means a work
7 flexibility arrangement under which an em-
8 ployee performs the duties and responsibilities
9 of such employee’s position, and other author-
10 ized activities, from an approved worksite other
11 than the location from which the employee
12 would otherwise work.

13 (2) REQUIREMENT.—Not later than 18 months
14 after the date of enactment of this Act, the Comp-
15 troller General of the United States shall conduct a
16 study and publish a report regarding the use of re-
17 mote work by agencies, which shall include a discus-
18 sion of what is known regarding—

19 (A) the number of employees who are en-
20 gaging in remote work;

21 (B) the role of remote work in agency re-
22 cruitment and retention efforts;

23 (C) the geographic location of employees
24 who engage in remote work;

1 (D) the effect that remote work has had on
2 how often employees are reporting to officially
3 established agency locations to perform the du-
4 ties and responsibilities of the positions of those
5 employees and other authorized activities; and

6 (E) how the use of remote work has af-
7 fected Federal office space utilization and
8 spending.

9 **SEC. 1113. AMENDMENTS TO THE JOHN S. MCCAIN STRA-**
10 **TEGIC DEFENSE FELLOWS PROGRAM.**

11 (a) **SELECTION OF PARTICIPANTS.**—Subsection
12 (d)(2) of section 932 of the John S. McCain National De-
13 fense Authorization Act for Fiscal Year (Public Law 115–
14 232; 10 U.S.C. 1580 note prec.) is amended to read as
15 follows:

16 “(2) **GEOGRAPHICAL REPRESENTATION.**—Out
17 of the total number of individuals selected to partici-
18 pate in the fellows program, which shall not exceed
19 60 individuals in any year, no more than 20 percent
20 may be from any of the following geographic regions:

21 “(A) The Northeast United States.

22 “(B) The Southeast United States.

23 “(C) The Midwest United States.

24 “(D) The Southwest United States.

25 “(E) The Western United States.

1 “(F) Alaska, Hawaii, United States terri-
2 tories, and areas outside the United States.”.

3 (b) APPOINTMENT AND CAREER DEVELOPMENT.—

4 Such section is further amended—

5 (1) in subsection (d)(3)—

6 (A) by striking “assigned” and inserting
7 “appointed”; and

8 (B) by striking “assignment” and inserting
9 “appointment”; and

10 (2) by amending subsections (e) and (f) to read
11 as follows:

12 “(e) APPOINTMENT.—

13 “(1) IN GENERAL.—An individual who partici-
14 pates in the fellows program shall be appointed into
15 an excepted service position in the Department.

16 “(2) POSITION REQUIREMENTS.—Each year,
17 the head of each Department of Defense Component
18 shall submit to the Secretary of Defense placement
19 opportunities for participants in the fellows pro-
20 gram. Such placement opportunities shall provide for
21 leadership development and potential commencement
22 of a career track toward a position of senior leader-
23 ship in the Department. The Secretary of Defense,
24 in coordination with the heads of Department of De-
25 fense Components, shall establish qualification re-

1 requirements for the appointment of participants
2 under paragraph (1).

3 “(3) APPOINTMENT TO POSITIONS.—Each year,
4 the Secretary of Defense shall appoint participants
5 in the fellows program to positions in the Depart-
6 ment of Defense Components. In making such ap-
7 pointments, the Secretary shall seek to best match
8 the qualifications and skills of the participants with
9 the requirements for positions available for appoint-
10 ment.

11 “(4) TERM.—The term of each appointment
12 under the fellows program shall be one year with the
13 option to extend the appointment up to one addi-
14 tional year.

15 “(5) GRADE.—An individual appointed to a po-
16 sition under the fellows program shall be appointed
17 at a level between GS–10 and GS–12 of the General
18 Schedule based on the directly-related qualifications,
19 skills, and professional experience of the individual.

20 “(6) EDUCATION LOAN REPAYMENT.—To the
21 extent that funds are provided in advance in appro-
22 priations Acts, the Secretary of Defense may repay
23 a loan of a participant in the fellows program if the
24 loan is described by subparagraph (A), (B), or (C)
25 of section 16301(a)(1) of title 10, United States

1 Code. Any repayment of a loan under this paragraph
2 may require a minimum service agreement, as deter-
3 mined by the Secretary.

4 “(7) DEPARTMENT OF DEFENSE COMPONENT
5 DEFINED.—In this subsection, the term ‘Depart-
6 ment of Defense Component’ means a Department
7 of Defense Component, as set forth in section 111
8 of title 10, United States Code.

9 “(f) CAREER DEVELOPMENT.—

10 “(1) IN GENERAL.—The Secretary of Defense
11 shall ensure that participants in the fellows pro-
12 gram—

13 “(A) receive career development opportuni-
14 ties and support appropriate for the commence-
15 ment of a career track within the Department
16 leading toward a future position of senior lead-
17 ership within the Department, including ongo-
18 ing mentorship support through appropriate
19 personnel from entities within the Department;
20 and

21 “(B) are provided appropriate employment
22 opportunities for competitive and excepted serv-
23 ice positions in the Department upon successful
24 completion of the fellows program.

1 “(2) PUBLICATION OF SELECTION.—The Sec-
2 retary shall publish, on an Internet website of the
3 Department available to the public, the names of the
4 individuals selected to participate in the fellows pro-
5 gram.”.

6 **SEC. 1114. INCLUDING MILITARY SERVICE IN DETER-**
7 **MINING FAMILY AND MEDICAL LEAVE ELIGI-**
8 **BILITY FOR FEDERAL EMPLOYEES.**

9 (a) TITLE 5.—Section 6381(1)(B) of title 5, United
10 States Code, is amended to read as follows:

11 “(B) has completed at least 12 months of
12 service—

13 “(i) as an employee (as that term is
14 defined in section 2105) of the Govern-
15 ment of the United States, including serv-
16 ice with the United States Postal Service,
17 the Postal Regulatory Commission, and a
18 nonappropriated fund instrumentality as
19 described in section 2105(c); or

20 “(ii) which qualifies as honorable ac-
21 tive service in the Army, Navy, Air Force,
22 Space Force, or Marine Corps of the
23 United States;”.

24 (b) FMLA.—

1 (1) IN GENERAL.—A covered employee who has
2 completed 12 months of service which qualifies as
3 honorable active service in the Army, Navy, Air
4 Force, Space Force, or Marine Corps of the United
5 States shall be deemed to have met the service re-
6 quirement in section 101(1)(A) of the Family and
7 Medical Leave Act of 1993, notwithstanding the re-
8 quirements of such section 101(1)(A).

9 (2) COVERED EMPLOYEE DEFINED.—In this
10 subsection, the term “covered employee”—

11 (A) includes—

12 (i) any Federal employee eligible for
13 family and medical leave under the Family
14 and Medical Leave Act of 1993 based on
15 their status as such an employee;

16 (ii) any Federal employee covered by
17 the Congressional Accountability Act of
18 1995 eligible for family and medical leave
19 by operation of section 202 of such Act;

20 (iii) any Federal employee of the Ex-
21 ecutive Office of the President eligible for
22 family and medical leave by operation of
23 section 412 of title 3, United States Code;
24 and

1 (iv) any non-judicial employee of the
2 District of Columbia courts and any em-
3 ployee of the District of Columbia Public
4 Defender Service; and

5 (B) does not include any member of the
6 Commissioned Corps of the Public Health Serv-
7 ice or the Commissioned Corps of the National
8 Oceanic and Atmospheric Administration,

9 (c) DEPARTMENT OF VETERANS AFFAIRS.—Not
10 later than 6 months after the date of enactment of this
11 Act, the Secretary of Veterans Affairs shall modify the
12 family and medical leave program provided by operation
13 of section 7425(c) of title 38, United States Code, to con-
14 form with the requirements of the amendment made by
15 subsection (a) with respect to military service in section
16 6381(1)(B)(ii) of title 5, United States Code, as added
17 by such subsection.

18 **SEC. 1115. EXCEPTION TO LIMITATION ON NUMBER OF SEN-**
19 **IOR EXECUTIVE SERVICE POSITIONS FOR**
20 **THE DEPARTMENT OF DEFENSE.**

21 Section 1109(a) of the National Defense Authoriza-
22 tion Act for Fiscal Year 2017 (Public Law 114–328; 130
23 Stat. 2449; 5 U.S.C. 3133 note) is amended by adding
24 at the end the following new paragraph:

1 “(3) EXCEPTION.—The limitation under this
2 subsection shall not apply to positions described in
3 this subsection that are fully funded through
4 amounts appropriated to an agency other than the
5 Department of Defense.”.

6 **SEC. 1116. EXTENSION OF DIRECT HIRE AUTHORITY FOR**
7 **THE DEPARTMENT OF DEFENSE FOR POST-**
8 **SECONDARY STUDENTS AND RECENT GRAD-**
9 **UATES.**

10 Section 1106(d) of the National Defense Authoriza-
11 tion Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.)
12 is amended by striking “September 30, 2025” and insert-
13 ing “September 30, 2030”.

14 **SEC. 1117. AUTHORITY TO EMPLOY CIVILIAN FACULTY**
15 **MEMBERS AT SPACE FORCE SCHOOLS.**

16 (a) IN GENERAL.—Section 9371 of title 10, United
17 States Code, is amended—

18 (1) in the section heading, by inserting “**and**
19 **Space Delta 13**” after “**Air University**”

20 (2) in subsection (a), by inserting “or of the
21 Space Delta 13” after “Air University”; and

22 (3) in subsection (c)—

23 (A) in paragraphs (1), by inserting “or of
24 the Space Delta 13” after “Air University”;
25 and

1 (B) in paragraph (2), by inserting “or of
2 the Space Delta 13” after “Air University”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 947 of such title is amended
5 by striking the item relating to section 9371 and inserting
6 the following new item:

“9371. Air University and Space Delta 13: civilian faculty members.”.

7 **SEC. 1118. REPORT AND SUNSET RELATING TO INAPPLICA-**
8 **BILITY OF CERTIFICATION OF EXECUTIVE**
9 **QUALIFICATIONS BY QUALIFICATION REVIEW**
10 **BOARDS OF OFFICE OF PERSONNEL MANAGE-**
11 **MENT.**

12 Section 1109 of the John S. McCain National De-
13 fense Authorization Act for Fiscal Year 2019 (5 U.S.C.
14 3393 note) is amended—

15 (1) in subsection (d)—

16 (A) in paragraph (1), in the matter pre-
17 ceding subparagraph (A), by striking “para-
18 graph (3)” and inserting “paragraph (4)”;

19 (B) in paragraph (2), in the matter pre-
20 ceding subparagraph (A), by striking “para-
21 graph (3)” and inserting “paragraph (4)”;

22 (C) by redesignating paragraph (3) as
23 paragraph (4); and

24 (D) by inserting after paragraph (2) the
25 following new paragraph (3):

1 “(3) ADDITIONAL REPORT.—Not later than De-
2 cember 1, 2024, the Secretary shall submit to the
3 committees of Congress specified in paragraph (4)
4 and the Comptroller General of the United States a
5 report on the use of the authority provided in this
6 section. The report shall include the following:

7 “(A) The number and type of appoint-
8 ments made under this section between August
9 13, 2018, and the date of the report.

10 “(B) Data on and an assessment of wheth-
11 er appointments under the authority in this sec-
12 tion reduced the time to hire when compared
13 with the time to hire under the review system
14 of the Office of Personnel Management in use
15 as of the date of the report.

16 “(C) An assessment of the utility of the
17 appointment authority and process under this
18 section.

19 “(D) An assessment of whether the ap-
20 pointments made under this section resulted in
21 higher quality new executives for the Senior Ex-
22 ecutive Service of the Department when com-
23 pared with the executives produced in the De-
24 partment under the review system in use be-
25 tween August 13, 2013, and August 13, 2018.

1 “(E) Any recommendation for the improve-
2 ment of the selection and qualification process
3 for the Senior Executive Service of the Depart-
4 ment that the Secretary considers necessary in
5 order to attract and hire highly qualified can-
6 didates for service in that Senior Executive
7 Service.”; and

8 (2) in subsection (e), by striking “August 13,
9 2023” and inserting “September 30, 2025”.

10 **SEC. 1119. EXPANSION OF NONCOMPETITIVE APPOINT-**
11 **MENT ELIGIBILITY TO SPOUSES OF DEPART-**
12 **MENT OF DEFENSE CIVILIANS.**

13 (a) IN GENERAL.—Section 3330d of title 5, United
14 States Code, is amended—

15 (1) in the section heading, by inserting “**and**
16 **Department of Defense civilian**” after
17 “**military**”;

18 (2) in subsection (a), by adding at the end the
19 following:

20 “(4) The term ‘spouse of an employee of the
21 Department of Defense’ means an individual who is
22 married to an employee of the Department of De-
23 fense who is transferred in the interest of the Gov-
24 ernment from one official station within the Depart-
25 ment to another within the Department (that is out-

1 side of normal commuting distance) for permanent
2 duty.”; and

3 (3) in subsection (b)—

4 (A) in paragraph (1), by striking “or” at
5 the end;

6 (B) in paragraph (2), by striking the pe-
7 riod at the end and inserting “; or”; and

8 (C) by adding at the end the following:

9 “(3) a spouse of an employee of the Depart-
10 ment of Defense.”.

11 (b) TECHNICAL AND CONFORMING AMENDMENT.—

12 The table of sections for subchapter I of chapter 33 of
13 title 5, United States Code, is amended by striking the
14 item relating to section 3330d and inserting the following:

“3330d. Appointment of military and Department of Defense civilian spouses.”.

15 (c) OPM LIMITATION AND REPORTS.—

16 (1) RELOCATING SPOUSES.—With respect to
17 the noncompetitive appointment of a relocating
18 spouse of an employee of the Department of Defense
19 under paragraph (3) of section 3330d(b) of title 5,
20 United States Code, as added by subsection (a), the
21 Director of the Office of Personnel Management
22 shall—

23 (A) monitor the number of those appoint-
24 ments;

1 (B) require the head of each agency with
2 the authority to make those appointments
3 under that provision to submit to the Director
4 an annual report on those appointments, includ-
5 ing information on the number of individuals so
6 appointed, the types of positions filled, and the
7 effectiveness of the authority for those appoint-
8 ments; and

9 (C) not later than 18 months after the
10 date of enactment of this Act, submit, to the
11 Committees on Armed Services and Homeland
12 Security and Governmental Affairs of the Sen-
13 ate and the Committees on Armed Services and
14 Oversight and Accountability of the House of
15 Representatives, a report on the use and effec-
16 tiveness of the authority described in subpara-
17 graph (B).

18 (2) NON-RELOCATING SPOUSES.—With respect
19 to the noncompetitive appointment of a spouse of an
20 employee of the Department of Defense other than
21 a relocating spouse described in paragraph (1), the
22 Director of the Office of Personnel Management—

23 (A) shall treat the spouse as a relocating
24 spouse under paragraph (1); and

1 (B) may limit the number of those ap-
2 pointments.

3 (d) SUNSET.—Effective on December 31, 2028—

4 (1) the authority provided by this section, and
5 the amendments made by this section, shall expire;
6 and

7 (2) the provisions of section 3330d of title 5,
8 United States Code, amended or repealed by this
9 section are restored or revived as if this section had
10 not been enacted.

11 **SEC. 1120. ELIMINATION OF GOVERNMENT ACCOUNT-**
12 **ABILITY OFFICE REVIEW REQUIREMENT RE-**
13 **LATING TO DEPARTMENT OF DEFENSE PER-**
14 **SONNEL AUTHORITIES.**

15 Section 9902(h) of title 5, United States Code, is
16 amended—

17 (1) in paragraph (1)(B), by striking “and the
18 Comptroller General,”;

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

20 (3) by redesignating paragraph (3) as para-
21 graph (2).

22 **TITLE XII—MATTERS RELATING**
23 **TO FOREIGN NATIONS**

Subtitle A—Assistance and Training

Sec. 1201. Modification of support of special operations for irregular warfare.

Sec. 1202. Modification of combatant commander initiative fund.

- Sec. 1203. Increase in small-scale construction limit and modification of authority to build capacity.
- Sec. 1204. Modifications to security cooperation workforce development program and establishment of defense security cooperation university.
- Sec. 1205. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.
- Sec. 1206. Extension of cross-servicing agreements for loan of personnel protection and personnel survivability equipment in coalition operations.
- Sec. 1207. Modification of authority to provide support to certain governments for border security operations.
- Sec. 1208. Extension of legal institutional capacity building initiative for foreign defense institutions.
- Sec. 1209. Report on ex gratia payments.
- Sec. 1210. Authority to provide mission training through distributed simulation.
- Sec. 1211. Requirement for military exercises.

Subtitle B—Matters Relating to Other Authorities of the Department of Defense

- Sec. 1221. Modification of authority for expenditure of funds for clandestine activities that support operational preparation of the environment and non-conventional assisted recovery capabilities.
- Sec. 1222. Modification to the American, British, Canadian, and Australian armies' program.
- Sec. 1223. First modification of initiative to support protection of national security academic researchers from undue influence and other security threats.
- Sec. 1224. Second modification of initiative to support protection of national security academic researchers from undue influence and other security threats.
- Sec. 1225. Extension of authority for Department of Defense support for stabilization activities in national security interest of the United States.
- Sec. 1226. Modification of Defense Operational Resilience International Cooperation Pilot Program.
- Sec. 1227. Extension of prohibition on in-flight refueling to non-United States aircraft that engage in hostilities in the ongoing civil war in Yemen.
- Sec. 1228. Limitation on availability of funds for International Security Cooperation Program.
- Sec. 1229. Protection and legal preparedness for members of the Armed Forces abroad.
- Sec. 1230. Report on hostilities involving United States Armed Forces.
- Sec. 1231. Congressional notification regarding the Global Engagement Center.

Subtitle C—Matters Relating to Ukraine, Russia, and NATO

- Sec. 1241. Extension of Ukraine Security Assistance Initiative.
- Sec. 1242. Extension and modification of certain temporary authorizations related to munitions replacement.
- Sec. 1243. Report relating to allied and partner support to Ukraine.

- Sec. 1244. Extension of prohibition on availability of funds relating to sovereignty of the Russian Federation over internationally recognized territory of Ukraine.
- Sec. 1245. Study and report on lessons learned regarding information operations and deterrence.
- Sec. 1246. Prohibition on New START treaty information sharing.
- Sec. 1247. Black Sea security and development strategy.
- Sec. 1248. Revival of authority for participation of NATO naval personnel in submarine safety programs.
- Sec. 1249. Extension and modification of training for Eastern European national security forces in the course of multilateral exercises.
- Sec. 1250. U.S. basing, training, and exercises in North Atlantic Treaty Organization member countries.
- Sec. 1250A. Limitation on withdrawal from the North Atlantic Treaty Organization.
- Sec. 1250B. Oversight of programs and operations funded with amounts appropriated by the United States for Ukraine.

Subtitle D—Matters Relating to Israel

- Sec. 1251. Euro-NATO Joint Jet Pilot Training Program.
- Sec. 1252. Extension of United States-Israel anti-tunnel cooperation.
- Sec. 1253. Improvements relating to United States-Israel cooperation to counter unmanned aerial systems.
- Sec. 1254. Modification of authority for cooperation on directed energy capabilities.
- Sec. 1255. Ensuring peace through strength in Israel.
- Sec. 1256. Assistance to Israel for aerial refueling.
- Sec. 1257. Rules governing transfer of aerial refueling tankers to Israel.
- Sec. 1258. Report.

Subtitle E—Matters Relating to Syria, Iraq, Iran, and Afghanistan

- Sec. 1261. Middle East integrated maritime domain awareness and interdiction capability.
- Sec. 1262. Modification of establishment of coordinator for detained ISIS members and relevant populations in Syria.
- Sec. 1263. Extension and modification of authority to provide assistance to counter the Islamic State of Iraq and Syria.
- Sec. 1264. Extension and modification of authority to provide assistance to vetted Syrian groups and individuals.
- Sec. 1265. Extension of authority to support operations and activities of the Office of Security Cooperation in Iraq.
- Sec. 1266. Plan of action to equip and train Iraqi security forces and Kurdish Peshmerga forces.
- Sec. 1267. Prohibition on transfers to the Badr Organization.
- Sec. 1268. Extension and modification of annual report on military power of Iran.
- Sec. 1269. Modification and update to report on military capabilities of Iran and related activities.
- Sec. 1270. Prohibition on funds to Iran.
- Sec. 1271. Prohibition on transporting currency to the Taliban and the Islamic Emirate of Afghanistan.
- Sec. 1272. Prohibition on funding for the Taliban.

1 **Subtitle A—Assistance and**
2 **Training**

3 **SEC. 1201. MODIFICATION OF SUPPORT OF SPECIAL OPER-**
4 **ATIONS FOR IRREGULAR WARFARE.**

5 (a) IN GENERAL.—Chapter 3 of title 10, United
6 States Code, is amended by inserting after section 127c
7 the following:

8 **“§ 127d. Support of special operations for irregular**
9 **warfare**

10 “(a) AUTHORITY.—The Secretary of Defense may,
11 with the concurrence of the relevant Chief of Mission, ex-
12 pend up to \$20,000,000 during any fiscal year to provide
13 support to foreign forces, irregular forces, groups, or indi-
14 viduals engaged in supporting or facilitating ongoing and
15 authorized irregular warfare operations by United States
16 Special Operations Forces.

17 “(b) FUNDS.—Funds for support under this section
18 in a fiscal year shall be derived from amounts authorized
19 to be appropriated for that fiscal year for the Department
20 of Defense for operation and maintenance.

21 “(c) PROCEDURES.—

22 “(1) IN GENERAL.—The authority in this sec-
23 tion shall be exercised in accordance with such pro-
24 cedures as the Secretary shall establish for purposes
25 of this section.

1 “(2) ELEMENTS.—The procedures required
2 under paragraph (1) shall establish, at a minimum,
3 the following:

4 “(A) Policy guidance for the execution of,
5 and constraints within, activities under the au-
6 thority in this section.

7 “(B) The processes through which activi-
8 ties under the authority in this section are to
9 be developed, validated, and coordinated, as ap-
10 propriate, with relevant entities of the United
11 States Government.

12 “(C) The processes through which legal re-
13 views and determinations are made to comply
14 with the authority in this section and ensure
15 that the exercise of such authority is consistent
16 with the national security of the United States.

17 “(D) The processes to ensure, to the ex-
18 tent practicable, that before a decision to pro-
19 vide support is made, the recipients of support
20 do not pose a counterintelligence or force pro-
21 tection threat and have not engaged in gross
22 violations of human rights.

23 “(E) The processes by which the Depart-
24 ment shall keep the congressional defense com-
25 mittees fully and currently informed of—

1 “(i) the requirements for the use of
2 the authority in this section; and

3 “(ii) activities conducted under such
4 authority.

5 “(3) NOTICE TO CONGRESS ON PROCEDURES
6 AND MATERIAL MODIFICATIONS.—The Secretary
7 shall notify the congressional defense committees of
8 the procedures established pursuant to this section
9 before any exercise of the authority in this section,
10 and shall notify such committee of any material
11 modification of the procedures.

12 “(d) CONSTRUCTION OF AUTHORITY.—Nothing in
13 this section shall be construed to constitute a specific stat-
14 utory authorization for any of the following:

15 “(1) The conduct of a covert action, as such
16 term is defined in section 503(e) of the National Se-
17 curity Act of 1947 (50 U.S.C. 3093(e)).

18 “(2) The introduction of United States Armed
19 Forces (including as such term is defined in section
20 8(c) of the War Powers Resolution (50 U.S.C.
21 1547(e))) into hostilities or into situations wherein
22 hostilities are clearly indicated by the circumstances.

23 “(3) The provision of support to regular forces,
24 irregular forces, groups, or individuals for the con-
25 duct of operations that United States Special Oper-

1 ations Forces are not otherwise legally authorized to
2 conduct themselves.

3 “(4) The conduct or support of activities, di-
4 rectly or indirectly, that are inconsistent with the
5 laws of armed conflict.

6 “(e) LIMITATION ON DELEGATION.—The authority
7 of the Secretary to make funds available under this section
8 for support of a military operation may not be delegated.

9 “(f) PROGRAMMATIC AND POLICY OVERSIGHT.—The
10 Assistant Secretary of Defense for Special Operations and
11 Low-Intensity Conflict shall have primary programmatic
12 and policy oversight within the Office of the Secretary of
13 Defense of support to irregular warfare activities author-
14 ized by this section.

15 “(g) NOTIFICATION.—

16 “(1) IN GENERAL.—Not later than 15 days be-
17 fore exercising the authority in this section to make
18 funds available to initiate support of an ongoing and
19 authorized operation or changing the scope or fund-
20 ing level of any support under this section for such
21 an operation by \$500,000 or an amount equal to 10
22 percent of such funding level (whichever is less), the
23 Secretary shall notify the congressional defense com-
24 mittees of the use of such authority with respect to

1 such operation. Any such notification shall be in
2 writing.

3 “(2) ELEMENTS.—A notification required by
4 this subsection shall include the following:

5 “(A) The type of support to be provided to
6 United States Special Operations Forces, and a
7 description of the ongoing and authorized oper-
8 ation to be supported.

9 “(B) A description of the foreign forces, ir-
10 regular forces, groups, or individuals engaged in
11 supporting or facilitating the ongoing and au-
12 thorized operation that is to be the recipient of
13 funds.

14 “(C) The type of support to be provided to
15 the recipient of the funds, and a description of
16 the end-use monitoring to be used in connection
17 with the use of the funds.

18 “(D) The amount obligated under the au-
19 thority to provide support.

20 “(E) The duration for which the support is
21 expected to be provided, and an identification of
22 the timeframe in which the provision of support
23 will be reviewed by the commander of the appli-
24 cable combatant command for a determination

1 with respect to the necessity of continuing such
2 support.

3 “(F) The determination of the Secretary
4 that the provision of support does not con-
5 stitute any of the following:

6 “(i) An introduction of United States
7 Armed Forces (including as such term is
8 defined in section 8(e) of the War Powers
9 Resolution (50 U.S.C. 1547(c))) into hos-
10 tilities, or into situations where hostilities
11 are clearly indicated by the circumstances,
12 without specific statutory authorization
13 within the meaning of section 5(b) of such
14 Resolution (50 U.S.C. 1544(b)).

15 “(ii) A covert action, as such term is
16 defined in section 503(e) of the National
17 Security Act of 1947 (50 U.S.C. 3093(e)).

18 “(iii) An authorization for the provi-
19 sion of support to regular forces, irregular
20 forces, groups, or individuals for the con-
21 duct of operations that United States Spe-
22 cial Operations Forces are not otherwise
23 legally authorized to conduct themselves.

1 “(iv) The conduct or support of activi-
2 ties, directly or indirectly, that are incon-
3 sistent with the laws of armed conflict.

4 “(h) NOTIFICATION OF SUSPENSION OR TERMI-
5 NATION OF SUPPORT.—

6 “(1) IN GENERAL.—Not later than 48 hours
7 after suspending or terminating support to any for-
8 eign force, irregular force, group, or individual pro-
9 vided pursuant to the authority in this section, the
10 Secretary shall submit to the congressional defense
11 committees a written notice of such suspension or
12 termination.

13 “(2) ELEMENTS.—The written notice required
14 by paragraph (1) shall include each of the following:

15 “(A) A description of the reasons for the
16 suspension or termination of such support.

17 “(B) A description of any effect on re-
18 gional, theater, or global campaign plan objec-
19 tives anticipated to result from such suspension
20 or termination.

21 “(C) A plan for such suspension or termi-
22 nation, and, in the case of support that is
23 planned to be transitioned to any other pro-
24 gram of the Department of Defense or to a pro-
25 gram of any other Federal department or agen-

1 cy, a detailed description of the transition plan,
2 including the resources, equipment, capabilities,
3 and personnel associated with such plan.

4 “(i) BIENNIAL REPORTS.—

5 “(1) REPORT ON PRECEDING FISCAL YEAR.—

6 Not later than 120 days after the close of each fiscal
7 year in which subsection (a) is in effect, the Sec-
8 retary shall submit to the congressional defense com-
9 mittees a report on the support provided under this
10 section during the preceding fiscal year.

11 “(2) REPORT ON CURRENT CALENDAR YEAR.—

12 Not later than 180 days after the submittal of each
13 report required by paragraph (1), the Secretary shall
14 submit to the congressional defense committees a re-
15 port on the support provided under this section dur-
16 ing the first half of the fiscal year in which the re-
17 port under this paragraph is submitted.

18 “(3) ELEMENTS.—Each report required by this
19 subsection shall include the following:

20 “(A) A summary of the ongoing irregular
21 warfare operations, and associated authorized
22 campaign plans, being conducted by United
23 States Special Operations Forces that were sup-
24 ported or facilitated by foreign forces, irregular
25 forces, groups, or individuals for which support

1 was provided under this section during the pe-
2 riod covered by such report.

3 “(B) A description of the support or facili-
4 tation provided by such foreign forces, irregular
5 forces, groups, or individuals to United States
6 Special Operations Forces during such period.

7 “(C) The type of recipients that were pro-
8 vided support under this section during such
9 period, identified by authorized category (for-
10 eign forces, irregular forces, groups, or individ-
11 uals).

12 “(D) A detailed description of the support
13 provided to the recipients under this section
14 during such period.

15 “(E) The total amount obligated for sup-
16 port under this section during such period, in-
17 cluding budget details.

18 “(F) The intended duration of support
19 provided under this section during such period.

20 “(G) An assessment of value of the sup-
21 port provided under this section during such pe-
22 riod, including a summary of significant activi-
23 ties undertaken by foreign forces, irregular
24 forces, groups, or individuals to support irreg-

1 ular warfare operations by United States Spe-
2 cial Operations Forces.

3 “(H) The total amount obligated for sup-
4 port under this section in prior fiscal years.

5 “(j) QUARTERLY BRIEFINGS.—

6 “(1) IN GENERAL.—Not less frequently than
7 quarterly, the Secretary shall provide to the congres-
8 sional defense committees a briefing on the use of
9 the authority provided by this section, and other
10 matters relating to irregular warfare, with the pri-
11 mary purposes of—

12 “(A) keeping the congressional defense
13 committees fully and currently informed of ir-
14 regular warfare requirements and activities, in-
15 cluding emerging combatant commands require-
16 ments; and

17 “(B) consulting with the congressional de-
18 fense committees regarding such matters.

19 “(2) ELEMENTS.—Each briefing required by
20 paragraph (1) shall include the following:

21 “(A) An update on irregular warfare ac-
22 tivities within each geographic combatant com-
23 mand and a description of the manner in which
24 such activities support the respective theater

1 campaign plan and the National Defense Strat-
2 egy.

3 “(B) An overview of relevant authorities
4 and legal issues, including limitations.

5 “(C) An overview of irregular warfare-re-
6 lated interagency activities and initiatives.

7 “(D) A description of emerging combatant
8 command requirements for the use of the au-
9 thority provided by this section.

10 “(k) IRREGULAR WARFARE DEFINED.—Subject to
11 subsection (d), in this section, the term ‘irregular warfare’
12 means Department of Defense activities not involving
13 armed conflict that support predetermined United States
14 policy and military objectives conducted by, with, and
15 through regular forces, irregular forces, groups, and indi-
16 viduals.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 at the beginning of such chapter is amended by inserting
19 after the item relating to section 127c the following new
20 item:

“127d. Support of special operations for irregular warfare.”.

21 (c) REPEAL.—Section 1202 of the National Defense
22 Authorization Act for Fiscal Year 2018 is repealed.

1 **SEC. 1202. MODIFICATION OF COMBATANT COMMANDER**
2 **INITIATIVE FUND.**

3 (a) IN GENERAL.—Section 166a of title 10, United
4 States Code, is amended—

5 (1) in subsection (b), by adding at the end the
6 following:

7 “(11) Incremental expenses (as such term is de-
8 fined in section 301(5) of this title) related to secu-
9 rity cooperation programs and activities of the De-
10 partment of Defense (as such term is defined in sec-
11 tion 301(7) of this title).”; and

12 (2) in subsection (c)—

13 (A) in paragraph (2), by striking “and” at
14 the end;

15 (B) in paragraph (3), by striking the pe-
16 riod at the end and inserting “; and”; and

17 (C) by adding at the end the following:

18 “(4) incremental expenses related to security
19 cooperation programs and activities of the Depart-
20 ment of Defense, as authorized by subsection
21 (b)(11), for United States Africa Command and
22 United States Southern Command.”.

23 (b) AUTHORIZATION OF APPROPRIATIONS.—Funds
24 are authorized to be appropriated to the Combatant Com-
25 mander Initiative Fund for fiscal year 2024, as specified
26 in section 4301 of this Act, to carry out the activities au-

1 thorized by paragraphs (7), (8), and (11) (as added by
2 subsection (a)(1)) of section 166a(b) of title 10, United
3 States Code, for United States Africa Command and
4 United States Southern Command.

5 **SEC. 1203. INCREASE IN SMALL-SCALE CONSTRUCTION**
6 **LIMIT AND MODIFICATION OF AUTHORITY TO**
7 **BUILD CAPACITY.**

8 (a) DEFINITION OF SMALL-SCALE CONSTRUCTION.—
9 Section 301(8) of title 10, United States Code, is amended
10 by striking “\$1,500,000” and inserting “\$2,000,000”.

11 (b) EQUIPMENT DISPOSITION.—Section 333 of title
12 10, United States Code, is amended by adding at the end
13 the following:

14 “(h) EQUIPMENT DISPOSITION; NOTICE AND
15 WAIT.—

16 “(1) The Secretary of Defense may treat as
17 stocks of the Department of Defense—

18 “(A) equipment procured to carry out a
19 program pursuant to subsection (a) that has
20 not yet been transferred to a foreign country
21 and is no longer needed to support such pro-
22 gram or any other program carried out pursu-
23 ant to such subsection; and

24 “(B) equipment that has been transferred
25 to a foreign country to carry out a program

1 pursuant to subsection (a) and is returned by
2 the foreign country to the United States.

3 “(2) NOTICE AND WAIT.—Not later than 15
4 days before initiating activities under a program
5 under subsection (a), the Secretary of Defense shall
6 submit to the appropriate committees of Congress a
7 written and electronic notice of the following:

8 “(A) The foreign country, and specific
9 unit, whose capacity was intended to be built
10 under the program, and the amount, type, and
11 purpose of the equipment that was to be pro-
12 vided.

13 “(B) An explanation why the equipment is
14 no longer needed to support such program or
15 another program carried out pursuant to such
16 subsection.”.

17 (c) INTERNATIONAL AGREEMENTS.—Such section is
18 further amended by adding at the end the following:

19 “(i) INTERNATIONAL AGREEMENTS.—

20 “(1) IN GENERAL.—The Secretary of Defense,
21 with the concurrence of the Secretary of State,
22 may—

23 “(A) allow a foreign country to provide
24 sole-source direction for assistance in support of

1 a program carried out pursuant to subsection
2 (a); and

3 “(B) enter into an agreement with a for-
4 eign country to provide such sole-source direc-
5 tion.

6 “(2) NOTIFICATION.—Not later than 72 hours
7 after the Secretary of Defense enters into an agree-
8 ment under paragraph (1), the Secretary shall sub-
9 mit to the congressional defense committees a writ-
10 ten notification that includes the following:

11 “(A) A description of the parameters of
12 the agreement, including types of support, ob-
13 jectives, and duration of support and coopera-
14 tion under the agreement.

15 “(B) A description and justification of any
16 anticipated use of sole-source direction pursu-
17 ant to such agreement.

18 “(C) An assessment of the extent to which
19 the equipment to be provided under the agree-
20 ment—

21 “(i) responds to the needs of the for-
22 eign country; and

23 “(ii) can be sustained by the foreign
24 country.

1 “(D) A determination as to whether the
2 anticipated costs to be incurred under the
3 agreement are fair and reasonable.

4 “(E) A certification that the agreement is
5 in the national security interests of the United
6 States.

7 “(F) Any other matter relating to the
8 agreement, as determined by the Secretary of
9 Defense.”.

10 **SEC. 1204. MODIFICATIONS TO SECURITY COOPERATION**
11 **WORKFORCE DEVELOPMENT PROGRAM AND**
12 **ESTABLISHMENT OF DEFENSE SECURITY CO-**
13 **OPERATION UNIVERSITY.**

14 (a) MODIFICATIONS TO PROGRAM.—Section 384 of
15 title 10, United States Code, is amended—

16 (1) by amending subsection (c) to read as fol-
17 lows:

18 “(c) ELEMENTS.—The Program shall consist of ele-
19 ments relating to the development and management of the
20 security cooperation workforce for the purposes specified
21 in subsection (b), including the following elements on
22 training, certification, assignment, career development,
23 and tracking of personnel of the security cooperation
24 workforce:

1 “(1) Establishment of a comprehensive system
2 to track and account for all Department of Defense
3 personnel in the security cooperation workforce,
4 using systems of record in the military departments,
5 the Office of the Secretary of Defense, the combat-
6 ant commands, Defense Agencies, Department of
7 Defense Field Activities, and the National Guard.

8 “(2) Establishment of a management informa-
9 tion system, pursuant to regulations prescribed by
10 the Secretary of Defense, acting through the Under
11 Secretary of Defense for Policy and the Director of
12 the Defense Security Cooperation Agency, to ensure
13 that all organizations and elements of the Depart-
14 ment provide standardized information and data to
15 the Secretary on persons serving in security coopera-
16 tion positions. Such management information system
17 shall, at a minimum, provide for the collection and
18 retention of information concerning the qualification,
19 assignments, and tenure of persons in the security
20 cooperation workforce.

21 “(3) Implementation and management of the
22 security cooperation human capital initiative under
23 subsection (e).

24 “(4) Establishment of a defense security co-
25 operation service, pursuant to regulations prescribed

1 by the Secretary of Defense, acting through the
2 Under Secretary of Defense for Policy and the Di-
3 rector of the Defense Security Cooperation Agency,
4 to ensure that security cooperation organizations of
5 the United States located at overseas missions pos-
6 sess the requisite personnel, and that such personnel
7 possess the skills needed, to properly perform their
8 missions, which shall include—

9 “(A) members of the armed forces and ci-
10 vilians assigned to security cooperation organi-
11 zations of United States missions overseas who
12 are performing security cooperation functions,
13 regardless of funding source; and

14 “(B) personnel of the Department of De-
15 fense performing functions in furtherance of
16 section 515 of the Foreign Assistance Act of
17 1961 (22 U.S.C. 2321i).

18 “(5) Such other elements as the Secretary of
19 Defense determines appropriate.”;

20 (2) by amending subsection (d) to read as fol-
21 lows:

22 “(d) MANAGEMENT.—

23 “(1) IN GENERAL.—The Program shall be man-
24 aged by the Director of the Defense Security Co-
25 operation Agency.

1 “(2) MANAGING ENTITY.—

2 “(A) DESIGNATION.—The Secretary of De-
3 fense, acting through the Under Secretary of
4 Defense for Policy and the Director of the De-
5 fense Security Cooperation Agency, shall des-
6 ignate the Defense Security Cooperation Uni-
7 versity to serve as the lead entity for managing
8 the implementation of the Program.

9 “(B) DUTIES.—The Defense Security Co-
10 operation University shall carry out the man-
11 agement and implementation of the Program,
12 consistent with objectives formulated by the
13 Secretary of Defense, which shall include the
14 following:

15 “(i) Providing for comprehensive
16 tracking of and accounting for all Depart-
17 ment of Defense employees engaged in the
18 security cooperation enterprise.

19 “(ii) Providing training requirements
20 specified at the requisite proficiency levels
21 for each position.

22 “(C) REPORTING.—The Secretary of De-
23 fense shall ensure that, not less frequently than
24 semi-annually, each military department, the
25 Office of the Secretary of Defense, and each

1 combatant command, Defense Agency, Depart-
2 ment of Defense Field Activity, and unit of the
3 National Guard submits to the Defense Secu-
4 rity Cooperation University a formal manpower
5 document as determined by the Director of the
6 Defense Security Cooperation Agency that—

7 “(i) lists each position in the security
8 cooperation workforce of the organization
9 concerned as determined by the Director of
10 the Defense Security Cooperation Agency;
11 and

12 “(ii) uniquely codes every position
13 within component manpower systems for
14 the security cooperation workforce for the
15 management and career development of
16 the security cooperation workforce, as de-
17 termined by the Director of the Defense
18 Security Cooperation Agency.

19 “(3) SECURITY COOPERATION WORKFORCE
20 MANAGEMENT INFORMATION SYSTEM.—The Sec-
21 retary of Defense, acting through the Director of the
22 Defense Security Cooperation Agency, shall pre-
23 scribe regulations to ensure that each military de-
24 partment, the Office of the Secretary of Defense,
25 and each combatant command, Defense Agency, De-

1 partment of Defense Field Activity, and unit of the
2 National Guard provides standardized information
3 and data to the Secretary on persons serving in posi-
4 tions within the security cooperation workforce.”;

5 (3) by amending subsection (e) to read as fol-
6 lows:

7 “(e) SECURITY COOPERATION HUMAN CAPITAL INI-
8 TIATIVE.—

9 “(1) IN GENERAL.—The Secretary shall imple-
10 ment a security cooperation human capital initiative
11 within the Defense Security Cooperation University
12 to identify, account for, and manage the career pro-
13 gression of personnel in the security cooperation
14 workforce.

15 “(2) ELEMENTS.—The security cooperation
16 human capital initiative shall do the following:

17 “(A) Provide direction to the Department
18 of Defense on the establishment of professional
19 career paths for the personnel of the security
20 cooperation workforce, addressing training and
21 education standards, promotion opportunities
22 and requirements, retention policies, and scope
23 of workforce demands.

24 “(B) Provide for a mechanism to identify
25 and define training and certification require-

1 ments for security cooperation positions in the
2 Department and a means to track workforce
3 skills and certifications.

4 “(C) Provide for a mechanism to establish
5 a program of professional certification in De-
6 partment of Defense security cooperation for
7 personnel of the security cooperation workforce
8 in different career tracks and levels of com-
9 petency based on requisite training and experi-
10 ence.

11 “(D) Establish requirements for training
12 and professional development associated with
13 each level of certification provided for under
14 subparagraph (C).

15 “(E) Provide for a mechanism for assign-
16 ing appropriately certified personnel of the se-
17 curity cooperation workforce to assignments as-
18 sociated with key positions in connection with
19 security cooperation programs and activities.

20 “(F) Identify the appropriate composition
21 of career and temporary personnel necessary to
22 constitute the security cooperation workforce.

23 “(G) Identify specific positions throughout
24 the security cooperation workforce to be man-
25 aged and assigned through the Program.

1 “(H) Identify career paths that provide a
2 competency-based road map for security co-
3 operation employees to aid in their career plan-
4 ning and professional development.

5 “(I) Develop a competency-based approach
6 to the security cooperation workforce that en-
7 ables components of the Department of Defense
8 to incorporate competencies in recruitment and
9 retention tools such as job analysis, position de-
10 scriptions, vacancy announcements, selection as-
11 sessment questionnaires, and employee training
12 and development plans.

13 “(J) Align with the Department of Defense
14 and Defense Security Cooperation Agency stra-
15 tegic planning, budget process, performance
16 management goals, and metrics to ensure the
17 appropriate workforce mix and skill sets to ac-
18 complish the security cooperation mission.

19 “(K) Include assessment measures in-
20 tended to assess progress in implementing the
21 security cooperation workforce using results-ori-
22 ented performance measures.”;

23 (4) in subsection (h)(6), by striking “guidance
24 issued under subsection (e)” and inserting “security

1 cooperation human capital initiative under sub-
2 section (e)”;

3 (5) by redesignating subsections (f) through (h)
4 (as amended) as subsections (h) through (j), respec-
5 tively;

6 (6) by inserting after subsection (e) the fol-
7 lowing new subsections:

8 “(f) FOREIGN MILITARY SALES CENTER OF EXCEL-
9 LENCE.—

10 “(1) ESTABLISHMENT.—The Secretary of De-
11 fense shall direct an educational institution of the
12 Department of Defense with the requisite expertise
13 in foreign military sales and in education, training,
14 research, and analysis of the security cooperation
15 workforce within the Department of Defense to serve
16 as a Foreign Military Sales Center of Excellence to
17 improve the training and education of personnel en-
18 gaged in foreign military sales planning and execu-
19 tion.

20 “(2) OBJECTIVES.—The objectives of the For-
21 eign Military Sales Center of Excellence shall in-
22 clude—

23 “(A) conducting research on and pro-
24 moting best practices for ensuring that foreign
25 military sales are timely and effective; and

1 “(B) enhancing existing curricula for the
2 purpose of ensuring that the foreign military
3 sales workforce is fully trained and prepared to
4 execute the foreign military sales program.

5 “(g) DEFENSE SECURITY COOPERATION UNIVER-
6 SITY.—

7 “(1) CHARTER.—The Secretary of Defense
8 shall develop and promulgate a charter for the oper-
9 ation of the Defense Security Cooperation Univer-
10 sity.

11 “(2) MISSION.—The charter required by para-
12 graph (1) shall set forth the mission, and associated
13 structures and organizations, of the Defense Secu-
14 rity Cooperation University, which shall include—

15 “(A) management and implementation of
16 international military training and education se-
17 curity cooperation programs and authorities ex-
18 ecuted by the Department of Defense;

19 “(B) management and provision of institu-
20 tional capacity-building services executed by the
21 Department of Defense; and

22 “(C) advancement of the profession of se-
23 curity cooperation through research, data collec-
24 tion, analysis, publication, and learning.

1 “(3) COOPERATIVE RESEARCH AND DEVELOP-
2 MENT ARRANGEMENTS.—

3 “(A) IN GENERAL.—In engaging in re-
4 search and development projects pursuant to
5 subsection (a) of section 4001 of this title by a
6 contract, cooperative agreement, or grant pur-
7 suant to subsection (b)(1) of such section, the
8 Secretary of Defense may enter into such con-
9 tract or cooperative agreement, or award such
10 grant, through the Defense Security Coopera-
11 tion University.

12 “(B) TREATMENT AS GOVERNMENT-OPER-
13 ATED FEDERAL LABORATORY.—The Defense
14 Security Cooperation University shall be consid-
15 ered a Government-operated Federal laboratory
16 for purposes of section 12 of the Stevenson-
17 Wydler Technology Innovation Act of 1980 (15
18 U.S.C. 3710a).

19 “(4) ACCEPTANCE OF RESEARCH GRANTS.—

20 “(A) IN GENERAL.—The Secretary of De-
21 fense, through the Under Secretary of Defense
22 for Policy, may authorize the President of the
23 Defense Security Cooperation University to ac-
24 cept qualifying research grants. Any such grant
25 may only be accepted if the work under the

1 grant is to be carried out by a professor or in-
2 structor of the Defense Security Cooperation
3 University for a scientific, literary, or edu-
4 cational purpose.

5 “(B) QUALIFYING GRANTS.—A qualifying
6 research grant under this paragraph is a grant
7 that is awarded on a competitive basis by an
8 entity described in subparagraph (C) for a re-
9 search project with a scientific, literary, or edu-
10 cational purpose.

11 “(C) ENTITIES FROM WHICH GRANTS MAY
12 BE ACCEPTED.—A grant may be accepted
13 under this paragraph only from a corporation,
14 fund, foundation, educational institution, or
15 similar entity that is organized and operated
16 primarily for scientific, literary, or educational
17 purposes.

18 “(D) ADMINISTRATION OF GRANT
19 FUNDS.—The Director of the Defense Security
20 Cooperation Agency shall establish an account
21 for administering funds received as research
22 grants under this section. The President of the
23 Defense Security Cooperation University shall
24 use the funds in the account in accordance with

1 applicable provisions of the regulations and the
2 terms and condition of the grants received.

3 “(E) RELATED EXPENSES.—Subject to
4 such limitations as may be provided in appro-
5 priations Acts, appropriations available for the
6 Defense Security Cooperation University may
7 be used to pay expenses incurred by the De-
8 fense Security Cooperation University in apply-
9 ing for, and otherwise pursuing, the award of
10 qualifying research grants.

11 “(F) REGULATIONS.—The Secretary of
12 Defense, through the Under Secretary of De-
13 fense for Policy, shall prescribe regulations for
14 the administration of this subsection.”; and

15 (7) by adding at the end the following new sub-
16 sections:

17 “(k) REPORT ON SECURITY COOPERATION WORK-
18 FORCE.—

19 “(1) IN GENERAL.—Not later than 2 years
20 after the date of the enactment of this subsection,
21 and not less frequently than once every 2 years
22 thereafter, the Secretary of Defense shall submit to
23 the Committees on Armed Services of the Senate
24 and the House of Representatives a report on the

1 Department of Defense security cooperation work-
2 force.

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

5 “(A) identify current and projected secu-
6 rity cooperation workforce manpower require-
7 ments, including expeditionary requirements
8 within the context of total force planning, need-
9 ed to meet the security cooperation mission;

10 “(B) identify critical skill gaps (such as re-
11 cruitment in the existing or projected work-
12 force) and development of strategies to manage
13 the security cooperation workforce to address
14 those gaps;

15 “(C) address development, validation, im-
16 plementation, and assessment of security co-
17 operation workforce and Department-wide com-
18 petencies for security cooperation and associ-
19 ated occupational series using the Department
20 taxonomy;

21 “(D) produce a comparison between com-
22 petency proficiency levels against target pro-
23 ficiency levels at enterprise and individual levels
24 to identify competency gaps and gap closure

1 strategies, for competencies needed at the time
2 of the report and in the future;

3 “(E) identify any exceptions and waivers
4 granted with respect to the application of quali-
5 fication, assignment, and tenure policies, proce-
6 dures, and practices to persons, billets or posi-
7 tions;

8 “(F) indicate relative promotion rates for
9 security cooperation workforce personnel;

10 “(G) identify the funds requested or allo-
11 cated for the Department of Defense security
12 cooperation workforce and address whether
13 such funds are sufficient to—

14 “(i) address the critical skill gaps
15 identified pursuant to subparagraph (B);
16 and

17 “(ii) provide incentives to recruit and
18 retain high-quality personnel in the secu-
19 rity cooperation workforce; and

20 “(H) include any other matters the Sec-
21 retary of Defense determines appropriate.

22 “(I) COMPTROLLER GENERAL EVALUATION.—

23 “(1) IN GENERAL.—The Comptroller General of
24 the United States shall conduct an independent eval-

1 uation of the actions taken by the Secretary of De-
2 fense to carry out the requirements of this section.

3 “(2) REPORT.—Not later than 2 years after the
4 date of the enactment of this subsection, the Comp-
5 troller General shall submit to the Committees on
6 Armed Services of the Senate and House of Rep-
7 resentatives a report on the evaluation conducted
8 under paragraph (1). Such report shall include—

9 “(A) an analysis of the effectiveness of the
10 actions taken by the Secretary to carry out the
11 requirements of this section; and

12 “(B) such legislative and administrative
13 recommendations as the Comptroller General
14 considers appropriate to meet the objectives of
15 this section.”.

16 (b) MODIFICATION TO SUNSET.—Section 1250(b)(1)
17 of the National Defense Authorization Act for Fiscal Year
18 2017 (Public Law 114–328; 130 Stat. 2529) is amended
19 by striking “2026” and inserting “2025”.

20 **SEC. 1205. EXTENSION AND MODIFICATION OF AUTHORITY**
21 **FOR REIMBURSEMENT OF CERTAIN COALI-**
22 **TION NATIONS FOR SUPPORT PROVIDED TO**
23 **UNITED STATES MILITARY OPERATIONS.**

24 (a) EXTENSION.—Subsection (a) of section 1233 of
25 the National Defense Authorization Act for Fiscal Year

1 2008 (Public Law 110–181; 122 Stat. 393) is amended
2 by striking “beginning on October 1, 2022, and ending
3 on December 31, 2023” and inserting “beginning on Octo-
4 ber 1, 2023, and ending on December 31, 2024”.

5 (b) MODIFICATION TO LIMITATION.—Subsection
6 (d)(1) of such section is amended—

7 (1) by striking “beginning on October 1, 2022,
8 and ending on December 31, 2023” and inserting
9 “beginning on October 1, 2023, and ending on De-
10 cember 31, 2024”; and

11 (2) by striking “\$30,000,000” and inserting
12 “\$15,000,000”.

13 **SEC. 1206. EXTENSION OF CROSS-SERVICING AGREEMENTS**
14 **FOR LOAN OF PERSONNEL PROTECTION AND**
15 **PERSONNEL SURVIVABILITY EQUIPMENT IN**
16 **COALITION OPERATIONS.**

17 Section 1207(f) of the Carl Levin and Howard P.
18 “Buck” McKeon National Defense Authorization Act for
19 Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 2342
20 note) is amended by striking “December 31, 2024” and
21 inserting “December 31, 2029”.

1 **SEC. 1207. MODIFICATION OF AUTHORITY TO PROVIDE**
2 **SUPPORT TO CERTAIN GOVERNMENTS FOR**
3 **BORDER SECURITY OPERATIONS.**

4 Section 1226(a)(1) of the National Defense Author-
5 ization Act for Fiscal Year 2016 (22 U.S.C. 2151 note)
6 is amended by adding at the end the following:

7 “(G) To the Government of Tajikistan for
8 purposes of supporting and enhancing efforts of
9 the armed forces of Tajikistan to increase secu-
10 rity and sustain increased security along the
11 border of Tajikistan and Afghanistan.

12 “(H) To the Government of Uzbekistan for
13 purposes of supporting and enhancing efforts of
14 the armed forces of Uzbekistan to increase se-
15 curity and sustain increased security along the
16 border of Uzbekistan and Afghanistan.

17 “(I) To the Government of Turkmenistan
18 for purposes of supporting and enhancing ef-
19 forts of the armed forces of Turkmenistan to
20 increase security and sustain increased security
21 along the border of Turkmenistan and Afghani-
22 stan.”.

1 **SEC. 1208. EXTENSION OF LEGAL INSTITUTIONAL CAPAC-**
2 **ITY BUILDING INITIATIVE FOR FOREIGN DE-**
3 **FENSE INSTITUTIONS.**

4 Section 1210(e) of the National Defense Authoriza-
5 tion Act for Fiscal Year 2020 (Public Law 116–92; 133
6 Stat. 1626) is amended by striking “December 31, 2024”
7 and inserting “December 31, 2028”.

8 **SEC. 1209. REPORT ON EX GRATIA PAYMENTS.**

9 Section 1213(h) of the National Defense Authoriza-
10 tion Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is
11 amended—

12 (1) in the matter preceding paragraph (1)(A),
13 by striking “in this subsection” and inserting “in
14 this section”; and

15 (2) by amending paragraph (2) to read as fol-
16 lows:

17 “(2) The status of all other pending or denied
18 ex gratia payments or requests, including—

19 “(A) when any such request was made;

20 “(B) what steps the Department is taking
21 to respond to the request;

22 “(C) whether the Department denied any
23 requests for any such payment, along with the
24 reason for such denial;

1 “(D) whether any such payment was re-
2 fused, along with the reason for such refusal, if
3 known; or

4 “(E) any other reason for which a payment
5 was not offered or made.”.

6 **SEC. 1210. AUTHORITY TO PROVIDE MISSION TRAINING**
7 **THROUGH DISTRIBUTED SIMULATION.**

8 (a) **AUTHORITY FOR TRAINING AND DISTRIBUTION.**—To enhance the interoperability and integration
9 between the United States Armed Forces and the military
10 forces of friendly foreign countries, effective beginning on
11 the date that is 30 days after the date on which the Sec-
12 retary of Defense submits the report required by sub-
13 section (d), the Secretary of Defense, with the concurrence
14 of the Secretary of State, is authorized—

15 (1) to provide to military personnel of a friendly
16 foreign country persistent advanced networked train-
17 ing and exercise activities (in this section referred to
18 as “mission training through distributed simula-
19 tion”); and
20

21 (2) to provide information technology related to
22 mission training through distributed simulation, in-
23 cluding hardware and computer software developed
24 for such activities.

1 (b) SCOPE OF MISSION TRAINING.—Mission training
2 through distributed simulation provided under subsection
3 (a) may include advanced distributed network training
4 events and computer-assisted exercises.

5 (c) GUIDANCE ON USE OF AUTHORITY.—Not later
6 than 120 days after the date of the enactment of this Act,
7 the Secretary of Defense shall develop and issue guidance
8 on the procedures for the use of the authority provided
9 in this section.

10 (d) REPORT.—

11 (1) IN GENERAL.—The Secretary of Defense
12 shall submit to the appropriate committees of Con-
13 gress a report on the anticipated use of mission
14 training through distributed simulation by military
15 personnel of friendly foreign countries.

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

18 (A) A description of anticipated mission
19 training through distributed simulation activi-
20 ties between the United States Armed Forces
21 and the military forces of friendly foreign coun-
22 tries.

23 (B) A description of the current capabili-
24 ties of the military forces of friendly foreign
25 countries to support mission training through

1 distributed simulation activities with the United
2 States Armed Forces.

3 (C) A description of the manner in which
4 the Department intends to use mission training
5 through distributed simulation activities to sup-
6 port implementation of the National Defense
7 Strategy, including in areas of responsibility of
8 the United States European Command and the
9 United States Indo-Pacific Command.

10 (D) Any recommendation of the Secretary
11 of Defense for legislative proposals or policy
12 guidance regarding the use of mission training
13 through distributed simulation activities.

14 (3) APPROPRIATE COMMITTEES OF CONGRESS
15 DEFINED.—In this subsection, the term “appro-
16 priate committees of Congress” means—

17 (A) the Committee on Armed Services, the
18 Committee on Appropriations, and the Com-
19 mittee on Foreign Relations of the Senate; and

20 (B) the Committee on Armed Services, the
21 Committee on Appropriations, and the Com-
22 mittee on Foreign Affairs of the House of Rep-
23 resentatives.

24 (e) SUNSET.—The authority provided in this section
25 shall terminate on December 31, 2025.

1 **SEC. 1211. REQUIREMENT FOR MILITARY EXERCISES.**

2 (a) EXERCISES REQUIRED.—Beginning on January
3 1 of the year which begins after the date of the enactment
4 of this Act, the Secretary of Defense shall require the
5 United States Central Command or other relevant com-
6 mands, units, or organizations of the United States Armed
7 Forces, as the Secretary deems appropriate, to conduct
8 military exercises that—

9 (1) occur not fewer than two times in a cal-
10 endar year;

11 (2) shall include invitations for the armed
12 forces of Israel, provided that the Government of
13 Israel consents to the participation of its forces in
14 such exercises;

15 (3) may include invitations for the armed forces
16 of other allies and partners of the United States to
17 take part in the exercises;

18 (4) seek to enhance the interoperability and ef-
19 fectiveness of the United States Armed Forces, the
20 armed forces of Israel, and the armed forces of other
21 allies and partners of the United States in coalition
22 operations; and

23 (5) shall include, at a minimum, the following
24 activities—

25 (A) practicing or simulating large-scale
26 and long-range strike missions;

1 (B) practicing the aerial refueling of com-
2 bat aircraft of the armed forces of Israel by
3 United States aerial refueling aircraft; and

4 (C) practicing the provision by the United
5 States Armed Forces of other enabling capabili-
6 ties to the armed forces of Israel, including—

7 (i) logistics support;

8 (ii) intelligence, surveillance, and re-
9 connaissance; and

10 (iii) air defense.

11 (b) CERTIFICATION.—Not later than December 31 of
12 the calendar year specified in subsection (a), the Secretary
13 of Defense shall—

14 (1) submit to the congressional defense commit-
15 tees a certification that the requirements of this sec-
16 tion have been met by December 31 of such calendar
17 year; or

18 (2) if the requirements of this section are not
19 met by December 31 of such calendar year, provide,
20 in writing, the reasons the requirements of this sec-
21 tion were not met.

22 (c) SUNSET.—The requirements in subsection (a)
23 shall terminate on December 31 of the calendar year speci-
24 fied in subsection (a).

1 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
2 DEFINED.—In this section, the term “appropriate con-
3 gressional committees” means—

4 (1) the Committee on Armed Services of the
5 House of Representatives; and

6 (2) the Committee on Armed Services of the
7 Senate.

8 **Subtitle B—Matters Relating to**
9 **Other Authorities of the Depart-**
10 **ment of Defense**

11 **SEC. 1221. MODIFICATION OF AUTHORITY FOR EXPENDI-**
12 **TURE OF FUNDS FOR CLANDESTINE ACTIVI-**
13 **TIES THAT SUPPORT OPERATIONAL PREPA-**
14 **RATION OF THE ENVIRONMENT AND NON-**
15 **CONVENTIONAL ASSISTED RECOVERY CAPA-**
16 **BILITIES.**

17 (a) IN GENERAL.—Section 127f of title 10, United
18 States Code, is amended—

19 (1) in the section heading, by adding at the end
20 the following: “**and non-conventional as-**
21 **sisted recovery capabilities**”;

22 (2) in subsection (a)—

23 (A) by striking the first sentence and in-
24 serting the following: “(1) Amounts appro-
25 priated or otherwise made available for the De-

1 partment of Defense for operation and mainte-
2 nance, Defense-wide, may be used for any pur-
3 pose the Secretary of Defense determines to be
4 proper—

5 “(A) for operational preparation of the en-
6 vironment for operations of a confidential na-
7 ture; or

8 “(B) to establish, develop, and maintain
9 non-conventional assisted recovery capabilities
10 to facilitate the recovery of United States mili-
11 tary and civilian personnel, or other individuals,
12 who become isolated or separated.”; and

13 (B) by striking “Such a determination”
14 and inserting the following:

15 “(2) Such a determination”;

16 (3) by striking subsection (b) and inserting the
17 following:

18 “(b) **AUTHORIZED ACTIVITIES.**—Activities author-
19 ized by subsection (a) may, in limited and special cir-
20 cumstances as determined by the Secretary of Defense,
21 include the provision of support to foreign forces, irregular
22 forces, groups, or individuals to conduct operational prep-
23 aration of the environment and to conduct or support op-
24 erations to establish, develop, and maintain non-conven-
25 tional assisted recovery capabilities to facilitate the recov-

1 ery of United States military and civilian personnel, or
2 other individuals, who become isolated or separated. Such
3 support may include limited amounts of equipment, sup-
4 plies, training, transportation, or other logistical support
5 or funding.”.

6 (4) by redesignating subsections (c), (d), (e),
7 (f), and (g) as subsections (d), (e), (f), (g), and (h),
8 respectively;

9 (5) by inserting after subsection (b), as amend-
10 ed, the following:

11 “(c) PROCEDURES.—

12 “(1) IN GENERAL.—The authority in this sec-
13 tion shall be exercised in accordance with such pro-
14 cedures as the Secretary of Defense shall establish
15 for purposes of this section.

16 “(2) ELEMENTS.—The procedures required
17 under paragraph (1) shall establish, at a minimum,
18 each of the following:

19 “(A) Policy, strategy, or other guidance for
20 the execution of, and constraints within, activi-
21 ties conducted under this section.

22 “(B) The processes through which activi-
23 ties conducted under this section are to be de-
24 veloped, validated, and coordinated, as appro-
25 priate, with relevant Federal entities.

1 “(C) The processes through which legal re-
2 views and determinations are made to comply
3 with the authority in this section and ensure
4 that the exercise of such authority is consistent
5 with the national security interests of the
6 United States.

7 “(D) The processes by which the Depart-
8 ment of Defense shall keep the congressional
9 defense committees fully and currently informed
10 of—

11 “(i) the requirements for the use of
12 the authority in this section; and

13 “(ii) activities conducted under such
14 authority.

15 “(3) NOTICE TO CONGRESS.—The Secretary
16 shall notify the congressional defense committees of
17 any material change to the procedures established
18 under paragraph (1).”;

19 (6) in subsection (d), as redesignated—

20 (A) in the subsection heading, by striking
21 “LIMITATION ON DELEGATION” and inserting
22 “LIMITATIONS”; and

23 (B) by striking “The Secretary of Defense
24 may not delegate” and inserting the following:

25 “The Secretary of Defense—

1 “(1) may expend up to \$40,000,000 in any fis-
2 cal year for the purposes described in subsection (a);
3 and

4 “(2) may not delegate”;

5 (7) in subsection (g), as redesignated—

6 (A) by redesignating paragraph (4) as
7 paragraph (5); and

8 (B) by striking paragraphs (1), (2), and
9 (3) and inserting the following:

10 “(1) a description of activities carried out for
11 the purposes described in subsection (a);

12 “(2) the amount of such expenditures;

13 “(3) an identification of the type of recipients
14 to receive support, including foreign forces, irregular
15 forces, groups or individuals, as appropriate;

16 “(4) the total amount of funds obligated for
17 such expenditures in prior fiscal years; and”;

18 (8) by adding at the end the following:

19 “(i) OVERSIGHT BY ASSISTANT SECRETARY OF DE-
20 FENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY
21 CONFLICT.—The Assistant Secretary of Defense for Spe-
22 cial Operations and Low Intensity Conflict shall have pri-
23 mary responsibility within the Office of the Secretary of
24 Defense for oversight of policies and programs authorized
25 by this section.

1 “(j) OPERATIONAL PREPARATION OF THE ENVIRON-
2 MENT DEFINED.—In this section, the term ‘operational
3 preparation of the environment’ means the conduct of ac-
4 tivities in likely or potential operational areas to set condi-
5 tions for mission execution.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 for chapter 3 of title 10, United States Code, is amended
8 by striking the item relating to section 127f and inserting
9 the following:

 “127f. Expenditure of funds for clandestine activities that support operational
 preparation of the environment and non-conventional assisted
 recovery capabilities.”.

10 **SEC. 1222. MODIFICATION TO THE AMERICAN, BRITISH, CA-**
11 **NADIAN, AND AUSTRALIAN ARMIES’ PRO-**
12 **GRAM.**

13 (a) IN GENERAL.—Section 1274(a) of the National
14 Defense Authorization Act for Fiscal Year 2013 (10
15 U.S.C. 2350a(a) note) is amended by inserting “or the
16 air force program known as the Five Eyes Air Force Inter-
17 operability Council” after “the American, British, Cana-
18 dian, and Australian Armies’ Program”.

19 (b) CLERICAL AMENDMENT.—The heading of section
20 1274 of such Act (and the entry in the table of contents
21 for such Act corresponding to such section 1274) is
22 amended to read as follows: “Administration of the Amer-
23 ican, British, Canadian, and Australian Armies’ Program
24 and the Five Eyes Air Force Interoperability Council.”.

1 **SEC. 1223. FIRST MODIFICATION OF INITIATIVE TO SUP-**
2 **PORT PROTECTION OF NATIONAL SECURITY**
3 **ACADEMIC RESEARCHERS FROM UNDUE IN-**
4 **FLUENCE AND OTHER SECURITY THREATS.**

5 (a) IN GENERAL.—Section 1286(a) of the John S.
6 McCain National Defense Authorization Act for Fiscal
7 Year 2019 (10 U.S.C. 4001 note) is amended—

8 (1) in paragraph (2), by striking “and” at the
9 end;

10 (2) by redesignating paragraph (3) as para-
11 graph (4); and

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

14 “(3) to limit academic institutions identified on
15 the list developed under subsection (e)(8)(A) from
16 benefitting from funding provided by the Depart-
17 ment of Defense to United States academic institu-
18 tions; and”.

19 (b) OFFICE OF THE INSPECTOR GENERAL RE-
20 PORT.—Not later than 18 months after the date of the
21 enactment of this Act, the Office of the Inspector General
22 of the Department of Defense shall submit to the congres-
23 sional defense committees a report on—

24 (1) the implementation of the policies and pro-
25 cedures developed under section 1286 of the John S.
26 McCain National Defense Authorization Act for Fis-

1 cal Year 2019 (10 U.S.C. 4001 note), as amended
2 by this Act; and

3 (2) the implementation of the policies of the
4 Department of Defense required under National Se-
5 curity Presidential Memorandum-33 (NSPM-33).

6 **SEC. 1224. SECOND MODIFICATION OF INITIATIVE TO SUP-**
7 **PORT PROTECTION OF NATIONAL SECURITY**
8 **ACADEMIC RESEARCHERS FROM UNDUE IN-**
9 **FLUENCE AND OTHER SECURITY THREATS.**

10 (a) IN GENERAL.—Section 1286 of the John S.
11 McCain National Defense Authorization Act for Fiscal
12 Year 2019 (10 U.S.C. 4001 note) is amended—

13 (1) in subsection (c)—

14 (A) by redesignating paragraphs (7)
15 through (9) as paragraphs (8) through (10), re-
16 spectively;

17 (B) by inserting after paragraph (6) the
18 following new paragraph (7):

19 “(7) Policies to limit or prohibit funding pro-
20 vided by the Department of Defense for institutions
21 or individual researchers who knowingly contract or
22 make other financial arrangements with entities
23 identified in the list described in paragraph (9),
24 which policies shall include—

1 “(A) use of such list as part of a risk as-
2 essment decision matrix during proposal eval-
3 uations, including the development of a question
4 for proposers or broad area announcements
5 that require proposers to disclose any contrac-
6 tual or financial connections with such entities;

7 “(B) a requirement that the Department
8 shall notify a proposer of suspected noncompli-
9 ance with a policy issued under this paragraph
10 and provide not less than 30 days to take ac-
11 tions to remedy such noncompliance;

12 “(C) the establishment of an appeals pro-
13 cedure under which a proposer may appeal a
14 negative decision on a proposal if the decision
15 is based on a determination informed by such
16 list;

17 “(D) a requirement that each awardee of
18 funding provided by the Department shall dis-
19 close to the Department any contract or finan-
20 cial arrangement made with such an entity dur-
21 ing the period of the award; and

22 “(E) a requirement that each awardee of
23 funding provided by the Department shall pro-
24 vide to the Department an annual certification

1 of compliance with policies promulgated pursu-
2 ant to this paragraph;” and

3 (C) by adding at the end the following new
4 paragraph:

5 “(11) Development of measures of effectiveness
6 and performance to assess and track progress of the
7 Department of Defense across the initiative, which
8 measures shall include—

9 “(A) the evaluation of currently available
10 data to support the assessment of such meas-
11 ures, including the identification of areas in
12 which gaps exist that may require collection of
13 completely new data, or modifications to exist-
14 ing data sets;

15 “(B) current means and methods for the
16 collection of data in an automated manner, in-
17 cluding the identification of areas in which gaps
18 exist that may require new means for data col-
19 lection or visualization of such data; and

20 “(C) the development of an analysis and
21 assessment methodology framework to make
22 tradeoffs between the measures developed under
23 this paragraph and other metrics related to as-
24 sessing undue foreign influence on the Depart-
25 ment of Defense research enterprise, such as

1 commercial due diligence, beneficial ownership,
2 and foreign ownership, control, and influence.”;
3 and

4 (2) in subsection (e)(2), by adding at the end
5 the following new subparagraph:

6 “(G) A description of the status of the
7 measures of effectiveness and performance de-
8 scribed in subsection (e)(11) for the period cov-
9 ered by such report, including an analytical as-
10 sessment of the impact of such measures on the
11 goals of the initiative.”.

12 (b) DEADLINE.—The Secretary of Defense shall de-
13 velop the policies required by paragraph (7) of section
14 1286(c) of the John S. McCain National Defense Author-
15 ization Act for Fiscal Year 2019 (10 U.S.C. 4001 note),
16 as added by subsection (a)(1)(B), by not later than June
17 1, 2024.

18 **SEC. 1225. EXTENSION OF AUTHORITY FOR DEPARTMENT**
19 **OF DEFENSE SUPPORT FOR STABILIZATION**
20 **ACTIVITIES IN NATIONAL SECURITY INTER-**
21 **EST OF THE UNITED STATES.**

22 Section 1210A(h) of the National Defense Authoriza-
23 tion Act for Fiscal Year 2020 (Public Law 116–92; 133
24 Stat. 1626) is amended by striking “December 31, 2023”
25 and inserting “December 31, 2025”.

1 **SEC. 1226. MODIFICATION OF DEFENSE OPERATIONAL RE-**
2 **SILIENCE INTERNATIONAL COOPERATION**
3 **PILOT PROGRAM.**

4 Section 1212 of the James M. Inhofe National De-
5 fense Authorization Act for Fiscal Year 2023 (Public Law
6 117–263; 136 Stat. 2834; 10 U.S.C. 311 note) is amend-
7 ed—

8 (1) in subsection (a), by striking “military
9 forces” and inserting “national security forces”;

10 (2) in subsection (c)—

11 (A) in paragraph (1)—

12 (i) in subparagraph (A), by striking
13 “military-to-military relationships” and in-
14 serting “relationships with the national se-
15 curity forces of partner countries”; and

16 (ii) in subparagraph (C), by striking
17 “military forces” and inserting “national
18 security forces”; and

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

21 “(4) SUSTAINMENT AND NON-LETHAL ASSIST-
22 ANCE.—A program under subsection (a) may include
23 the provision of sustainment and non-lethal assist-
24 ance, including training, defense services, and sup-
25 plies (including consumables).”;

1 (3) in subsection (e)(3)(A), by striking “mili-
2 tary force” and inserting “national security forces”;
3 and

4 (4) by adding at the end the following new sub-
5 section:

6 “(g) DEFINITIONS.—In this section the terms ‘de-
7 fense services’, ‘national security forces’, and ‘training’
8 have the meaning given those terms in section 301 of title
9 10, United States Code.”.

10 **SEC. 1227. EXTENSION OF PROHIBITION ON IN-FLIGHT RE-**
11 **FUELING TO NON-UNITED STATES AIRCRAFT**
12 **THAT ENGAGE IN HOSTILITIES IN THE ONGO-**
13 **ING CIVIL WAR IN YEMEN.**

14 Section 1273 of the National Defense Authorization
15 Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.
16 1699) is amended to read as follows:

17 **“SEC. 1273. PROHIBITION ON IN-FLIGHT REFUELING TO**
18 **NON-UNITED STATES AIRCRAFT THAT EN-**
19 **GAGE IN HOSTILITIES IN THE ONGOING CIVIL**
20 **WAR IN YEMEN.**

21 “For the one-year period beginning on the date
22 of the enactment of the National Defense Authoriza-
23 tion Act for Fiscal Year 2024, the Department of
24 Defense may not provide in-flight refueling pursuant
25 to section 2342 of title 10, United States Code, or

1 any other applicable statutory authority, to non-
2 United States aircraft that engage in hostilities in
3 the ongoing civil war in Yemen unless and until a
4 declaration of war or a specific statutory authoriza-
5 tion for such use of the United States Armed Forces
6 has been enacted.”.

7 **SEC. 1228. LIMITATION ON AVAILABILITY OF FUNDS FOR**
8 **INTERNATIONAL SECURITY COOPERATION**
9 **PROGRAM.**

10 Of the funds authorized to be appropriated by this
11 Act or otherwise made available for fiscal year 2024 for
12 operation and maintenance, Defense-wide, and available
13 for the Defense Security Cooperation Agency for the
14 International Security Cooperation Program, not more
15 than 85 percent may be obligated or expended until the
16 Secretary of Defense submits the security cooperation
17 strategy for each covered combatant command required by
18 section 1206 of the National Defense Authorization Act
19 for Fiscal Year 2022 (Public Law 117–81; 135 Stat.
20 1960).

21 **SEC. 1229. PROTECTION AND LEGAL PREPAREDNESS FOR**
22 **MEMBERS OF THE ARMED FORCES ABROAD.**

23 (a) REVIEW AND BRIEFING REQUIRED.—

1 (1) IN GENERAL.—Not later than December 31,
2 2024, the Secretary of State, in coordination with
3 the Secretary of Defense, shall—

4 (A) review the legal protections afforded by
5 bilateral agreements between the United States
6 and the countries listed in paragraph (2), and
7 how the rights and privileges afforded under
8 such agreements may differ from United States
9 law; and

10 (B) brief the appropriate congressional
11 committees on the findings of the review.

12 (2) COUNTRIES LISTED.—The countries listed
13 in this paragraph are the following:

14 (A) Australia.

15 (B) Bahrain.

16 (C) Germany.

17 (D) Italy.

18 (E) Japan.

19 (F) Kuwait.

20 (G) Qatar.

21 (H) South Korea.

22 (I) Spain.

23 (J) Turkey.

24 (K) The United Kingdom.

1 (L) Any other country the Secretary of De-
2 fense determines to be appropriate.

3 (3) MATTERS TO BE INCLUDED.—The review
4 required by paragraph (1)(A) shall address whether
5 the legal protections afforded by bilateral agree-
6 ments between the United States and the countries
7 listed in paragraph (2) provide members of the
8 Armed Forces who are stationed in the country, and
9 the spouses and dependents of such members who
10 are covered by the agreements, with the right to
11 legal counsel, access to competent language trans-
12 lation services, a prompt and speedy trial, the right
13 to be confronted with witnesses against the member,
14 spouse, or dependent, and a compulsory process for
15 obtaining witnesses in favor of the member, spouse,
16 or dependent if the witness is located in the jurisdic-
17 tion of the country.

18 (4) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES DEFINED.—In this subsection, the term “ap-
20 propriate congressional committees” means—

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

1 (B) the Committee on Armed Services and
2 the Committee on Foreign Relations of the Sen-
3 ate.

4 (b) TRAINING REQUIRED.—The Secretary of Defense
5 shall review and improve as necessary training and edu-
6 cational materials for members of the Armed Forces who
7 are stationed in a country reviewed pursuant to subsection
8 (a)(1)(A), and the spouses and dependents of such mem-
9 bers who are covered by the agreements, regarding rel-
10 evant foreign laws, how such foreign laws may differ from
11 the laws of the United States, and the rights of accused
12 in common scenarios under such foreign laws.

13 (c) TRANSLATION STANDARDS AND READINESS.—
14 The Secretary of Defense shall review foreign language
15 standards for members of the Armed Forces and employ-
16 ees of the Department of Defense who are responsible for
17 providing foreign language translation services in situa-
18 tions involving foreign law enforcement where such a
19 member or employee may be being detained, to ensure
20 such members and employees maintain an appropriate
21 proficiency in the legal terminology and meaning of essen-
22 tial terms in a relevant language.

1 **SEC. 1230. REPORT ON HOSTILITIES INVOLVING UNITED**
2 **STATES ARMED FORCES.**

3 (a) IN GENERAL.—Not later than 48 hours after any
4 incident in which the United States Armed Forces are in-
5 volved in an attack or hostilities, whether in an offensive
6 or defensive capacity, the President shall transmit to the
7 congressional defense committees, the Committee on For-
8 eign Relations of the Senate, and the Committee on For-
9 eign Affairs of the House of Representatives a report on
10 the incident, unless the President—

11 (1) otherwise reports the incident within 48
12 hours pursuant to section 4 of the War Powers Res-
13 olution (50 U.S.C. 1543); or

14 (2) has determined prior to the incident, and so
15 reported pursuant to section 1264 of the National
16 Defense Authorization Act for Fiscal Year 2018 (50
17 U.S.C. 1549), that the United States Armed Forces
18 involved in the incident would be operating under
19 specific statutory authorization within the meaning
20 of section 5(b) of the War Powers Resolution (50
21 U.S.C. 1544(b)).

22 (b) MATTERS TO BE INCLUDED.—Each report re-
23 quired by subsection (a) shall include—

24 (1) the authority or authorities under which the
25 United States Armed Forces were operating when
26 the incident occurred;

1 (2) the date, location, and duration of the inci-
2 dent and the other parties involved;

3 (3) a description of the United States Armed
4 Forces involved in the incident and the mission of
5 such Armed Forces;

6 (4) the numbers of any combatant casualties
7 and civilian casualties that occurred as a result of
8 the incident; and

9 (5) any other information the President deter-
10 mines appropriate.

11 **SEC. 1231. CONGRESSIONAL NOTIFICATION REGARDING**
12 **THE GLOBAL ENGAGEMENT CENTER.**

13 Not later than 30 days after making funds or per-
14 sonnel available to the Global Engagement Center estab-
15 lished pursuant to section 1287 of the National Defense
16 Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656
17 note), the Secretary of Defense shall provide to the con-
18 gressional defense committees a notification that in-
19 cludes—

20 (1) an accounting of such funds or personnel;
21 and

22 (2) an explanation of the reason for the avail-
23 ability of such funds or personnel.

1 **Subtitle C—Matters Relating to**
2 **Ukraine, Russia, and NATO**

3 **SEC. 1241. EXTENSION OF UKRAINE SECURITY ASSISTANCE**
4 **INITIATIVE.**

5 Section 1250 of the National Defense Authorization
6 Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.
7 1068) is amended—

8 (1) in subsection (f)—

9 (A) in the matter preceding paragraph (1),
10 by striking “for overseas contingency oper-
11 ations” ; and

12 (B) by adding at the end the following:

13 “(9) For fiscal year 2024, \$300,000,000.

14 “(10) For fiscal year 2025, \$300,000,000.”;

15 and

16 (2) in subsection (h), by striking “December
17 31, 2024” and inserting “December 31, 2026”.

18 **SEC. 1242. EXTENSION AND MODIFICATION OF CERTAIN**
19 **TEMPORARY AUTHORIZATIONS RELATED TO**
20 **MUNITIONS REPLACEMENT.**

21 Section 1244 of the James M. Inhofe National De-
22 fense Authorization Act for Fiscal Year 2023 (Public Law
23 117–263) is amended—

1 (1) in the section heading, by striking “and
2 Other Matters” and inserting “, Taiwan, and
3 Israel”;

4 (2) in subsection (a)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (A), by inserting
7 “or replenish” after “to build”;

8 (ii) in subparagraph (B)—

9 (I) by striking “the Government
10 of Ukraine” and inserting “Ukraine,
11 Taiwan, or Israel”; and

12 (II) by striking “; and” and in-
13 serting “; or”; and

14 (iii) in subparagraph (C), by striking
15 “the Government of Ukraine” and insert-
16 ing “Ukraine, Taiwan, or Israel”;

17 (B) in paragraph (2)(B)(i)(II), by striking
18 “comparable” and inserting “equivalent”;

19 (C) in paragraph (5)—

20 (i) in the matter preceding subpara-
21 graph (A), by inserting “and associated
22 parts” after “large-caliber cannons”;

23 (ii) by amending subparagraph (A) to
24 read as follows:

1 “(A) the replacement of defense articles
2 from stocks of the Department of Defense pro-
3 vided to—

4 “(i) the Ukraine, Taiwan, or Israel; or

5 “(ii) foreign countries that have pro-
6 vided support to Ukraine, Taiwan, or
7 Israel;”;

8 (iii) by amending subparagraph (B) to
9 read as follows:

10 “(B) the Department of Defense to provide
11 materiel directly to Ukraine, Taiwan, or Israel;
12 or”;

13 (iv) by inserting after subparagraph
14 (B), as so amended, the following new sub-
15 paragraph:

16 “(C) use by Ukraine, Taiwan, or Israel.”;

17 (D) by amending paragraph (6) to read as
18 follows:

19 “(6) TEMPORARY EXEMPTION FROM CERTIFIED
20 COST AND PRICING DATA REQUIREMENTS.—

21 “(A) IN GENERAL.—At the discretion of
22 the Secretary of Defense, the requirements
23 under section 3702 of title 10, United States
24 Code, shall not apply to a covered agreement.

1 “(B) APPLICATION.—An exemption under
2 subparagraph (A) shall also apply to sub-
3 contracts under prime contracts that are ex-
4 empt under this paragraph.

5 “(C) PRICE REASONABLENESS.—In award-
6 ing or modifying a covered agreement pursuant
7 to a waiver under subparagraph (A), the Sec-
8 retary of Defense shall base price reasonable-
9 ness determinations on actual cost and pricing
10 data for purchases of the same or similar prod-
11 ucts for the Department of Defense.”;

12 (E) in paragraph (7), by striking “Sep-
13 tember 30, 2024” and inserting “September 30,
14 2028”;

15 (F) by redesignating paragraph (7), as so
16 amended, as paragraph (8); and

17 (G) by inserting after paragraph (6) the
18 following new paragraph:

19 “(7) NOTIFICATION.—Not later than 7 days
20 after the exercise of authority under subsection (a)
21 the Secretary of Defense shall notify the congres-
22 sional defense committees of the specific authority
23 exercised, the relevant contract, and the estimated
24 reductions in schedule.”; and

25 (3) in subsection (c)(1)—

1 (A) in the matter preceding subparagraph

2 (A)—

3 (i) by inserting “or fiscal year 2024”

4 after “fiscal year 2023”; and

5 (ii) by inserting “for systems, items,

6 services, and logistics support associated

7 with the systems identified in this para-

8 graph (1)” after “multiyear contracts”.

9 (B) in subparagraph (P), by striking “;
10 and” and inserting a semicolon;

11 (C) in subparagraph (Q), by striking the
12 period at the end and inserting a semicolon;

13 and

14 (D) by inserting at the end the following
15 new subparagraphs:

16 “(R) 3,300 Tomahawk Cruise Missiles;

17 “(S) 1,100 Precision Strike Missiles
18 (PrSM);

19 “(T) 550 Mark 48 Torpedoes;

20 “(U) 1,650 RIM-162 Evolved Sea Spar-
21 row Missiles (ESSM);

22 “(V) 1,980 RIM-116 Rolling Airframe
23 Missiles (RAM); and

24 “(W) 11,550 Small Diameter Bomb IIs
25 (SDB-II).”.

1 **SEC. 1243. REPORT RELATING TO ALLIED AND PARTNER**
2 **SUPPORT TO UKRAINE.**

3 (a) REPORT REQUIRED.—Not later than 90 days
4 after the date of the enactment of this Act, and every 90
5 days thereafter, the Secretary of Defense shall submit to
6 the congressional defense committees a report on—

7 (1) all military contributions to Ukraine made
8 by allied and partner countries in absolute and rel-
9 ative terms, disaggregated by country, since January
10 1, 2022; and

11 (2) any other matters that the Secretary deter-
12 mines to be relevant.

13 (b) FORM.—The report required under subsection (a)
14 shall be submitted in unclassified form, but may include
15 a classified annex.

16 (c) SUNSET.—The reporting requirement in sub-
17 section (a) shall terminate on January 1, 2025.

18 **SEC. 1244. EXTENSION OF PROHIBITION ON AVAILABILITY**
19 **OF FUNDS RELATING TO SOVEREIGNTY OF**
20 **THE RUSSIAN FEDERATION OVER INTER-**
21 **NATIONALLY RECOGNIZED TERRITORY OF**
22 **UKRAINE.**

23 Section 1245(a) of the James M. Inhofe National De-
24 fense Authorization Act for Fiscal Year 2023 (Public Law
25 117–263) is amended by striking “None of the funds” and
26 all that follows through “2023” and inserting “None of

1 the funds authorized to be appropriated for fiscal year
2 2023 or 2024”.

3 **SEC. 1245. STUDY AND REPORT ON LESSONS LEARNED RE-**
4 **GARDING INFORMATION OPERATIONS AND**
5 **DETERRENCE.**

6 (a) STUDY.—

7 (1) IN GENERAL.—The Secretary of Defense
8 shall seek to enter into a contract or other agree-
9 ment with an eligible entity to conduct an inde-
10 pendent study on lessons learned from information
11 operations conducted by the United States, Ukraine,
12 the Russian Federation, and member countries of
13 the North Atlantic Treaty Organization during the
14 lead-up to the Russian Federation’s full-scale inva-
15 sion of Ukraine in 2022 and throughout the conflict.

16 (2) ELEMENTS.—The study required by para-
17 graph (1) shall include—

18 (A) an assessment of information oper-
19 ations capabilities of the Russian Federation
20 prior to, and since, the full-scale invasion of
21 Ukraine;

22 (B) an assessment of notable successes or
23 challenges with regard to the information oper-
24 ations conducted by the United States, NATO

1 member countries, and Ukraine prior to, and
2 since, the full-scale invasion of Ukraine; and

3 (C) recommendations for improvements to
4 United States information operations to en-
5 hance effectiveness, as well as recommendations
6 on how information operations may be improved
7 to support the maintenance of deterrence.

8 (b) REPORT.—

9 (1) IN GENERAL.—Not later than one year
10 after the date of the enactment of this Act, Sec-
11 retary of Defense shall submit to the Committees on
12 Armed Services of the Senate and the House of Rep-
13 resentatives a report on the results of the study re-
14 quired by subsection (a) in its entirety, along with
15 any such comments as the Secretary considers rel-
16 evant.

17 (2) FORM.—The report required by paragraph
18 (1) shall be submitted in unclassified form but may
19 include a classified annex.

20 (c) ELIGIBLE ENTITY DEFINED.—In this section, the
21 term “eligible entity” means—

22 (1) a federally funded research and development
23 center; or

24 (2) an independent, nongovernmental institute
25 described in section 501(c)(3) of the Internal Rev-

1 (A) the Committee on Armed Services and
2 the Committee on Foreign Affairs of the House
3 of Representatives; and

4 (B) the Committee on Armed Services and
5 the Committee on Foreign Relations of the Sen-
6 ate; and

7 (2) the term “New START Treaty” means the
8 Treaty between the United States of America and
9 the Russian Federation on Measures for the Further
10 Reduction and Limitation of Strategic Offensive
11 Arms, signed at Prague April 8, 2010, and entered
12 into force February 5, 2011.

13 **SEC. 1247. BLACK SEA SECURITY AND DEVELOPMENT**
14 **STRATEGY.**

15 (a) IN GENERAL.—The President shall direct the Na-
16 tional Security Council to develop an interagency strategy
17 with regard to the Black Sea region and Black Sea
18 states—

19 (1) to increase coordination with the North At-
20 lantic Treaty Organization (NATO) and the Euro-
21 pean Union;

22 (2) to deepen economic ties;

23 (3) to strengthen energy security;

24 (4) to support efforts to bolster their demo-
25 cratic resilience; and

1 (5) to enhance security assistance with regional
2 partners in accordance with the values and interests
3 of the United States.

4 (b) PURPOSE AND OBJECTIVES.—The strategy au-
5 thorized under subsection (b) shall have the following
6 goals and objectives:

7 (1) Ensuring the efficient and effective delivery
8 of security assistance to regional partners in accord-
9 ance with the values and interests of the United
10 States, prioritizing assistance that will bolster de-
11 fenses, increase regional cooperation on Black Sea
12 security, and improve interoperability with NATO
13 forces.

14 (2) Bolstering United States support for the re-
15 gion’s energy security and integration with Europe
16 and reducing the region’s dependence on Russia
17 while supporting energy diversification.

18 (3) Working with partners and allies to miti-
19 gate the impact of economic coercion by the Russian
20 Federation and the People’s Republic of China on
21 Black Sea states and identifying new opportunities
22 for foreign direct investment from the United States
23 and cooperating countries and the enhancement of
24 United States business ties with regional partners in

1 accordance with the values and interests of the
2 United States.

3 (4) Increasing high-level engagement between
4 the United States and regional partners, including
5 reinforcing economic growth, infrastructure develop-
6 ment, and enhancing trade with a focus on improv-
7 ing high-level economic cooperation.

8 (5) Increasing United States coordination with
9 the European Union and NATO member states to
10 maximize effectiveness and minimize duplication.

11 (c) ACTIVITIES.—

12 (1) SECURITY.—The strategy authorized under
13 subsection (b) should include the following elements
14 related to security:

15 (A) A plan to increase interagency coordi-
16 nation on the Black Sea region.

17 (B) A plan to coordinate and synchronize
18 security assistance with Black Sea states, fo-
19 cused on Ukraine, Romania, Bulgaria, Moldova,
20 and Georgia, with the aim of increasing re-
21 gional cooperation on Black Sea security.

22 (C) A plan to enhance collaboration with
23 Black Sea states to recognize and respond to
24 Russian disinformation and propaganda in the
25 Black Sea region.

1 (2) ECONOMIC PROSPERITY.—The strategy au-
2 thorized under subsection (b) shall include the fol-
3 lowing elements related to economic prosperity:

4 (A) A strategy to foster dialogue between
5 experts from the United States and from the
6 Black Sea states on economic expansion, for-
7 eign direct investment, strengthening rule of
8 law initiatives, and mitigating economic coer-
9 cion by the Russian Federation and the Peo-
10 ple’s Republic of China.

11 (B) A strategy for all the relevant Federal
12 departments and agencies that contribute to
13 United States economic statecraft to expand
14 their presence and identify new opportunities
15 for private investment with regional partners in
16 accordance with the values and interests of the
17 United States.

18 (C) Assessments on energy security, focus-
19 ing on the immediate need to replace energy
20 supplies from the Russian Federation, and rec-
21 ognizing the long-term importance of broader
22 energy diversification.

23 (D) Assessments of potential food security
24 solutions, including sustainable, long-term ar-
25 rangements.

1 (3) DEMOCRATIC RESILIENCE.—The strategy
2 authorized under subsection (b) shall include the fol-
3 lowing elements related to democratic resilience:

4 (A) A plan to increase independent media
5 and United States-supported media initiatives
6 to combat foreign malign influence in the Black
7 Sea region.

8 (B) A plan to increase mobilization of ini-
9 tiatives spearheaded by the Department of
10 State and the United States Agency for Inter-
11 national Development to counter Russian prop-
12 aganda and disinformation in the Black Sea re-
13 gion.

14 (d) IDENTIFICATION OF NECESSARY AUTHORITIES
15 AND BUDGETARY RESOURCES.—The President shall iden-
16 tify any necessary authorities or budgetary resources re-
17 quired, by agency, to support the implementation of the
18 strategy for fiscal years 2025 and 2026.

19 (e) SUBMISSION OF STRATEGY AND RESOURCE AS-
20 SESSMENT.—The President shall submit to the appro-
21 priate committees of Congress—

22 (1) the strategy authorized by subsection (b)
23 not later than 180 days after the date of the enact-
24 ment of this Act; and

1 (2) the authority and resourcing assessment re-
2 quired by subsection (d) not later than 360 days
3 after such date of enactment.

4 (f) DEFINITIONS.—In this section:

5 (1) APPROPRIATE COMMITTEES OF CON-
6 GRESS.—The term “appropriate committees of Con-
7 gress” means—

8 (A) the Committee on Foreign Relations,
9 the Committee on Armed Services, the Com-
10 mittee on Appropriations, the Select Committee
11 on Intelligence, and the Committee on Energy
12 and Natural Resources of the Senate; and

13 (B) the Committee on Foreign Affairs, the
14 Committee on Armed Services, the Committee
15 on Appropriations, the Permanent Select Com-
16 mittee on Intelligence, and the Committee on
17 Energy and Commerce of the House of Rep-
18 resentatives.

19 (2) BLACK SEA STATES.—The term “Black Sea
20 states” means—

21 (A) Bulgaria;

22 (B) Georgia;

23 (C) Moldova;

24 (D) Romania;

25 (E) Turkey; and

1 (F) Ukraine.

2 **SEC. 1248. REVIVAL OF AUTHORITY FOR PARTICIPATION**
3 **OF NATO NAVAL PERSONNEL IN SUBMARINE**
4 **SAFETY PROGRAMS.**

5 (a) IN GENERAL.—Subsection (e) of section 8634 of
6 title 10, United States Code, is repealed.

7 (b) CONFORMING AMENDMENT.—Subsection (a) of
8 such section 8634 is amended by striking “the Secretary
9 of the Navy may conduct a program” and inserting “the
10 Secretary of the Navy may conduct a program beginning
11 on or after the date of the enactment of the National De-
12 fense Authorization Act for Fiscal Year 2024”.

13 **SEC. 1249. EXTENSION AND MODIFICATION OF TRAINING**
14 **FOR EASTERN EUROPEAN NATIONAL SECUR-**
15 **ITY FORCES IN THE COURSE OF MULTILAT-**
16 **ERAL EXERCISES.**

17 Section 1251 of the National Defense Authorization
18 Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amend-
19 ed—

20 (1) in subsection (c)(1), by adding at the end
21 the following new subparagraph:

22 “(C) The Republic of Kosovo.”; and

23 (2) in subsection (h)—

1 (A) in the first sentence, by striking “De-
2 cember 31, 2024” and inserting “December 31,
3 2026”; and

4 (B) in the second sentence, by striking
5 “December 31, 2024.” and inserting “Decem-
6 ber 31, 2026”.

7 **SEC. 1250. U.S. BASING, TRAINING, AND EXERCISES IN**
8 **NORTH ATLANTIC TREATY ORGANIZATION**
9 **MEMBER COUNTRIES.**

10 When considering decisions related to United States
11 military basing, training, and exercises, the Secretary of
12 Defense shall include among the factors whether a coun-
13 try, if a member of the North Atlantic Treaty Organiza-
14 tion, has achieved defense spending of not less than 2 per-
15 cent of its gross domestic product.

16 **SEC. 1250A. LIMITATION ON WITHDRAWAL FROM THE**
17 **NORTH ATLANTIC TREATY ORGANIZATION.**

18 (a) **OPPOSITION OF CONGRESS TO SUSPENSION,**
19 **TERMINATION, DENUNCIATION, OR WITHDRAWAL FROM**
20 **NORTH ATLANTIC TREATY.**—The President shall not sus-
21 pend, terminate, denounce, or withdraw the United States
22 from the North Atlantic Treaty, done at Washington, DC,
23 April 4, 1949, except by and with the advice and consent
24 of the Senate, provided that two-thirds of the Senators
25 present concur, or pursuant to an Act of Congress.

1 (b) LIMITATION ON THE USE OF FUNDS.—No funds
2 authorized or appropriated by any Act may be used to sup-
3 port, directly or indirectly, any decision on the part of any
4 United States Government official to suspend, terminate,
5 denounce, or withdraw the United States from the North
6 Atlantic Treaty, done at Washington, DC, April 4, 1949,
7 except by and with the advice and consent of the Senate,
8 provided that two-thirds of the Senators present concur,
9 or pursuant to an Act of Congress.

10 (c) NOTIFICATION OF TREATY ACTION.—

11 (1) CONSULTATION.—Prior to the notification
12 described in paragraph (2), the President shall con-
13 sult with the Committee on Foreign Relations of the
14 Senate and the Committee on Foreign Affairs of the
15 House of Representatives in relation to any initiative
16 to suspend, terminate, denounce, or withdraw the
17 United States from the North Atlantic Treaty.

18 (2) NOTIFICATION.—The President shall notify
19 the Committee on Foreign Relations of the Senate
20 and the Committee on Foreign Affairs of the House
21 of Representatives in writing of any deliberation or
22 decision to suspend, terminate, denounce, or with-
23 draw the United States from the North Atlantic
24 Treaty, as soon as possible but in no event later
25 than 180 days prior to taking such action.

1 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to authorize, imply, or otherwise
3 indicate that the President may suspend, terminate, de-
4 nounce, or withdraw from any treaty to which the Senate
5 has provided its advice and consent without the advice and
6 consent of the Senate to such act or pursuant to an Act
7 of Congress.

8 (e) SEVERABILITY.—If any provision of this section
9 or the application of such provision is held by a Federal
10 court to be unconstitutional, the remainder of this subtitle
11 and the application of such provisions to any other person
12 or circumstance shall not be affected thereby.

13 (f) DEFINITIONS.—In this subtitle, the terms “with-
14 drawal”, “denunciation”, “suspension”, and “termi-
15 nation” have the meaning given the terms in the Vienna
16 Convention on the Law of Treaties, concluded at Vienna
17 May 23, 1969.

18 **SEC. 1250B. OVERSIGHT OF PROGRAMS AND OPERATIONS**
19 **FUNDED WITH AMOUNTS APPROPRIATED BY**
20 **THE UNITED STATES FOR UKRAINE.**

21 (a) SPECIAL INSPECTOR GENERAL FOR OPERATION
22 ATLANTIC RESOLVE.—

23 (1) IN GENERAL.—Subject to the requirements
24 of this section, the President, acting through the
25 Chair of the Council of the Inspectors General on

1 Integrity and Efficiency, shall maintain the position
2 of the Lead Inspector General for Operation Atlantic
3 Resolve in accordance with section 419 of title 5,
4 United States Code.

5 (2) REDESIGNATION.—

6 (A) IN GENERAL.—The title of the position
7 of the Lead Inspector General for Operation
8 Atlantic Resolve is hereby redesignated as the
9 “Special Inspector General for Operation Atlan-
10 tic Resolve” (in this section referred to as the
11 “Special Inspector General”).

12 (B) REFERENCES.—Any reference in law,
13 regulation, document, paper, or other record of
14 the United States to the Lead Inspector Gen-
15 eral for Operation Atlantic Resolve shall be
16 deemed to be a reference to the Special Inspec-
17 tor General for Operation Atlantic Resolve.

18 (b) BRIEFINGS.—Upon request by the Chair or
19 Ranking Member of an appropriate committee of Con-
20 gress, not later than 30 days after receiving the request,
21 the Special Inspector General shall to the extent prac-
22 ticable provide a briefing to such committee on the activi-
23 ties of the Special Inspector General with respect to pro-
24 grams and operations funded with amounts appropriated
25 by the United States for Ukraine.

1 (c) PUBLICATION OF ACCOUNTING OF UNITED
2 STATES ASSISTANCE FOR UKRAINE.—Not later than 45
3 days after the date of the enactment of this Act, and every
4 90 days thereafter, the President shall publish on a pub-
5 licly available website of the United States Government
6 a comprehensive accounting of unclassified amounts ap-
7 propriated by the United States for Ukraine.

8 (d) QUARTERLY REPORTS.—

9 (1) IN GENERAL.—Not later than 45 days after
10 the end of each fiscal-year quarter, the Special In-
11 spector General shall submit to the appropriate com-
12 mittees of Congress a report summarizing, with re-
13 spect to that quarter and, to the extent possible, the
14 period beginning on the date on which such quarter
15 ends and ending on the date on which the report is
16 submitted, the activities of the Special Inspector
17 General with respect to programs and operations
18 funded with amounts appropriated by the United
19 States for Ukraine for—

20 (A) security, economic, and humanitarian
21 assistance to Ukraine and other countries af-
22 fected by the war;

23 (B) United States European Command op-
24 erations and related support for the United
25 States military; and

1 (C) operations of other relevant United
2 States Government agencies involved in the
3 Ukraine response, as appropriate.

4 (2) ELEMENTS.—Each report required by para-
5 graph (1) shall include, for the period covered by the
6 report—

7 (A) a description of any waste, fraud, or
8 abuse identified by the Inspectors General with
9 respect to programs and operations funded with
10 amounts appropriated by the United States for
11 Ukraine;

12 (B) a description of the status and results
13 of—

14 (i) investigations, inspections, and au-
15 dits; and

16 (ii) referrals to the Department of
17 Justice; and

18 (C) a description of the overall plans for
19 review by the Inspectors General of such sup-
20 port of Ukraine, including plans for investiga-
21 tions, inspections, and audits.

22 (3) AVAILABILITY.—The Special Inspector Gen-
23 eral shall publish on a publicly available website the
24 unclassified form of each report required by para-
25 graph (1).

1 (4) FORM.—Each report required by paragraph
2 (1) shall be submitted in unclassified form, but may
3 include a classified annex if the Special Inspector
4 General considers it necessary.

5 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
6 tion may be construed to limit the Special Inspector Gen-
7 eral from exercising all authorities and discharging all re-
8 sponsibilities granted to the Lead Inspector General for
9 Operation Atlantic Resolve in accordance with section 419
10 of title 5, United States Code, in the exercise of oversight
11 responsibilities for Operation Atlantic Resolve generally
12 and under this section with respect to Ukraine.

13 (f) SUNSET.—The requirements and authorities of
14 this section with respect to the Special Inspector General
15 shall cease in accordance with the sunset provisions for
16 the Lead Inspector General for Operation Atlantic Resolve
17 pursuant to section 419(f) of title 5, United States Code.

18 (g) DEFINITIONS.—In this section:

19 (1) The term “appropriate committees of Con-
20 gress” means—

21 (A) the Committee on Appropriations, the
22 Committee on Armed Services, the Committee
23 on Foreign Relations, and the Committee on
24 Homeland Security and Governmental Affairs
25 of the Senate; and

1 (B) the Committee on Appropriations, the
2 Committee on Armed Services, the Committee
3 on Foreign Affairs, and the Committee on
4 Oversight and Accountability of the House of
5 Representatives.

6 (2) The term “Inspectors General” means the
7 following:

8 (A) The Inspector General of the Depart-
9 ment of Defense.

10 (B) The Inspector General of the Depart-
11 ment of State.

12 (C) The Inspector General of the United
13 States Agency for International Development.

14 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated for fiscal year 2024
16 \$8,000,000 to carry out this section.

17 (i) EXPANSION AND EXTENSION OF DIRECT HIRE
18 AUTHORITY FOR CERTAIN PERSONNEL OF THE DEPART-
19 MENT OF DEFENSE.—

20 (1) EXPANSION.—Section 9905(a) of title 5,
21 United States Code, as amended by section 1104, is
22 further amended by adding at the end the following
23 new paragraph:

24 “(14) Any position in support of Special Inspec-
25 tor General for Operation Atlantic Resolve for which

1 the Secretary determines there is a critical hiring
2 need and shortage of candidates.”.

3 (2) EXTENSION.—Section 9905(b)(1) of title 5,
4 United States Code, is amended by striking “Sep-
5 tember 30, 2025” and inserting “September 30,
6 2030”.

7 **Subtitle D—Matters Relating to** 8 **Israel**

9 **SEC. 1251. EURO-NATO JOINT JET PILOT TRAINING PRO-** 10 **GRAM.**

11 Not later than 180 days after the date of the enact-
12 ment of this Act, the Secretary of Defense shall submit
13 to the congressional defense committees a report on the
14 feasibility and advisability of including Israel in observer
15 status in the Euro-NATO Joint Jet Pilot Training Pro-
16 gram (ENJJPT).

17 **SEC. 1252. EXTENSION OF UNITED STATES-ISRAEL ANTI-** 18 **TUNNEL COOPERATION.**

19 Section 1279(f) of the National Defense Authoriza-
20 tion Act for Fiscal Year 2016 (Public Law 114–92; 129
21 Stat. 1079; 22 U.S.C. 8606 note) is amended by striking
22 “December 31, 2024” and inserting “December 31,
23 2026”.

1 **SEC. 1253. IMPROVEMENTS RELATING TO UNITED STATES-**
2 **ISRAEL COOPERATION TO COUNTER UN-**
3 **MANNED AERIAL SYSTEMS.**

4 Section 1278(b)(4) of the National Defense Author-
5 ization Act for Fiscal Year 2020 (Public Law 116–92; 133
6 Stat. 1702; 22 U.S.C. 8606 note) is amended by striking
7 “\$40,000,000” and inserting “\$55,000,000”.

8 **SEC. 1254. MODIFICATION OF AUTHORITY FOR COOPERA-**
9 **TION ON DIRECTED ENERGY CAPABILITIES.**

10 Section 1280 of the William M. (Mac) Thornberry
11 National Defense Authorization Act for Fiscal Year 2021
12 (Public Law 116–283; 134 Stat. 3982; 22 U.S.C. 8606
13 note) is amended—

14 (1) in subsection (d), in the first sentence—

15 (A) by inserting “acting through the
16 Under Secretary of Defense for Research and
17 Engineering,” after “the Secretary of De-
18 fense,”; and

19 (B) by striking “may establish a program”
20 and inserting “is authorized”; and

21 (2) by adding at the end the following new sub-
22 section:

23 “(e) NOTIFICATION.—

24 “(1) IN GENERAL.—Not later than 120 days
25 after the date of the enactment of this subsection,
26 the Under Secretary of Defense for Research and

1 Engineering shall submit to the appropriate commit-
2 tees of Congress an assessment detailing—

3 “(A) the most promising directed energy
4 missile defense technologies available for co-de-
5 velopment with the Government of Israel;

6 “(B) any risks relating to the implementa-
7 tion of a directed energy missile defense tech-
8 nology co-development program with the Gov-
9 ernment of Israel;

10 “(C) an anticipated spending plan for fis-
11 cal year 2024 funding authorized by the Na-
12 tional Defense Authorization Act for Fiscal
13 Year 2024 to carry out this section; and

14 “(D) initial projections for likely funding
15 requirements to carry out a directed energy
16 missile defense technology co-development pro-
17 gram with the Government of Israel over the
18 five fiscal years beginning after the date of the
19 enactment this subsection, as applicable.

20 “(2) APPROPRIATE COMMITTEES OF CONGRESS
21 DEFINED.—In this subsection, the term ‘appropriate
22 committees of Congress’ means—

23 “(A) the Committee on Armed Services,
24 the Committee on Appropriations, and the

1 Committee on Foreign Relations of the Senate;
2 and

3 “(B) the Committee on Armed Services,
4 the Committee on Appropriations, and the
5 Committee on Foreign Affairs of the House of
6 Representatives.”.

7 **SEC. 1255. ENSURING PEACE THROUGH STRENGTH IN**
8 **ISRAEL.**

9 (a) EXTENSION OF AUTHORITIES.—

10 (1) WAR RESERVES STOCKPILE AUTHORITY.—
11 Section 12001(d) of the Department of Defense Ap-
12 propriations Act, 2005 (Public Law 108–287; 118
13 Stat. 1011) is amended by striking “September 30,
14 2025” and inserting “January 1, 2027”.

15 (2) RULES GOVERNING THE TRANSFER OF PRE-
16 CISION-GUIDED MUNITIONS TO ISRAEL ABOVE THE
17 ANNUAL RESTRICTION.—Section 1275(e) of the Wil-
18 liam M. (Mac) Thornberry National Defense Author-
19 ization Act for Fiscal Year 2021 (Public Law 116–
20 283; 134 Stat. 3980; 22 U.S.C. 2321h note) is
21 amended by striking “on the date that is three years
22 after the date of the enactment of this Act” and in-
23 serting “on January 1, 2027”.

1 (b) DEPARTMENT OF DEFENSE ASSESSMENT OF
2 TYPE AND QUANTITY OF PRECISION-GUIDED MUNITIONS
3 AND OTHER MUNITIONS FOR USE BY ISRAEL.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, and an-
6 nually thereafter through December 31, 2027, the
7 Secretary of Defense, in consultation with the Sec-
8 retary of State, shall conduct an assessment with re-
9 spect to the following:

10 (A) The current quantity and type of pre-
11 cision-guided munitions in the stockpile pursu-
12 ant to section 12001(d) of the Department of
13 Defense Appropriations Act, 2005 (Public Law
14 108–287; 118 Stat. 1011).

15 (B) The quantity and type of precision-
16 guided munitions necessary for Israel to protect
17 its homeland and counter Hezbollah, Hamas,
18 Palestinian Islamic Jihad, or any other armed
19 terror group or hostile forces in the region in
20 the event of a sustained armed confrontation.

21 (C) The quantity and type of other muni-
22 tions necessary for Israel to protect its home-
23 land and counter Hezbollah, Hamas, Pales-
24 tinian Islamic Jihad, or any other armed group

1 or hostile forces in the region in the event of a
2 sustained armed confrontation.

3 (D) The quantity and type of munitions,
4 including precision-guided munitions, necessary
5 for Israel to protect its homeland and counter
6 any combination of Hezbollah, Hamas, Pales-
7 tinian Islamic Jihad, and any other armed ter-
8 ror groups or hostile forces in the region in the
9 event of a multi-front, sustained armed con-
10 frontation.

11 (E) The resources the Government of
12 Israel would need to dedicate to acquire the
13 quantity and type of munitions, including preci-
14 sion-guided munitions, described in subpara-
15 graphs (B) through (D).

16 (F) Whether, as of the date on which the
17 applicable assessment is completed, sufficient
18 quantities and types of munitions, including
19 precision-guided munitions, to conduct oper-
20 ations described in subparagraphs (B) through
21 (D) are present in—

22 (i) the inventory of the military forces
23 of Israel;

24 (ii) the War Reserves Stock Allies-
25 Israel;

1 (iii) any other United States stockpile
2 or depot within the area of responsibility of
3 United States Central Command, as the
4 Secretary considers appropriate to disclose
5 to the Government of Israel; or

6 (iv) the inventory of the United States
7 Armed Forces, as the Secretary considers
8 appropriate to disclose to the Government
9 of Israel.

10 (G) The current inventory of such muni-
11 tions, including precision-guided munitions, pos-
12 sessed by the United States, and whether, as of
13 the date on which the applicable assessment is
14 completed, the United States is assessed to
15 have sufficient munitions to meet the require-
16 ments of current operation plans of the United
17 States or global other munitions requirements.

18 (H) United States planning and steps
19 being taken—

20 (i) to assist Israel to prepare for the
21 contingencies, and to conduct the oper-
22 ations, described in subparagraphs (B)
23 through (D); and

24 (ii) to resupply Israel with the quan-
25 tity and type of such munitions described

1 in such subparagraphs in the event of a
2 sustained armed confrontation described in
3 such subparagraphs.

4 (I) The quantity and pace at which the
5 United States is capable of pre-positioning, in-
6 creasing, stockpiling, or rapidly replenishing, or
7 assisting in the rapid replenishment of, such
8 munitions in preparation for, and in the event
9 of, such a sustained armed confrontation.

10 (2) CONSULTATION.—In carrying out the as-
11 sessment required by paragraph (1), the Secretary
12 shall consult with the Israeli Ministry of Defense,
13 provided that the Israeli Ministry of Defense agrees
14 to be so consulted.

15 (c) REPORTS.—

16 (1) DEPARTMENT OF DEFENSE ASSESSMENT.—
17 Not later than 15 days after the date on which each
18 Department of Defense assessment required by sub-
19 section (b) is completed, the Secretary shall submit
20 to the appropriate committees of Congress a report
21 on such assessment.

22 (2) PRE-POSITIONING AND STOCKPILE IMPLE-
23 MENTATION REPORT.—Not later than 180 days
24 after the date on which the report required by para-
25 graph (1) is submitted, and every 180 days there-

1 after through December 31, 2027, the Secretary
2 shall submit to the appropriate committees of Con-
3 gress a report that—

4 (A) details the actions being taken by the
5 United States, if any, to pre-position, increase,
6 stockpile, address shortfalls, and otherwise en-
7 sure that the War Reserves Stock Allies-Israel
8 has, and assist Israel in ensuring that Israel
9 has, sufficient quantities and types of muni-
10 tions, including precision-guided munitions, to
11 conduct the operations described in subpara-
12 graphs (B) through (D) of subsection (b)(1);
13 and

14 (B) includes a description of procedures
15 implemented by the United States, if any, for
16 rapidly replenishing, or assisting in the rapid
17 replenishment of, stockpiles of such munitions
18 for use by Israel as may be necessary.

19 (3) FORM.—The report required by paragraph
20 (1) shall be submitted in unclassified form but may
21 contain a classified annex.

22 (4) APPROPRIATE COMMITTEES OF CONGRESS
23 DEFINED.—In this subsection, the term “appro-
24 priate committees of Congress” means—

1 (A) the Committee on Foreign Relations
2 and the Committee on Armed Services of the
3 Senate; and

4 (B) the Committee on Foreign Affairs and
5 the Committee on Armed Services of the House
6 of Representatives.

7 (d) CONSOLIDATION OF REPORTS.—

8 (1) Section 1273 of the John S. McCain Na-
9 tional Defense Authorization Act for Fiscal Year
10 2019 (Public Law 115–232; 132 Stat. 2066) is
11 amended by striking subsection (b).

12 (2) Section 1275 of the William M. (Mac)
13 Thornberry National Defense Authorization Act for
14 Fiscal Year 2021 (Public Law 116–283; 134 Stat.
15 3979; 22 U.S.C. 2321h note) is amended by striking
16 subsection (d).

17 **SEC. 1256. ASSISTANCE TO ISRAEL FOR AERIAL REFUEL-**
18 **ING.**

19 (a) TRAINING ISRAELI PILOTS TO OPERATE KC–46
20 AIRCRAFT.—

21 (1) IN GENERAL.—The Secretary of the Air
22 Force shall—

23 (A) make available sufficient resources and
24 accommodations within the United States to

1 train members of the Israeli Air Force on the
2 operation of KC-46 aircraft; and

3 (B) conduct training for members of the
4 Israeli Air Force, including—

5 (i) training for pilots and crew on the
6 operation of the KC-46 aircraft in accord-
7 ance with standards considered sufficient
8 to conduct coalition operations of the
9 United States Air Force and the Israeli
10 Air Force; and

11 (ii) training for ground personnel on
12 the maintenance and sustainment require-
13 ments of the KC-46 aircraft considered
14 sufficient for such operations.

15 (2) UNITED STATES AIR FORCE MILITARY PER-
16 SONNEL EXCHANGE PROGRAM.—The Secretary of
17 Defense shall, with respect to members of the Israeli
18 Air Force associated with the operation of KC-46
19 aircraft—

20 (A) before the completion of the training
21 required by paragraph (1)(B), authorize the
22 participation of such members of the Israeli Air
23 Force in the United States Air Force Military
24 Personnel Exchange Program;

1 (B) make available billets in the United
2 States Air Force Military Personnel Exchange
3 Program necessary for such members of the
4 Israeli Air Force to participate in such pro-
5 gram; and

6 (C) to the extent practicable, ensure that
7 such members of the Israeli Air Force are able
8 to participate in the United States Air Force
9 Military Personnel Exchange Program imme-
10 diately after such members complete such train-
11 ing.

12 (3) TERMINATION.—This subsection shall cease
13 to have effect on the date that is ten years after the
14 date of the enactment of this Act.

15 (b) BRIEFING.—Not later than 90 days after the date
16 of the enactment of this Act, the Secretary of Defense
17 shall provide to the Committees on Armed Services of the
18 Senate and the House of Representatives a briefing that
19 includes the following:

20 (1) An assessment of—

21 (A) the current operational requirements
22 of the Government of Israel for aerial refueling;
23 and

24 (B) any gaps in current or near-term capa-
25 bilities.

1 (2) The estimated date of delivery to Israel of
2 KC-46 aircraft procured by the Government of
3 Israel.

4 (3) A detailed description of—

5 (A) any actions the United States Govern-
6 ment is taking to expedite the delivery to Israel
7 of KC-46 aircraft procured by the Government
8 of Israel, while minimizing adverse impacts to
9 United States defense readiness, including stra-
10 tegic forces readiness;

11 (B) any additional actions the United
12 States Government could take to expedite such
13 delivery; and

14 (C) additional authorities Congress could
15 provide to help expedite such delivery.

16 (4) A description of the availability of any
17 United States aerial refueling tanker aircraft that is
18 retired or is expected to be retired during the two-
19 year period beginning on the date of the enactment
20 of this Act that could be provided to Israel.

21 (c) COSTS AND BENEFITS OF FORWARD DEPLOY-
22 MENT OF UNITED STATES KC-46 AIRCRAFT TO
23 ISRAEL.—

24 (1) BRIEFING.—Not later than 90 days after
25 the date of the enactment of this Act, the Secretary

1 of Defense shall provide to the Committees on
2 Armed Services of the Senate and the House of Rep-
3 resentatives a briefing that describes the costs and
4 benefits of forward deploying KC-46 aircraft to
5 Israel.

6 (2) PRESENCE.—The Secretary of Defense, in
7 consultation with the Secretary of State, shall con-
8 sult with the Government of Israel to determine the
9 advisability and practicality of the Government of
10 Israel hosting rotational deployments of United
11 States KC-46 aircraft to Israel.

12 **SEC. 1257. RULES GOVERNING TRANSFER OF AERIAL RE-**
13 **FUELING TANKERS TO ISRAEL.**

14 (a) IN GENERAL.—Notwithstanding section 514(b)
15 of the Foreign Assistance Act of 1961 (22 U.S.C.
16 2321h(b)), and subject to subsections (b) and (c) of this
17 section, the President, acting through the Secretary of De-
18 fense, may transfer to Israel one or more retired United
19 States aerial refueling tankers, any United States aerial
20 refueling tanker that the Secretary of Defense plans to
21 retire during the two-year period beginning on the date
22 of the enactment of this Act, or any other United States
23 aerial refueling tanker the President considers appro-
24 priate, consistent with—

1 (1) all other requirements set forth in the For-
2 eign Assistance Act of 1961 (22 U.S.C. 2151 et
3 seq.); and

4 (2) the requirements set forth in the Arms Ex-
5 port Control Act (22 U.S.C. 2751 et seq.).

6 (b) CONDITIONS.—Except in the case of an emer-
7 gency, as determined by the President, a transfer under
8 subsection (a) may only occur if the transfer—

9 (1) does not affect the ability of the United
10 States to maintain a sufficient aerial refueling ca-
11 pacity to satisfy United States warfighting require-
12 ments;

13 (2) does not harm the combat readiness of the
14 United States;

15 (3) does not affect the ability of the United
16 States to meet its commitments to allies with respect
17 to the transfer of aerial refueling capacity; and

18 (4) is in the national security interest of the
19 United States.

20 (c) CERTIFICATION.—

21 (1) IN GENERAL.—Except in the case of an
22 emergency, as determined by the President, not later
23 than 15 days before making a transfer under sub-
24 section (a), the Secretary of Defense shall certify to
25 the appropriate congressional committees that the

1 transfer meets the conditions specified in subsection
2 (b).

3 (2) EMERGENCIES.—In the case of an emer-
4 gency, as determined by the President, not later
5 than five days after making a transfer under sub-
6 section (a), the President shall—

7 (A) certify to the appropriate congressional
8 committees that the transfer supports the na-
9 tional security interests of the United States;
10 and

11 (B) provide to the appropriate congres-
12 sional committees an assessment of the impacts,
13 risks, and mitigation measures with respect to
14 the matters referred to in paragraphs (1)
15 through (4) of subsection (b).

16 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
17 DEFINED.—In this section, the term “appropriate con-
18 gressional committees” means—

19 (1) the Committee on Armed Services and the
20 Committee on Foreign Affairs of the House of Rep-
21 resentatives; and

22 (2) the Committee on Armed Services and the
23 Committee on Foreign Relations of the Senate.

24 **SEC. 1258. REPORT.**

25 (a) REPORT.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense shall submit to Congress a report
4 on whether any products sold at commissary or ex-
5 change stores in fiscal years 2021 or 2022 were pro-
6 duced by companies described in paragraph (2) that
7 have participated in a boycott action against the
8 State of Israel.

9 (2) COMPANIES DESCRIBED.—The companies
10 described in this paragraph are companies that have
11 entered into a contract with the Department of De-
12 fense to sell products described in paragraph (1) the
13 total value of which exceeds \$10,000,000.

14 (b) SENSE OF CONGRESS.—Congress is concerned
15 about the antisemitic efforts of the Boycott, Divestment,
16 and Sanctions (BDS) movement against the State of
17 Israel, including its efforts to delegitimize, isolate, and ul-
18 timately destroy the Jewish state.

19 (c) DEFINITION.—In subsection (a), the term “boy-
20 cott action against the State of Israel” means engaging
21 in a boycott action targeting the State of Israel, companies
22 or individuals doing business in or with the State of Israel,
23 or companies authorized by, licensed by, or organized
24 under the laws of the State of Israel to do business.

1 **Subtitle E—Matters Relating to**
2 **Syria, Iraq, Iran, and Afghanistan**

3 **SEC. 1261. MIDDLE EAST INTEGRATED MARITIME DOMAIN**
4 **AWARENESS AND INTERDICTION CAPA-**
5 **BILITY.**

6 (a) IN GENERAL.—The Secretary of Defense, using
7 existing authorities, shall seek to build upon the incorpora-
8 tion of Israel into the area of responsibility of the United
9 States Central Command to develop a Middle East inte-
10 grated maritime domain awareness and interdiction capa-
11 bility for the purpose of protecting the people, infrastruc-
12 ture, and territory of such countries from—

13 (1) manned and unmanned naval systems, un-
14 dersea warfare capabilities, and anti-ship missiles of
15 Iran and groups affiliated with Iran; and

16 (2) violent extremist organizations, criminal
17 networks, and piracy activities that threaten lawful
18 commerce in the waterways within the area of re-
19 sponsibility of the United States Naval Forces Cen-
20 tral Command.

21 (b) STRATEGY.—

22 (1) IN GENERAL.—Not later than 60 days after
23 the date of the enactment of this Act, the Secretary
24 of Defense, in coordination with the Secretary of
25 State, shall submit to the appropriate committees of

1 Congress a strategy for the cooperation described in
2 subsection (a).

3 (2) MATTERS TO BE INCLUDED.—The strategy
4 required by paragraph (1) shall include the fol-
5 lowing:

6 (A) An assessment of the threats posed to
7 ally or partner countries in the Middle East
8 by—

9 (i) manned and unmanned naval sys-
10 tems, undersea warfare capabilities, and
11 anti-ship missiles of Iran and groups affili-
12 ated with Iran; and

13 (ii) violent extremist organizations,
14 criminal networks, and piracy activities
15 that threaten lawful commerce in the wa-
16 terways within the area of responsibility of
17 the United States Naval Forces Central
18 Command.

19 (B) A description of existing multilateral
20 maritime partnerships currently led by the
21 United States Naval Forces Central Command,
22 including the Combined Maritime Forces (in-
23 cluding its associated Task Forces 150, 151,
24 152, and 153), the International Maritime Se-
25 curity Construct, and the Navy's Task Force

1 59, and a discussion of the role of such partner-
2 ships in building an integrated maritime secu-
3 rity capability.

4 (C) A description of progress made in ad-
5 vancing the integration of Israel into the exist-
6 ing multilateral maritime partnerships de-
7 scribed in subparagraph (B).

8 (D) A description of efforts among coun-
9 tries in the Middle East to coordinate intel-
10 ligence, reconnaissance, and surveillance capa-
11 bilities and indicators and warnings with re-
12 spect to the threats described in subparagraph
13 (A), and a description of any impediment to op-
14 timizing such efforts.

15 (E) A description of the current Depart-
16 ment of Defense systems that, in coordination
17 with ally and partner countries in the Middle
18 East—

19 (i) provide awareness of and defend
20 against such threats; and

21 (ii) address current capability gaps.

22 (F) An explanation of the manner in which
23 an integrated maritime domain awareness and
24 interdiction architecture would improve collec-
25 tive security in the Middle East.

1 (G) A description of existing and planned
2 efforts to engage ally and partner countries in
3 the Middle East in establishing such an archi-
4 tecture.

5 (H) An identification of the elements of
6 such an architecture that may be acquired and
7 operated by ally and partner countries in the
8 Middle East, and a list of such elements for
9 each such ally and partner.

10 (I) An identification of the elements of
11 such an architecture that may only be provided
12 and operated by members of the United States
13 Armed Forces.

14 (J) An identification of any challenge to
15 optimizing such an architecture in the Middle
16 East.

17 (K) An assessment of progress and key
18 challenges in the implementation of the strategy
19 required by paragraph (1) using the metrics
20 identified in accordance with paragraph (3).

21 (L) Recommendations for improvements in
22 the implementation of such strategy based on
23 such metrics.

24 (M) An assessment of any capabilities or
25 lessons from the Navy's Task Force 59 that

1 may be leveraged to support an integrated mar-
2 itime domain awareness and interdiction capa-
3 bility in the Middle East.

4 (N) A cost estimate of establishing an inte-
5 grated maritime domain awareness and inter-
6 diction capability, and an assessment of the re-
7 sources that could be contributed by ally and
8 partner countries of the United States to estab-
9 lish and strengthen such capability.

10 (O) Any other matter the Secretary of De-
11 fense considers relevant.

12 (3) METRICS.—The Secretary of Defense shall
13 identify metrics to assess progress in the implemen-
14 tation of the strategy required by paragraph (1).

15 (4) FORMAT.—The strategy required by para-
16 graph (1) shall be submitted in unclassified form but
17 may include a classified annex.

18 (c) PROTECTION OF SENSITIVE INFORMATION.—Any
19 activity carried out under this section shall be conducted
20 in a manner that appropriately protects sensitive informa-
21 tion and the national security interests of the United
22 States.

23 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
24 FINED.—In this section, the term “appropriate commit-
25 tees of Congress” means—

1 (1) the Committee on Armed Services, the
2 Committee on Appropriations, and the Committee on
3 Foreign Relations of the Senate; and

4 (2) the Committee on Armed Services, the
5 Committee on Appropriations, and the Committee on
6 Foreign Affairs of the House of Representatives.

7 **SEC. 1262. MODIFICATION OF ESTABLISHMENT OF COORDI-**
8 **NATOR FOR DETAINED ISIS MEMBERS AND**
9 **RELEVANT POPULATIONS IN SYRIA.**

10 (a) DEFINITIONS.—In this section:

11 (1) APPROPRIATE COMMITTEES OF CON-
12 GRESS.—The term “appropriate committees of Con-
13 gress” means—

14 (A) the Committee on Armed Services, the
15 Committee on Foreign Relations, the Com-
16 mittee on the Judiciary, the Committee on
17 Banking, Housing, and Urban Affairs, the Se-
18 lect Committee on Intelligence, and the Com-
19 mittee on Appropriations of the Senate; and

20 (B) the Committee on Armed Services, the
21 Committee on Foreign Affairs, the Committee
22 on the Judiciary, the Committee on Financial
23 Services, the Permanent Select Committee on
24 Intelligence, and the Committee on Appropria-
25 tions of the House of Representatives.

1 (2) ISIS MEMBER.—The term “ISIS member”
2 means a person who was part of, or substantially
3 supported, the Islamic State in Iraq and Syria.

4 (3) SENIOR COORDINATOR.—The term “Senior
5 Coordinator” means the coordinator for detained
6 ISIS members and relevant displaced populations in
7 Syria designated under subsection (a) of section
8 1224 of the National Defense Authorization Act for
9 Fiscal Year 2020 (Public Law 116–92; 133 Stat.
10 1642), as amended by subsection (d).

11 (b) SENSE OF CONGRESS.—

12 It is the sense of Congress that—

13 (A) ISIS detainees held by the Syrian
14 Democratic Forces and ISIS-affiliated individ-
15 uals located within displaced persons camps in
16 Syria pose a significant and growing humani-
17 tarian challenge and security threat to the re-
18 gion;

19 (B) the vast majority of individuals held in
20 displaced persons camps in Syria are women
21 and children, approximately 50 percent of
22 whom are under the age of 12 at the al-Hol
23 camp, and they face significant threats of vio-
24 lence and radicalization, as well as lacking ac-

1 cess to adequate sanitation and health care fa-
2 cilities;

3 (C) there is an urgent need to seek a sus-
4 tainable solution to such camps through repa-
5 triation and reintegration of the inhabitants;

6 (D) the United States should work closely
7 with international allies and partners to facili-
8 tate the repatriation and reintegration efforts
9 required to provide a long-term solution for
10 such camps and prevent the resurgence of ISIS;
11 and

12 (E) if left unaddressed, such camps will
13 continue to be drivers of instability that jeop-
14 ardize the long-term prospects for peace and
15 stability in the region.

16 (c) STATEMENT OF POLICY.—It is the policy of the
17 United States that—

18 (1) ISIS-affiliated individuals located within
19 displacement camps in Syria, and other inhabitants
20 of displacement camps in Syria, be repatriated and,
21 where appropriate, prosecuted, or where possible, re-
22 integrated into their country of origin, consistent
23 with all relevant domestic laws and applicable inter-
24 national laws prohibiting refoulement; and

1 (2) the camps will be closed as soon as is prac-
2 ticable.

3 (d) MODIFICATION OF ESTABLISHMENT OF COORDI-
4 NATOR FOR DETAINED ISIS MEMBERS AND RELEVANT
5 DISPLACED POPULATIONS IN SYRIA.—Section 1224 of the
6 National Defense Authorization Act for Fiscal Year 2020
7 (Public Law 116–92; 133 Stat. 1642) is amended—

8 (1) by striking subsection (a);

9 (2) by amending subsection (b) to read as fol-
10 lows:

11 “(a) DESIGNATION.—

12 “(1) IN GENERAL.—The President, in consulta-
13 tion with the Secretary of Defense, the Secretary of
14 State, the Director of National Intelligence, the Sec-
15 retary of the Treasury, the Administrator of the
16 United States Agency for International Develop-
17 ment, and the Attorney General, shall designate an
18 existing official to serve within the executive branch
19 as senior-level coordinator to coordinate, in conjunc-
20 tion with other relevant agencies, matters related to
21 ISIS members who are in the custody of the Syrian
22 Democratic Forces and other relevant displaced pop-
23 ulations in Syria, including—

24 “(A) by engaging foreign partners to sup-
25 port the repatriation and disposition of such in-

1 dividuals, including by encouraging foreign
2 partners to repatriate, transfer, investigate, and
3 prosecute such ISIS members, and share infor-
4 mation;

5 “(B) coordination of all multilateral and
6 international engagements led by the Depart-
7 ment of State and other agencies that are re-
8 lated to the current and future handling, deten-
9 tion, and prosecution of such ISIS members;

10 “(C) the funding and coordination of the
11 provision of technical and other assistance to
12 foreign countries to aid in the successful inves-
13 tigation and prosecution of such ISIS members,
14 as appropriate, in accordance with relevant do-
15 mestic laws, international humanitarian law,
16 and other internationally recognized human
17 rights and rule of law standards;

18 “(D) coordination of all multilateral and
19 international engagements related to humani-
20 tarian access and provision of basic services to,
21 and freedom of movement and security and safe
22 return of, displaced persons at camps or facili-
23 ties in Syria that hold family members of such
24 ISIS members;

1 “(E) coordination with relevant agencies
2 on matters described in this section; and

3 “(F) any other matter the President con-
4 siders relevant.

5 “(2) RULE OF CONSTRUCTION.—If, on the date
6 of the enactment of the National Defense Authoriza-
7 tion Act for Fiscal Year 2024, an individual has al-
8 ready been designated, consistent with the require-
9 ments and responsibilities described in paragraph
10 (1), the requirements under that paragraph shall be
11 considered to be satisfied with respect to such indi-
12 vidual until the date on which such individual no
13 longer serves as the Senior Coordinator.”;

14 (3) in subsection (c), by striking “subsection
15 (b)” and inserting “subsection (a)”;

16 (4) in subsection (d), by striking “subsection
17 (b)” and inserting “subsection (a)”;

18 (5) in subsection (e), by striking “January 31,
19 2021” and inserting “January 31, 2025”;

20 (6) in subsection (f)—

21 (A) by redesignating paragraph (2) as
22 paragraph (3);

23 (B) by inserting after paragraph (1) the
24 following new paragraph (2):

1 “(2) SENIOR COORDINATOR.—The term ‘Senior
2 Coordinator’ means the individual designated under
3 subsection (a).”; and

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

6 “(4) RELEVANT AGENCIES.—The term ‘relevant
7 agencies’ means—

8 “(A) the Department of State;

9 “(B) the Department of Defense;

10 “(C) the Department of the Treasury;

11 “(D) the Department of Justice;

12 “(E) the United States Agency for Inter-
13 national Development;

14 “(F) the Office of the Director of National
15 Intelligence; and

16 “(G) any other agency the President con-
17 siders relevant.”; and

18 (7) by redesignating subsections (e) through (f)
19 as subsections (b) through (e), respectively.

20 (e) STRATEGY ON ISIS-RELATED DETAINEE AND
21 DISPLACEMENT CAMPS IN SYRIA.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, the Sec-
24 retary of State, in coordination with the Secretary of
25 Defense, the Director of National Intelligence, the

1 Secretary of the Treasury, the Administrator of the
2 United States Agency for International Develop-
3 ment, and the Attorney General, shall submit to the
4 appropriate committees of Congress an interagency
5 strategy with respect to ISIS-affiliated individuals
6 and ISIS-related detainee and other displaced per-
7 sons camps in Syria.

8 (2) ELEMENTS.—The strategy required by
9 paragraph (1) shall include—

10 (A) methods to address—

11 (i) disengagement from and preven-
12 tion of recruitment into violence, violent
13 extremism, and other illicit activity in such
14 camps;

15 (ii) efforts to encourage and facilitate
16 repatriation and, as appropriate, investiga-
17 tion and prosecution of foreign nationals
18 from such camps, consistent with all rel-
19 evant domestic and applicable international
20 laws;

21 (iii) the return and reintegration of
22 displaced Syrian and Iraqi women and
23 children into their communities of origin;

24 (iv) international engagement to de-
25 velop processes for repatriation and re-

1 integration of foreign nationals from such
2 camps;

3 (v) contingency plans for the reloca-
4 tion of detained and displaced persons who
5 are not able to be repatriated from such
6 camps;

7 (vi) efforts to improve the humani-
8 tarian conditions in such camps, including
9 through the delivery of medicine, psycho-
10 social support, clothing, education, and im-
11 proved housing; and

12 (vii) assessed humanitarian and secu-
13 rity needs of all camps and detainment fa-
14 cilities based on prioritization of such
15 camps and facilities most at risk of hu-
16 manitarian crises, external attacks, or in-
17 ternal violence;

18 (B) an assessment of—

19 (i) rehabilitation centers in northeast
20 Syria, including humanitarian conditions
21 and processes for admittance and efforts to
22 improve both humanitarian conditions and
23 admittance processes for such centers and
24 camps, as well as on the prevention of
25 youth radicalization; and

1 (ii) processes for being sent to, and
2 resources directed towards, rehabilitation
3 centers and programs in countries that re-
4 ceive returned ISIS affiliated individuals,
5 with a focus on the prevention of
6 radicalization of minor children;

7 (C) a plan to improve, in such camps—

8 (i) security conditions, including by
9 training of personnel and through con-
10 struction; and

11 (ii) humanitarian conditions;

12 (D) a framework for measuring progress of
13 humanitarian, security, and repatriation efforts
14 with the goal of closing such camps; and

15 (E) any other matter the Secretary of
16 State considers appropriate.

17 (3) FORM.—The strategy required by para-
18 graph (1) shall be submitted in unclassified form but
19 may include a classified annex that is transmitted
20 separately.

21 (f) ANNUAL INTERAGENCY REPORT.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, and not
24 less frequently than annually thereafter through
25 January 31, 2025, the Senior Coordinator, in co-

1 ordination with the relevant agencies, shall submit to
2 the appropriate committees of Congress a detailed
3 report that includes the following:

4 (A) A detailed description of the facilities
5 and camps where detained ISIS members, and
6 families with perceived ISIS affiliation, are
7 being held and housed, including—

8 (i) a description of the security and
9 management of such facilities and camps;

10 (ii) an assessment of resources re-
11 quired for the security of such facilities
12 and camps;

13 (iii) an assessment of the adherence
14 by the operators of such facilities and
15 camps to international humanitarian law
16 standards; and

17 (iv) an assessment of children held
18 within such facilities and camps that may
19 be used as part of smuggling operations to
20 evade security at the facilities and camps.

21 (B) A description of all efforts undertaken
22 by, and the resources needed for, the United
23 States Government to address deficits in the
24 humanitarian environment and security of such
25 facilities and camps.

- 1 (C) A description of all multilateral and
2 international engagements related to humani-
3 tarian access and provision of basic services to,
4 and freedom of movement and security and safe
5 return of, displaced persons at camps or facili-
6 ties in Iraq, Syria, and any other area affected
7 by ISIS activity, including a description of—
- 8 (i) support for efforts by the Syrian
9 Democratic Forces to facilitate the return
10 and reintegration of displaced people from
11 Iraq and Syria;
- 12 (ii) repatriation efforts with respect to
13 displaced women and children and male
14 children aging into adults while held in
15 these facilities and camps;
- 16 (iii) any current or future potential
17 threat to United States national security
18 interests posed by detained ISIS members
19 or displaced families, including an analysis
20 of the al-Hol camp and annexes; and
- 21 (iv) United States Government plans
22 and strategies to respond to any threat
23 identified under clause (iii).

1 (D) The number of individuals repatriated
2 from the custody of the Syrian Democratic
3 Forces.

4 (E) An analysis of factors on the ground
5 in Syria and Iraq that may result in the unin-
6 tended release of detained or displaced ISIS
7 members, and an assessment of any measures
8 available to mitigate such releases.

9 (F) A detailed description of efforts to en-
10 courage the final disposition and security of de-
11 tained or displaced ISIS members with other
12 countries and international organizations.

13 (G) A description of foreign repatriation
14 and rehabilitation programs deemed successful
15 systems to model, and an analysis of the long-
16 term results of such programs.

17 (H) A description of the manner in which
18 the United States Government communicates
19 regarding repatriation and disposition efforts
20 with the families of United States citizens be-
21 lieved to have been victims of a criminal act by
22 a detained or displaced ISIS member, in ac-
23 cordance with section 503(c) of the Victims'
24 Rights and Restitution Act of 1990 (34 U.S.C.

1 20141(c)) and section 3771 of title 18, United
2 States Code.

3 (I) An analysis of all efforts between the
4 United States and partner countries within the
5 Global Coalition to Defeat ISIS or other coun-
6 tries to share related information that may aid
7 in resolving the final disposition of ISIS mem-
8 bers, and any obstacles that may hinder such
9 efforts.

10 (J) Any other matter the Coordinator con-
11 siders appropriate.

12 (2) FORM.—The report required by paragraph
13 (1) shall be submitted in unclassified form but may
14 include a classified annex that is transmitted sepa-
15 rately.

16 (g) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion, or an amendment made by this section, may be con-
18 strued—

19 (1) to limit the authority of any Federal agency
20 to independently carry out the authorized functions
21 of such agency; or

22 (2) to impair or otherwise affect the activities
23 performed by that agency as granted by law.

1 **SEC. 1263. EXTENSION AND MODIFICATION OF AUTHORITY**
2 **TO PROVIDE ASSISTANCE TO COUNTER THE**
3 **ISLAMIC STATE OF IRAQ AND SYRIA.**

4 (a) **IN GENERAL.**—Subsection (a) of section 1236 of
5 the Carl Levin and Howard P. “Buck” McKeon National
6 Defense Authorization Act for Fiscal Year 2015 (Public
7 Law 113–291; 128 Stat. 3559) is amended, in the matter
8 preceding paragraph (1)—

9 (1) by striking “\$4,000,000” and inserting
10 “\$6,000,000”; and

11 (2) by striking “December 31, 2023” and in-
12 serting “December 31, 2024”.

13 (b) **FUNDING.**—Subsection (g) of such section is
14 amended by striking “Overseas Contingency Operations
15 for fiscal year 2023, there are authorized to be appro-
16 priated \$358,000,000” and inserting “fiscal year 2024,
17 there is authorized to be appropriated \$241,950,000”.

18 (c) **LIMITATION ON COST OF CONSTRUCTION, RE-**
19 **PAIR, AND RENOVATION PROJECTS.**—Subsection (o) of
20 such section is amended—

21 (1) in paragraph (1)—

22 (A) by striking “(1) **IN GENERAL.**—The
23 President” and inserting “(1) **AUTHORITY OF**
24 **PRESIDENT.**—The President”; and

25 (B) by striking “paragraph (2)” and in-
26 serting “paragraph (3)”;

1 (2) by redesignating paragraphs (2), (3), (4),
2 and (5) as paragraphs (3), (4), (5), and (6), respec-
3 tively;

4 (3) by inserting after paragraph (1) (as so
5 amended) the following:

6 “(2) AUTHORITY OF SECRETARY OF DE-
7 FENSE.—

8 “(A) IN GENERAL.—The Secretary of De-
9 fense may further adjust the total cost of a
10 project subsequent to a waiver by the President
11 of the dollar amount limitation in subsection (a)
12 if—

13 “(i) such total cost does not exceed
14 the sum of—

15 “(I) the cost estimate for the
16 project as required by paragraph
17 (4)(B)(i) that is included in the notifi-
18 cation submitted by the President
19 pursuant to such waiver; and

20 “(II) the amount that is 50 per-
21 cent of such cost estimate; and

22 “(ii) the Secretary submits to the ap-
23 propriate congressional committees a noti-
24 fication of the exercise of the adjustment.

1 “(B) SCOPE.—The Secretary may modify
2 the scope of a project subsequent to a waiver by
3 the President of the dollar amount limitation in
4 subsection (a) if the Secretary submits to the
5 appropriate congressional committees a notifica-
6 tion of the exercise of the modification.”;

7 (4) in paragraph (4) (as so redesignated)—

8 (A) in subparagraph (A), by adding at the
9 end the following: “A project with respect to
10 which the exercise of a further adjustment to
11 the total cost of the project under paragraph
12 (2)(A) applies or with respect to which the exer-
13 cise of a modification to the scope of the project
14 under paragraph (2)(B) applies may only be
15 carried out after the end of a 15-day period be-
16 ginning on the date on which the appropriate
17 congressional committees receive the notifica-
18 tion required by paragraph (2)(A) or (2)(B), as
19 the case may be.”; and

20 (B) in subparagraph (B), in the matter
21 preceding clause (i), by inserting “, (2)(A), or
22 (2)(B)” after “(1)(B)”;

23 (5) in paragraph (6) (as so redesignated)—

24 (A) by striking “waiver authority” and in-
25 serting “waiver and other authorities”; and

1 (B) by striking “December 31, 2023” and
2 inserting “December 31, 2024”.

3 **SEC. 1264. EXTENSION AND MODIFICATION OF AUTHORITY**
4 **TO PROVIDE ASSISTANCE TO VETTED SYRIAN**
5 **GROUPS AND INDIVIDUALS.**

6 (a) EXTENSION.—Subsection (a) of section 1209 of
7 the Carl Levin and Howard P. “Buck” McKeon National
8 Defense Authorization Act for Fiscal Year 2015 (Public
9 Law 113–291; 128 Stat. 3541) is amended, in the matter
10 preceding paragraph (1), by striking “December 31,
11 2023” and inserting “December 31, 2024”.

12 (b) LIMITATION ON COST OF CONSTRUCTION AND
13 REPAIR PROJECTS.—Subsection (l) of such section is
14 amended—

15 (1) in paragraph (1)(A), by striking
16 “\$4,000,000” and inserting “\$6,000,000”; and

17 (2) in paragraph (3)—

18 (A) by striking “(A) IN GENERAL.—The
19 President” and inserting “(A) AUTHORITY OF
20 PRESIDENT.—The President”;

21 (B) by redesignating subparagraphs (B),
22 (C), and (D) as subparagraphs (C), (D), and
23 (E), respectively;

24 (C) by inserting after subparagraph (A)
25 (as so amended) the following:

1 “(B) AUTHORITY OF SECRETARY OF DE-
2 FENSE.—

3 “(i) IN GENERAL.—The Secretary of
4 Defense may further adjust the total cost
5 of a project subsequent to a waiver by the
6 President of the limitation under para-
7 graph (1)(A) if—

8 “(I) such total cost does not ex-
9 ceed the sum of—

10 “(aa) the cost estimate for
11 the project as required by sub-
12 paragraph (C)(ii)(I) that is in-
13 cluded in the notification sub-
14 mitted by the President pursuant
15 to such waiver; and

16 “(bb) the amount that is 50
17 percent of such cost estimate;
18 and

19 “(II) the Secretary submits to
20 the appropriate congressional commit-
21 tees a notification of the exercise of
22 the adjustment.

23 “(ii) SCOPE.—The Secretary may
24 modify the scope of a project subsequent to
25 a waiver by the President of the limitation

1 under paragraph (1)(A) if the Secretary
2 submits to the appropriate congressional
3 committees a notification of the exercise of
4 the modification.”;

5 (D) in subparagraph (C) (as so redesign-
6 nated)—

7 (i) in clause (i), by adding at the end
8 the following: “A project with respect to
9 which the exercise of a further adjustment
10 to the total cost of the project under sub-
11 subparagraph (B)(i) applies or with respect to
12 which the exercise of a modification to the
13 scope of the project under subparagraph
14 (B)(ii) applies may only be carried out
15 after the end of a 15-day period beginning
16 on the date on which the appropriate con-
17 gressional committees receive the notifica-
18 tion required by subparagraph (B)(i) or
19 (B)(ii), as the case may be.”; and

20 (ii) in clause (ii), in the matter pre-
21 ceding subclause (I), by inserting “, (B)(i),
22 or (B)(ii)” after “(A)(ii)”;

23 (E) in subparagraph (E) (as so redesign-
24 nated)—

1 (i) by striking “waiver authority” and
2 inserting “waiver and other authorities”;
3 and

4 (ii) by striking “December 31, 2023”
5 and inserting “December 31, 2024”.

6 **SEC. 1265. EXTENSION OF AUTHORITY TO SUPPORT OPER-**
7 **ATIONS AND ACTIVITIES OF THE OFFICE OF**
8 **SECURITY COOPERATION IN IRAQ.**

9 (a) LIMITATION ON AMOUNT.—Subsection (c) of sec-
10 tion 1215 of the National Defense Authorization Act for
11 Fiscal Year 2012 (10 U.S.C. 113 note) is amended—

12 (1) by striking “fiscal year 2022” and inserting
13 “fiscal year 2024”; and

14 (2) by striking “\$25,000,000” and inserting
15 “\$18,000,000”.

16 (b) SOURCE OF FUNDS.—Subsection (d) of such sec-
17 tion is amended by striking “fiscal year 2023” and insert-
18 ing “fiscal year 2024”.

19 **SEC. 1266. PLAN OF ACTION TO EQUIP AND TRAIN IRAQI SE-**
20 **CURITY FORCES AND KURDISH PESHMERGA**
21 **FORCES.**

22 (a) IN GENERAL.—Not later than February 1, 2024,
23 the Secretary of Defense, in consultation with the Sec-
24 retary of State, shall develop a plan of action to equip
25 and train Iraqi security forces and Kurdish Peshmerga

1 forces to defend against attack by missiles, rockets, and
2 unmanned systems. The plan of action shall be based on
3 and informed by the results of the report submitted by
4 the Secretary of Defense pursuant to section 1237 of the
5 James M. Inhofe National Defense Authorization Act for
6 Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2839).

7 (b) MATTERS TO BE INCLUDED.—The plan required
8 by subsection (a) shall include the following:

9 (1) The provision of available equipment to Iraq
10 and the Iraqi Kurdistan Region to counter the air
11 and missile threats addressed in the report, to in-
12 clude air defense systems, to counter attack by mis-
13 siles, rockets, and unmanned systems.

14 (2) The provision of appropriate training of
15 Iraqi security forces and Kurdish Peshmerga forces
16 to support fielding and operational employment of
17 the available equipment described in paragraph (1).

18 (c) IMPLEMENTATION.—

19 (1) IN GENERAL.—The Secretary of Defense
20 shall begin implementation of the plan required by
21 subsection (a) not later than 90 days after develop-
22 ment of the plan required by subsection (a).

23 (2) WAIVER.—The Secretary of Defense may
24 delay implementation of the plan required by sub-

1 section (a) if such implementation would adversely
2 impact United States stocks and readiness.

3 (3) CONGRESSIONAL NOTIFICATION.—If the
4 Secretary of Defense exercises the waiver authority
5 under paragraph (2), the Secretary shall—

6 (A) notify the congressional defense com-
7 mittees of the exercise of such authority and
8 the reason therefor not later than 10 days prior
9 to the exercise of such authority; and

10 (B) notify the congressional defense com-
11 mittees of the exercise of such authority every
12 30 days thereafter until implementation of the
13 plan required by subsection (a) begins.

14 (d) CONGRESSIONAL BRIEFING.—Not later than July
15 1, 2024, the Secretary of Defense should provide to the
16 congressional defense committees a briefing on progress
17 of the air defense equipping and training effort against
18 the air and missile threat to Iraq, including in the Iraqi
19 Kurdistan Region.

20 **SEC. 1267. PROHIBITION ON TRANSFERS TO THE BADR OR-**
21 **GANIZATION.**

22 None of the amounts authorized to be appropriated
23 by this Act or otherwise made available to the Department
24 of Defense may be made available, directly or indirectly,
25 to the Badr Organization.

1 **SEC. 1268. EXTENSION AND MODIFICATION OF ANNUAL RE-**
2 **PORT ON MILITARY POWER OF IRAN.**

3 (a) MATTERS TO BE INCLUDED.—Subsection (b) of
4 section 1245 of the National Defense Authorization Act
5 for Fiscal Year 2010 (Public Law 111–84) is amended—

6 (1) in paragraph (2)(D), by inserting after
7 “Iran’s conventional forces” the following: “and
8 Iran’s unconventional or parallel military forces”;

9 (2) in paragraph (4)—

10 (A) in subparagraph (B), by striking “mis-
11 sile launch sites” and inserting “missile launch
12 and storage sites”;

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

15 (C) in subparagraph (D), by striking the
16 period at the end and inserting a semicolon;
17 and

18 (D) by adding at the end the following:

19 “(E) an assessment of Iran’s space launch
20 vehicle program and the ability of Iran to use
21 those technologies to develop and field an inter-
22 continental ballistic missile;

23 “(F) a detailed analysis of the effectiveness
24 of Iran’s drone forces; and

25 “(G) a description or estimation of the
26 threat posed by Iran’s Islamic Revolutionary

1 Guard Corps to European citizens or to mem-
2 ber countries of the European Union.”;

3 (3) in paragraph (7), by inserting “the People’s
4 Republic of China,” before “Cuba”; and

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

6 “(9) An assessment of the threat posed by Iran
7 against United States and partner military bases, to
8 include missile, unmanned aircraft systems, and loi-
9 tering munition attacks.

10 “(10) An assessment of the sale, supply, or
11 transfer of narcotics in the Middle East region by
12 the Islamic Revolutionary Guard Corps and Iran
13 backed groups.

14 “(11) An assessment of groups that are sup-
15 ported by Iran and designated by the United States
16 as foreign terrorist organizations and regional mili-
17 tary groups, including Hezbollah, Hamas, the
18 Houthis, and the Special Groups in Iraq, in par-
19 ticular those forces as having been assessed as to be
20 willing to carry out terrorist operations on behalf of
21 Iran.

22 “(12) An assessment of how Iran would utilize
23 additional resources to further activities described in
24 paragraphs (1) through (9).”.

1 (b) DEFINITIONS.—Subsection (c)(1)(B) of such sec-
2 tion is amended to read as follows:

3 “(B) includes all branches and sub-
4 branches of Iran’s national army or Artesh,
5 such as its ground forces, air force, navy, and
6 air defense forces as well as most branches of
7 its parallel military, and the Islamic Revolu-
8 tionary Guard Corps excluding its Quds-
9 Force.”.

10 **SEC. 1269. MODIFICATION AND UPDATE TO REPORT ON**
11 **MILITARY CAPABILITIES OF IRAN AND RE-**
12 **LATED ACTIVITIES.**

13 Section 1227 of the National Defense Authorization
14 Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat.
15 1972) is amended—

16 (1) in subsection (a)—

17 (A) in paragraph (1)(C), by inserting “bal-
18 listic and cruise” after “instances of”; and

19 (B) in paragraph (2)—

20 (i) in subparagraph (F), by striking
21 “The United Nations” and inserting “The
22 effect of the United Nations”; and

23 (ii) by adding at the end the following
24 new subparagraph:

1 “(H) Iranian involvement in regional nar-
2 cotics trade, to include the following:

3 “(i) Any element of the Government
4 of Iran, including the Islamic Revolu-
5 tionary Guard Corps (in this section re-
6 ferred to as the ‘IRGC’) and any Iran-
7 backed group operating in Iraq, Syria,
8 Lebanon, or Yemen, that supports the sale,
9 supply, or transfer of narcotics in the Mid-
10 dle East region.

11 “(ii) The benefits accrued from the
12 sale, supply, and transfer of narcotics in
13 the region by any element of the Govern-
14 ment of Iran, including the IRGC and any
15 Iran-backed groups operating in Iraq,
16 Syria, Lebanon, or Yemen.

17 “(iii) All foreign terrorist organiza-
18 tions to or for which the IRGC, or any per-
19 son owned or controlled by the IRGC, pro-
20 vides material support in the sale, supply,
21 transfer, or production of captagon or
22 other related narcotics or precursors in the
23 Middle East and North Africa.

24 “(iv) Activities conducted by the
25 IRGC in Afghanistan related to the trade

1 of methamphetamine or opiates, including
2 synthetic opiates.

3 “(v) All intercepted transfers involv-
4 ing the United States Fifth Fleet of nar-
5 cotics from Iran or involving Iranian na-
6 tionals or persons acting, or purporting to
7 act, for or on behalf of the Government of
8 Iran, including the IRGC.

9 “(I) Islamic Revolutionary Guard Corps-af-
10 filiated operatives serving in diplomatic and
11 consular posts, cultural centers, religious insti-
12 tutions, and religious functions outside of Iran
13 and actions taken by the Secretary of Defense,
14 the Secretary of State, and the heads of the ele-
15 ments of the intelligence community (as such
16 term is defined in section 3 of the National Se-
17 curity Act of 1947 (50 U.S.C. 3003), consistent
18 with the necessary protections for sources and
19 methods, to reduce the influence of such oper-
20 ations.”;

21 (2) by redesignating subsection (c) and (d) as
22 subsections (d) and (e), respectively;

23 (3) by inserting after subsection (b) the fol-
24 lowing new subsection:

1 “(c) UPDATED REPORT.—Not later than 180 days
2 after the date of the enactment of the National Defense
3 Authorization Act of 2024, the Director of National Intel-
4 ligence shall submit to the appropriate congressional com-
5 mittees an updated report that includes each of the mat-
6 ters listed in paragraphs (1) and (2) of subsection (a) and
7 covers developments during the period beginning in June
8 2022 and ending on the day before the date on which the
9 updated report is submitted.”; and

10 (4) in subsection (d), as so redesignated, by in-
11 sserting “, and the updated report required by sub-
12 section (b),” after “report required by subsection
13 (a)”.

14 **SEC. 1270. PROHIBITION ON FUNDS TO IRAN.**

15 None of the amounts authorized to be appropriated
16 by this Act to the Department of Defense may be made
17 available, directly or indirectly, to—

18 (1) the Government of Iran;

19 (2) any person owned or controlled by the Gov-
20 ernment of Iran;

21 (3) any person identified on the list of specially
22 designated nationals and blocked persons maintained
23 by the Office of Foreign Assets Control of the De-
24 partment of the Treasury, the property and interests

1 in property of which are blocked pursuant to the
2 International Emergency Economic Powers Act;

3 (4) any person owned or controlled by a person
4 described in paragraph (3); or

5 (5) the Badr organization, Saraya Khorasani,
6 or Kata'ib al-Imam Ali.

7 **SEC. 1271. PROHIBITION ON TRANSPORTING CURRENCY TO**
8 **THE TALIBAN AND THE ISLAMIC EMIRATE OF**
9 **AFGHANISTAN.**

10 None of the amounts authorized to be appropriated
11 by this Act or otherwise made available to the Department
12 of Defense may be made available for the operation of any
13 aircraft of the Department of Defense to transport cur-
14 rency or other items of value to the Taliban, the Islamic
15 Emirate of Afghanistan, or any subsidiary, agent, or in-
16 strumentality of either the Taliban or the Islamic Emirate
17 of Afghanistan.

18 **SEC. 1272. PROHIBITION ON FUNDING FOR THE TALIBAN.**

19 (a) PROHIBITION ON FUNDING.—None of the funds
20 authorized to be appropriated by this Act or otherwise
21 made available for the Department of Defense for fiscal
22 year 2024 may be made available to provide any form of
23 United States assistance to the Taliban or to any Taliban
24 affiliate.

1 (b) NATIONAL SECURITY CERTIFICATION.—The Sec-
2 retary of Defense may waive the prohibition under sub-
3 section (a) on a case-by-case basis if the Secretary submits
4 to the congressional defense committees an unclassified,
5 written certification, which may include a classified annex,
6 that such prohibition would be detrimental to national se-
7 curity interests of the United States or threaten the health
8 and safety of the Afghan people.

9 (c) AFFILIATE DEFINED.—In this section, the term
10 “affiliate” means, with respect to the Taliban—

11 (1) a person that is closely associated with the
12 Taliban; or

13 (2) a person that has a common purpose with
14 the Taliban.

15 **TITLE XIII—OTHER MATTERS**
16 **RELATING TO FOREIGN NA-**
17 **TIONS**

Subtitle A—Matters Relating to the Indo-Pacific Region

- Sec. 1301. Sense of Congress on defense alliances and partnerships in the Indo-Pacific region.
- Sec. 1302. Extension of Pacific Deterrence Initiative and report, briefings, and plan under the Initiative.
- Sec. 1303. Modification of pilot program to develop young civilian defense leaders in the Indo-Pacific region.
- Sec. 1304. Indo-Pacific campaigning initiative.
- Sec. 1305. Indo-Pacific Maritime Domain Awareness Initiative.
- Sec. 1306. Limitation on availability of funds pending feasibility study regarding delivery of harpoon missiles to foreign security partners.
- Sec. 1307. Sense of Congress on Taiwan defense relations.
- Sec. 1308. Oversight of Taiwan Enhanced Resilience Act.
- Sec. 1309. Training, advising, and institutional capacity-building program for military forces of Taiwan.
- Sec. 1310. Prohibition on use of funds to support entertainment projects with ties to the Government of the People’s Republic of China.

- Sec. 1311. Determination on involvement of the People's Republic of China in the Mexican fentanyl trade.
- Sec. 1312. Analysis of certain biotechnology entities.
- Sec. 1313. Studies on defense budget transparency of the People's Republic of China and the United States.
- Sec. 1314. Extension of authority to transfer funds for Bien Hoa dioxin clean-up.
- Sec. 1315. Extension and modification of pilot program to improve cyber cooperation with foreign military partners in Southeast Asia.
- Sec. 1316. Enhancing major defense partnership with India.
- Sec. 1317. Report on enhanced security cooperation with Japan.
- Sec. 1318. Report and notification relating to transfer of operational control on Korean Peninsula.
- Sec. 1319. Study and report on command structure and force posture of United States Armed Forces in the Indo-Pacific region.

Subtitle B—Matters Relating to the AUKUS Partnership

- Sec. 1321. Definitions.

PART 1—ADMINISTRATIVE PROVISIONS

- Sec. 1331. AUKUS partnership oversight and accountability framework.
- Sec. 1332. Designation of senior official for Department of Defense activities relating to, and implementation plan for, the AUKUS partnership.
- Sec. 1333. Reporting related to the AUKUS partnership.

PART 2—STREAMLINING AND PROTECTING TRANSFERS OF UNITED STATES MILITARY TECHNOLOGY FROM COMPROMISE

- Sec. 1341. Priority for Australia and the United Kingdom in Foreign Military Sales and Direct Commercial Sales.
- Sec. 1342. Identification and pre-clearance of platforms, technologies, and equipment for sale to Australia and the United Kingdom through Foreign Military Sales and Direct Commercial Sales.
- Sec. 1343. Export control exemptions and standards.
- Sec. 1344. Expedited review of export licenses for exports of advanced technologies to Australia, the United Kingdom, and Canada.
- Sec. 1345. United States Munitions List.

PART 3—AUKUS SUBMARINE TRANSFER AUTHORIZATION ACT

- Sec. 1351. Short title.
- Sec. 1352. Authorization of sales of Virginia Class submarines to Australia.
- Sec. 1353. Acceptance of contributions in support of Australia, United Kingdom, and United States submarine security activities.
- Sec. 1354. Appropriate congressional committees and leadership defined.

1 **Subtitle A—Matters Relating to the**
2 **Indo-Pacific Region**

3 **SEC. 1301. SENSE OF CONGRESS ON DEFENSE ALLIANCES**
4 **AND PARTNERSHIPS IN THE INDO-PACIFIC**
5 **REGION.**

6 It is the sense of Congress that the Secretary of De-
7 fense should continue efforts that strengthen United
8 States defense alliances and partnerships in the Indo-Pa-
9 cific region so as to further the comparative advantage of
10 the United States in strategic competition with the Peo-
11 ple's Republic of China, including by—

12 (1) enhancing cooperation with Japan, con-
13 sistent with the Treaty of Mutual Cooperation and
14 Security Between the United States of America and
15 Japan, signed at Washington, January 19, 1960, in-
16 cluding by developing advanced military capabilities,
17 fostering interoperability across all domains, and im-
18 proving sharing of information and intelligence;

19 (2) reinforcing the United States alliance with
20 the Republic of Korea, including by maintaining the
21 presence of approximately 28,500 members of the
22 United States Armed Forces deployed to the country
23 and affirming the United States commitment to ex-
24 tended deterrence using the full range of United
25 States defense capabilities, and with deeper coordi-

1 nation on nuclear deterrence as highlighted in the
2 Washington Declaration adopted by President Biden
3 and President Yoon Suk Yeol during President Yoon
4 Suk Yeol's state visit on April 26, 2023, consistent
5 with the Mutual Defense Treaty Between the United
6 States and the Republic of Korea, signed at Wash-
7 ington, October 1, 1953, in support of the shared
8 objective of a peaceful and stable Korean Peninsula;

9 (3) fostering bilateral and multilateral coopera-
10 tion with Australia, consistent with the Security
11 Treaty Between Australia, New Zealand, and the
12 United States of America, signed at San Francisco,
13 September 1, 1951, and through the partnership
14 among Australia, the United Kingdom, and the
15 United States (commonly known as "AUKUS")—

16 (A) to advance shared security objectives;

17 (B) to accelerate the fielding of advanced
18 military capabilities; and

19 (C) to build the capacity of emerging part-
20 ners;

21 (4) advancing United States alliances with the
22 Philippines and Thailand and United States partner-
23 ships with other partners in the Association of
24 Southeast Asian Nations to enhance maritime do-
25 main awareness, promote sovereignty and territorial

1 integrity, leverage technology and promote innova-
2 tion, and support an open, inclusive, and rules-based
3 regional architecture;

4 (5) broadening United States engagement with
5 India, including through the Quadrilateral Security
6 Dialogue—

7 (A) to advance the shared objective of a
8 free and open Indo-Pacific region through bilat-
9 eral and multilateral engagements and partici-
10 pation in military exercises, expanded defense
11 trade, and collaboration on humanitarian aid
12 and disaster response; and

13 (B) to enable greater cooperation on mari-
14 time security;

15 (6) strengthening the United States partnership
16 with Taiwan, consistent with the Three Commu-
17 niques, the Taiwan Relations Act (Public Law 96-
18 8; 22 U.S.C. 3301 et seq.), and the Six Assurances,
19 with the goal of improving Taiwan's defensive capa-
20 bilities and promoting peaceful cross-strait relations;

21 (7) reinforcing the status of the Republic of
22 Singapore as a Major Security Cooperation Partner
23 of the United States and continuing to strengthen
24 defense and security cooperation between the mili-
25 tary forces of the Republic of Singapore and the

1 Armed Forces of the United States, including
2 through participation in combined exercises and
3 training;

4 (8) engaging with the Federated States of Mi-
5 cronisia, the Republic of the Marshall Islands, the
6 Republic of Palau, and other Pacific Island countries
7 with the goal of strengthening regional security and
8 addressing issues of mutual concern, including pro-
9 tecting fisheries from illegal, unreported, and un-
10 regulated fishing; and

11 (9) collaborating with Canada, the United
12 Kingdom, France, and other members of the Euro-
13 pean Union and the North Atlantic Treaty Organi-
14 zation to build connectivity and advance a shared vi-
15 sion for the region that is principled, long-term, and
16 anchored in democratic resilience.

17 **SEC. 1302. EXTENSION OF PACIFIC DETERRENCE INITIA-**
18 **TIVE AND REPORT, BRIEFINGS, AND PLAN**
19 **UNDER THE INITIATIVE.**

20 (a) **EXTENSION OF INITIATIVE.**—Subsection (c) of
21 section 1251 of the William M. (Mac) Thornberry Na-
22 tional Defense Authorization Act for Fiscal Year 2021 (10
23 U.S.C. 113 note) is amended—

24 (1) by striking “the National Defense Author-
25 ization Act for Fiscal Year 2023” and inserting “the

1 National Defense Authorization Act for Fiscal Year
2 2024”; and

3 (2) by striking “fiscal year 2023” and inserting
4 “fiscal year 2024”.

5 (b) EXTENSION OF REPORT AND BRIEFINGS.—Sub-
6 section (d) of such section is amended—

7 (1) in paragraph (1)(A), by striking “fiscal
8 years 2024 and 2025” and inserting “fiscal years
9 2025 and 2026”; and

10 (2) in paragraph (2), by striking “fiscal years
11 2023 and 2024” each place it appears and inserting
12 “fiscal years 2025 and 2026”.

13 (c) EXTENSION OF PLAN.—Subsection (e) of such
14 section is amended by striking “fiscal years 2023 and
15 2024” and inserting “fiscal years 2025 and 2026”.

16 **SEC. 1303. MODIFICATION OF PILOT PROGRAM TO DE-**
17 **VELOP YOUNG CIVILIAN DEFENSE LEADERS**
18 **IN THE INDO-PACIFIC REGION.**

19 Section 1261 of the James M. Inhofe National De-
20 fense Authorization Act for Fiscal Year 2023 (10 U.S.C.
21 311 note) is amended—

22 (1) in subsection (b)—

23 (A) in the matter preceding paragraph (1),
24 by striking “a national defense mission” and in-

1 serting “a defense-related national security mis-
2 sion”; and

3 (B) by inserting “and other appropriate
4 ministries with a defense-related national secu-
5 rity mission” after “civilian leaders in foreign
6 partner ministries of defense” each place it ap-
7 pears; and

8 (2) in subsection (e), by striking “civilian de-
9 fense leaders from foreign partner ministries of de-
10 fense” and inserting “civilian leaders in foreign part-
11 ner ministries of defense and other appropriate min-
12 istries with a defense-related national security mis-
13 sion”.

14 **SEC. 1304. INDO-PACIFIC CAMPAIGNING INITIATIVE.**

15 (a) IN GENERAL.—The Secretary of Defense shall es-
16 tablish, and the Commander of the United States Indo-
17 Pacific Command shall carry out, an Indo-Pacific Cam-
18 paigning Initiative (in this section referred to as the “Ini-
19 tiative”) for purposes of—

20 (1) strengthening United States alliances and
21 partnerships with foreign military partners in the
22 Indo-Pacific region;

23 (2) deterring military aggression by potential
24 adversaries against the United States and allies and
25 partners of the United States;

1 (3) dissuading strategic competitors from seek-
2 ing to achieve their objectives through the conduct
3 of military activities below the threshold of tradi-
4 tional armed conflict;

5 (4) improving the understanding of the United
6 States Armed Forces with respect to the operating
7 environment in the Indo-Pacific region;

8 (5) shaping the perception of potential adver-
9 saries with respect to United States military capa-
10 bilities and the military capabilities of allies and
11 partners of the United States in the Indo-Pacific re-
12 gion; and

13 (6) improving the ability of the United States
14 Armed Forces to coordinate and operate with for-
15 eign military partners in the Indo-Pacific region.

16 (b) BRIEFING AND REPORT.—

17 (1) BRIEFING.—Not later than March 1, 2024,
18 the Secretary shall provide the congressional defense
19 committees with a briefing that describes ongoing
20 and planned campaigning activities in the Indo-Pa-
21 cific region for fiscal year 2024.

22 (2) REPORT.—Not later than December 1,
23 2024, the Secretary shall submit to the congres-
24 sional defense committees a report that—

1 (A) summarizes the campaigning activities
2 conducted in the Indo-Pacific region during fis-
3 cal year 2024; and

4 (B) includes—

5 (i) an assessment of the value each
6 such activity contributes to meeting stra-
7 tegic or operational objectives relative to
8 the commitment of resources of such activ-
9 ity;

10 (ii) lessons learned in carrying out
11 such activities;

12 (iii) any identified resource or author-
13 ity gap that has negatively impacted the
14 implementation of the Initiative; and

15 (iv) proposed plans for additional
16 campaigning activities in the Indo-Pacific
17 region to fulfill the purposes described in
18 subsection (a).

19 (c) CAMPAIGNING DEFINED.—In this section, the
20 term “campaigning”—

21 (1) means the conduct and sequencing of logi-
22 cally linked military activities to achieve strategy
23 aligned objectives, including modifying the security
24 environment over time to the benefit of the United
25 States and the allies and partners of the United

1 States while limiting, frustrating, and disrupting
2 competitor activities; and

3 (2) includes deliberately planned military activi-
4 ties in the Indo-Pacific region involving bilateral and
5 multilateral engagements with foreign partners,
6 training, exercises, demonstrations, experiments, and
7 other activities to achieve the objectives described in
8 subsection (a).

9 **SEC. 1305. INDO-PACIFIC MARITIME DOMAIN AWARENESS**
10 **INITIATIVE.**

11 (a) ESTABLISHMENT.—Not later than 90 days after
12 the date of the enactment of this Act, the Secretary of
13 Defense, in coordination with the Secretary of State, shall
14 seek to establish an initiative with allies and partners of
15 the United States, including Australia, Japan, and India,
16 to be known as the “Indo-Pacific Maritime Domain
17 Awareness Initiative” (in this section referred to as the
18 “Initiative”), to bolster maritime domain awareness in the
19 Indo-Pacific region.

20 (b) USE OF AUTHORITIES.—In carrying out the Ini-
21 tiative, the Secretary of Defense may use the authorities
22 provided in chapter 16 of title 10, United States Code,
23 and other applicable statutory authorities available to the
24 Secretary of Defense.

1 (c) PURPOSES.—The purposes of the Initiative are as
2 follows:

3 (1) To enhance the ability of allies and partners
4 of the United States in the Indo-Pacific region to
5 monitor the maritime domain of such region.

6 (2) To utilize emerging technologies to support
7 maritime domain awareness objectives.

8 (3) To provide a comprehensive understanding
9 of the maritime domain in the Indo-Pacific region,
10 including by facilitating information sharing among
11 such allies and partners.

12 **SEC. 1306. LIMITATION ON AVAILABILITY OF FUNDS PEND-**
13 **ING FEASIBILITY STUDY REGARDING DELIV-**
14 **ERY OF HARPOON MISSILES TO FOREIGN SE-**
15 **CURITY PARTNERS.**

16 (a) LIMITATION.—Of the funds authorized to be ap-
17 propriated by this Act for fiscal year 2024 and available
18 for the Assistant Secretary of the Navy for Research, De-
19 velopment and Acquisition, not more than 85 percent may
20 be obligated or expended until the date on which the As-
21 sistant Secretary of the Navy for Research, Development
22 and Acquisition submits to the congressional defense com-
23 mittees the feasibility study required by subsection (b).

24 (b) FEASIBILITY STUDY REQUIRED.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense, acting through the Assistant Sec-
4 retary of the Navy for Research, Development and
5 Acquisition, shall conduct a study to analyze the fea-
6 sibility and advisability of accelerating the provision
7 of Harpoon missiles to foreign security partners
8 under existing Foreign Military Sales cases, addi-
9 tional appropriations, and pursuant to the authority
10 provided under section 506 of the Foreign Assist-
11 ance Act of 1961 (22 U.S.C. 2318) or section 333
12 of title 10, United States Code.

13 (2) ELEMENTS.—The study required by para-
14 graph (1) shall, at a minimum, include the following:

15 (A) A list of existing Foreign Military
16 Sales cases for Harpoon missiles to foreign se-
17 curity partners.

18 (B) The current timeline for the delivery of
19 Harpoon missiles under each of the Foreign
20 Military Sales cases identified under subpara-
21 graph (A).

22 (C) A detailed analysis of contracting
23 timelines for Harpoon missiles procured by for-
24 eign security partners through the Foreign Mili-

1 tary Sales process and recommendations, if any,
2 for accelerating such contracting timelines.

3 (D) An analysis of the feasibility and ad-
4 visability of accelerating the provision of Har-
5 poon missiles to foreign security partners under
6 existing Foreign Military Sales cases, including
7 through—

8 (i) additional appropriations;

9 (ii) the authority provided under sec-
10 tion 506 of the Foreign Assistance Act of
11 1961 (22 U.S.C. 2318);

12 (iii) the authority provided in section
13 333 of title 10, United States Code;

14 (iv) any other authorities available to
15 the Secretary of Defense under title 10 of
16 the United States Code.

17 (E) An analysis of the potential for the
18 United States Government to facilitize addi-
19 tional production capacity or purchase addi-
20 tional Harpoon missiles for future provision
21 under section 506 of the Foreign Assistance
22 Act of 1961 (22 U.S.C. 2318).

23 (c) CONGRESSIONAL BRIEFING.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date of the enactment of this Act and every

1 180 days thereafter through December 31, 2027, the
2 Secretary of Defense and Secretary of State shall
3 jointly provide the congressional defense committees,
4 the Committee on Foreign Affairs of the House of
5 Representatives, and the Committee on Foreign Re-
6 lations of the Senate a briefing on the current status
7 of United States-provided security assistance to Tai-
8 wan, including—

9 (A) a list of existing cases for defense arti-
10 cles and services to be provided to Taiwan uti-
11 lizing the authorities described in paragraph
12 (2), including, with respect to a defense item or
13 service planned or anticipated to be provided—

14 (i) a narrative description of the item
15 or service;

16 (ii) the total value of the item or serv-
17 ice;

18 (iii) the lead program office involved
19 in the provision of the item or service; and

20 (iv) the vendor of the item or service;

21 (B) the estimated delivery schedule for
22 each case identified under subparagraph (A);

23 (C) an identification of any case identified
24 under subparagraph (A) that has been delayed

1 by more than 3 months from the original esti-
2 mated delivery schedule;

3 (D) any actions the Department of State
4 and the Department of Defense have identified
5 to prevent delays or accelerate the delivery of
6 any case identified under subparagraph (A);
7 and

8 (E) any other matters determined to be
9 relevant by the Secretary of State and the Sec-
10 retary of Defense.

11 (2) AUTHORITIES DESCRIBED.—The authorities
12 described in this paragraph are the following:

13 (A) The Foreign Military Financing, For-
14 eign Military Sales, and Direct Commercial
15 Sales programs of the Department of State.

16 (B) The Department of Defense security
17 assistance authorized by chapter 16 of title 10,
18 United States Code.

19 (C) The Department of State training and
20 education programs authorized by chapter 5 of
21 part II of the Foreign Assistance Act of 1961
22 (22 U.S.C. 2347 et seq.).

23 (D) Section 506 of the Foreign Assistance
24 Act of 1961 (22 U.S.C. 2318).

1 (E) The provision of excess defense articles
2 pursuant to the requirements of the Arms Ex-
3 port Control Act (22 U.S.C. 2751 et seq.).

4 (F) Any other authority available to the
5 Secretary of Defense or the Secretary of State.

6 **SEC. 1307. SENSE OF CONGRESS ON TAIWAN DEFENSE RE-**
7 **LATIONS.**

8 It is the sense of Congress that—

9 (1) the United States' one China policy, as
10 guided by the Taiwan Relations Act (Public Law
11 96–8; 22 U.S.C. et seq.), the Three Communiques
12 between the United States and the People's Republic
13 of China, and the Six Assurances provided by the
14 United States to Taiwan in July 1982, is the foun-
15 dation for United States-Taiwan relations;

16 (2) as set forth in the Taiwan Relations Act,
17 the United States decision to establish diplomatic re-
18 lations with the People's Republic of China rests
19 upon the expectation that the future of Taiwan will
20 be determined by peaceful means, and that any ef-
21 fort to determine the future of Taiwan by other than
22 peaceful means, including boycotts and embargoes,
23 is of grave concern to the United States;

24 (3) the increasingly coercive and aggressive be-
25 havior of the People's Republic of China toward Tai-

1 wan is contrary to the expectation of the peaceful
2 resolution of the future of Taiwan;

3 (4) as set forth in the Taiwan Relations Act,
4 the capacity to resist any resort to force or other
5 forms of coercion that would jeopardize the security,
6 or the social or economic system, of the people on
7 Taiwan should be maintained;

8 (5) the United States should continue to sup-
9 port the development of capable, ready, and modern
10 defense forces necessary for Taiwan to maintain suf-
11 ficient defensive capabilities, including by—

12 (A) supporting acquisition by Taiwan of
13 defense articles and services through foreign
14 military sales, direct commercial sales, and in-
15 dustrial cooperation, with an emphasis on capa-
16 bilities that support an asymmetric strategy;

17 (B) ensuring timely review of and response
18 to requests of Taiwan for defense articles and
19 services;

20 (C) conducting practical training and mili-
21 tary exercises with Taiwan that enable Taiwan
22 to maintain sufficient defensive capabilities, as
23 described in the Taiwan Relations Act;

24 (D) exchanges between defense officials
25 and officers of the United States and Taiwan at

1 the strategic, policy, and functional levels, con-
2 sistent with the Taiwan Travel Act (Public Law
3 115–135; 132 Stat. 341), especially for the pur-
4 poses of—

5 (i) enhancing cooperation on defense
6 planning;

7 (ii) improving the interoperability of
8 the military forces of the United States
9 and Taiwan; and

10 (iii) improving the reserve force of
11 Taiwan;

12 (E) cooperating with Taiwan to improve its
13 ability to employ military capabilities in asym-
14 metric ways, as described in the Taiwan Rela-
15 tions Act; and

16 (F) expanding cooperation in humanitarian
17 assistance and disaster relief; and

18 (6) the United States should increase its sup-
19 port to a free and open society in the face of aggres-
20 sive efforts by the Government of the People’s Re-
21 public of China to curtail or influence the free exer-
22 cise of rights and democratic franchise.

1 **SEC. 1308. OVERSIGHT OF TAIWAN ENHANCED RESILIENCE**
2 **ACT.**

3 (a) OVERSIGHT OF TAIWAN SECURITY PROGRAMS.—
4 Section 5502 of the James M. Inhofe National Defense
5 Authorization Act for Fiscal Year 2023 (Public Law 117–
6 263; 136 Stat. 2395; 22 U.S.C. 3351) is amended—

7 (1) in subsection (e)(2)(A), by inserting “not
8 later than 1 year after the date of enactment of the
9 National Defense Authorization Act for Fiscal Year
10 2024 and” before “not less than annually”; and

11 (2) in subsection (f)(2)—

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

14 (B) in subparagraph (M), by striking the
15 period at the end and inserting a semicolon;
16 and

17 (C) by adding at the end the following:

18 “(N) a description of actions taken to es-
19 tablish or expand a comprehensive training pro-
20 gram with Taiwan pursuant to section 5504;

21 “(O) a description of actions taken to es-
22 tablish a joint consultative mechanism with ap-
23 propriate officials of Taiwan, and the multi-year
24 plan to provide for the acquisition of appro-
25 priate defensive capabilities by Taiwan, pursu-
26 ant to section 5506 ; and

1 “(P) the list compiled pursuant to section
2 5507(a), and a description of actions taken pur-
3 suant to sections 5507(b) and 5507(c).”.

4 (b) OVERSIGHT OF REGIONAL CONTINGENCY STOCK-
5 PILE FOR TAIWAN.—Section 5503 of the James M. Inhofe
6 National Defense Authorization Act for Fiscal Year 2023
7 (Public Law 117–263; 136 Stat. 2395) is amended by
8 adding at the end the following:

9 “(e) APPROPRIATE COMMITTEES OF CONGRESS DE-
10 FINED.—In subsection (d), the term “appropriate commit-
11 tees of Congress” means—

12 “(1) the congressional defense committees; and

13 “(2) the Committee on Foreign Affairs of the
14 House of Representatives and the Committee on
15 Foreign Relations of the Senate.”.

16 **SEC. 1309. TRAINING, ADVISING, AND INSTITUTIONAL CA-**
17 **PACITY-BUILDING PROGRAM FOR MILITARY**
18 **FORCES OF TAIWAN.**

19 (a) ESTABLISHMENT.—Consistent with the Taiwan
20 Relations Act (22 U.S.C. 3301 et seq.) and pursuant to
21 section 5504 of the Taiwan Enhanced Resilience Act (22
22 U.S.C. 3353), the Secretary of Defense, in consultation
23 with appropriate officials of Taiwan, shall establish a com-
24 prehensive training, advising, and institutional capacity-
25 building program for the military forces of Taiwan using

1 the authorities provided in chapter 16 of title 10, United
2 States Code, and other applicable statutory authorities
3 available to the Secretary of Defense.

4 (b) REPORTING.—Section 1248(a) of the National
5 Defense Authorization Act for Fiscal Year 2022 (Public
6 Law 117– 81; 135 Stat. 1988) is amended—

7 (1) by redesignating paragraph (15) as para-
8 graph (16); and

9 (2) by inserting after paragraph (14) the fol-
10 lowing new paragraph:

11 “(15) An update on efforts made to establish
12 the program authorized by subsection (a) of section
13 1309 of the National Defense Authorization Act for
14 Fiscal Year 2024 and an identification of any au-
15 thority or resource shortfall that inhibits such ef-
16 forts.”.

17 **SEC. 1310. PROHIBITION ON USE OF FUNDS TO SUPPORT**
18 **ENTERTAINMENT PROJECTS WITH TIES TO**
19 **THE GOVERNMENT OF THE PEOPLE’S REPUB-**
20 **LIC OF CHINA.**

21 (a) IN GENERAL.—None of the funds authorized to
22 be appropriated by this Act for the Department of Defense
23 may be used to knowingly provide active and direct sup-
24 port to any film, television, or other entertainment project
25 if the Secretary of Defense has demonstrable evidence that

1 the project has complied, or is likely to comply, with a
2 demand from the Government of the People's Republic of
3 China or the Chinese Communist Party, or an entity
4 under the direction of the People's Republic of China or
5 the Chinese Communist Party, to censor the content of
6 the project in a material manner to advance the national
7 interest of the People's Republic of China.

8 (b) WAIVER.—The Secretary of Defense may waive
9 the prohibition under subsection (a) if the Secretary sub-
10 mits to the Committees on Armed Services of the Senate
11 and House of Representatives a written certification that
12 such a waiver is in the national interest of the United
13 States.

14 **SEC. 1311. DETERMINATION ON INVOLVEMENT OF THE**
15 **PEOPLE'S REPUBLIC OF CHINA IN THE MEXI-**
16 **CAN FENTANYL TRADE.**

17 (a) DETERMINATION.—Not later than one year after
18 the date of the enactment of this Act, the Secretary of
19 Defense, in consultation with the Director of National In-
20 telligence, shall determine if information available to the
21 Department of Defense indicates that the Government of
22 the People's Republic of China assisted in or approved of
23 the transportation of pill presses, fentanyl products, or
24 fentanyl precursors to one or more Mexican drug cartels.

1 (b) REPORTING REQUIREMENT.—If the determina-
2 tion of the Secretary of Defense under subsection (a) is
3 an affirmative determination, the Secretary shall submit
4 the determination to the Committees on Armed Services
5 of the Senate and the House of Representatives.

6 **SEC. 1312. ANALYSIS OF CERTAIN BIOTECHNOLOGY ENTI-**
7 **TIES.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of the enactment of this Act, the Secretary of Defense
10 shall conduct an analysis to determine if any biotechnology
11 entity, or any subsidiary, parent, affiliate, or successor of
12 such an entity, should be identified as a Chinese military
13 company or a military-civil fusion contributor and included
14 on the list maintained by the Department of Defense in
15 accordance with section 1260H(b) of the National Defense
16 Authorization Act for Fiscal Year 2021 (10 U.S.C. 113
17 note).

18 (b) BIOTECHNOLOGY ENTITY DEFINED.—In this
19 section, the term “biotechnology entity” means an entity
20 that makes or offers a technology, good, or service that
21 applies to or is enabled by life sciences innovation or prod-
22 uct development for biological materials, including disease
23 detection, genetic analysis, and related services.

1 **SEC. 1313. STUDIES ON DEFENSE BUDGET TRANSPARENCY**
2 **OF THE PEOPLE'S REPUBLIC OF CHINA AND**
3 **THE UNITED STATES.**

4 (a) STUDIES REQUIRED.—

5 (1) STUDY OF PRC BUDGET.—Not later than
6 180 days after the date of the enactment of this Act,
7 the Secretary of Defense shall submit to the con-
8 gressional defense committees a study on the defense
9 budget of the People's Republic of China.

10 (2) COMPARATIVE STUDY ON BUDGETS.—Not
11 later than 90 days after the date on which the study
12 required by paragraph (1) is submitted, the Sec-
13 retary of Defense shall submit to the congressional
14 defense committees a comparative study on the de-
15 fense budgets of the People's Republic of China and
16 the United States.

17 (3) OBJECTIVE.—The objective of the studies
18 required by paragraphs (1) and (2) shall be to pro-
19 vide the people of the United States with an accu-
20 rate comparison of the defense spending of the Peo-
21 ple's Republic of China and the United States.

22 (b) ELEMENTS.—The studies required by subsection
23 (a) shall include, at a minimum, the following:

24 (1) A determination of the amounts invested by
25 the applicable subject country across functional cat-
26 egories for spending, including—

1 (A) defense-related research and develop-
2 ment;

3 (B) weapons procurement from domestic
4 and foreign sources;

5 (C) operations and maintenance;

6 (D) pay and benefits;

7 (E) military construction;

8 (F) military pensions; and

9 (G) any other category the Secretary con-
10 siders relevant.

11 (2) A consideration of the effects of purchasing
12 power parity and market exchange rates, particu-
13 larly on non-traded goods.

14 (3) An estimate of the magnitude of omitted
15 spending from official defense budget information
16 and, in the study required by subsection (a)(2), an
17 accounting for such spending.

18 (c) **METHODOLOGY.**—The studies required by sub-
19 section (a) shall each employ a robust methodology that—

20 (1) does not depend on the official budget pro-
21 nouncements of the Government of the People’s Re-
22 public of China or the Chinese Communist Party;

23 (2) takes into account the military-civil fusion
24 present in the People’s Republic of China;

1 (3) employs the building-block method of anal-
2 ysis or a similar method of analysis, as appropriate;
3 and

4 (4) excludes spending related to veterans bene-
5 fits, other than military pensions provided to vet-
6 erans.

7 (d) CONSIDERATIONS.—The studies required by this
8 section may take into consideration the following:

9 (1) The effects of state-owned enterprises on
10 the defense expenditures of the People’s Republic of
11 China.

12 (2) The role of differing acquisition policies and
13 structures with respect to the defense expenditures
14 of each subject country.

15 (3) Any other matter relevant to evaluating the
16 resources dedicated to the defense spending or the
17 various military-related outlays of the People’s Re-
18 public of China.

19 (e) FORM.—The studies required by this section shall
20 be submitted in unclassified form, without any designation
21 relating to dissemination control, but may include classi-
22 fied annexes.

1 **SEC. 1314. EXTENSION OF AUTHORITY TO TRANSFER**
2 **FUNDS FOR BIEN HOA DIOXIN CLEANUP.**

3 Section 1253(b) of the William M. (Mac) Thornberry
4 National Defense Authorization Act for Fiscal Year 2021
5 (Public Law 116–283; 134 Stat. 3955) is amended by
6 striking “fiscal year 2023” and inserting “fiscal year
7 2024”.

8 **SEC. 1315. EXTENSION AND MODIFICATION OF PILOT PRO-**
9 **GRAM TO IMPROVE CYBER COOPERATION**
10 **WITH FOREIGN MILITARY PARTNERS IN**
11 **SOUTHEAST ASIA.**

12 (a) IN GENERAL.—Subsection (a) of section 1256 of
13 the William M. (Mac) Thornberry National Defense Au-
14 thorization Act for Fiscal Year 2021 (Public Law 116–
15 283; 134 Stat. 3956; 10 U.S.C. 333 note) is amended—

16 (1) in the matter preceding paragraph (1), by
17 striking “in Vietnam, Thailand, and Indonesia” and
18 inserting “with covered foreign military partners”;

19 (2) in paragraph (1), by striking “Vietnam,
20 Thailand, and Indonesia” and inserting “covered
21 foreign military partners”; and

22 (3) in paragraph (2), by striking “Vietnam,
23 Thailand, and Indonesia on” and inserting “covered
24 foreign military partners on defensive”.

25 (b) ELEMENTS.—Subsection (b) of such section is
26 amended—

1 (1) in paragraph (1), by striking “Vietnam,
2 Thailand, and Indonesia” and inserting “covered
3 foreign military partners”; and

4 (2) in paragraph (2), by striking “Vietnam,
5 Thailand, and Indonesia” and inserting “covered
6 foreign military partners”.

7 (c) REPORTS.—Subsection (e)(2)(B) of such section
8 is amended by striking “Vietnam, Thailand, and Indo-
9 nesia” and inserting “covered foreign military partners”.

10 (d) CERTIFICATION.—Subsection (d) of such section
11 is amended—

12 (1) by inserting “with any covered foreign mili-
13 tary partner” after “scheduled to commence”; and

14 (2) by striking “Vietnam, Indonesia, or Thai-
15 land” and inserting “the covered foreign military
16 partner”.

17 (e) EXTENSION.—Subsection (e) of such section is
18 amended by striking “December 31, 2024” and inserting
19 “December 31, 2027”.

20 (f) DEFINITIONS.—Subsection (f) of such section is
21 amended to read as follows:

22 “(f) DEFINITIONS.—In this section:

23 “(1) APPROPRIATE COMMITTEES OF CON-
24 GRESS.—The term ‘appropriate committees of Con-
25 gress’ means—

1 “(A) the Committee on Armed Services
2 and the Committee on Foreign Relations of the
3 Senate; and

4 “(B) the Committee on Armed Services
5 and the Committee on Foreign Affairs of the
6 House of Representatives.

7 “(2) COVERED FOREIGN MILITARY PARTNER.—
8 The term ‘covered foreign military partner’ means
9 the following:

10 “(A) Vietnam.

11 “(B) Thailand.

12 “(C) Indonesia.

13 “(D) The Philippines.

14 “(E) Malaysia.”.

15 (g) CONFORMING AMENDMENTS.—

16 (1) Section 1256 of the William M. (Mac)
17 Thornberry National Defense Authorization Act for
18 Fiscal Year 2021 (Public Law 116–283; 134 Stat.
19 3956; 10 U.S.C. 333 note) is amended, in the sec-
20 tion heading, by striking “**VIETNAM, THAILAND,**
21 **AND INDONESIA**” and inserting “**COVERED FOR-**
22 **EIGN MILITARY PARTNERS IN SOUTHEAST**
23 **ASIA**”.

24 (2) The table of contents for the William M.
25 (Mac) Thornberry National Defense Authorization

1 Act for Fiscal Year 2021 (Public Law 116–283; 134
2 Stat. 3388) is amended by striking the item relating
3 to section 1256 and inserting the following:

“Sec. 1256. Pilot program to improve cyber cooperation with covered foreign
military partners in Southeast Asia.”.

4 (3) The table of contents for title XII of the
5 William M. (Mac) Thornberry National Defense Au-
6 thorization Act for Fiscal Year 2021 (Public Law
7 116–283; 134 Stat. 3905) is amended by striking
8 the item relating to section 1256 and inserting the
9 following:

“Sec. 1256. Pilot program to improve cyber cooperation with covered foreign
military partners in Southeast Asia.”.

10 **SEC. 1316. ENHANCING MAJOR DEFENSE PARTNERSHIP**
11 **WITH INDIA.**

12 The Secretary of Defense, in coordination with the
13 Secretary of State and the head of any other relevant Fed-
14 eral department or agency, shall seek to ensure that India
15 is appropriately considered for cooperative defense activi-
16 ties consistent with the status of India as a major defense
17 partner of the United States, including with respect to the
18 following lines of effort:

19 (1) Eligibility for funding to initiate or facili-
20 tate cooperative research, development, testing, or
21 evaluation projects with the Department of Defense,
22 with priority given to projects in the areas of—

1 (A) intelligence, surveillance, and recon-
2 naissance;

3 (B) undersea domain awareness;

4 (C) air combat and support;

5 (D) munitions; and

6 (E) mobility.

7 (2) Eligibility to enter into agreements with the
8 Department of Defense for cooperative bilateral or
9 multilateral provision of training to build capacity in
10 the areas of—

11 (A) counterterrorism operations;

12 (B) counter-weapons of mass destruction
13 operations;

14 (C) counter-illicit drug trafficking oper-
15 ations;

16 (D) counter-transnational organized crime
17 operations;

18 (E) maritime and border security oper-
19 ations;

20 (F) military intelligence operations;

21 (G) air domain awareness operations; and

22 (H) cyberspace security and defensive
23 cyberspace operations.

24 (3) Eligibility to enter into a memorandum of
25 understanding or other formal agreement with the

1 Department of Defense for the purpose of con-
2 ducting cooperative research and development
3 projects on defense equipment and munitions.

4 (4) Eligibility for entities from India to bid on
5 contracts for the maintenance, repair, or overhaul of
6 Department of Defense equipment located outside
7 the United States.

8 **SEC. 1317. REPORT ON ENHANCED SECURITY COOPERA-**
9 **TION WITH JAPAN.**

10 (a) IN GENERAL.—Not later than June 1, 2024, the
11 Secretary of Defense, in coordination with the Secretary
12 of State, shall submit to the appropriate committees of
13 Congress a report on enhancing United States security co-
14 operation with Japan.

15 (b) ELEMENTS.—At a minimum, the report required
16 by subsection (a) shall include the following:

17 (1) A description of the activities and invest-
18 ments the Department of Defense will implement
19 for—

20 (A) increased bilateral training, exercises,
21 combined patrols, and other activities between
22 the United States Armed Forces and the Self-
23 Defense Forces of Japan;

1 (B) improving information-sharing mecha-
2 nisms and processes, including the adoption of
3 enhanced security protocols; and

4 (C) enhancing cooperation on advanced
5 technology initiatives.

6 (2) An analysis of the feasibility and advis-
7 ability of—

8 (A) modifying United States command
9 structures in Japan—

10 (i) to coordinate United States mili-
11 tary activities and operations;

12 (ii) to complement similar changes by
13 the Self-Defense Forces of Japan; and

14 (iii) to facilitate integrated planning
15 and implementation of combined activities;
16 and

17 (B) additional modifications to the force
18 posture of the United States Armed Forces in
19 Japan.

20 (3) An identification of challenges to the imple-
21 mentation of the activities and investments described
22 in paragraph (1) and any recommended legislative
23 changes, resourcing requirements, bilateral agree-
24 ments, or other measures that would facilitate the
25 implementation of such activities and investments.

1 (c) FORM.—The report required by subsection (a)
2 shall be submitted in unclassified form but may include
3 a classified annex.

4 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
5 FINED.—In this section, the term “appropriate commit-
6 tees of Congress” means—

7 (1) the Committee on Foreign Relations and
8 the Committee on Armed Services of the Senate; and

9 (2) the Committee on Foreign Affairs and the
10 Committee on Armed Services of the House of Rep-
11 resentatives.

12 **SEC. 1318. REPORT AND NOTIFICATION RELATING TO**
13 **TRANSFER OF OPERATIONAL CONTROL ON**
14 **KOREAN PENINSULA.**

15 (a) REPORT.—Not later than 180 days after the date
16 of the enactment of this Act, the Secretary of Defense,
17 in coordination with the Secretary of State, shall submit
18 to the appropriate committees of Congress a report that—

19 (1) describes the conditions under which the
20 military forces of the Republic of Korea would be
21 prepared to assume wartime operational control of
22 the United States and Republic of Korea Combined
23 Forces Command; and

24 (2) includes an assessment of the extent to
25 which the military forces of the Republic of Korea

1 meet such conditions as of the date on which the re-
2 port is submitted.

3 (b) NOTIFICATION.—

4 (1) IN GENERAL.—Not later than 45 days be-
5 fore the date on which wartime operational control
6 of the United States and Republic of Korea Com-
7 bined Forces Command is transferred to the Repub-
8 lic of Korea, the Secretary of Defense, in coordina-
9 tion with the Secretary of State, shall notify the ap-
10 propriate committees of Congress of such transfer.

11 (2) ELEMENTS.—The notification required by
12 paragraph (1) shall include the following:

13 (A) An assessment of the extent to which
14 the military forces of the Republic of Korea—

15 (i) meet the conditions described in
16 the report submitted under subsection (a),
17 including with respect to the acquisition by
18 the Republic of Korea of necessary military
19 capabilities to counter the capabilities of
20 the Democratic People's Republic of
21 Korea; or

22 (ii) meet updated conditions for the
23 assumption of the wartime operational con-
24 trol described in subsection (a)(1), includ-
25 ing an explanation of the changes to such

1 conditions relative to the conditions de-
2 scribed in the report submitted under sub-
3 section (a).

4 (B) A description of the command relation-
5 ship among the United Nations Command, the
6 United States and Republic of Korea Combined
7 Forces Command, the United States Forces
8 Korea, and the military forces of the Republic
9 of Korea.

10 (C) An assessment of the extent to which
11 such transfer impacts the security of the United
12 States, the Republic of Korea, and other re-
13 gional allies and partners.

14 (D) Any other matters determined relevant
15 by the Secretary.

16 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
17 FINED.—In this section, the term “appropriate commit-
18 tees of Congress” means—

19 (1) the Committee on Armed Services and the
20 Committee on Foreign Relations of the Senate; and

21 (2) the Committee on Armed Services and the
22 Committee on Foreign Affairs of the House of Rep-
23 resentatives.

1 **SEC. 1319. STUDY AND REPORT ON COMMAND STRUCTURE**
2 **AND FORCE POSTURE OF UNITED STATES**
3 **ARMED FORCES IN THE INDO-PACIFIC RE-**
4 **GION.**

5 (a) STUDY.—

6 (1) IN GENERAL.—The Secretary of Defense
7 shall seek to enter into an agreement with a feder-
8 ally funded research and development center to con-
9 duct an independent study of the organizational
10 structure and force posture of the United States
11 Armed Forces in the area of responsibility of the
12 United States Indo-Pacific Command.

13 (2) REPORT TO SECRETARY.—

14 (A) IN GENERAL.—Not later than 360
15 days after the date of the enactment of this
16 Act, the federally funded research and develop-
17 ment center selected to conduct the study re-
18 quired by paragraph (1) shall submit to the
19 Secretary a report on the findings of the study.

20 (B) ELEMENTS.—The report required by
21 subparagraph (A) shall include the following:

22 (i) An assessment of—

23 (I) the organizational structure
24 of the United States Armed Forces in
25 the area of responsibility of the
26 United States Indo-Pacific Command;

1 (II) the force posture, basing, ac-
2 cess, and overflight agreements of the
3 United States Armed Forces in such
4 area of responsibility; and

5 (III) any operational or command
6 and control challenges resulting from
7 the geography, force posture of the
8 United States Armed Forces, or orga-
9 nizational structure of the United
10 States Armed Forces in the area of
11 responsibility of the United States
12 Indo-Pacific Command.

13 (ii) Any recommendation for—

14 (I) adjustments to the force pos-
15 ture of the United States Armed
16 Forces in such area of responsibility,
17 including an identification of changes
18 to any basing, access, or overflight
19 agreement that may be necessary in
20 response to the changing security en-
21 vironment in such area of responsi-
22 bility;

23 (II) modifying the current orga-
24 nizational structure of the United
25 States Indo-Pacific Command, includ-

1 ing modifications affecting United
2 States Forces in Japan and South
3 Korea, in response to such changing
4 security environment; or

5 (III) improving the ability to co-
6 ordinate with allies and partners.

7 (b) REPORT TO CONGRESS.—

8 (1) IN GENERAL.—Not later than April 1,
9 2025, the Secretary shall submit to the congres-
10 sional defense committees an unaltered copy of the
11 report submitted to the Secretary under subsection
12 (a)(2), together with the views of the Secretary on
13 the findings set forth in such report and any cor-
14 responding recommendations.

15 (2) FORM.—The report required by paragraph
16 (1) shall be submitted in unclassified form but may
17 contain a classified annex.

18 (3) PUBLIC AVAILABILITY.—The Secretary
19 shall make available to the public the unclassified
20 form of the report required by paragraph (1).

21 **Subtitle B—Matters Relating to the** 22 **AUKUS Partnership**

23 **SEC. 1321. DEFINITIONS.**

24 In this subtitle:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—Except as otherwise provided, the term “ap-
3 propriate congressional committees” means—

4 (A) the Committee on Foreign Relations
5 and the Committee on Armed Services of the
6 Senate; and

7 (B) the Committee on Foreign Affairs and
8 the Committee on Armed Services of the House
9 of Representatives.

10 (2) AUKUS PARTNERSHIP.—

11 (A) IN GENERAL.—The term “AUKUS
12 partnership” means the enhanced trilateral se-
13 curity partnership between Australia, the
14 United Kingdom, and the United States an-
15 nounced in September 2021.

16 (B) PILLARS.—The AUKUS partnership
17 includes the following two pillars:

18 (i) Pillar One is focused on developing
19 a pathway for Australia to acquire conven-
20 tionally armed, nuclear-powered sub-
21 marines.

22 (ii) Pillar Two is focused on enhanc-
23 ing trilateral collaboration on advanced de-
24 fense capabilities, including hypersonic and
25 counter hypersonic capabilities, quantum

1 technologies, undersea technologies, and
2 artificial intelligence.

3 (3) INTERNATIONAL TRAFFIC IN ARMS REGULA-
4 TIONS.—The term “International Traffic in Arms
5 Regulations” means subchapter M of chapter I of
6 title 22, Code of Federal Regulations (or successor
7 regulations).

8 **PART 1—ADMINISTRATIVE PROVISIONS**

9 **SEC. 1331. AUKUS PARTNERSHIP OVERSIGHT AND AC-**
10 **COUNTABILITY FRAMEWORK.**

11 (a) SENIOR ADVISOR.—

12 (1) DESIGNATION.—

13 (A) IN GENERAL.—The Secretary of State
14 shall designate a senior advisor at the Depart-
15 ment of State (in this section referred to as the
16 “Senior Advisor”), who shall oversee and co-
17 ordinate the implementation of the AUKUS
18 partnership.

19 (B) QUALIFICATION.—The Senior Advisor
20 may be an individual serving within the existing
21 leadership of the Department of State but that
22 individual may not hold any other position con-
23 currently while serving as the Senior Advisor.

24 (C) REPORTING.—The Senior Advisor
25 shall report directly to the Secretary of State.

1 (D) GUIDANCE.—The Secretary of State
2 shall issue guidance to all bureaus of the De-
3 partment of State specifying the Senior Advi-
4 sor’s responsibility for coordinating the imple-
5 mentation of all AUKUS partnership-related
6 activities.

7 (2) DUTIES.—The duties of the Senior Advisor
8 shall be to—

9 (A) coordinate efforts to implement the
10 AUKUS partnership across relevant bureaus,
11 directorates, and offices of the Department of
12 State involved in matters such as arms exports,
13 non-proliferation, deterrence, security assist-
14 ance, and Indo-Pacific and United Kingdom re-
15 lations;

16 (B) serve as the lead within the Depart-
17 ment of State on matters relating to the
18 AUKUS partnership in the interagency process;

19 (C) lead diplomatic efforts related to the
20 AUKUS partnership with other governments to
21 explain how the partnership will enhance secu-
22 rity and stability in the Indo-Pacific region; and

23 (D) consult regularly with the appropriate
24 congressional committees and keep such com-

1 mittees fully and currently informed on all as-
2 pects of the AUKUS partnership, to include—

3 (i) Australia’s acquisition of conven-
4 tionally armed, nuclear-powered sub-
5 marines;

6 (ii) jointly developing advanced mili-
7 tary capabilities; and

8 (iii) any new programs under the
9 AUKUS partnership.

10 (3) PERSONNEL TO SUPPORT THE SENIOR AD-
11 VISOR.—The Secretary of State shall ensure that the
12 Senior Advisor is adequately staffed with respect to
13 the Senior Advisor’s duties described in paragraph
14 (2) through details, or assignment of employees of
15 the Department of State, with expertise consistent
16 with such duties.

17 (b) TASK FORCE.—

18 (1) ESTABLISHMENT.—The Secretary of State
19 shall establish a task force, to be known as the Task
20 Force on AUKUS (in this section referred to as the
21 “Task Force”), which—

22 (A) shall meet regularly to coordinate in-
23 ternally on issues relating to the implementa-
24 tion of the AUKUS partnership; and

25 (B) shall be led by the Senior Advisor.

1 (2) DUTIES.—The duties of the Task Force
2 may include—

3 (A) ensuring that responsible offices main-
4 tain a unified list of all defense-related trans-
5 actions that have taken place under the
6 AUKUS partnership;

7 (B) ensuring the establishment of a frame-
8 work for gathering, maintaining, and exchang-
9 ing information relating to companies, individ-
10 uals, or entities that are compromising security
11 of military technology, defense articles, and de-
12 fense services exchanged under the AUKUS
13 partnership; and

14 (C) establishing an AUKUS industry
15 forum for industry stakeholders, including non-
16 traditional defense contractors (as such term is
17 defined in section 3014 of title 10, United
18 States Code), that will be open for the partici-
19 pation of foreign industry involved in the
20 AUKUS partnership.

21 (3) PERSONNEL TO SUPPORT THE TASK
22 FORCE.—The personnel assigned to support the Sen-
23 ior Advisor under subsection (a)(3) shall also sup-
24 port the Task Force. The Secretary of State may

1 not assign any additional personnel to support the
2 Task Force.

3 (c) NOTIFICATION.—Not later than 180 days after
4 the date of the enactment of this Act, or not later than
5 90 days after the date on which a senior advisor at the
6 Department of State is designated as the Senior Advisor,
7 whichever occurs earlier, the Secretary of State shall no-
8 tify the appropriate congressional committees of the num-
9 ber of personnel, relevant expertise of such personnel, and
10 duties of such personnel directly supporting the work of
11 the Senior Advisor and the offices supporting the Task
12 Force.

13 (d) REPORT.—Not later than 120 days after the date
14 of the enactment of this Act, the Secretary of State shall
15 submit to the appropriate congressional committees a re-
16 port that includes the following:

17 (1) A detailed description of the planned work
18 of the Senior Advisor and the Task Force on mat-
19 ters related to the implementation of the AUKUS
20 partnership.

21 (2) For the preceding two calendar years and
22 the current calendar year—

23 (A) the average and median times for the
24 United States Government to review applica-
25 tions for licenses to export defense articles or

1 defense services to persons, corporations, and
2 the governments (including agencies and sub-
3 divisions of such governments, including official
4 missions of such governments) of Australia or
5 the United Kingdom;

6 (B) the average and median times for the
7 United States Government to review applica-
8 tions from Australia and the United Kingdom
9 for foreign military sales beginning from the
10 date Australia or the United Kingdom sub-
11 mitted a letter of request that resulted in a let-
12 ter of acceptance; and

13 (C) the number of applications from Aus-
14 tralia and the United Kingdom for licenses to
15 export defense articles and defense services that
16 were denied or approved with provisos, listed by
17 year.

18 (3) For each of the preceding two calendar
19 years, the number of voluntary disclosures resulting
20 in a violation of the International Traffic in Arms
21 Regulations enumerated under section 40 of the
22 Arms Export Control Act (22 U.S.C. 2780) or in-
23 volving proscribed countries listed in section 126.1
24 of the International Traffic in Arms Regulations, by
25 persons, corporations, and the governments (includ-

1 ing agencies and subdivisions of such governments,
2 including official missions of such governments) of
3 Australia or the United Kingdom, including informa-
4 tion with respect to—

5 (A) any instance of unauthorized access to
6 technical data or defense articles;

7 (B) inadequate physical or cyber security;

8 (C) retransfers or re-exports without au-
9 thorization; and

10 (D) employees of foreign companies that
11 are United States persons that provide defense
12 services without authorization.

13 (e) ANNUAL REPORT.—Not later than one year after
14 the date of the enactment of this Act, and annually there-
15 after, the Senior Advisor shall submit to the appropriate
16 congressional committees a report that includes—

17 (1) a detailed description of any issues that rep-
18 resentatives of the United States, the United King-
19 dom, or Australia have identified that threaten or
20 conflict with the stated goals of the AUKUS part-
21 nership and any efforts to resolve these issues;

22 (2) information on the National Disclosure Pol-
23 icy Committee with respect to adoption of a classi-
24 fication category relating to any anticipatory dislo-
25 sure policy for Australia and the United Kingdom;

1 (3) a detailed description of Department of
2 State investigations into violations under section 38
3 of the Arms Export Control Act (22 U.S.C. 2778)
4 or related provisions that involve AUKUS partners
5 or entities in the United States, the United King-
6 dom, and Australia;

7 (4) details on whether regulatory changes to ex-
8 emptions authorized under subsection (l) of section
9 38 of the Arms Export Control Act (22 U.S.C.
10 2778), as added by section 1343 of this Act, are
11 likely or necessary within the next year; and

12 (5) an assessment of the change in the average
13 and median Department of State licensing review
14 times for the current reporting year based on the av-
15 erage and median licensing review times from the
16 prior calendar year, including review times across
17 the interagency for export licenses issued to Aus-
18 tralia or the United Kingdom.

19 (f) SUNSET.—

20 (1) IN GENERAL.—Subject to paragraph (2),
21 the position of the Senior Advisor and the Task
22 Force shall terminate on the date that is 7 years
23 after the date of the enactment of this Act.

24 (2) RENEWAL.—The Secretary of State may
25 renew the position of the Senior Advisor and the

1 Task Force for 1 additional period of 4 years begin-
2 ning after the date on which the Secretary notifies
3 the appropriate congressional committees of the re-
4 newal.

5 (g) APPROPRIATE CONGRESSIONAL COMMITTEES
6 DEFINED.—In this section, the term “appropriate con-
7 gressional committees” means—

8 (1) the Committee on Foreign Affairs and Com-
9 mittee on Appropriations of the House of Represent-
10 atives; and

11 (2) the Committee on Foreign Relations and
12 Committee on Appropriations of the Senate.

13 **SEC. 1332. DESIGNATION OF SENIOR OFFICIAL FOR DE-**
14 **PARTMENT OF DEFENSE ACTIVITIES RELAT-**
15 **ING TO, AND IMPLEMENTATION PLAN FOR,**
16 **THE AUKUS PARTNERSHIP.**

17 (a) DESIGNATION OF SENIOR OFFICIAL.—Not later
18 than 90 days after the date of the enactment of this Act,
19 the Secretary of Defense shall designate a senior civilian
20 official of the Department of Defense who shall be respon-
21 sible for overseeing Department of Defense activities relat-
22 ing to the AUKUS partnership.

23 (b) PLAN.—

24 (1) IN GENERAL.—Not later than 90 days after
25 the date of the enactment of this Act, the Secretary

1 of Defense, in coordination with the Administrator
2 for Nuclear Security and the Secretary of State,
3 shall submit to the appropriate committees of Con-
4 gress a report containing an implementation plan
5 outlining Department of Defense efforts relating to
6 the AUKUS partnership.

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

9 (A) Timelines and major anticipated mile-
10 stones for the implementation of the AUKUS
11 partnership.

12 (B) An identification of dependencies of
13 such milestones on defense requirements that
14 are—

15 (i) unrelated to the AUKUS partner-
16 ship; and

17 (ii) solely within the decisionmaking
18 responsibility of Australia or the United
19 Kingdom.

20 (C) A consideration of the implications of
21 the plan on the industrial base with respect
22 to—

23 (i) the expansion of existing United
24 States submarine construction capacity to

1 fulfill United States, United Kingdom, and
2 Australia requirements;

3 (ii) acceleration of the restoration of
4 United States capabilities for producing
5 highly enriched uranium to fuel submarine
6 reactors;

7 (iii) stabilization of commodity mar-
8 kets and expanding supplies of high-grade
9 steel, construction materials, and other re-
10 sources required for improving shipyard
11 condition and expanding throughput capac-
12 ity; and

13 (iv) coordination and synchronization
14 of industrial sourcing opportunities among
15 Australia, the United Kingdom, and the
16 United States.

17 (D) A description of resourcing and per-
18 sonnel requirements, including—

19 (i) a detailed assessment of the feasi-
20 bility of hiring and retaining additional
21 foreign disclosure officers to facilitate more
22 rapid technology transfer to Australia and
23 the United Kingdom; and

24 (ii) an assessment of any additional
25 requirements for Department of Defense

1 personnel to support the transfer of de-
2 fense articles to Australia and the United
3 Kingdom.

4 (E) A plan for improving information shar-
5 ing, including—

6 (i) recommendations for modifications
7 to foreign disclosure policies and processes;

8 (ii) the promulgation of written infor-
9 mation-sharing guidelines or policies to im-
10 prove information sharing under the
11 AUKUS partnership;

12 (iii) the establishment of an informa-
13 tion handling caveat specific to the
14 AUKUS partnership; and

15 (iv) the reduction in use of the Not
16 Releasable to Foreign Nations (NOFORN)
17 information handling caveat.

18 (F) Processes for the protection of pri-
19 vately held intellectual property, including pat-
20 ents.

21 (G) Recommended updates to other title
22 10, United States Code, authorities or regu-
23 latory, policy, or process frameworks.

24 (c) SEMIANNUAL UPDATES.—Not later than 60 days
25 after the date on which the plan required by subsection

1 (b) is submitted, and semiannually thereafter not later
2 than April 1 and October 1 each year through 2029, the
3 senior civilian official designated under subsection (a)
4 shall provide the congressional defense committees and the
5 Committee on Foreign Affairs of the House of Representa-
6 tives and the Committee on Foreign Relations of the Sen-
7 ate with a briefing on the status of all Department activi-
8 ties to implement the AUKUS partnership.

9 **SEC. 1333. REPORTING RELATED TO THE AUKUS PARTNER-**
10 **SHIP.**

11 (a) REPORT ON INSTRUMENTS.—

12 (1) IN GENERAL.—Not later than 30 days after
13 the signature, conclusion, or other finalization of any
14 non-binding instrument related to the AUKUS part-
15 nership, the President shall submit to the appro-
16 priate congressional committees the text of such in-
17 strument.

18 (2) NON-DUPLICATION OF EFFORTS; RULE OF
19 CONSTRUCTION.—To the extent the text of a non-
20 binding instrument is submitted to the appropriate
21 congressional committees pursuant to paragraph (1),
22 such text does not need to be submitted to Congress
23 pursuant to section 112b(a)(1)(A)(ii) of title 1,
24 United States Code, as amended by section 5947 of
25 the James M. Inhofe National Defense Authoriza-

1 tion Act for Fiscal Year 2023 (Public Law 117–263;
2 136 Stat. 3476). Paragraph (1) shall not be con-
3 strued to relieve the executive branch of any other
4 requirement of section 112b of title 1, United States
5 Code, as so amended, or any other provision of law.

6 (3) DEFINITIONS.—In this subsection:

7 (A) IN GENERAL.—The term “text”, with
8 respect to a non-binding instrument, includes—

9 (i) any annex, appendix, codicil, side
10 agreement, side letter, or any document of
11 similar purpose or function to the afore-
12 mentioned, regardless of the title of the
13 document, that is entered into contempora-
14 neously and in conjunction with the non-
15 binding instrument; and

16 (ii) any implementing agreement or
17 arrangement, or any document of similar
18 purpose or function to the aforementioned,
19 regardless of the title of the document,
20 that is entered into contemporaneously and
21 in conjunction with the non-binding instru-
22 ment.

23 (B) CONTEMPORANEOUSLY AND IN CON-
24 JUNCTION WITH.—As used in subparagraph

1 (A), the term “contemporaneously and in con-
2 junction with”—

3 (i) shall be construed liberally; and

4 (ii) may not be interpreted to require
5 any action to have occurred simultaneously
6 or on the same day.

7 (b) REPORT ON AUKUS PARTNERSHIP.—

8 (1) IN GENERAL.—Not later than one year
9 after the date of the enactment of this Act, and bi-
10 ennially thereafter, the Secretary of State, in coordi-
11 nation with the Secretary of Defense and other ap-
12 propriate heads of agencies, shall submit to the ap-
13 propriate congressional committees a report on the
14 AUKUS partnership.

15 (2) ELEMENTS.—Each report required under
16 paragraph (1) shall include the following elements:

17 (A) STRATEGY.—

18 (i) An identification of the defensive
19 military capability gaps and capacity short-
20 falls that the AUKUS partnership seeks to
21 offset.

22 (ii) An explanation of the total cost to
23 the United States associated with Pillar
24 One of the AUKUS partnership.

1 (iii) A detailed explanation of how en-
2 hanced access to the industrial base of
3 Australia is contributing to strengthening
4 the United States strategic position in
5 Asia.

6 (iv) A detailed explanation of the mili-
7 tary and strategic benefit provided by the
8 improved access provided by naval bases of
9 Australia.

10 (v) A detailed assessment of how Aus-
11 tralia's sovereign conventionally armed nu-
12 clear attack submarines contribute to
13 United States defense and deterrence ob-
14 jectives in the Indo-Pacific region.

15 (B) IMPLEMENT THE AUKUS PARTNER-
16 SHIP.—

17 (i) Progress made on achieving the
18 Optimal Pathway established for Aus-
19 tralia's development of conventionally
20 armed, nuclear-powered submarines, in-
21 cluding the following elements:

22 (I) A description of progress
23 made by Australia, the United King-
24 dom, and the United States to con-
25 clude an Article 14 arrangement with

1 the International Atomic Energy
2 Agency.

3 (II) A description of the status of
4 efforts of Australia, the United King-
5 dom, and the United States to build
6 the supporting infrastructure to base
7 conventionally armed, nuclear-powered
8 attack submarines.

9 (III) Updates on the efforts by
10 Australia, the United Kingdom, and
11 the United States to train a workforce
12 that can build, sustain, and operate
13 conventionally armed, nuclear-powered
14 attack submarines.

15 (IV) A description of progress in
16 establishing submarine support facili-
17 ties capable of hosting rotational
18 forces in western Australia by 2027.

19 (V) A description of progress
20 made in improving United States sub-
21 marine production capabilities that
22 will enable the United States to
23 meet—

24 (aa) its objectives of pro-
25 viding up to five Virginia Class

1 submarines to Australia by the
2 early to mid-2030's; and

3 (bb) United States sub-
4 marine production requirements.

5 (ii) Progress made on Pillar Two of
6 the AUKUS partnership, including the fol-
7 lowing elements:

8 (I) An assessment of the efforts
9 of Australia, the United Kingdom,
10 and the United States to enhance col-
11 laboration across the following eight
12 trilateral lines of effort:

13 (aa) Underseas capabilities.

14 (bb) Quantum technologies.

15 (cc) Artificial intelligence
16 and autonomy.

17 (dd) Advanced cyber capa-
18 bilities.

19 (ee) Hypersonic and
20 counter-hypersonic capabilities.

21 (ff) Electronic warfare.

22 (gg) Innovation.

23 (hh) Information sharing.

24 (II) An assessment of any new
25 lines of effort established.

1 **PART 2—STREAMLINING AND PROTECTING**
2 **TRANSFERS OF UNITED STATES MILITARY**
3 **TECHNOLOGY FROM COMPROMISE**

4 **SEC. 1341. PRIORITY FOR AUSTRALIA AND THE UNITED**
5 **KINGDOM IN FOREIGN MILITARY SALES AND**
6 **DIRECT COMMERCIAL SALES.**

7 (a) IN GENERAL.—The President shall institute poli-
8 cies and procedures for letters of request from Australia
9 and the United Kingdom to transfer defense articles and
10 services under section 21 of the Arms Export Control Act
11 (22 U.S.C. 2761) related to AUKUS to receive expedited
12 consideration and processing relative to all other letters
13 of request other than from Taiwan and Ukraine.

14 (b) TECHNOLOGY TRANSFER POLICY FOR AUS-
15 TRALIA, CANADA, AND THE UNITED KINGDOM.—

16 (1) IN GENERAL.—The Secretary of State, in
17 consultation with the Secretary of Defense, shall cre-
18 ate an anticipatory release policy for the transfer of
19 technologies described in paragraph (2) to Australia,
20 the United Kingdom, and Canada through Foreign
21 Military Sales and Direct Commercial Sales that are
22 not covered by an exemption under the International
23 Traffic in Arms Regulations.

24 (2) CAPABILITIES DESCRIBED.—The capabili-
25 ties described in this paragraph are—

1 (A) Pillar One-related technologies associ-
2 ated with submarine and associated combat sys-
3 tems; and

4 (B) Pillar Two-related technologies, includ-
5 ing hypersonic missiles, cyber capabilities, arti-
6 ficial intelligence, quantum technologies, under-
7 sea capabilities, and other advanced tech-
8 nologies.

9 (3) EXPEDITED DECISION-MAKING.—Review of
10 a transfer under the policy established under para-
11 graph (1) shall be subject to an expedited decision-
12 making process.

13 (c) INTERAGENCY POLICY AND GUIDANCE.—The
14 Secretary of State and the Secretary of Defense shall
15 jointly review and update interagency policies and imple-
16 mentation guidance related to requests for Foreign Mili-
17 tary Sales and Direct Commercial Sales, including by in-
18 corporating the anticipatory release provisions of this sec-
19 tion.

1 **SEC. 1342. IDENTIFICATION AND PRE-CLEARANCE OF PLAT-**
2 **FORMS, TECHNOLOGIES, AND EQUIPMENT**
3 **FOR SALE TO AUSTRALIA AND THE UNITED**
4 **KINGDOM THROUGH FOREIGN MILITARY**
5 **SALES AND DIRECT COMMERCIAL SALES.**

6 (a) IN GENERAL.—Not later than 90 days after the
7 date of the enactment of this Act, and on a biennial basis
8 thereafter for 8 years, the President shall submit to the
9 Committee on Foreign Relations of the Senate and the
10 Committee on Foreign Affairs of the House of Representa-
11 tives a report that includes a list of advanced military plat-
12 forms, technologies, and equipment that are pre-cleared
13 and prioritized for sale and release to Australia, the
14 United Kingdom and Canada through the Foreign Mili-
15 tary Sales and Direct Commercial Sales programs without
16 regard to whether a letter of request or license to purchase
17 such platforms, technologies, or equipment has been re-
18 ceived from any of such country.

19 (b) ADDITIONAL ITEMS.—Each list may include
20 items that are not related to the AUKUS partnership but
21 may not include items that are not covered by an exemp-
22 tion under the International Traffic in Arms Regulations
23 except unmanned aerial or hypersonic systems.

1 **SEC. 1343. EXPORT CONTROL EXEMPTIONS AND STAND-**
2 **ARDS.**

3 (a) IN GENERAL.—Section 38 of the Arms Export
4 Control Act (22 U.S.C. 2778) is amended by adding at
5 the end the following:

6 “(1) AUKUS DEFENSE TRADE COOPERATION.—

7 “(1) DETERMINATION AND CERTIFICATION.—

8 “(A) IN GENERAL.—Not later than 120
9 days after the date of the enactment of this
10 subsection, the President shall determine and
11 certify in writing, and include a detailed jus-
12 tification, to the Committee on Foreign Rela-
13 tions of the Senate and the Committee on For-
14 eign Affairs of the House of Representatives
15 whether Australia or the United Kingdom
16 has—

17 “(i) implemented a system of export
18 controls comparable to those of the United
19 States that satisfies the elements of sub-
20 section (j)(2)(A)(i), (ii), (iii), and (iv) and
21 subsection (j)(2)(B)(i), (ii) and (v) for
22 United States-origin defense articles and
23 defense services, and for controlling the
24 provision of military training; and

1 “(ii) implemented a comparable ex-
2 emption from its export controls for the
3 United States.

4 “(B) MATTERS TO BE INCLUDED.—

5 “(i) REQUIREMENTS MET.—If the
6 President makes the determination that
7 Australia or the United Kingdom meets
8 the comparability standards of clauses (i)
9 and (ii) of subparagraph (A), the justifica-
10 tion required by such subparagraph shall
11 include an assessment of how the country
12 satisfied the specific elements described in
13 such clauses.

14 “(ii) REQUIREMENTS NOT MET.—If
15 the President makes a determination that
16 Australia or the United Kingdom does not
17 meet the comparability standards of
18 clauses (i) and (ii) of subparagraph (A),
19 the justification required by such subpara-
20 graph shall include, as applicable—

21 “(I) the specific elements of ei-
22 ther such clause (i) or (ii) that were
23 determined not to meet the com-
24 parability standards;

1 “(II) the specific actions the
2 country needs to take in order to meet
3 the comparability standards; and

4 “(III) the actions the United
5 States is taking, as appropriate, to fa-
6 cilitate that the country is granted an
7 exemption in a timely manner upon
8 meeting the comparability standards.

9 “(C) FORM.—The determination and cer-
10 tification described in subparagraph (A) shall
11 be submitted in unclassified form, but may in-
12 clude a classified annex.

13 “(2) EXEMPTION.—Upon submittal of a deter-
14 mination and certification to the Committee on For-
15 eign Relations of the Senate and the Committee on
16 Foreign Affairs of the House of Representatives that
17 Australia or the United Kingdom has met the com-
18 parability standards of clauses (i) and (ii) of para-
19 graph (1)(A), and subject to the limitation in para-
20 graph (4), the President shall immediately exempt
21 from the licensing or other approval requirements of
22 this section exports and transfers (including reex-
23 ports, transfers, temporary imports, and brokering
24 activities) of defense articles and defense services be-
25 tween the United States and that country or among

1 the United States, the United Kingdom, and Aus-
2 tralia.

3 “(3) REASSESSMENT.—

4 “(A) IN GENERAL.—If the President is un-
5 able to make a determination that Australia or
6 the United Kingdom has met the comparability
7 standards of clauses (i) and (ii) of paragraph
8 (1)(A) or suspends the exemption pursuant to
9 paragraph (5), the President shall—

10 “(i) not less frequently than once
11 every 120 days reassess whether the coun-
12 try has met those requirements;

13 “(ii) report the results of such reas-
14 sessment in writing, and include a detailed
15 justification, to the Committee on Foreign
16 Relations of the Senate and the Committee
17 on Foreign Affairs of the House of Rep-
18 resentatives; and

19 “(iii) report on steps the country must
20 take to establish the exemption.

21 “(B) POSITIVE REASSESSMENT.—Upon
22 any reassessment under subparagraph (A) in
23 which the President determines that Australia
24 or the United Kingdom has met the com-
25 parability standards of clauses (i) and (ii) of

1 paragraph (1)(A), the President shall imme-
2 diately provide to that country an exemption
3 described in paragraph (2).

4 “(C) NEGATIVE REASSESSMENT.—If the
5 President finds in any reassessment under sub-
6 paragraph (A) that Australia or the United
7 Kingdom has not met the comparability stand-
8 ards of clauses (i) and (ii) of paragraph (1)(A),
9 the written reassessment shall include, as appli-
10 cable—

11 “(i) the specific elements of either
12 such clauses that were determined not to
13 be comparable;

14 “(ii) the specific actions the country
15 needs to take in order to meet the com-
16 parability standards; and

17 “(iii) the actions the United States is
18 taking, as appropriate, to facilitate that
19 the country is granted an exemption in a
20 timely manner upon meeting the com-
21 parability standards.

22 “(D) FORM.—The reassessment described
23 in subparagraph (A)(ii) shall be submitted in
24 an unclassified form, but may include a classi-
25 fied annex.

1 “(4) LIMITATION.—An exemption described in
2 paragraph (2) shall not apply to any activity (includ-
3 ing exports, transfers, reexports, retransfers, tem-
4 porary imports, or brokering) of defense articles and
5 defense services between or among the United
6 States, the United Kingdom, and Australia that—

7 “(A) are excluded by those countries;

8 “(B) are referred to in subsection
9 (j)(1)(C)(ii); or

10 “(C) involve individuals or entities that are
11 not approved by—

12 “(i) the Secretary of State; and

13 “(ii) the Ministry of Defense, the Min-
14 istry of Foreign Affairs, or other similar
15 authority within those countries.

16 “(5) TEMPORARY SUSPENSION OF EXEMP-
17 TION.—

18 “(A) IN GENERAL.—The President may
19 suspend an exemption described in paragraph
20 (2) with respect to Australia or the United
21 Kingdom if the President determines and cer-
22 tifies in writing, and includes a detailed jus-
23 tification, to the Committee on Foreign Rela-
24 tions of the Senate and the Committee on For-

1 eign Affairs of the House of Representatives
2 that—

3 “(i) the country has ceased to imple-
4 ment a system of export controls com-
5 parable to those of the United States that
6 satisfies the elements of subsection
7 (j)(2)(A)(i), (ii), (iii), and (iv) and sub-
8 section (j)(2)(B)(i), (ii) and (v) for United
9 States-origin defense articles and defense
10 services, and for controlling the provision
11 of military training; and

12 “(ii) due to a substantial change in
13 circumstance, the suspension is necessary
14 to protect the vital national security or for-
15 eign policy interests of the United States
16 in relation to the country concerned; or

17 “(iii) the country concerned has
18 ceased to implement a comparable exemp-
19 tion from its export controls for the United
20 States.

21 “(B) ADDITIONAL MATTER TO BE IN-
22 CLUDED.—The justification required to be in-
23 cluded in the determination and certification
24 described in subparagraph (A) shall also include
25 a description of the specific actions the United

1 States and the country are taking to address
2 the reasons for the suspension.

3 “(C) FORM.—The determination and cer-
4 tification described in subparagraph (A) shall
5 be submitted in unclassified form, but may in-
6 clude a classified annex.

7 “(D) REPORT.—If the President reissues
8 an exemption described in paragraph (2) with
9 respect to Australia or the United Kingdom
10 that the President suspended pursuant to sub-
11 subparagraph (A), the President shall submit to
12 the Committee on Foreign Relations of the Sen-
13 ate and the Committee on Foreign Affairs of
14 the House of Representatives a report stating
15 the steps the country took that allowed the ex-
16 emption to be so reinstated.

17 “(6) CERTAIN REQUIREMENTS NOT APPLICA-
18 BLE.—

19 “(A) IN GENERAL.—Paragraphs (1), (2),
20 and (3) of section 3(d) shall not apply to any
21 export or transfer that is the subject of an ex-
22 emption described in paragraph (2).

23 “(B) QUARTERLY REPORTS.—The Sec-
24 retary of State shall—

1 “(i) require all exports and transfers
2 that would be subject to the requirements
3 of paragraphs (1), (2), and (3) of section
4 3(d) but for the application of subpara-
5 graph (A) to be reported to the Secretary;
6 and

7 “(ii) submit such reports to the Com-
8 mittee on Foreign Relations of the Senate
9 and Committee on Foreign Affairs of the
10 House of Representatives on a quarterly
11 basis.

12 “(7) SUNSET.—

13 “(A) IN GENERAL.—Any exemption de-
14 scribed in paragraph (2) shall terminate on the
15 date that is 15 years after the date of the en-
16 actment of this subsection.

17 “(B) RENEWAL.—The Secretary of State
18 may renew such exemption for 5 years upon a
19 certification to the Committee on Foreign Rela-
20 tions of the Senate and the Committee on For-
21 eign Affairs of the House of Representatives
22 that such exemption is in the vital national in-
23 terest of the United States with a detailed jus-
24 tification for such certification.”.”.

25 (b) REPORTS.—

1 (1) IN GENERAL.—Not later than one year
2 after the date of the enactment of this Act, and an-
3 nually thereafter until no exemptions described in
4 subsection (l)(2) of section 38 of the Arms Export
5 Control Act (22 U.S.C. 2778), as added by sub-
6 section (a) of this section, remain in effect, the Sec-
7 retary of State shall submit to the Committee on
8 Foreign Relations of the Senate and the Committee
9 on Foreign Affairs of the House of Representatives
10 a report on the operation of exemptions described in
11 such subsection (l)(2), including whether any
12 changes to such exemptions are likely to be made in
13 the coming year.

14 (2) INITIAL REPORT.—The first report sub-
15 mitted under paragraph (1) shall also include an as-
16 sessment of key recommendations the United States
17 Government has provided to the Governments of
18 Australia and the United Kingdom to revise laws,
19 regulations, and policies of such countries that are
20 required to implement the AUKUS partnership.

21 (3) REPORT ON EXPEDITED REVIEW OF EX-
22 PORT LICENSES FOR EXPORTS OF ADVANCED TECH-
23 NOLOGIES.—Not later than 180 days after the date
24 of the enactment of this Act, the Secretary of State,
25 in coordination with the Secretary of Defense, shall

1 report on the practical application of a possible “fast
2 track” decision-making process for applications,
3 classified or unclassified, to export defense articles
4 and defense services to Australia, the United King-
5 dom, and Canada.

6 **SEC. 1344. EXPEDITED REVIEW OF EXPORT LICENSES FOR**
7 **EXPORTS OF ADVANCED TECHNOLOGIES TO**
8 **AUSTRALIA, THE UNITED KINGDOM, AND**
9 **CANADA.**

10 (a) IN GENERAL.—Not later than 180 days after the
11 date of the enactment of this Act, the Secretary of State,
12 in coordination with the Secretary of Defense, shall ini-
13 tiate a rulemaking to establish an expedited decision-mak-
14 ing process, classified or unclassified, for applications to
15 export to Australia, the United Kingdom, and Canada
16 commercial, advanced-technology defense articles and de-
17 fense services that are not covered by an exemption under
18 the International Traffic in Arms Regulations.

19 (b) ELIGIBILITY.—To qualify for the expedited deci-
20 sion-making process described in subsection (a), an appli-
21 cation shall be for an export of defense articles or defense
22 services that will take place wholly within or between the
23 physical territory of Australia, Canada, or the United
24 Kingdom and the United States and with governments or
25 corporate entities from such countries.

1 (c) AVAILABILITY OF EXPEDITED PROCESS.—The
2 expedited decision-making process described in subsection
3 (a) shall be available for both classified and unclassified
4 items, and the process must satisfy the following criteria
5 to the extent practicable:

6 (1) Any licensing application to export defense
7 articles and services that is related to a government
8 to government agreement must be approved, re-
9 turned, or denied within 30 days of submission.

10 (2) For all other licensing requests, any review
11 shall be completed not later than 45 calendar days
12 after the date of application.

13 **SEC. 1345. UNITED STATES MUNITIONS LIST.**

14 (a) EXEMPTION FOR THE GOVERNMENTS OF THE
15 UNITED KINGDOM AND AUSTRALIA FROM CERTIFI-
16 CATION AND CONGRESSIONAL NOTIFICATION REQUIRE-
17 MENTS APPLICABLE TO CERTAIN TRANSFERS.—Section
18 38(f)(3) of the Arms Export Control Act (22 U.S.C.
19 2778(f)(3)) is amended by inserting “, the United King-
20 dom, or Australia” after “Canada”.

21 (b) UNITED STATES MUNITIONS LIST PERIODIC RE-
22 VIEWS.—

23 (1) IN GENERAL.—The Secretary of State, act-
24 ing through authority delegated by the President to
25 carry out periodic reviews of items on the United

1 States Munitions List under section 38(f) of the
2 Arms Export Control Act (22 U.S.C. 2778(f)) and
3 in coordination with the Secretary of Defense, the
4 Secretary of Energy, the Secretary of Commerce,
5 and the Director of the Office of Management and
6 Budget, shall carry out such reviews not less fre-
7 quently than every 3 years.

8 (2) SCOPE.—The periodic reviews described in
9 paragraph (1) shall focus on matters including—

10 (A) interagency resources to address cur-
11 rent threats faced by the United States;

12 (B) the evolving technological and eco-
13 nomic landscape;

14 (C) the widespread availability of certain
15 technologies and items on the United States
16 Munitions List; and

17 (D) risks of misuse of United States-origin
18 defense articles.

19 (3) CONSULTATION.—The Department of State
20 may consult with the Defense Trade Advisory Group
21 (DTAG) and other interested parties in conducting
22 the periodic review described in paragraph (1).

1 **PART 3—AUKUS SUBMARINE TRANSFER**

2 **AUTHORIZATION ACT**

3 **SEC. 1351. SHORT TITLE.**

4 This part may be cited as the “AUKUS Submarine
5 Transfer Authorization Act”.

6 **SEC. 1352. AUTHORIZATION OF SALES OF VIRGINIA CLASS**

7 **SUBMARINES TO AUSTRALIA.**

8 (a) **IN GENERAL.**—Effective beginning on the date
9 that is one year after the date of the enactment of this
10 Act, the President is authorized to transfer up to two Vir-
11 ginia Class submarines from the inventory of the Depart-
12 ment of the Navy to the Government of Australia on a
13 sale basis, and transfer not more than one additional Vir-
14 ginia Class submarine to the Government of Australia on
15 a sale basis pursuant to section 21 of the Arms Export
16 Control Act (22 U.S.C. 2761) during the 20-year period
17 beginning on the date of the enactment of this Act, to
18 implement the trilateral security partnership between Aus-
19 tralia, the United Kingdom, and the United States (in this
20 section referred to as the “AUKUS partnership”).

21 (b) **PROVISIONS OF LAW SUPERSEDED.**—The trans-
22 fer of a vessel authorized under subsection (a) shall not
23 be subject to the requirements of—

24 (1) section 36 of the Arms Export Control Act
25 (22 U.S.C. 2776); or

1 (2) section 8677 of title 10, United States
2 Code.

3 (c) COSTS OF TRANSFERS.—Any expense incurred by
4 the United States in connection with a transfer of a vessel
5 authorized under subsection (a) shall be charged to the
6 Government of Australia notwithstanding section 516(e)
7 of the Foreign Assistance Act of 1961 (22 U.S.C.
8 2321j(e)).

9 (d) CERTIFICATIONS AND OTHER REQUIREMENTS.—

10 (1) IN GENERAL.—Not later than 270 days
11 prior to the transfer of a vessel authorized under
12 subsection (a), the President shall submit to the ap-
13 propriate congressional committees and leadership a
14 certification that—

15 (A) the transfer of such vessels—

16 (i) will not degrade the United States
17 undersea capabilities;

18 (ii) is consistent with United States
19 foreign policy and national security inter-
20 ests; and

21 (iii) is in furtherance of the AUKUS
22 partnership;

23 (B) the United States is making sufficient
24 submarine production and maintenance invest-
25 ments to meet the combination of United States

1 military requirements and the requirements
2 under subparagraph (A);

3 (C) the Government of Australia has pro-
4 vided the appropriate funds and support for the
5 additional capacity required to meet the re-
6 quirements identified in this section; and

7 (D) the Government Australia has the ca-
8 pability to host and fully operate the vessels au-
9 thorized to be transferred.

10 (2) WAIVER OF CHIEF OF NAVAL OPERATIONS
11 CERTIFICATION.—The requirement for the Chief of
12 Naval Operations to make a certification under sec-
13 tion 8678 of title 10, United States Code, shall not
14 apply to the transfer of a vessel authorized under
15 subsection (a).

16 (3) REQUIRED MUTUAL DEFENSE AGREE-
17 MENT.—

18 (A) IN GENERAL.—The President may not
19 provide for the transfer of a vessel authorized
20 under subsection (a) unless the United States
21 and Australia have entered into a mutual de-
22 fense agreement that meets the requirements of
23 subparagraph (B) and such agreement is in ef-
24 fect.

1 (B) REQUIREMENTS.—A mutual defense
2 agreement meets the requirements described in
3 this subparagraph if the agreement—

4 (i) provides a clear legal framework
5 for the sole purpose of Australia’s acquisi-
6 tion of conventionally armed, nuclear-pow-
7 ered submarines; and

8 (ii) meets the highest nonproliferation
9 standards for the exchange of nuclear ma-
10 terials, technology, equipment, and infor-
11 mation between the United States and
12 Australia.

13 (4) SUBSEQUENT SALES.—A transfer of vessel
14 that is a Virginia class submarine on a sale basis
15 other than a transfer described in subsection (a)
16 may occur only if such transfer is explicitly author-
17 ized pursuant to a law enacted after the date of the
18 enactment of this Act.

19 (e) CREDITING OF RECEIPTS.—

20 (1) IN GENERAL.—Notwithstanding any provi-
21 sion of law pertaining to the crediting of amounts
22 received from a sale under the terms of section 21
23 of the Arms Export Control Act (22 U.S.C. 2761),
24 any receipt of the United States as a result of a

1 transfer of a vessel authorized under subsection (a)
2 shall—

3 (A) be credited, at the discretion of the
4 President to—

5 (i) the appropriation, fund, or account
6 used in incurring the original obligation;

7 (ii) an appropriate appropriation,
8 fund, or account currently available for the
9 purposes for which the expenditures for
10 the original acquisition of submarines
11 transferred under this section were made;

12 or

13 (iii) any other appropriation, fund, or
14 account available for the improvement of
15 the United States submarine industrial
16 base; and

17 (B) remain available for obligation until
18 expended for the same purpose as the appro-
19 priation to which the receipt is credited.

20 (2) NOTIFICATIONS AND REPORT.—

21 (A) INITIAL NOTIFICATION.—Not later
22 than 30 days before the date of the delivery of
23 the first vessel authorized to be transferred
24 under subsection (a), the President shall notify

1 the appropriate congressional committees and
2 leadership of the following:

3 (i) The Government of Australia has
4 achieved Submarine Rotational Forces-
5 West full operational capability to support
6 4 rotationally deployed Virginia class sub-
7 marines and one Astute class submarine,
8 including having demonstrated the domes-
9 tic capacity to fully perform all the associ-
10 ated activities necessary for the safe
11 hosting and operation of nuclear-powered
12 submarines.

13 (ii) The Government of Australia has
14 achieved sovereign-ready initial operational
15 capability to support a Royal Australian
16 Navy Virginia class submarine, including
17 having demonstrated the domestic capacity
18 to fully perform all the associated—

19 (I) activities necessary for the
20 safe hosting and operation of nuclear-
21 powered submarines;

22 (II) crewing;

23 (III) operations;

1 (IV) regulatory and emergency
2 procedures, including those specific to
3 nuclear power plants; and

4 (V) detailed planning for endur-
5 ing Virginia class submarine owner-
6 ship, including each significant event
7 leading up to and including nuclear
8 defueling.

9 (B) NOTIFICATION.—Not later than 30
10 days after the date of a transfer of any vessel
11 authorized under subsection (a), and upon any
12 transfer or depositing of funds received pursu-
13 ant to such a transfer, the President shall no-
14 tify the appropriate congressional committees
15 and leadership of—

16 (i) the amount of funds received pur-
17 suant to the transfer; and

18 (ii) the specific account or fund into
19 which the funds described in clause (i) are
20 deposited.

21 (C) REPORT.—Not later than 30 days
22 after the receipt of funds as described in sub-
23 paragraph (B), the President shall submit to
24 the appropriate congressional committees and

1 leadership a report on the matters described in
2 clauses (i) and (ii) of subparagraph (A).

3 (f) APPLICABILITY OF EXISTING LAW TO TRANSFER
4 OF SPECIAL NUCLEAR MATERIAL AND UTILIZATION FA-
5 CILITIES FOR MILITARY APPLICATIONS.—

6 (1) IN GENERAL.—With respect to any special
7 nuclear material for use in utilization facilities or
8 any portion of a vessel transferred under the author-
9 ity of subsection (a) constituting utilization facilities
10 for military applications under section 91 of the
11 Atomic Energy Act of 1954 (42 U.S.C. 2121), the
12 transfer of such material or such facilities shall only
13 occur in accordance with such section 91.

14 (2) USE OF FUNDS.—The President may use
15 proceeds from a transfer described in subparagraph
16 (1) for the acquisition of submarine naval nuclear
17 propulsion plants and the nuclear fuel to replace the
18 propulsion plants and fuel transferred to the Gov-
19 ernment of Australia.

20 (g) REPAIR AND REFURBISHMENT OF AUKUS SUB-
21 MARINES.—Section 8680 of title 10, United States Code,
22 is amended—

23 (1) by redesignating subsection (c) as sub-
24 section (d); and

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

3 “(c) REPAIR AND REFURBISHMENT OF CERTAIN
4 SUBMARINES.—(1) Notwithstanding any other provision
5 of this section, and subject to paragraph (2), the President
6 shall determine the appropriate public or private shipyard
7 in the United States, Australia, or the United Kingdom
8 to perform any repair or refurbishment of a United States
9 submarine involved in submarine security activities be-
10 tween the United States, Australia, and the United King-
11 dom.

12 “(2)(A) The President may determine under para-
13 graph (1) that repair or refurbishment described in such
14 paragraph may be performed in Australia or the United
15 Kingdom only if—

16 “(i) such repair or refurbishment will facilitate
17 the development of repair or refurbishment capabili-
18 ties in the United Kingdom or Australia;

19 “(ii) such repair or refurbishment will be for a
20 United States submarine that is operating forward
21 outside of the United States; or

22 “(iii) the Secretary of Defense certifies to Con-
23 gress that performing such repair or refurbishment
24 at a shipyard in Australia or the United Kingdom

1 is required due to an exigent threat to the national
2 security interests of the United States.

3 “(B) In making a determination under subparagraph
4 (A), the President shall consider any effects of such deter-
5 mination on the capacity and capability of shipyards in
6 the United States.

7 “(C) Not later than 15 days after the date on which
8 the Secretary of Defense makes a certification under sub-
9 paragraph (A)(iii), the Secretary shall brief the congres-
10 sional defense committees on—

11 “(i) the threat that requires the use of a ship-
12 yard in Australia or the United Kingdom; and

13 “(ii) opportunities to mitigate the future poten-
14 tial need to leverage foreign shipyards.

15 “(3) Repair or refurbishment described in paragraph
16 (1) may be carried out by personnel and contractors of
17 the United States, the United Kingdom, or Australia in
18 accordance with the international arrangements governing
19 the submarine security activities described in such para-
20 graph.”.

21 (h) TRANSFER OR EXPORT OF DEFENSE SERV-
22 ICES.—

23 (1) IN GENERAL.—The President may transfer
24 or authorize the export of defense services (as such
25 term is defined in section 47 of the Arms Export

1 Control Act (22 U.S.C. 2794)) to the Government of
2 Australia and the Government of the United King-
3 dom necessary or incidental to support the transfer
4 and operation of vessels authorized under subsection
5 (a).

6 (2) AUTHORITY TO EXPORT TO AUSTRALIAN
7 AND UNITED KINGDOM PRIVATE AND PUBLIC-SEC-
8 TOR PERSONNEL.—The transfer or export of defense
9 services under this subsection may be directly ex-
10 ported to private and public-sector personnel of Aus-
11 tralia or to private and public-sector personnel of the
12 United Kingdom to support the development of the
13 Australian submarine industrial base necessary for
14 submarine security activities between members of
15 the AUKUS partnership, including in the case in
16 which such private and public-sector personnel are
17 not officers, employees, or agents of the Government
18 of Australia or the Government of the United King-
19 dom.

20 (3) APPLICATION OF REQUIREMENTS FOR RE-
21 TRANSFER AND REEXPORT.—Any person who re-
22 ceives any defense service transferred or exported
23 under paragraph (1) may retransfer or reexport
24 such service to other persons only in accordance with

1 the requirements of the Arms Export Control Act
2 (22 U.S.C. 2751 et seq.).

3 (4) SECURITY CONTROLS.—

4 (A) IN GENERAL.—Any defense service
5 transferred or exported under paragraph (1)
6 shall be subject to appropriate security controls
7 to ensure that any sensitive information con-
8 veyed by such transfer or export is protected
9 from disclosure to persons unauthorized by the
10 United States to receive such information.

11 (B) CERTIFICATION.—Not later than 30
12 days before the first transfer or export of a de-
13 fense service under paragraph (1), and annually
14 thereafter, the President shall certify to the
15 Committee on Foreign Relations of the Senate
16 and the Committee on Foreign Affairs of the
17 House of Representatives that the controls de-
18 scribed in subparagraph (A) will protect the in-
19 formation described in such subparagraph for
20 the defense services so transferred or exported.

21 (i) REPORT.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act and an-
24 nually thereafter for 15 years, the President shall

1 submit to the appropriate congressional committees
2 and leadership a report describing—

3 (A) the status of the transfer of vessels au-
4 thorized under subsection (a);

5 (B) the implementation of submarine secu-
6 rity cooperation under the AUKUS partnership
7 and challenges towards its implementation;

8 (C) expansion of the public and private
9 Virginia class submarine production and repair
10 facilities, to include proposed work conducted in
11 Australia and the United Kingdom to meet the
12 additional work required by commitments under
13 the AUKUS partnership;

14 (D) an annual procurement schedule for
15 the total quantity of submarines the Depart-
16 ment of Defense plans to procure over the 15
17 years following the date of the enactment of
18 this Act; and

19 (E) a list of transfers or exports of defense
20 services authorized under subsection (h) and
21 the private-sector personnel of Australia or the
22 private-sector personnel of the United Kingdom
23 to whom the defense services were exported.

24 (2) FORM.—The report required by this sub-
25 section shall be submitted in classified form.

1 **SEC. 1353. ACCEPTANCE OF CONTRIBUTIONS IN SUPPORT**
2 **OF AUSTRALIA, UNITED KINGDOM, AND**
3 **UNITED STATES SUBMARINE SECURITY AC-**
4 **TIVITIES.**

5 (a) **ACCEPTANCE AUTHORITY.**—The President may
6 accept from the Government of Australia contributions of
7 money made by the Government of Australia for use by
8 the Department of Defense in support of non-nuclear re-
9 lated aspects of submarine security activities between Aus-
10 tralia, the United Kingdom, and the United States (in this
11 section referred to as the ‘AUKUS partnership’).

12 (b) **ESTABLISHMENT OF SUBMARINE SECURITY AC-**
13 **TIVITIES ACCOUNT.**—

14 (1) **IN GENERAL.**—There is established in the
15 Treasury of the United States a special account to
16 be known as the “Submarine Security Activities Ac-
17 count”.

18 (2) **CREDIT TO ACCOUNT.**—Contributions of
19 money accepted by the President under subsection
20 (a) shall be credited to the Submarine Security Ac-
21 tivities Account.

22 (3) **AVAILABILITY.**—Amounts credited to the
23 Submarine Security Activities Account shall remain
24 available until expended.

25 (c) **USE OF FUNDS.**—

1 (1) IN GENERAL.—Subject to paragraphs (2)
2 and (3) of subsection (b), the President may use
3 funds in the Submarine Security Activities Ac-
4 count—

5 (A) for any purpose authorized by law that
6 the President determines would support the
7 AUKUS submarine security activities;

8 (B) to carry out a military construction
9 project that is consistent with the purposes for
10 which the contributions were made and is au-
11 thorized by law;

12 (C) to develop and increase the submarine
13 industrial base workforce by investing in re-
14 cruiting, training, and retaining key specialized
15 labor at public and private shipyards; or

16 (D) to upgrade facilities, equipment, and
17 infrastructure needed to repair and maintain
18 submarines at public and private shipyards.

19 (2) NO FURTHER SPECIFIC AUTHORIZATION IN
20 LAW REQUIRED.—Funds in the Submarine Security
21 Activities Account may be used as described in this
22 subsection without further specific authorization in
23 law.

24 (d) PLAN FOR USE OF FUNDS.—Not later than 30
25 days prior to any use of any funds in the Submarine Secu-

1 rity Activities Account, the President shall submit to the
2 appropriate congressional committees and leadership a
3 plan detailing—

4 (1) the amount of funds in the Submarine Se-
5 curity Activities Account; and

6 (2) how such funds will be used, including spe-
7 cific amounts and purposes.

8 (e) TRANSFERS OF FUNDS.—

9 (1) TO DEPARTMENT OF DEFENSE.—

10 (A) IN GENERAL.—In carrying out sub-
11 section (c), the President may transfer funds
12 available in the Submarine Security Activities
13 Account to appropriations available to the De-
14 partment of Defense.

15 (B) AUTHORITY IN ADDITION TO OTHER
16 TRANSFER AUTHORITY.—The authority pro-
17 vided in this paragraph is in addition to any
18 other transfer authority otherwise provided by
19 law and is subject to the same terms and condi-
20 tions as the authority provided in section 8005
21 of the Department of Defense Appropriations
22 Act, 2023 (Public Law 117-328), except for
23 monetary limitations concerning the amount of
24 authority available.

1 (C) AVAILABILITY.—Funds transferred
2 under the authority provided in this paragraph
3 shall be merged with and available for the same
4 purposes, and for the same time period, as the
5 appropriation to which transferred.

6 (D) LIMITATION ON CERTAIN TRANS-
7 ACTIONS.—Contributions referred to in sub-
8 section (a) may not be obligated for a trans-
9 action authorized in subsection (c)(1)(B) until
10 the President submits to the appropriate con-
11 gressional committees and leadership notice of
12 the transaction, including a detailed cost esti-
13 mate, and a period of 21 days has elapsed after
14 the date on which the notification is received by
15 the appropriate congressional committees and
16 leadership or, if earlier, a period of 14 days has
17 elapsed after the date on which a copy of the
18 notification is provided in an electronic medium.

19 (2) TO DEPARTMENT OF ENERGY.—In carrying
20 out subsection (c), and in accordance with the Atom-
21 ic Energy Act of 1954, (42 U.S.C. 2011 et seq.), the
22 President may transfer funds available in the Sub-
23 marine Security Activities Account to appropriations
24 or funds of the Department of Energy available to

1 carry out activities related to AUKUS submarine se-
2 curity activities.

3 (3) TRANSFERS BACK TO SUBMARINE SECURITY
4 ACTIVITIES ACCOUNT.—Upon a determination by the
5 President that all or part of the funds transferred
6 from the Submarine Security Activities Account
7 under this subsection are not necessary for the pur-
8 poses for which such funds were transferred, all or
9 such part of such funds shall be transferred back to
10 the Submarine Security Activities Account.

11 (f) INVESTMENT OF MONEY.—

12 (1) IN GENERAL.—The President may invest
13 money in the Submarine Security Activities Account
14 in securities of the United States or in securities
15 guaranteed as to principal and interest by the
16 United States.

17 (2) INTEREST.—Any interest or other income
18 that accrues from investment in securities referred
19 to in paragraph (1) shall be deposited to the credit
20 of the Submarine Security Activities Account.

21 (g) RELATIONSHIP TO OTHER LAWS.—The authority
22 to accept or transfer funds under this section is in addition
23 to any other statutory authority to accept or transfer
24 funds.

25 (h) NOTIFICATION AND REPORT.—

1 (1) NOTIFICATION.—Not later than 60 days
2 prior to the transfer of any funds from the Sub-
3 marine Security Activities Account, the President
4 shall notify the appropriate congressional committees
5 and leadership of—

6 (A) the intended use of such funds by ap-
7 propriation, program, project, and activity, as
8 defined in the Joint Explanatory Statement ac-
9 companying the Department of Defense Appro-
10 priations Act 2023 (Public Law 117-328); and

11 (B) the extent to which such funds com-
12 plement, supplement, or supplant other on-
13 going or planned efforts funded by an appro-
14 priations Act with an identification of the asso-
15 ciated funding and explanation of the combined
16 efforts including the intended outcomes.

17 (2) ANNUAL REPORT.—Not later than Novem-
18 ber 30 of each year until one year after the date on
19 which all funds transferred under this section have
20 been fully expended, the President shall submit to
21 the appropriate congressional committees and lead-
22 ership a report that includes a detailed accounting
23 of—

24 (A) the amount of funds transferred under
25 this subsection during the fiscal year preceding

1 the fiscal year in which the report is submitted;
2 and

3 (B) the purposes for which such funds
4 were used.

5 (i) REPORT.—

6 (1) IN GENERAL.—Not later than 30 days after
7 the date on which contributions of money accepted
8 by the President under subsection (a) are credited to
9 the Submarine Security Activities Account under
10 subsection (b), the President shall submit to the ap-
11 propriate congressional committees and leadership a
12 report on—

13 (A) the amount of money so transferred;

14 (B) a description of the intended use of the
15 funds; and

16 (C) any other matters related to the ad-
17 ministration of the Submarine Security Activi-
18 ties Account as determined necessary by the
19 Secretary.

20 (2) FORM.—The report required by this sub-
21 section shall be submitted in unclassified form but
22 may include a classified annex.

1 **SEC. 1354. APPROPRIATE CONGRESSIONAL COMMITTEES**
2 **AND LEADERSHIP DEFINED.**

3 In this subtitle, the term “appropriate congressional
4 committees and leadership” means—

5 (1) the Speaker of the House of Representa-
6 tives and the Committee on Foreign Affairs, the
7 Committee on Armed Services, and the Committee
8 on Appropriations of the House of Representatives;
9 and

10 (2) the majority leader of the Senate and the
11 Committee on Foreign Relations, the Committee on
12 Armed Services, and the Committee on Appropria-
13 tions of the Senate.

14 **TITLE XIV—OTHER**
15 **AUTHORIZATIONS**

Subtitle A—Military Programs

- Sec. 1401. Working capital funds.
- Sec. 1402. Chemical agents and munitions destruction, defense.
- Sec. 1403. Drug interdiction and counter-drug activities, defense-wide.
- Sec. 1404. Defense Inspector General.
- Sec. 1405. Defense Health Program.

Subtitle B—National Defense Stockpile

- Sec. 1411. Improvements to Strategic and Critical Materials Stock Piling Act.
- Sec. 1412. Authority to dispose of materials from the National Defense Stockpile.
- Sec. 1413. Beginning balances of the National Defense Stockpile Transaction Fund for audit purposes.
- Sec. 1414. Critical mineral independence.

Subtitle C—Other Matters

- Sec. 1421. Modification of leasing authority of Armed Forces Retirement Home.

1 (2) the destruction of chemical warfare materiel
2 of the United States that is not covered by section
3 1412 of such Act.

4 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**
5 **TIVITIES, DEFENSE-WIDE.**

6 Funds are hereby authorized to be appropriated for
7 the Department of Defense for fiscal year 2024 for ex-
8 penses, not otherwise provided for, for Drug Interdiction
9 and Counter-Drug Activities, Defense-wide, as specified in
10 the funding table in section 4501.

11 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

12 Funds are hereby authorized to be appropriated for
13 the Department of Defense for fiscal year 2024 for ex-
14 penses, not otherwise provided for, for the Office of the
15 Inspector General of the Department of Defense, as speci-
16 fied in the funding table in section 4501.

17 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

18 Funds are hereby authorized to be appropriated for
19 fiscal year 2024 for the Defense Health Program for use
20 of the Armed Forces and other activities and agencies of
21 the Department of Defense for providing for the health
22 of eligible beneficiaries, as specified in the funding table
23 in section 4501.

1 **Subtitle B—National Defense**
2 **Stockpile**

3 **SEC. 1411. IMPROVEMENTS TO STRATEGIC AND CRITICAL**
4 **MATERIALS STOCK PILING ACT.**

5 (a) **PURPOSES.**—Section 2 of the Strategic and Crit-
6 ical Materials Stock Piling Act (50 U.S.C. 98a) is amend-
7 ed by adding at the end the following new subsection:

8 “(d) To the maximum extent practicable and to re-
9 duce the reliance of the National Defense Stockpile pro-
10 gram on appropriated funds, the National Defense Stock-
11 pile Manager shall seek to achieve positive cash flows from
12 the recovery of strategic and critical materials pursuant
13 to section 6(a)(5).”.

14 (b) **STOCKPILE MANAGEMENT.**—Section 6 of such
15 Act (50 U.S.C. 98e) is amended—

16 (1) in subsection (a)(5), by striking “from ex-
17 cess” and all that follows and inserting “from other
18 Federal agencies, either directly as materials or em-
19 bedded in excess-to-need, end-of-life items, or waste
20 streams;”;

21 (2) in subsection (c)(1), by striking “subsection
22 (a)(5) or (a)(6)” and inserting “subsection (a)(6) or
23 (a)(7)”;

24 (3) in subsection (d)(2), by striking “subsection
25 (a)(5)” and inserting “subsection (a)(6)”; and

1 (4) by adding at the end the following new sub-
2 sections:

3 “(g)(1) The National Defense Stockpile Manager
4 shall establish a pilot program to use, to the maximum
5 extent practicable, commercial best practices in the acqui-
6 sition and disposal of strategic and critical materials for
7 the stockpile.

8 “(2)(A) The Stockpile Manager shall brief the con-
9 gressional defense committees (as defined in section
10 101(a) of title 10, United States Code)—

11 “(i) as soon as practicable after the establish-
12 ment of the pilot program under paragraph (1); and

13 “(ii) annually thereafter until the termination
14 of the pilot program under paragraph (3).

15 “(B) The briefing required by subparagraph (A)(i)
16 shall address—

17 “(i) the commercial best practices selected for
18 use under the pilot program;

19 “(ii) how the Stockpile Manager determined
20 which commercial best practices to select; and

21 “(iii) the plan of the Stockpile Manager for
22 using such practices.

23 “(C) Each briefing required by subparagraph (A)(ii)
24 shall provide a summary of—

1 “(i) how the Stockpile Manager has used com-
2 mercial best practices under the pilot program dur-
3 ing the year preceding the briefing;

4 “(ii) how many times the Stockpile Manager
5 has used such practices;

6 “(iii) the outcome of each use of such practices;
7 and

8 “(iv) any savings achieved or lessons learned as
9 a result of the use of such practices.

10 “(3) The pilot program established under paragraph
11 (1) shall terminate effective on the date that is 5 years
12 after the date of the enactment of the National Defense
13 Authorization Act for Fiscal Year 2024.

14 “(h) Except to the extent necessary for the national
15 defense, the National Defense Stockpile Manager shall en-
16 sure that each program for the recovery of strategic and
17 critical materials implemented under subsection (a)(5) op-
18 erates in a manner designed to achieve positive cash
19 flow.”.

20 (c) STRATEGIC AND CRITICAL MATERIALS BOARD OF
21 DIRECTORS.—Section 10 of such Act (50 U.S.C. 98h–1)
22 is amended—

23 (1) in subsection (c)—

24 (A) in paragraph (4), by striking “of the
25 National Defense Stockpile Manager” and in-

1 serting “of the management and operations of
2 the National Defense Stockpile program”;

3 (B) by striking paragraph (5) and redesignating paragraphs (6) through (10) as paragraphs (5) through (9), respectively; and

6 (C) in paragraph (7), as so redesignated—

7 (i) by striking “required by section
8 11(a)(2) of this Act, including a review of”
9 and inserting “required by section 11(a) of
10 this Act. The report required by section
11 11(b)(2) shall include the views and recommendations of the Board on”; and

12 (ii) by striking “proposed actions to
13 be taken under the Annual Materials and
14 Operations Plan” and inserting “all acquisition of materials for and disposals of materials from the stockpile”; and

15 (2) by amending subsection (e) to read as follows:
16

17 “(e) APPLICATION OF PROVISIONS RELATING TO
18 FEDERAL ADVISORY COMMITTEES.—Section 1013(a) of
19 title 5, United States Code, shall not apply to the Board.”.

20 (d) REPORTS.—Section 11 of such Act (50 U.S.C.
21 98h-2) is amended—
22

1 (1) in subsection (a), by striking “the fol-
2 lowing:” and all that follows and inserting “an An-
3 nual Materials and Operations Plan for the forth-
4 coming year.”;

5 (2) in subsection (b)—

6 (A) in paragraph (1)—

7 (i) in the heading—

8 (I) by striking “REPORTS” and
9 inserting “REPORT”; and

10 (II) by striking “MANAGE” and
11 inserting “MANAGER”;

12 (ii) in the matter preceding subpara-
13 graph (A)—

14 (I) by striking “90 days after the
15 conclusion of the fourth quarter of
16 each fiscal year” and inserting “Feb-
17 ruary 15 of each fiscal year”; and

18 (II) by striking “a report” and
19 inserting “an Annual Operations and
20 Materials Plan”;

21 (iii) by amending subparagraph (E) to
22 read as follows:

23 “(E) a statement and explanation of the fi-
24 nancial status of the National Defense Stock-
25 pile Transaction Fund and anticipated appro-

1 purchases to be made to the Fund, and obliga-
2 tions to be made from the fund, during the cur-
3 rent fiscal year;” and

4 (iv) by striking subparagraphs (G)
5 and (H) and inserting the following:

6 “(G) an annual materials plan for the op-
7 eration of the stockpile during the next fiscal
8 year and the succeeding four fiscal years and
9 planned expenditures from the National De-
10 fense Stockpile Transaction Fund and antici-
11 pated receipts from disposal of stockpile mate-
12 rials, which shall include—

13 “(i) details of all planned expenditures
14 from the National Defense Stockpile
15 Transaction Fund during such period and
16 of anticipated receipts from the proposed
17 disposals of stockpile materials during such
18 period;

19 “(ii) details regarding materials devel-
20 opment and research projects to be con-
21 ducted during the fiscal years covered by
22 the report using moneys in the National
23 Defense Stockpile Transaction Fund pur-
24 suant to section 9(b)(2)(G); and

1 “(iii) with respect to each develop-
2 ment and research project described in
3 clause (ii), the report shall specify the
4 amount planned to be expended from the
5 National Defense Stockpile Transaction
6 Fund, the material intended to be devel-
7 oped, the potential military or defense in-
8 dustrial applications for that material, and
9 the development and research methodolo-
10 gies to be used;

11 “(H) any proposed expenditure or disposal
12 detailed in the annual materials plan for any
13 such fiscal year, and any expenditure or dis-
14 posal proposed in connection with any trans-
15 action submitted for such fiscal year to the ap-
16 propriate committees of Congress pursuant to
17 section 5(a)(2) that is not obligated or executed
18 in that fiscal year may not be obligated or exe-
19 cuted until such proposed expenditure or dis-
20 posal is resubmitted in a subsequent annual
21 materials plan or is resubmitted to the appro-
22 priate committees of Congress in accordance
23 with section 5(a)(2), as appropriate; and

1 “(I) a summary of the implementation and
2 findings of the pilot program established under
3 section 6(g)(1), including—

4 “(i) the commercial best practices se-
5 lected for use under the pilot program;

6 “(ii) how the National Defense Stock-
7 pile Manager determined which commercial
8 best practices to select;

9 “(iii) how the National Defense Stock-
10 pile Manager has used commercial best
11 practices under the pilot program during
12 the year preceding the briefing;

13 “(iv) the outcome of each use of such
14 practices; and

15 “(v) any savings achieved or lessons
16 learned as a result of the use of such prac-
17 tices.”; and

18 (B) in paragraph (2), by striking “para-
19 graph (1)” and all that follows and inserting
20 “paragraph (1) which shall include the activi-
21 ties of the Board to carry out the duties listed
22 in section 10(c) of this Act”.

23 (e) DEVELOPMENT AND CONSERVATION OF RELI-
24 ABLE SOURCES.—

1 (1) IN GENERAL.—Section 15 of such Act (50
2 U.S.C. 98h–6) is amended to read as follows:

3 **“SEC. 15. DEVELOPMENT AND CONSERVATION OF RELI-**
4 **ABLE SOURCES.**

5 “(a) DUTIES.—Subject to subsection (d), the Na-
6 tional Defense Stockpile Manager shall encourage the de-
7 velopment and appropriate conservation of reliable sources
8 of strategic and critical materials—

9 “(1) by purchasing, or making a commitment to
10 purchase, strategic and critical materials from reli-
11 able sources when such materials are needed for the
12 stockpile;

13 “(2) by contracting with facilities located in and
14 owned and controlled by reliable sources, or making
15 a commitment to contract with such facilities, for
16 the processing or refining of strategic and critical
17 materials in the stockpile when processing or refin-
18 ing is necessary to convert such materials into a
19 form more suitable for storage or disposition or
20 meeting stockpile requirements;

21 “(3) by qualifying facilities located in and
22 owned and controlled by reliable sources, or quali-
23 fying strategic and critical materials produced by
24 such facilities, to meet stockpile requirements;

1 “(4) by contracting with facilities located in and
2 owned and controlled by reliable sources to recycle
3 strategic and critical materials to meet stockpile re-
4 quirements or increase the balance of the National
5 Defense Stockpile Transaction Fund under section
6 9; and

7 “(5) by entering into an agreement to co-fund
8 a bankable feasibility study for a project for the de-
9 velopment of strategic and critical materials located
10 in and owned and controlled by a reliable source, if
11 the agreement—

12 “(A) limits the liability of the stockpile to
13 not more than the total funding provided by the
14 Federal Government;

15 “(B) limits the funding contribution of the
16 Federal Government to not more than 50 per-
17 cent of the cost of the bankable feasibility
18 study; and

19 “(C) does not obligate the Federal Govern-
20 ment to purchase strategic and critical mate-
21 rials from the reliable source.

22 “(b) ADDITIONAL AUTHORITIES.—

23 “(1) EXTENDED CONTRACTING AUTHORITY.—

1 “(A) IN GENERAL.—The term of a con-
2 tract or commitment made under subsection (a)
3 may not exceed ten years.

4 “(B) PREEXISTING CONTRACTS.—A con-
5 tract entered into before the date of the enact-
6 ment of the National Defense Authorization Act
7 for Fiscal Year 2024 for a term of more than
8 ten years may be extended, on or after such
9 date of enactment, for a total of not more than
10 an additional ten years pursuant to any option
11 or options set forth in the contract.

12 “(2) MATTERS RELATING TO CO-FUNDING OF
13 BANKABLE FEASIBILITY STUDIES.—To the extent
14 authorized by Congress pursuant to the Defense
15 Production Act of 1950 (50 U.S.C. 4501 et seq.)
16 and determined to be required by the President pur-
17 suant to that Act, the National Defense Stockpile
18 Manager may provide for loans or procure debt
19 issued by other entities to carry out a project for the
20 development of strategic and critical materials with
21 respect to which a study was carried out under sub-
22 section (a)(5).

23 “(c) PROPOSED TRANSACTIONS INCLUDED IN AN-
24 NUAL MATERIALS PLAN.—Descriptions of proposed trans-
25 actions under subsection (a) shall be included in the An-

1 nual Materials and Operations Plan. Changes to any such
2 transaction, or the addition of a transaction not included
3 in such plan, shall be made in accordance with section
4 5(a)(2).

5 “(d) AVAILABILITY OF FUNDS.—The authority of the
6 National Defense Stockpile Manager to enter into obliga-
7 tions under this section is effective for any fiscal year only
8 to the extent that funds in the National Defense Stockpile
9 Transaction Fund under section 9 are adequate to meet
10 such obligations.

11 “(e) BANKABLE FEASIBILITY STUDY DEFINED.—In
12 this section, the term ‘bankable feasibility study’ means
13 a comprehensive technical and economic study—

14 “(1) of the selected option for a strategic and
15 critical materials development project that includes
16 appropriately detailed assessments of realistically as-
17 sumed extraction, processing, metallurgical, eco-
18 nomic, marketing, legal, environmental, social, and
19 governmental considerations and any other relevant
20 operational factors and detailed financial analysis,
21 that are necessary to demonstrate at the time of re-
22 porting that production is reasonably justified; and

23 “(2) that may reasonably serve as the basis for
24 a final decision by a proponent of a project or finan-

1 cial institution to proceed with, or finance, the devel-
2 opment of the project.”.

3 (2) CONFORMING AMENDMENTS.—

4 (A) SIGNIFICANT STOCKPILE TRANSACTION
5 CHANGE REPORT.—Section 5(a)(2) of such Act
6 (50 U.S.C. 98d(a)(2)) is amended by striking
7 “the Board” and inserting “the National De-
8 fense Stockpile Manager”.

9 (B) MATERIALS RESEARCH AND DEVELOP-
10 MENT.—Section 8(a) of such Act (50 U.S.C.
11 98g(a)) is amended—

12 (i) in paragraph (1), by striking “or
13 in its territories or possessions,” and in-
14 serting “its territories or possessions, or in
15 a reliable source”; and

16 (ii) in paragraph (2), by striking “in
17 order to—” and all that follows and insert-
18 ing the following: “in order to develop new
19 sources of strategic and critical materials,
20 develop substitutes, or conserve domestic
21 sources and reliable sources of supply for
22 such strategic and critical materials.”.

23 (C) DEFINITIONS.—Section 12 of such Act
24 (50 U.S.C. 98h–3) is amended by striking para-

1 graph (3) and inserting the following new para-
2 graph:

3 “(3) The term ‘reliable source’ mean a citizen
4 or business entity organized under the laws of—

5 “(A) the United States or any territory or
6 possession of the United States;

7 “(B) a country of the national technology
8 and industrial base, as such term is defined in
9 section 4801 of title 10, United States Code; or

10 “(C) a qualifying country, as defined in
11 section 225.003 of the Defense Federal Acquisi-
12 tion Regulation Supplement or any successor
13 document.”.

14 **SEC. 1412. AUTHORITY TO DISPOSE OF MATERIALS FROM**
15 **THE NATIONAL DEFENSE STOCKPILE.**

16 Pursuant to section 5(b) of the Strategic and Critical
17 Materials Stock Piling Act (50 U.S.C. 98d(b)), the Na-
18 tional Defense Stockpile Manager may dispose of the fol-
19 lowing materials contained in the National Defense Stock-
20 pile in the following quantities:

21 (1) 8 short tons of beryllium.

22 (2) 154,043 short dry tons of metallurgical
23 grade manganese ore.

24 (3) 5,000 kilograms of germanium.

25 (4) 91,413 pounds of pan-based carbon fibers.

1 (5) Not more than 1,000 short tons of mate-
2 rials transferred from another department or agency
3 of the United States to the National Defense Stock-
4 pile under section 4(b) of such Act (50 U.S.C.
5 98c(b)) that the National Defense Stockpile Man-
6 ager determines is no longer required for the Stock-
7 pile (in addition to any amount of such materials
8 previously authorized for disposal).

9 **SEC. 1413. BEGINNING BALANCES OF THE NATIONAL DE-**
10 **FENSE STOCKPILE TRANSACTION FUND FOR**
11 **AUDIT PURPOSES.**

12 For purposes of an audit conducted under chapter
13 9A of title 10, United States Code, of the National De-
14 fense Stockpile Transaction Fund established by section
15 9 of the Strategic and Critical Materials Stock Piling Act
16 (50 U.S.C. 98h)—

17 (1) the ending balance of \$313,633,491.15 re-
18 ported in the Central Accounting Reporting System
19 of the Department of the Treasury for September
20 30, 2021, is the Fund Balance with Treasury ending
21 balance on that date;

22 (2) the Total Actual Resources—Collected open-
23 ing balance for October 1, 2021, for United States
24 Standard General Ledger Account 420100 is

1 \$314,548,154.42, as recorded in official accounting
2 records; and

3 (3) the Unapportioned–Unexpired Authority
4 ending balance for September 30, 2021, for United
5 States Standard General Ledger Account 445000 is
6 \$216,976,300.69, as recorded in official accounting
7 records.

8 **SEC. 1414. CRITICAL MINERAL INDEPENDENCE.**

9 (a) DEFINITIONS.—In this section:

10 (1) APPROPRIATE COMMITTEES OF CON-
11 GRESS.—The term “appropriate committees of Con-
12 gress” means—

13 (A) the Committee on Armed Services of
14 the Senate; and

15 (B) the Committee on Armed Services of
16 the House of Representatives.

17 (2) COVERED COUNTRY.—The term “covered
18 country” means—

19 (A) a covered nation (as defined in section
20 4872(d) of title 10, United States Code); and

21 (B) any other country determined by the
22 Secretary of Defense to be a strategic compet-
23 itor or adversary of the United States for pur-
24 poses of this section.

1 (3) CRITICAL MINERAL.—The term “critical
2 mineral” means a critical mineral (as defined in sec-
3 tion 7002(a) of the Energy Act of 2020 (30 U.S.C.
4 1606(a))) that the Secretary of Defense determines
5 to be important to the national security of the
6 United States for purposes of this section.

7 (4) SHORTFALL MATERIAL.—The term “short-
8 fall material” means materials determined to be in
9 shortfall in the most recent report on stockpile re-
10 quirements submitted to Congress under subsection
11 (a) of section 14 of the Strategic and Critical Mate-
12 rials Stock Piling Act (50 U.S.C. 98h–5) and in-
13 cluded in the most recent briefing required by sub-
14 section (f) of such section.

15 (b) STATEMENT OF POLICY.—It is the policy of the
16 United States—

17 (1) to expand secure sources of supply of crit-
18 ical minerals, including rare earth elements, in the
19 United States and in countries that are allies or
20 partners of the United States to meet the needs of
21 the United States defense sector so that the Depart-
22 ment of Defense will achieve critical mineral supply
23 chain independence from covered countries, includ-
24 ing the People’s Republic of China, the Russian

1 Federation, the Islamic Republic of Iran, and the
2 Democratic People's Republic of North Korea; and

3 (2) that the Department of Defense will pro-
4 cure critical minerals and products made using sup-
5 ply chains involving critical minerals that are not
6 mined or processed in or by covered countries.

7 (c) STRATEGY TO ACHIEVE CRITICAL MINERAL SUP-
8 PLY CHAIN INDEPENDENCE FOR THE DEPARTMENT OF
9 DEFENSE.—

10 (1) IN GENERAL.—Not later than one year
11 after the date of the enactment of this Act, the
12 Under Secretary of Defense for Acquisition and
13 Sustainment shall submit to the appropriate commit-
14 tees of Congress a strategy to develop supply chains
15 for the Department of Defense that are not depend-
16 ent on mining or processing of critical minerals in
17 or by covered countries, in order to achieve critical
18 mineral supply chain independence from covered
19 countries for the Department by 2035.

20 (2) ELEMENTS.—The strategy required by
21 paragraph (1) shall—

22 (A) identify and assess significant
23 vulnerabilities in the supply chains of contrac-
24 tors and subcontractors of the Department of

1 Defense involving critical minerals that are
2 mined or processed in or by covered countries;

3 (B) identify and recommend changes to
4 the acquisition laws, regulations, and policies of
5 the Department of Defense to ensure contrac-
6 tors and subcontractors of the Department use
7 supply chains involving critical minerals that
8 are not mined or processed in or by covered
9 countries to the greatest extent practicable;

10 (C) evaluate the utility and desirability of
11 leveraging the process for acquiring shortfall
12 materials for the National Defense Stockpile
13 under the Strategic and Critical Materials
14 Stock Piling Act (50 U.S.C. 98 et seq.) to
15 strengthen mining and processing capacity for
16 critical minerals in the United States and in
17 countries that are allies or partners of the
18 United States;

19 (D) identify areas of potential engagement
20 and partnership with the governments of coun-
21 tries that are allies or partners of the United
22 States to jointly reduce dependence on critical
23 minerals mined or processed in or by covered
24 countries;

1 (E) identify and recommend other policy
2 changes that may be needed to achieve critical
3 mineral supply chain independence from cov-
4 ered countries for the Department;

5 (F) identify and recommend measures to
6 streamline authorities and policies with respect
7 to critical minerals and supply chains for crit-
8 ical minerals; and

9 (G) prioritize the recommendations made
10 in the strategy to achieve critical mineral supply
11 chain independence from covered countries for
12 the Department, taking into consideration eco-
13 nomic costs and varying degrees of vulnerability
14 posed to the national security of the United
15 States by reliance on different types of critical
16 minerals.

17 (3) FORM OF STRATEGY.—The strategy re-
18 quired by paragraph (1) shall be submitted in classi-
19 fied form but shall include an unclassified summary.

20 **Subtitle C—Other Matters**

21 **SEC. 1421. MODIFICATION OF LEASING AUTHORITY OF** 22 **ARMED FORCES RETIREMENT HOME.**

23 (a) AGREEMENTS.—Before entering a lease under
24 section 1511(i) of the Armed Forces Retirement Home
25 Act of 1991 (24 U.S.C. 411(i)), the Chief Operating Offi-

1 cer of the Armed Forces Retirement Home may enter into
2 an agreement with a potential lessee for such lease pro-
3 viding for a period of exclusivity, access, study, or for simi-
4 lar purposes. The agreement shall provide for the payment
5 (in cash or in kind) by the potential lessee of consideration
6 for the agreement unless the Chief Operating Officer de-
7 termines that payment of consideration will not promote
8 the purpose and financial stability of the Armed Forces
9 Retirement Home or be in the public interest.

10 (b) APPROVAL AND NOTIFICATION.—A sublease pur-
11 suant to section 1511(i) of the Armed Forces Retirement
12 Home Act of 1991 (24 U.S.C. 411(i)) shall not be subject
13 to the approval of the Secretary of Defense or any require-
14 ment to notify or submit a report to Congress described
15 in such section if the Chief Operating Officer of the Armed
16 Forces Retirement Home determines that the terms of the
17 sublease conform with the terms of such lease.

18 (c) ADMINISTRATION OF FUNDS.—

19 (1) AGREEMENT PROCEEDS.—The proceeds
20 from an agreement entered into under subsection (a)
21 shall be deposited in the Armed Forces Retirement
22 Home Trust Fund.

23 (2) FUND USES.—The proceeds from the lease
24 of property under section 1511(i) of the Armed
25 Forces Retirement Home Act of 1991 (24 U.S.C.

1 411(i)) and the proceeds from agreements entered
2 into under subsection (a) of this section that are de-
3 posited in the Armed Forces Retirement Home
4 Trust Fund shall remain available for obligation and
5 expenditure to finance expenses of the Retirement
6 Home related to the formation and administration of
7 agreements and leases entered into under the provi-
8 sions of this section or such section 1511(i).

9 (d) SUNSET.—This section shall terminate on Sep-
10 tember 30, 2026.

11 **SEC. 1422. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**
12 **DEPARTMENT OF DEFENSE-DEPARTMENT OF**
13 **VETERANS AFFAIRS MEDICAL FACILITY DEM-**
14 **ONSTRATION FUND FOR CAPTAIN JAMES A.**
15 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

16 (a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the
17 funds authorized to be appropriated for section 1405 and
18 available for the Defense Health Program for operation
19 and maintenance, \$172,000,000 may be transferred by the
20 Secretary of Defense to the Joint Department of Defense–
21 Department of Veterans Affairs Medical Facility Dem-
22 onstration Fund established by subsection (a)(1) of sec-
23 tion 1704 of the National Defense Authorization Act for
24 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).
25 For purposes of subsection (a)(2) of such section 1704,

1 any funds so transferred shall be treated as amounts au-
2 thorized and appropriated specifically for the purpose of
3 such a transfer.

4 (b) USE OF TRANSFERRED FUNDS.—For the pur-
5 poses of subsection (b) of such section 1704, facility oper-
6 ations for which funds transferred under subsection (a)
7 may be used are operations of the Captain James A.
8 Lovell Federal Health Care Center, consisting of the
9 North Chicago Veterans Affairs Medical Center, the Navy
10 Ambulatory Care Center, and supporting facilities des-
11 ignated as a combined Federal medical facility under an
12 operational agreement covered by section 706 of the Dun-
13 can Hunter National Defense Authorization Act for Fiscal
14 Year 2009 (Public Law 110–417; 122 Stat. 4500).

15 **SEC. 1423. AUTHORIZATION OF APPROPRIATIONS FOR**
16 **ARMED FORCES RETIREMENT HOME.**

17 There is hereby authorized to be appropriated for fis-
18 cal year 2024 from the Armed Forces Retirement Home
19 Trust Fund the sum of \$77,000,000 of which—

20 (1) \$68,060,000 is for operating expenses; and

21 (2) \$8,940,000 is for capital maintenance and
22 construction.

23 **TITLE XV—CYBERSPACE-**
24 **RELATED MATTERS**

Subtitle A—Cyber Operations

- Sec. 1501. Performance metrics for pilot program on sharing cyber capabilities and related information with foreign operational partners.
- Sec. 1502. Harmonization and clarification of Strategic Cybersecurity Program and related matters.
- Sec. 1503. Modification of authority to use operation and maintenance funds for cyber operations-peculiar capability development projects.
- Sec. 1504. Quarterly briefings on joint all domain command and control effort.
- Sec. 1505. Authority for countering illegal trafficking by Mexican transnational criminal organizations in cyberspace.
- Sec. 1506. Development of cyber support mechanisms for geographic combatant commands.
- Sec. 1507. Review and plan relating to cyber red teams of Department of Defense.

Subtitle B—Cybersecurity

- Sec. 1511. Responsibility for cybersecurity and critical infrastructure protection of defense industrial base.
- Sec. 1512. Cybersecurity enhancements for nuclear command, control, and communications network.
- Sec. 1513. Pilot program relating to semiconductor supply chain and Cybersecurity Collaboration Center.
- Sec. 1514. Transfer of data and technology developed under MOSAICS program.
- Sec. 1515. Modernization program for network boundary and cross-domain defense.
- Sec. 1516. Establishment of certain identity, credential, and access management activities as program of record.
- Sec. 1517. Pilot program on assuring critical infrastructure support for military contingencies.
- Sec. 1518. Military cybersecurity cooperation with Taiwan.
- Sec. 1519. Guidance regarding securing laboratories of the Armed Forces.

Subtitle C—Information Technology and Data Management

- Sec. 1521. Control and management of Department of Defense data; establishment of Chief Digital and Artificial Intelligence Officer Governing Council.
- Sec. 1522. Modification to Department of Defense enterprise-wide procurement of cyber data products and services.
- Sec. 1523. Management of data assets by Chief Digital and Artificial Intelligence Officer.
- Sec. 1524. Course of education and pilot program on authentication of digital content provenance for certain Department of Defense media content.
- Sec. 1525. Prize competitions for business systems modernization.
- Sec. 1526. Requirements for deployment of fifth generation information and communications capabilities to military installations and other Department facilities.
- Sec. 1527. Required policies to establish datalink strategy of Department of Defense.

Subtitle D—Personnel

- Sec. 1531. Office for academic engagement relating to cyber activities.

- Sec. 1532. Selected Reserve order to active duty to respond to a significant cyber incident.
- Sec. 1533. Post-graduate employment of Department of Defense Cyber Service Academy scholarship recipients in intelligence community.
- Sec. 1534. Minimum number of scholarships to be awarded annually through Department of Defense Cyber Service Academy.
- Sec. 1535. Pilot program and other measures to enhance readiness and effectiveness of Cyber Mission Force.
- Sec. 1536. Authority to conduct pilot program on Civilian Cybersecurity Reserve.
- Sec. 1537. Requirements for implementation of user activity monitoring for certain personnel.
- Sec. 1538. Study on occupational resiliency of Cyber Mission Force.

Subtitle E—Artificial Intelligence

- Sec. 1541. Modification to acquisition authority of senior official with principal responsibility for artificial intelligence and machine learning.
- Sec. 1542. Artificial intelligence bug bounty programs.
- Sec. 1543. Prize competition for technology that detects and watermarks use of generative artificial intelligence.
- Sec. 1544. Plans, strategies, and other matters relating to artificial intelligence.
- Sec. 1545. Study to analyze vulnerability for artificial intelligence-enabled military applications.

Subtitle F—Reports and Other Matters

- Sec. 1551. Limitation on availability of funds for travel for Office of Under Secretary of Defense for Personnel and Readiness pending strategy relating to Defense Travel System.
- Sec. 1552. Management by Department of Defense of mobile applications.
- Sec. 1553. Report on Department of Defense Enterprise capabilities for cybersecurity.
- Sec. 1554. Report on technology modernization for Army Human Resources Command 2030 Transformation Plan.
- Sec. 1555. Certification requirement regarding contracting for military recruiting.

1 **Subtitle A—Cyber Operations**

2 **SEC. 1501. PERFORMANCE METRICS FOR PILOT PROGRAM**
3 **ON SHARING CYBER CAPABILITIES AND RE-**
4 **LATED INFORMATION WITH FOREIGN OPER-**
5 **ATIONAL PARTNERS.**

6 Chapter 19 of title 10, United States Code, is amend-
7 ed—

1 (1) by redesignating the second section 398 (re-
2 lating to pilot program for sharing cyber capabilities
3 and related information with foreign operational
4 partners) as section 398a; and

5 (2) in section 398a, as so redesignated—

6 (A) by redesignating subsections (f) and
7 (g) as subsections (g) and (h), respectively; and

8 (B) by inserting after subsection (e) the
9 following new subsection:

10 “(f) PERFORMANCE METRICS.—(1) The Secretary of
11 Defense shall maintain performance metrics to track the
12 results of sharing cyber capabilities and related informa-
13 tion with foreign operational partners under a pilot pro-
14 gram authorized by subsection (a).

15 “(2) The performance metrics under paragraph (1)
16 shall include the following:

17 “(A) Whom the cyber capability was used
18 against.

19 “(B) The effect of the cyber capability, includ-
20 ing whether and how the transfer of the cyber capa-
21 bility improved the operational cyber posture of the
22 United States and achieved operational objectives of
23 the United States, or had no effect.

24 “(C) Such other outcome-based or appropriate
25 performance metrics as the Secretary considers ap-

1 appropriate for evaluating the effectiveness of a pilot
2 program carried out under subsection (a).”.

3 **SEC. 1502. HARMONIZATION AND CLARIFICATION OF STRA-**
4 **TEGIC CYBERSECURITY PROGRAM AND RE-**
5 **LATED MATTERS.**

6 (a) HARMONIZATION AND CLARIFICATION.—

7 (1) IN GENERAL.—Chapter 19 of title 10,
8 United States Code, is amended by inserting after
9 section 391a the following new section:

10 **“§ 391b. Strategic cybersecurity program**

11 “(a) IN GENERAL.—(1) There is a program to be
12 known as the ‘Strategic Cybersecurity Program’ (in this
13 section referred to as the ‘Program’) to ensure the ability
14 of the Department of Defense to conduct the most critical
15 military missions of the Department.

16 “(2) The Secretary of Defense shall designate a prin-
17 cipal staff assistant from within the Office of the Sec-
18 retary of Defense whose office shall serve as the office of
19 primary responsibility for the Program, and provide pol-
20 icy, direction, and oversight regarding the execution of the
21 responsibilities of the program manager selected pursuant
22 to subsection (c)(1).

23 “(b) MEMBERSHIP.—In addition to the office of pri-
24 mary responsibility for the Program under subsection
25 (a)(2) and the program manager selected pursuant to sub-

1 section (c)(1), membership in the Program shall include
2 the following:

3 “(1) The Vice Chairman of the Joint Chiefs of
4 Staff.

5 “(2) The Commanders of the United States
6 Cyber Command, United States European Com-
7 mand, United States Indo-Pacific Command, United
8 States Northern Command, United States Strategic
9 Command, United States Space Command, United
10 States Transportation Command.

11 “(3) The Under Secretary of Defense for Ac-
12 quisition and Sustainment.

13 “(4) The Under Secretary of Defense for Pol-
14 icy.

15 “(5) The Chief Information Officer of the De-
16 partment of Defense.

17 “(6) The Chief Digital and Artificial Intel-
18 ligence Officer of the Department of Defense.

19 “(7) The chief information officers of the mili-
20 tary departments.

21 “(8) The Principal Cyber Advisor of the De-
22 partment of Defense.

23 “(9) The Principal Cyber Advisors of the mili-
24 tary departments.

1 “(10) Each senior official identified pursuant to
2 subsection (i) of section 1647 of the National De-
3 fense Authorization Act for Fiscal Year 2016 (Pub-
4 lic Law 114–92; 129 Stat. 1118).

5 “(11) Such other officials as may be determined
6 necessary by the Secretary of Defense.

7 “(c) PROGRAM OFFICE.—(1) There is in the Cyberse-
8 curity Directorate of the National Security Agency a pro-
9 gram office to support the Program by identifying threats
10 to, vulnerabilities in, and remediations for, the missions
11 and mission elements specified in subsection (d)(1). Such
12 program office shall be headed by a program manager se-
13 lected by the Director of the National Security Agency.

14 “(2) The Chief Information Officer of the Depart-
15 ment of Defense, in exercising authority, direction, and
16 control over the Cybersecurity Directorate of the National
17 Security Agency, shall ensure that the program office
18 under paragraph (1) is responsive to the requirements and
19 direction of the program manager selected pursuant to
20 such paragraph.

21 “(3) The Secretary may augment the personnel as-
22 signed to the program office under paragraph (1) by as-
23 signing personnel as appropriate from among members of
24 any covered armed force (including the reserve compo-
25 nents thereof), civilian employees of the Department of

1 Defense (including the Defense Intelligence Agency), and
2 personnel of the research laboratories of the Department
3 of Defense, who have particular expertise in the areas of
4 responsibility referred to in subsection (d).

5 “(d) DESIGNATION OF MISSION ELEMENTS OF PRO-
6 GRAM.—(1) The Under Secretary of Defense for Policy,
7 the Under Secretary of Defense for Acquisition and
8 Sustainment, and the Vice Chairman of the Joint Chiefs
9 of Staff shall identify and designate for inclusion in the
10 Program all of the systems, critical infrastructure, kill
11 chains, and processes, including systems and components
12 in development, that comprise the following military mis-
13 sions of the Department of Defense:

14 “(A) Nuclear deterrence and strike.

15 “(B) Select long-range conventional strike mis-
16 sions germane to the warfighting plans of the United
17 States European Command and the United States
18 Indo-Pacific Command.

19 “(C) Offensive cyber operations.

20 “(D) Homeland missile defense.

21 “(2) The Vice Chairman of the Joint Chiefs of Staff
22 shall coordinate the identification and prioritization of the
23 missions and mission components, and the development
24 and approval of requirements relating to the cybersecurity
25 of the missions and mission components, of the Program.

1 “(e) ADDITIONAL RESPONSIBILITIES OF HEAD OF
2 OFFICE OF PRIMARY RESPONSIBILITY.—In addition to
3 providing policy, direction, and oversight as specified in
4 subsection (a)(2), the head of the office of primary respon-
5 sibility for the Program designated under such subsection
6 shall be responsible—

7 “(1) for overseeing and providing direction on
8 any covered statutory requirement that is ongoing,
9 recurrent (including on an annual basis), or
10 unfulfilled, including by—

11 “(A) reviewing any materials required to
12 be submitted to Congress under the covered
13 statutory requirement prior to such submission;
14 and

15 “(B) ensuring such submissions occur by
16 the applicable deadline under the covered statu-
17 tory requirement: and

18 “(2) recording and monitoring the remediation
19 of identified vulnerabilities in constituent systems,
20 infrastructure, kill chains, and processes of the mis-
21 sions specified in subsection (d)(1).

22 “(f) RESPONSIBILITIES OF PROGRAM MANAGER.—
23 The program manager selected pursuant to subsection
24 (c)(1) shall be responsible for the following:

1 “(1) Conducting end-to-end vulnerability assess-
2 ments of the constituent systems, infrastructure, kill
3 chains, and processes of the missions specified in
4 subsection (d)(1).

5 “(2) Prioritizing and facilitating the remedi-
6 ation of identified vulnerabilities in such constituent
7 systems, infrastructure, kill chains, and processes.

8 “(3) Conducting, prior to the Milestone B ap-
9 proval for any proposed such system or infrastruc-
10 ture germane to the missions of the Program, appro-
11 priate reviews of the acquisition and system engi-
12 neering plans for that proposed system or infrastruc-
13 ture, in accordance with the policy and guidance of
14 the Under Secretary of Defense for Acquisition and
15 Sustainment regarding the components of such re-
16 views and the range of systems and infrastructure to
17 be reviewed.

18 “(4) Advising the Secretaries of the military de-
19 partments, the commanders of the combatant com-
20 mands, and the Joint Staff on the vulnerabilities
21 and cyberattack vectors that pose substantial risk to
22 the missions of the Program and their constituent
23 systems, critical infrastructure, kill chains, or proc-
24 esses.

1 “(5) Ensuring that the Program builds upon
2 (including through the provision of oversight and di-
3 rection by the head of the office of primary responsi-
4 bility for the Program pursuant to subsection (e), as
5 applicable), and does not duplicate, other efforts of
6 the Department of Defense relating to cybersecurity,
7 including the following:

8 “(A) The evaluation of cyber vulnerabilities
9 of major weapon systems of the Department of
10 Defense required under section 1647 of the Na-
11 tional Defense Authorization Act for Fiscal
12 Year 2016 (Public Law 114–92; 129 Stat.
13 1118).

14 “(B) The evaluation of cyber
15 vulnerabilities of critical infrastructure of the
16 Department of Defense required under section
17 1650 of the National Defense Authorization Act
18 for Fiscal Year 2017 (Public Law 114–328; 10
19 U.S.C. 2224 note).

20 “(C) The activities of the cyber protection
21 teams of the Department of Defense.

22 “(g) RESPONSIBILITIES OF SECRETARY OF DE-
23 FENSE.—The Secretary of Defense shall define and issue
24 guidance on the roles and responsibilities for components

1 of the Department of Defense other than those specified
2 in this section with respect to the Program, including—

3 “(1) the roles and responsibilities of the acqui-
4 sition and sustainment organizations of the military
5 departments in supporting and implementing reme-
6 dial actions;

7 “(2) the alignment of Cyber Protection Teams
8 with the prioritized missions of the Program;

9 “(3) the role of the Director of Operational
10 Test and Evaluation in conducting periodic assess-
11 ments, including through cyber red teams, of the cy-
12 bersecurity of missions in the Program; and

13 “(4) the role of the Principal Cyber Adviser in
14 coordinating and monitoring the execution of the
15 Program.

16 “(h) ANNUAL REPORTING.—Not later than Decem-
17 ber 31 of each year, the head of the office of primary re-
18 sponsibility for the Program, in coordination with the ap-
19 propriate members of the Program under subsection (b),
20 shall submit to the congressional defense committees an
21 annual report on the efforts carried out pursuant to this
22 section or any covered provision of law, including with re-
23 spect to such efforts concerning—

24 “(1) the evaluation of cyber vulnerabilities of
25 each major weapon system of the Department of De-

1 fense and related mitigation activities under section
2 1647 of the National Defense Authorization Act for
3 Fiscal Year 2016 (Public Law 114–92; 129 Stat.
4 1118);

5 “(2) the evaluation of cyber vulnerabilities of
6 the critical infrastructure of the Department of De-
7 fense under section 1650 of the National Defense
8 Authorization Act for Fiscal Year 2017 (Public Law
9 114–328; 10 U.S.C. 2224 note);

10 “(3) operational technology and the mapping of
11 mission-relevant terrain in cyberspace under section
12 1505 of the National Defense Authorization Act for
13 Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
14 394 note);

15 “(4) the assessments of the vulnerabilities to
16 and mission risks presented by radio-frequency en-
17 abled cyber attacks with respect to the operational
18 technology embedded in weapons systems, aircraft,
19 ships, ground vehicles, space systems, sensors, and
20 datalink networks of the Department of Defense
21 under section 1559 of the National Defense Author-
22 ization Act for Fiscal Year 2023; and

23 “(5) the work of the Program in general, in-
24 cluding information relating to staffing and accom-
25 plishments.

1 “(i) ANNUAL BUDGET DISPLAY.—(1) On an annual
2 basis for each fiscal year, concurrently with the submission
3 of the budget of the President for that fiscal year under
4 section 1105(a) of title 31, United States Code, the head
5 of the office of primary responsibility for the Program,
6 in coordination with the appropriate members of the Pro-
7 gram under subsection (b), shall submit to the congress-
8 sional defense committees a consolidated budget justifica-
9 tion display that covers all programs and activities associ-
10 ated with this section and any covered provision of law,
11 including with respect to the matters listed in subsection
12 (h).

13 “(2) Each display under paragraph (1) shall be sub-
14 mitted in unclassified form, but may include a classified
15 annex.

16 “(3) For the purpose of facilitating the annual budg-
17 et display requirement under paragraph (1), the Chief In-
18 formation Officer of the Department of Defense shall pro-
19 vide to the head of the office of primary responsibility for
20 the Program and the appropriate members of the Program
21 under subsection (b) fiscal guidance on the programming
22 of funds in support of the Program.

23 “(j) DEFINITIONS.—In this section:

1 “(1) The term ‘covered armed force’ means the
2 Army, Navy, Air Force, Marine Corps, or Space
3 Force.

4 “(2) The term ‘covered statutory requirement’
5 means a requirement under any covered provision of
6 law.

7 “(3) The term ‘covered provision of law’ means
8 the following:

9 “(A) Section 1647 of the National Defense
10 Authorization Act for Fiscal Year 2016 (Public
11 Law 114–92; 129 Stat. 1118).

12 “(B) Section 1650 of the National Defense
13 Authorization Act for Fiscal Year 2017 (Public
14 Law 114–328; 10 U.S.C. 2224 note).

15 “(C) Section 1505 of the National Defense
16 Authorization Act for Fiscal Year 2022 (Public
17 Law 117–81; 10 U.S.C. 394 note).

18 “(D) Section 1559 of the National Defense
19 Authorization Act for Fiscal Year 2023.”.

20 (2) CONFORMING AMENDMENTS.—

21 (A) REPEAL OF DUPLICATE BRIEFING RE-
22 QUIREMENT.—Section 1647 of the National De-
23 fense Authorization Act for Fiscal Year 2016
24 (Public Law 114–92; 129 Stat. 1118) is
25 amended—

- 1 (i) by striking subsection (e); and
2 (ii) by redesignating subsections (d)
3 through (j) as subsections (e) through (i),
4 respectively.

5 (B) REPEAL OF ADDITIONAL DUPLICATE
6 BRIEFING REQUIREMENT.—Section 1650 of the
7 National Defense Authorization Act for Fiscal
8 Year 2017 (Public Law 114–328; 10 U.S.C.
9 2224 note) is amended—

- 10 (i) by striking subsection (d); and
11 (ii) by redesignating subsections (e)
12 and (f) as subsections (d) and (e), respec-
13 tively.

14 (C) REPEAL OF DUPLICATE PROVISION RE-
15 LATING TO STRATEGIC CYBERSECURITY PRO-
16 GRAM.—Section 1640 of the National Defense
17 Authorization Act for Fiscal Year 2018 (Public
18 Law 115–9; 10 U.S.C. 2224 note) is repealed.

19 (D) REPEAL OF DUPLICATE BUDGET RE-
20 QUIREMENT.—Section 1637 of the John S.
21 McCain National Defense Authorization Act for
22 Fiscal Year 2019 (Public Law 115–232; 10
23 U.S.C. 221 note) is repealed.

24 (E) REPEAL OF DUPLICATE REPORTING
25 REQUIREMENT.—Section 1505 of the National

1 Defense Authorization Act for Fiscal Year 2022
2 (Public Law 117–81; 10 U.S.C. 394 note) is
3 amended—

4 (i) by striking subsection (h); and
5 (ii) by redesignating subsections (i)
6 and (j) as subsections (h) and (i), respec-
7 tively.

8 (F) REPEAL OF ADDITIONAL DUPLICATE
9 BRIEFING REQUIREMENT; REMOVAL OF REF-
10 ERENCE TO REPEALED PROVISION.—Section
11 1559 of the James M. Inhofe National Defense
12 Authorization Act for Fiscal Year 2023 is
13 amended—

14 (i) by striking “, section 1637 of the
15 John S. McCain National Defense Author-
16 ization Act for Fiscal Year 2019 (Public
17 Law 115–232; 10 U.S.C. 221 note),”; and
18 (ii) by striking subsection (f).

19 (b) REPORT REQUIRED.—Not later than 180 days
20 after the date of the enactment of this Act, the head of
21 the office of primary responsibility for the Strategic Cy-
22 bersecurity Program under section 391b of title 10,
23 United States Code, as added by subsection (a), shall sub-
24 mit to the congressional defense committees a report set-
25 ting forth the plan of the head to harmonize and interlink

1 the annual reporting and annual budget display require-
2 ments under subsections (h) and (i) of such section, re-
3 spectively, to ensure unity and a lack of duplication in
4 such efforts.

5 **SEC. 1503. MODIFICATION OF AUTHORITY TO USE OPER-**
6 **ATION AND MAINTENANCE FUNDS FOR**
7 **CYBER OPERATIONS-PECULIAR CAPABILITY**
8 **DEVELOPMENT PROJECTS.**

9 Section 1640 of the National Defense Authorization
10 Act for Fiscal Year 2020 (Public Law 116–92) is amend-
11 ed—

12 (1) in subsection (a)—

13 (A) by striking “ and each Secretary of the
14 military departments concerned”;

15 (B) by striking “per use” and inserting
16 “per project”; and

17 (C) by striking “through 2025” and insert-
18 ing “through 2028”;

19 (2) by amending subsection (b) to read as fol-
20 lows:

21 “(b) **LIMITATION.**—Each fiscal year, the Commander
22 of the United States Cyber Command may obligate and
23 expend under subsection (a) not more than
24 \$16,000,000.”;

25 (3) in subsection (c)—

1 (A) by striking “\$500,000” and inserting
2 “\$1,000,000”; and

3 (B) by striking “the Secretary of Defense,
4 or his designee, and each Secretary of the mili-
5 tary departments concerned, or their des-
6 ignees,” and inserting “the Secretary of De-
7 fense (or a designee)”; and

8 (4) in subsection (d), by striking “2025” and
9 inserting “2028”.

10 **SEC. 1504. QUARTERLY BRIEFINGS ON JOINT ALL DOMAIN**
11 **COMMAND AND CONTROL EFFORT.**

12 Section 1076 of the National Defense Authorization
13 Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat.
14 3866) is amended—

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

17 “(a) QUARTERLY BRIEFINGS.—

18 “(1) IN GENERAL.—During the period begin-
19 ning on October 1, 2021, and ending on October 1,
20 2028, the Deputy Secretary of Defense, the Vice
21 Chairman of the Joint Chiefs of Staff, the Chief
22 Digital and Artificial Intelligence Officer of the De-
23 partment of Defense, the Chief Information Officer
24 of the Department of Defense, and a senior military
25 service representative for each of the Armed Forces

1 shall provide to the congressional defense commit-
2 tees quarterly briefings on the progress of the Joint
3 All Domain Command and Control (in this section
4 referred to as ‘JADC2’) effort of the Department of
5 Defense.

6 “(2) ANNUAL PARTICIPATION BY CERTAIN COM-
7 BATANT COMMANDS.—For each fiscal year during
8 the period specified in paragraph (1), a senior rep-
9 resentative from each of the United States Indo-Pa-
10 cific Command, United States Central Command,
11 and United States European Command shall partici-
12 pate in the provision of the first quarterly briefing
13 under such paragraph following the submission of
14 the budget of the President to Congress under sec-
15 tion 1105 of title 31, United States Code, for that
16 fiscal year.”; and

17 (2) in subsection (b), by adding at the end the
18 following new paragraphs:

19 “(7) A detailed programmatic table of the fund-
20 ing for the JADC2 efforts of the Office of the Sec-
21 retary of Defense and the military departments, as
22 set forth in the budget of the President most re-
23 cently submitted to Congress under section 1105 of
24 title 31, United States Code. The information in
25 such table shall be organized primarily by key pro-

1 grams, projects, and activities (such as data integra-
2 tion layer, joint operating system, global experimen-
3 tation, and mission command applications).

4 “(8) A detailed summary of the lessons learned
5 from large-scale exercises and experiments relevant
6 to the JADC2 effort conducted during the period
7 covered by the briefing.”.

8 **SEC. 1505. AUTHORITY FOR COUNTERING ILLEGAL TRAF-**
9 **FICKING BY MEXICAN TRANSNATIONAL**
10 **CRIMINAL ORGANIZATIONS IN CYBERSPACE.**

11 (a) **AUTHORITY.**—In accordance with sections 124
12 and 394 of title 10, United States Code, the Secretary
13 of Defense, in support of and in coordination with the
14 heads of other relevant Federal departments and agencies
15 and in consultation with the Government of Mexico as ap-
16 propriate, may conduct detection, monitoring, and other
17 operations in cyberspace to counter Mexican transnational
18 criminal organizations that are engaged in any of the fol-
19 lowing activities that cross the southern border of the
20 United States:

- 21 (1) Smuggling of illegal drugs, controlled sub-
22 stances, or precursors thereof.
- 23 (2) Human trafficking.
- 24 (3) Weapons trafficking.
- 25 (4) Other illegal activities.

1 (b) CERTAIN ENTITIES.—The authority under para-
2 graph (1) may be used to counter Mexican transnational
3 criminal organizations, including entities cited in the most
4 recent National Drug Threat Assessment published by the
5 United States Drug Enforcement Administration, that are
6 engaged in any of the activities described in such para-
7 graph.

8 **SEC. 1506. DEVELOPMENT OF CYBER SUPPORT MECHA-**
9 **NISMS FOR GEOGRAPHIC COMBATANT COM-**
10 **MANDS.**

11 (a) DEVELOPMENT OF MECHANISMS REQUIRED.—
12 Not later than 270 days after the date of the enactment
13 of this Act, each commander of a geographic combatant
14 command, in coordination with the Commander of the
15 United States Cyber Command, shall develop a cyber sup-
16 port mechanism to support the operations of that geo-
17 graphic combatant command.

18 (b) ELEMENTS.—Each cyber support mechanism de-
19 veloped with respect to a geographic combatant command
20 under subsection (a) shall include the following:

21 (1) Processes to enhance the cyber capabilities
22 of such combatant command.

23 (2) Plans to develop and maintain a sufficient
24 cyber planning capacity in such combatant com-
25 mand.

1 (3) Processes to integrate cyber capabilities into
2 operational support for such combatant command.

3 (4) A prioritization of cyber risks and
4 vulnerabilities within the geographic area of respon-
5 sibility of such combatant command.

6 (5) Specific plans to assist in the defense of
7 friendly foreign countries.

8 **SEC. 1507. REVIEW AND PLAN RELATING TO CYBER RED**
9 **TEAMS OF DEPARTMENT OF DEFENSE.**

10 (a) REVIEW RELATING TO PRIOR JOINT ASSESS-
11 MENT.—

12 (1) REVIEW REQUIRED.—Not later than 90
13 days after the date of the enactment of this Act, the
14 officials described in subsection (c) shall review, and
15 assess the status of the implementation of, the rec-
16 ommendations set forth by the Secretary of Defense
17 in response to the joint assessment requirement
18 under section 1660 of the National Defense Author-
19 ization Act for Fiscal Year 2020 (Public Law 116-
20 92; 133 Stat. 1771).

21 (2) ELEMENTS.—The review under paragraph
22 (1) shall include, with respect to the recommenda-
23 tions specified in such paragraph—

24 (A) the timelines associated with each such
25 recommendation, regardless of whether the rec-

1 ommendation is fully implemented or yet to be
2 fully implemented; and

3 (B) a description of any impediments to
4 the implementation of such recommendations
5 encountered.

6 (b) PLAN REQUIRED.—

7 (1) PLAN.—Not later than 180 days after the
8 date of the enactment of this Act, the officials de-
9 scribed in subsection (c) shall submit to the congres-
10 sional defense committees a plan, developed taking
11 into account the findings of the review under sub-
12 section (a), to ensure cyber red teams of the Depart-
13 ment of Defense achieve sufficient capacity and ca-
14 pability to provide services and meet current and
15 projected future demands on a Defense-wide basis.

16 Such plan shall include—

17 (A) a description of the funding necessary
18 for such cyber red teams to achieve such capac-
19 ity and capability;

20 (B) a description of any other resources,
21 personnel, infrastructure, or authorities for ac-
22 cess to information necessary for such cyber red
23 teams to achieve such capacity and capability
24 (including with respect to the emulation of
25 threats from foreign countries with advanced

1 cyber capabilities, automation, artificial intel-
2 ligence or machine learning, and data collection
3 and correlation); and

4 (C) updated joint service standards and
5 metrics to ensure the training, staffing, and
6 equipping of such cyber red teams at levels nec-
7 essary to achieve such capacity and capability.

8 (2) IMPLEMENTATION.—Not later than one
9 year after the date of enactment of this Act, the
10 Secretary of Defense shall prescribe such regulations
11 and issue such guidance as the Secretary determines
12 necessary to implement the plan developed under
13 subsection (a).

14 (c) OFFICIALS DESCRIBED.—The officials described
15 in this subsection are the Principal Cyber Advisor to the
16 Secretary of Defense, the Chief Information Officer of the
17 Department of Defense, the Director of Operational Test
18 and Evaluation, and the Commander of the United States
19 Cyber Command.

20 (d) ANNUAL REPORTS.—Not later than January 31,
21 2025, and not less frequently than annually thereafter
22 until January 31, 2031, the Director of Operational Test
23 and Evaluation shall include in each annual report re-
24 quired under section 139(h) of title 10, United States

1 Code, an update on progress made with respect to the im-
2 plementation of this section, including the following:

3 (1) The results of test and evaluation events,
4 including any resource or capability shortfalls lim-
5 iting the capacity or capability of cyber red teams of
6 the Department of Defense to meet operational re-
7 quirements.

8 (2) The extent to which operations of such
9 cyber red teams have expanded across the competi-
10 tion continuum, including during cooperation and
11 competition phases, to match adversary positioning
12 and cyber activities.

13 (3) A summary of identified categories of com-
14 mon gaps and shortfalls across cyber red teams of
15 the military departments and Defense Agencies (as
16 such terms are defined in section 101 of title 10,
17 United States Code).

18 (4) Any identified lessons learned that would
19 affect training or operational employment decisions
20 relating to the cyber red teams of the Department
21 of Defense.

1 **Subtitle B—Cybersecurity**

2 **SEC. 1511. RESPONSIBILITY FOR CYBERSECURITY AND** 3 **CRITICAL INFRASTRUCTURE PROTECTION** 4 **OF DEFENSE INDUSTRIAL BASE.**

5 Section 1724 of the National Defense Authorization
6 Act for Fiscal Year 2021 (116–283; 10 U.S.C. 2224 note)
7 is amended—

8 (1) in subsection (b), by striking “The Sec-
9 retary of Defense shall designate the Principal Cyber
10 Advisor of the Department of Defense” and insert-
11 ing “Not later than 30 days after the date of the en-
12 actment of the National Defense Authorization Act
13 for Fiscal Year 2024, the Secretary of Defense shall
14 designate a principal staff assistant from within the
15 Office of the Secretary of Defense who shall serve”;

16 (2) in subsection (c)—

17 (A) in the matter preceding paragraph (1),
18 by striking “the Principal Cyber Advisor of the
19 Department of Defense” and inserting “the
20 principal staff assistant designated under sub-
21 section (b)”;

22 (B) in paragraph (1), by striking “Sector
23 Specific Agency” and inserting “Sector Risk
24 Management Agency”;

1 (3) in subsection (d), by striking “Principal
2 Cyber Advisor of the Department of Defense” and
3 inserting “principal staff assistant designated under
4 subsection (b)”; and

5 (4) in subsection (e)—

6 (A) in the matter preceding paragraph (1),
7 by striking “this Act” and inserting “the Na-
8 tional Defense Authorization Act for Fiscal
9 Year 2024”;

10 (B) in paragraph (2), by striking “Sector
11 Specific Agency functions under Presidential
12 Policy Directive-21 from non-cybersecurity Sec-
13 tor Specific Agency functions” and inserting
14 “functions of a Sector Risk Management Agen-
15 cy pursuant to section 9002 of the National De-
16 fense Authorization Act for Fiscal Year 2021 (6
17 U.S.C. 652a) from non-cybersecurity functions
18 of a Sector Risk Management Agency”; and

19 (C) by striking paragraph (3).

20 **SEC. 1512. CYBERSECURITY ENHANCEMENTS FOR NU-**
21 **CLEAR COMMAND, CONTROL, AND COMMU-**
22 **NICATIONS NETWORK.**

23 (a) ESTABLISHMENT OF CROSS-FUNCTIONAL
24 TEAM.—

1 (1) ESTABLISHMENT.—Not later than 180 days
2 after the date of the enactment of this Act, and con-
3 sistent with section 911(c) of the National Defense
4 Authorization Act for Fiscal Year 2017 (Public Law
5 114–328; 10 U.S.C. 111 note), the Secretary of De-
6 fense shall establish a cross-functional team to de-
7 velop and direct the implementation of a threat-driv-
8 en cyber defense construct for the systems and net-
9 works that support the nuclear command, control,
10 and communications (commonly referred to as
11 “NC3”) mission (in this section referred to as the
12 “cross-functional team”).

13 (2) COMPOSITION OF CROSS-FUNCTIONAL
14 TEAM.—

15 (A) IN GENERAL.—The cross functional
16 team shall be composed of senior officers se-
17 lected from among each of the military depart-
18 ments, the Defense Information Systems Agen-
19 cy, the National Security Agency, the United
20 States Cyber Command, the United States
21 Strategic Command, and any other organization
22 or element of the Department of Defense deter-
23 mined appropriate by the Secretary.

24 (B) LEADERSHIP.—The Secretary shall
25 designate a senior officer from those selected

1 under subparagraph (A) to serve as the leader
2 of the cross-functional team.

3 (C) STAFF.—The Secretary shall ensure
4 the heads of the organizations and elements
5 specified in subparagraph (A) detail staff to
6 support the cross-functional team in carrying
7 out the duties under paragraph (3).

8 (3) DUTIES.—The duties of the cross-functional
9 team shall be to enhance the cyber defense of the
10 systems and networks that support the nuclear com-
11 mand, control, and communications mission.

12 (b) REQUIRED CONSTRUCT, PLAN OF ACTION, AND
13 MILESTONES.—Not later than one year after the date of
14 the enactment of this Act, the leader of the cross-func-
15 tional team designated pursuant to subsection (a)(2)(B)
16 shall develop a threat-driven cyber defense construct, and
17 associated plans and milestones, to enhance the security
18 of the systems and networks that support the nuclear com-
19 mand, control, and communications mission. Such con-
20 struct shall be based on—

21 (1) the application of the principles of the ap-
22 proach to cybersecurity commonly referred to as
23 “zero trust architecture”;

24 (2) an analysis of appropriately comprehensive
25 endpoint and network telemetry data; and

1 (3) control capabilities enabling rapid investiga-
2 tion and remediation of indicators of compromise
3 and threats to mission execution.

4 (c) ANNUAL BRIEFINGS.—During the 60-day period
5 beginning on the date that is 30 days before the date on
6 which the President submits to Congress the budget of
7 the President pursuant to section 1105(a) of title 31,
8 United States Code, for each of fiscal years 2025 through
9 2028, the Secretary shall provide to the appropriate con-
10 gressional committees a briefing on the implementation of
11 this section.

12 (d) TERMINATION.—

13 (1) IN GENERAL.—Except as provided in para-
14 graph (2), the cross-functional team under this sec-
15 tion shall terminate on October 31, 2028.

16 (2) EXTENSION AUTHORITY.—The Secretary of
17 Defense may extend the date of termination under
18 paragraph (1) as the Secretary determines appro-
19 priate.

20 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
21 FINED.—In this section, the term “appropriate congres-
22 sional committees” means—

23 (1) the congressional defense committees; and

24 (2) the Permanent Select Committee on Intel-
25 ligence of the House of Representatives.

1 **SEC. 1513. PILOT PROGRAM RELATING TO SEMICON-**
2 **DUCTOR SUPPLY CHAIN AND CYBERSECU-**
3 **RITY COLLABORATION CENTER.**

4 (a) ESTABLISHMENT.—Not later than 90 days after
5 the date of the enactment of this Act, the Secretary of
6 Defense, in coordination with the Director of the National
7 Security Agency, shall commence the conduct of a pilot
8 program under which the Cybersecurity Collaboration
9 Center of the National Security Agency may collaborate
10 with, including by entering into contracts or other agree-
11 ments with, eligible persons under subsection (c), for the
12 purpose of assessing the feasibility and advisability of im-
13 proving the cybersecurity of the semiconductor supply
14 chain (in this section referred to as the “pilot program”).

15 (b) PROGRAM OBJECTIVES.—Under the pilot pro-
16 gram, the Secretary of Defense shall seek to improve the
17 cybersecurity of the supply chain for the design, manufac-
18 turing, assembly, packaging, and testing of semiconduc-
19 tors, including through the following:

20 (1) Improving the cybersecurity of processes for
21 such design, manufacturing, assembly, packaging,
22 and testing.

23 (2) Protecting against cyber-driven intellectual
24 property theft with respect to such design, manufac-
25 turing, assembly, packaging, and testing.

1 (3) Reducing the risk of disruptions caused by
2 cyberattacks to the supply chain for such design,
3 manufacturing, assembly, packaging, and testing.

4 (c) ELIGIBILITY.—A person is eligible to participate
5 in the pilot program if such person—

6 (1) directly supports the design, manufacturing,
7 assembly, packaging, or testing of semiconductors
8 within the United States; and

9 (2) provides semiconductor components for the
10 Department of Defense, any national security sys-
11 tem (as such term is defined in section 3552(b) of
12 title 44, United States Code), or the defense indus-
13 trial base.

14 (d) BRIEFINGS.—

15 (1) INITIAL BRIEFING.—

16 (A) IN GENERAL.—Not later than one year
17 after the date of the enactment of this Act, the
18 Secretary of Defense shall provide to the appro-
19 priate congressional committees an initial brief-
20 ing on the pilot program.

21 (B) ELEMENTS.—The briefing under sub-
22 paragraph (A) shall include the following:

23 (i) A description of the status of the
24 implementation of the pilot program.

1 (ii) An identification of key priorities
2 for the pilot program.

3 (iii) An identification of any chal-
4 lenges to implementing the pilot program
5 or impediments to participation in the pilot
6 program by eligible persons under sub-
7 section (c).

8 (2) ANNUAL BRIEFINGS.—

9 (A) IN GENERAL.—Not later than one year
10 after the date of the initial briefing under para-
11 graph (1), and annually thereafter until the
12 date of termination under subsection (f), the
13 Secretary of Defense shall provide to the appro-
14 priate congressional committees a briefing on
15 the progress of the pilot program.

16 (B) ELEMENTS.—Each briefing under sub-
17 paragraph (A) shall include the following:

18 (i) Recommendations for addressing
19 relevant policy, budgetary, security, and
20 legislative gaps to increase the effective-
21 ness of the pilot program, including, with
22 respect to the first briefing under such
23 subparagraph, an assessment of the re-
24 sources necessary for successful implemen-
25 tation of the pilot program.

1 (ii) Recommendations for increasing
2 participation in the pilot program by eligi-
3 ble persons under subsection (c).

4 (iii) A description of any challenges
5 encountered in carrying out the pilot pro-
6 gram, including any concerns expressed by
7 manufacturers of semiconductors or sup-
8 pliers of semiconductor components.

9 (iv) The findings of the Secretary, in
10 consultation with the Director of the Na-
11 tional Security Agency, with respect to the
12 feasibility and advisability of extending or
13 expanding the pilot program.

14 (v) Such other matters as the Sec-
15 retary considers appropriate.

16 (e) TERMINATION.—The pilot program shall termi-
17 nate on the date that is four years after the date of the
18 enactment of this Act.

19 (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
20 FINED.—In this section, the term “appropriate congres-
21 sional committees” means—

22 (1) the Committee on Armed Services and the
23 Permanent Select Committee on Intelligence of the
24 House of Representatives; and

1 (2) the Committee on Armed Services and the
2 Select Committee on Intelligence of the Senate.

3 **SEC. 1514. TRANSFER OF DATA AND TECHNOLOGY DEVEL-**
4 **OPED UNDER MOSAICS PROGRAM.**

5 (a) TRANSFERS AUTHORIZED.—The Secretary of De-
6 fense may transfer to eligible private sector entities data
7 and technology developed under the MOSAICS program
8 to enhance cyber threat detection and protection of critical
9 industrial control system assets used for electricity dis-
10 tribution.

11 (b) AGREEMENTS.—In carrying out subsection (a),
12 the Secretary of Defense may—

13 (1) enter into cooperative research and develop-
14 ment agreements under section 4026 of title 10,
15 United States Code; and

16 (2) use such other mechanisms for the transfer
17 of technology and data as are authorized by law.

18 (c) NOTIFICATION.—Not later than 15 days after any
19 date on which the Secretary determines to transfer data
20 or technology to an eligible private sector entity under sub-
21 section (a), the Secretary shall submit to the congressional
22 defense committees a written notification of such deter-
23 mination. Such notification shall include the following:

24 (1) An identification of the data or technology
25 to be transferred.

1 (2) An identification of the eligible private sec-
2 tor entity, including an identification of the specific
3 individual employed by or otherwise associated with
4 such entity responsible for the security and integrity
5 of the data or technology to be received.

6 (3) A detailed description of any special secu-
7 rity handling instructions required pursuant to an
8 agreement entered into between the Secretary and
9 the eligible private sector entity for such transfer.

10 (4) Timelines associated with such transfer.

11 (c) DEFINITIONS.—In this section:

12 (1) The term “eligible private sector entity”
13 means a private sector entity that—

14 (A) has functions relevant to the civil elec-
15 tricity sector; and

16 (B) is determined by the Secretary of De-
17 fense to be eligible to receive data and tech-
18 nology transferred under subsection (a).

19 (2) The term “MOSAICS program” means the
20 program of the Department of Defense known as the
21 “More Situational Awareness for Industrial Control
22 Systems Joint Capabilities Technology Demonstra-
23 tion program”, or successor program.

1 **SEC. 1515. MODERNIZATION PROGRAM FOR NETWORK**
2 **BOUNDARY AND CROSS-DOMAIN DEFENSE.**

3 (a) MODERNIZATION PROGRAM REQUIRED.—The
4 Secretary of Defense shall carry out a modernization pro-
5 gram for network boundary and cross-domain defense
6 against cyber attacks. In carrying out such modernization
7 program, the Secretary shall expand upon the fiscal year
8 2023 pilot program on modernized network boundary de-
9 fense capabilities and the initial deployment of such capa-
10 bilities to the primary Internet access points of the De-
11 partment of Defense managed by the Director of the De-
12 fense Information Systems Agency.

13 (b) PROGRAM PHASES.—

14 (1) IN GENERAL.—The Secretary of Defense
15 shall implement the modernization program under
16 subsection (a) in phases, with the objective of com-
17 pleting such program by October 1, 2028.

18 (2) OBJECTIVES.—The phases required by
19 paragraph (1) shall include the following objectives:

20 (A) By September 30, 2026, completion
21 of—

22 (i) the pilot program specified in sub-
23 section (a) and the deployment of modern-
24 ized network boundary defense capabilities
25 to the Internet access points managed by

1 the Director of the Defense Information
2 Systems Agency; and

3 (ii) the extension of modernized net-
4 work boundary defense capabilities to all
5 additional Internet access points of the in-
6 formation network of the Department of
7 Defense.

8 (B) By September 30, 2027, the conduct
9 of a survey, completion of a pilot program, and
10 deployment of modernized network boundary
11 defense capabilities to the access points and
12 cross-domain capabilities of the Secret Internet
13 Protocol Router Network.

14 (C) By September 30, 2028, the conduct
15 of a survey, completion of a pilot program, and
16 deployment of modernized network boundary
17 defense capabilities to any remaining classified
18 network or enclave of the information network
19 of the Department.

20 (c) IMPLEMENTATION PLAN.—Not later than 90
21 days after the date of the enactment of this Act, the Sec-
22 retary shall submit to the congressional defense commit-
23 tees a plan for the implementation of the modernization
24 program under subsection (a). Such plan shall include—

1 (1) a summary of findings from the pilot pro-
2 gram specified in subsection (a); and

3 (2) an identification of the resources necessary
4 for such implementation, including for implementing
5 the phase of the modernization program specified in
6 subsection (b)(2)(C).

7 **SEC. 1516. ESTABLISHMENT OF CERTAIN IDENTITY, CRE-**
8 **DENTIAL, AND ACCESS MANAGEMENT ACTIVI-**
9 **TIES AS PROGRAM OF RECORD.**

10 (a) ESTABLISHMENT OF PROGRAM OF RECORD.—

11 (1) PROGRAM OF RECORD.—Except as provided
12 in subsection (b), not later than 120 days after the
13 date of the enactment of this Act, the Secretary of
14 Defense shall establish a program of record, gov-
15 erned by standard Department of Defense require-
16 ments and practices, and transition all covered ac-
17 tivities to such program of record.

18 (2) OBJECTIVES.—The program of record
19 under subsection (a) shall include, at a minimum,
20 covered activities undertaken to achieve the following
21 objectives:

22 (A) Correcting weaknesses in authentica-
23 tion and credentialing security, including with
24 respect to the program of the Department of
25 Defense known as the “Public Key Infrastruc-

1 ture” program (or any successor program),
2 identified by the Director of Operational Test
3 and Evaluation in a report submitted to Con-
4 gress in April, 2023, titled “FY14–21 Observa-
5 tions of the Compromise of Cyber Credentials”.

6 (B) Implementing improved authentication
7 technologies, such as biometric and behavioral
8 authentication techniques and other non-pass-
9 word-based solutions.

10 (3) BRIEFING.—Not later than 150 days after
11 the date of the enactment of this Act, the Secretary
12 of Defense shall provide to the congressional defense
13 committees a briefing on the covered activities to be
14 included under the program of record under sub-
15 section (a).

16 (b) WAIVER AUTHORITY.—

17 (1) AUTHORITY.—The Secretary of Defense
18 may waive the requirement under subsection (a) if
19 the Secretary of Defense determines that the objec-
20 tives listed in paragraph (2) of such subsection
21 would be better achieved, and the level of rigor of
22 the operational testing and oversight requirements
23 applicable to such objectives would be improved,
24 through a management approach other than the es-

1 tabishment of a program of record and transition of
2 covered activities to such program of record.

3 (2) JUSTIFICATION.—Not later than 14 days
4 after issuing a waiver under paragraph (1), the Sec-
5 retary of Defense shall submit to the congressional
6 defense committees a detailed justification for the
7 waiver, including—

8 (A) an explanation of why the establish-
9 ment of a program of record is not the pre-
10 ferred approach to achieve the objectives listed
11 in subsection (a)(2);

12 (B) details relating to the management ap-
13 proach proposed to be implemented in lieu of
14 the establishment of a program of record;

15 (C) an implementation plan for such pro-
16 posed alternative approach; and

17 (D) such other information as the Sec-
18 retary of Defense determines appropriate.

19 (c) DESIGNATION OF DATA ATTRIBUTES.—Not later
20 than 120 days after the date of the enactment of this Act,
21 the Chief Information Officer of the Department of De-
22 fense, in coordination with the Secretaries of the military
23 departments, shall complete the designation of Tier 1 level
24 data attributes to be used as a baseline set of standardized

1 attributes for identity, credential, and access management,
2 Defense-wide.

3 (d) BRIEFING.—Upon completing the requirement
4 under subsection (c), the Chief Information Officer of the
5 Department of Defense and the Secretaries of the military
6 departments shall provide to the Committees on Armed
7 Services of the House of Representatives and the Senate
8 a briefing on the activities carried out under this section.

9 (e) DEFINITIONS.—In this section:

10 (1) The term “covered activity” means any ac-
11 tivity of the Office of the Secretary of Defense or a
12 Defense Agency relating to the identity, credential,
13 and access management initiative of the Department
14 of Defense.

15 (2) The term “Defense Agency” has the mean-
16 ing given that term in section 101 of title 10, United
17 States Code.

18 **SEC. 1517. PILOT PROGRAM ON ASSURING CRITICAL INFRA-**
19 **STRUCTURE SUPPORT FOR MILITARY CON-**
20 **TINGENCIES.**

21 (a) ESTABLISHMENT OF PILOT PROGRAM.—Not
22 later than 60 days after the date of the enactment of this
23 Act, the Secretary of Defense shall establish a pilot pro-
24 gram to be known as the “Assuring Critical Infrastructure
25 Support for Military Contingencies Pilot Program”.

1 (b) SELECTION OF INSTALLATIONS.—

2 (1) IN GENERAL.—Not later than 90 days after
3 the date of the enactment of this Act, the Secretary
4 of Defense, acting through the Assistant Secretary
5 of Defense for Homeland Defense and Hemispheric
6 Affairs, shall select not fewer than four geographi-
7 cally diverse military installations at which to carry
8 out the pilot program under subsection (a).

9 (2) PRIORITIZATION.—

10 (A) IN GENERAL.—In selecting military in-
11 stallations under paragraph (1), the Secretary
12 of Defense shall give priority to any military in-
13 stallation that the Secretary determines is a key
14 component of not fewer than two contingency
15 plans or operational plans, with further priority
16 given to such plans in the area of responsibility
17 of the United States Indo-Pacific Command or
18 the United States European Command.

19 (B) SELECTION BETWEEN EQUAL PRIOR-
20 ITIES.—If two or more military installations
21 qualify for equal priority under subparagraph
22 (A), the Secretary of Defense shall give further
23 priority for selection under such paragraph to
24 any such military installation that the Secretary
25 of Defense determines is—

1 (i) connected to national-level infra-
2 structure;

3 (ii) located near a commercial port; or

4 (iii) located near a national financial
5 hub.

6 (c) ACTIVITIES.—In carrying out the pilot program
7 under subsection (a), the Secretary of Defense, acting
8 through the Assistant Secretary of Defense for Homeland
9 Defense and Hemispheric Affairs, shall—

10 (1) without duplicating or disrupting existing
11 cyber exercise activities under the National Cyber
12 Exercise Program under section 2220B of the
13 Homeland Security Act of 2002 (6 U.S.C. 665h),
14 conduct cyber resiliency and reconstitution stress
15 test scenarios through tabletop exercises and, if pos-
16 sible, live exercises—

17 (A) to assess how to prioritize restoration
18 of power, water, and telecommunications for a
19 military installation in the event of a significant
20 cyberattack on regional critical infrastructure
21 that has similar impacts on State and local in-
22 frastructure; and

23 (B) to determine the recovery process
24 needed to ensure the military installation has
25 the capability to function and support an over-

1 seas contingency operation or a homeland de-
2 fense mission, as appropriate;

3 (2) map dependencies on power, water, and
4 telecommunications at the military installation and
5 the connections to distribution and generation out-
6 side the military installation;

7 (3) recommend priorities for the order of recov-
8 ery for the military installation in the event of a sig-
9 nificant cyberattack, considering both the require-
10 ments needed for operations of the military installa-
11 tion and the potential participation of personnel at
12 the military installation in an overseas contingency
13 operation or a homeland defense mission; and

14 (4) develop a lessons-learned database from the
15 exercises conducted under paragraph (1) across all
16 military installations participating in the pilot pro-
17 gram, to be shared with the Committees on Armed
18 Services of the House of Representatives and the
19 Senate.

20 (d) COORDINATION WITH RELATED PROGRAMS.—
21 The Secretary of Defense, acting through the Assistant
22 Secretary of Defense for Homeland Defense and Hemi-
23 spheric Affairs, shall ensure that activities under sub-
24 section (c) are coordinated with—

1 (1) private entities that operate power, water,
2 and telecommunications for a military installation
3 participating in the pilot program under subsection
4 (a);

5 (2) relevant military and civilian personnel; and

6 (3) any other entity that the Assistant Sec-
7 retary of Defense for Homeland Defense and Hemi-
8 spheric Affairs determines is relevant to the execu-
9 tion of activities under subsection (c).

10 (e) REPORT.—Not later than one year after the date
11 of the enactment of this Act, the Secretary of Defense
12 shall submit to the Assistant to the President for Home-
13 land Security, the National Cyber Director, the head of
14 any other relevant Sector Risk Management Agency, the
15 Committees on Armed Services of the House of Represent-
16 atives and the Senate, and, if the Secretary of Defense
17 determines it appropriate, relevant private sector owners
18 and operators of critical infrastructure a report on the ac-
19 tivities carried out under pilot program under subsection
20 (a), including a description of any operational challenges
21 identified.

22 (f) DEFINITIONS.—In this section:

23 (1) The term “critical infrastructure” has the
24 meaning given that term in the Critical Infrastruc-
25 tures Protection Act of 2001 (42 U.S.C. 5195c).

1 (2) The term “Sector Risk Management Agen-
2 cy” has the meaning given that term in section 2200
3 of the Homeland Security Act of 2002 (6 U.S.C.
4 650).

5 **SEC. 1518. MILITARY CYBERSECURITY COOPERATION WITH**
6 **TAIWAN.**

7 (a) REQUIREMENT.—Not later than 180 days after
8 the date of the enactment of this Act, the Secretary of
9 Defense, acting through the Under Secretary of Defense
10 for Policy, with the concurrence of the Secretary of State
11 and in coordination with the Commander of the United
12 States Cyber Command and the Commander of the United
13 States Indo-Pacific Command, shall seek to engage with
14 appropriate officials of Taiwan for the purpose of cooper-
15 ating with the military forces of Taiwan on defensive mili-
16 tary cybersecurity activities.

17 (b) IDENTIFICATION OF ACTIVITIES.—In cooperating
18 on defensive military cybersecurity activities with the mili-
19 tary forces of Taiwan under subsection (a), the Secretary
20 of Defense may carry out efforts to identify cooperative
21 activities to—

22 (1) defend military networks, infrastructure,
23 and systems;

1 (2) counter malicious cyber activity that has
2 compromised such military networks, infrastructure,
3 and systems;

4 (3) leverage United States commercial and mili-
5 tary cybersecurity technology and services to harden
6 and defend such military networks, infrastructure,
7 and systems; and

8 (4) conduct combined cybersecurity training ac-
9 tivities and exercises.

10 (c) BRIEFINGS.—

11 (1) REQUIREMENT.—Not later than 180 days
12 after the date of the enactment of this Act, the Sec-
13 retary of Defense, in coordination with the Secretary
14 of State, shall provide to the appropriate congres-
15 sional committees a briefing on the implementation
16 of this section.

17 (2) CONTENTS.—The briefing under paragraph
18 (1) shall include the following:

19 (A) A description of the feasibility and ad-
20 visability of cooperating with the Ministry of
21 Defense of Taiwan on the defensive military cy-
22 bersecurity activities identified pursuant to sub-
23 section (b).

1 (B) An identification of any challenges and
2 resources that would be needed to address to
3 conduct such cooperative activities.

4 (C) An overview of efforts undertaken pur-
5 suant to this section.

6 (D) Any other matters the Secretary deter-
7 mines relevant.

8 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
9 DEFINED.—In this section, the term “appropriate con-
10 gressional committees” means—

11 (1) the Committee on Armed Services and the
12 Committee on Foreign Affairs of the House of Rep-
13 resentatives; and

14 (2) the Committee on Armed Services and the
15 Committee on Foreign Relations of the Senate.

16 **SEC. 1519. GUIDANCE REGARDING SECURING LABORA-**
17 **TORIES OF THE ARMED FORCES.**

18 (a) GUIDANCE.—Not later than 180 days after the
19 date of the enactment of this Act, the Secretary of De-
20 fense, in coordination with the Chief Information Officer
21 of the Department of Defense, the Chief Digital and Arti-
22 ficial Intelligence Officer of the Department, the Under
23 Secretary of Defense for Research and Engineering, and
24 the Under Secretary of Defense for Intelligence and Secu-
25 rity, shall issue Department-wide guidance regarding

1 methods and processes to secure laboratories of the Armed
2 Forces from—

- 3 (1) unauthorized access and intrusion;
- 4 (2) damage to, and destruction, manipulation,
5 or theft of, physical and digital laboratory assets;
- 6 (3) accidental or intentional release or dislo-
7 sure of sensitive information; and
- 8 (4) cyber sabotage.

9 (b) METHODS AND PROCESSES.—At a minimum, the
10 guidance under subsection (a) shall include, with respect
11 to laboratories of the Armed Forces, methods and proc-
12 esses to—

- 13 (1) secure laboratory operations through zero
14 trust principles;
- 15 (2) control the access of devices to laboratory
16 information networks;
- 17 (3) secure inventory management processes of
18 such laboratories;
- 19 (4) control or limit access to such laboratories
20 to authorized individuals;
- 21 (5) maintain the security and integrity of data
22 libraries, repositories, and other digital assets of
23 such laboratories;

1 (6) report and remediate cyber incidents or
2 other unauthorized intrusions affecting such labora-
3 tories;

4 (7) train and educate personnel of the Depart-
5 ment on laboratory security;

6 (8) develop an operations security plan to se-
7 cure laboratory operations that may be used by ap-
8 plicable units of the Armed Forces to implement
9 countermeasures appropriate with respect to the
10 mission, assessed risk, and resources available to the
11 unit (including guidelines for implementation of rou-
12 tine procedures and measures to be employed during
13 daily operations or activities of the unit); and

14 (9) develop and train applicable units of the
15 Armed Forces on individualized secure laboratory
16 critical information and indicator lists to aid in pro-
17 tecting critical information regarding any activity,
18 intention, capability, or limitation of the Department
19 over which an adversary seeks to gain a military, po-
20 litical, diplomatic, economic, or technological advan-
21 tage.

1 **Subtitle C—Information**
2 **Technology and Data Management**

3 **SEC. 1521. CONTROL AND MANAGEMENT OF DEPARTMENT**
4 **OF DEFENSE DATA; ESTABLISHMENT OF**
5 **CHIEF DIGITAL AND ARTIFICIAL INTEL-**
6 **LIGENCE OFFICER GOVERNING COUNCIL.**

7 (a) CONTROL AND MANAGEMENT OF DEPARTMENT
8 OF DEFENSE DATA.—The Chief Digital and Artificial In-
9 telligence Officer of the Department of Defense may ac-
10 cess and control, on behalf of the Secretary of Defense,
11 any data collected, acquired, accessed, or used by a compo-
12 nent (as such term is defined in section 1513 of the James
13 M. Inhofe National Defense Authorization Act for Fiscal
14 Year 2023 (Public Law 117–263; 10 U.S.C. 4001 note)),
15 consistent with such section.

16 (b) CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE
17 OFFICER GOVERNING COUNCIL.—Section 238(d)(3) of
18 the John S. McCain National Defense Authorization Act
19 for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.
20 note prec. 4061) is amended to read as follows:

21 “(3) CHIEF DIGITAL AND ARTIFICIAL INTEL-
22 LIGENCE OFFICER GOVERNING COUNCIL.—

23 “(A) ESTABLISHMENT.—The Secretary
24 shall establish a council to provide policy over-
25 sight to ensure the responsible, coordinated,

1 and ethical employment of data and artificial
2 intelligence capabilities across Department of
3 Defense missions and operations. Such council
4 shall be known as the ‘Chief Digital and Artifi-
5 cial Intelligence Officer Governing Council’ (in
6 this paragraph referred to as the ‘Council’).

7 “(B) MEMBERSHIP.—The Council shall be
8 composed of the following:

9 “(i) Joint Staff J–6.

10 “(ii) The Under Secretary of Defense
11 for Acquisition and Sustainment.

12 “(iii) The Under Secretary of Defense
13 for Research and Evaluation.

14 “(iv) The Under Secretary of Defense
15 for Intelligence and Security.

16 “(v) The Under Secretary of Defense
17 for Policy.

18 “(vi) The Director of Cost Analysis
19 and Program Evaluation.

20 “(vii) The Chief Information Officer
21 of the Department.

22 “(viii) The Director of Administration
23 and Management.

24 “(ix) The service acquisition execu-
25 tives of each of the military departments.

1 “(C) HEAD OF COUNCIL.—The Council
2 shall be headed by the Chief Digital and Artifi-
3 cial Intelligence Officer of the Department.

4 “(D) MEETINGS.—The Council shall meet
5 not less frequently than twice each fiscal year.

6 “(E) DUTIES OF COUNCIL.—The duties of
7 the Council are as follows:

8 “(i) To streamline the organizational
9 structure of the Department as such struc-
10 ture relates to the development, implemen-
11 tation, and oversight of artificial intel-
12 ligence.

13 “(ii) To improve coordination on arti-
14 ficial intelligence governance with the de-
15 fense industry sector.

16 “(iii) To issue and oversee guidance
17 on ethical requirements and protections for
18 the use of artificial intelligence supported
19 by Department funding and the reduction
20 or mitigation of instances of unintended
21 bias in artificial intelligence algorithms.

22 “(iv) To identify, monitor, and peri-
23 odically update appropriate recommenda-
24 tions for the operational use of artificial
25 intelligence.

1 “(v) To review, to the extent the head
2 of the Council considers necessary, artifi-
3 cial intelligence program funding, to en-
4 sure that any investment by the Depart-
5 ment in an artificial intelligence tool, sys-
6 tem, or algorithm adheres to each applica-
7 ble policy of the Department relating to ar-
8 tificial intelligence.

9 “(vi) To provide periodic status up-
10 dates on the efforts of the Department to
11 develop and implement artificial intel-
12 ligence into existing Department programs
13 and processes.

14 “(vii) To issue guidance on access and
15 distribution restrictions relating to data,
16 models, tool sets, or testing or validation
17 infrastructure.

18 “(viii) To implement and oversee an
19 educational program on data and artificial
20 intelligence, for the purpose of familiar-
21 izing personnel Department-wide on the
22 applications of artificial intelligence within
23 the respective operations of such personnel.

1 “(ix) To implement and oversee a
2 scorecard to assess data decrees of the De-
3 partment.

4 “(x) Such other duties as the Council
5 determines appropriate.

6 “(F) PERIODIC REPORTS.—Not later than
7 180 days after the date of the enactment of the
8 National Defense Authorization Act for Fiscal
9 Year 2024, and not less frequently than once
10 every 18 months thereafter, the Council shall
11 submit to the Secretary and the congressional
12 defense committees a report on the activities of
13 the Council during the period covered by the re-
14 port.”.

15 **SEC. 1522. MODIFICATION TO DEPARTMENT OF DEFENSE**
16 **ENTERPRISE-WIDE PROCUREMENT OF CYBER**
17 **DATA PRODUCTS AND SERVICES.**

18 Section 1521(a) of the National Defense Authoriza-
19 tion Act for Fiscal Year 2022 (Public Law 117–81; 10
20 U.S.C. 2224 note) is amended—

21 (1) by redesignating paragraph (6) as para-
22 graph (7);

23 (2) in paragraph (7), as so redesignated, by
24 striking “(1) through (5)” and inserting “(1)
25 through (6)”;

1 (3) by inserting after paragraph (5) the fol-
2 lowing new paragraph:

3 “(6) Evaluating emerging cyber technologies,
4 such as artificial intelligence-enabled security tools,
5 for efficacy and applicability to the requirements of
6 the Department of Defense.”.

7 **SEC. 1523. MANAGEMENT OF DATA ASSETS BY CHIEF DIG-**
8 **ITAL AND ARTIFICIAL INTELLIGENCE OFFI-**
9 **CER.**

10 (a) IN GENERAL.—The Secretary of Defense, subject
11 to existing authorities and limitations and acting through
12 the Chief Digital and Artificial Intelligence Officer of the
13 Department of Defense, shall provide the digital infra-
14 structure and procurement vehicles necessary to manage
15 data assets and data analytics capabilities at scale to en-
16 able an understanding of foreign key terrain and relational
17 frameworks in cyberspace to support the planning of cyber
18 operations, the generation of indications and warnings re-
19 garding military operations and capabilities, and the cali-
20 bration of actions and reactions in strategic competition.

21 (b) RESPONSIBILITIES OF CHIEF DIGITAL AND ARTI-
22 FICIAL INTELLIGENCE OFFICER.—The Chief Digital and
23 Artificial Intelligence Officer shall—

24 (1) develop a baseline of data assets exclusive
25 to foreign key terrain and relational frameworks in

1 cyberspace maintained by the intelligence agencies of
2 the Department of Defense, the military depart-
3 ments, the combatant commands, and any other
4 components of the Department of Defense;

5 (2) develop and oversee the implementation of
6 plans to enhance such data assets that the Chief
7 Digital and Artificial Intelligence Officer determines
8 are essential to support the purposes set forth in
9 subsection (a); and

10 (3) ensure that such activities and plans are
11 undertaken in cooperation and in coordination with
12 the Assistant to the Secretary of Defense for Pri-
13 vacy, Civil Liberties, and Transparency, to ensure
14 that any data collection, procurement, acquisition,
15 use, or retention measure conducted pursuant to this
16 section is in compliance with applicable laws and
17 regulations, including standards pertaining to data
18 related to United States persons or any persons in
19 the United States.

20 (c) OTHER MATTERS.—The Chief Digital and Artifi-
21 cial Intelligence Officer shall—

22 (1) designate or establish one or more Depart-
23 ment of Defense executive agents for enhancing data
24 assets and the acquisition of data analytic tools for
25 users;

1 (2) ensure that data assets referred to in sub-
2 section (b) that are in the possession of a component
3 of the Department of Defense are accessible for the
4 purposes described in subsection (a); and

5 (3) ensure that advanced analytics, including
6 artificial intelligence technology, are developed and
7 applied to the analysis of the data assets referred to
8 in subsection (b) in support of the purposes de-
9 scribed in subsection (a).

10 (d) SEMIANNUAL BRIEFINGS.—Not later than 120
11 days after the date of the enactment of this Act, and not
12 less frequently than semiannually thereafter, the Chief
13 Digital and Artificial Intelligence Officer shall provide to
14 the appropriate congressional committees a briefing on the
15 implementation of this section.

16 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion shall be construed to authorize the Department of De-
18 fense to collect, procure, or otherwise acquire data, includ-
19 ing commercially available data, in any manner that is not
20 authorized by law, or to make use of data assets in any
21 manner, or for any purpose, that is not otherwise author-
22 ized by law.

23 (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
24 FINED.—In this section, the term “appropriate congres-
25 sional committees” means—

- 1 (1) the congressional defense committees;
- 2 (2) the Permanent Select Committee on Intel-
- 3 ligence of the House of Representatives; and
- 4 (3) the Select Committee on Intelligence of the
- 5 Senate.

6 **SEC. 1524. COURSE OF EDUCATION AND PILOT PROGRAM**
7 **ON AUTHENTICATION OF DIGITAL CONTENT**
8 **PROVENANCE FOR CERTAIN DEPARTMENT**
9 **OF DEFENSE MEDIA CONTENT.**

10 (a) COURSE OF EDUCATION.—

11 (1) IN GENERAL.—Not later than one year
12 after the date of the enactment of this Act, the Sec-
13 retary of Defense, acting through the Director of the
14 Defense Media Activity, shall establish a course of
15 education at the Defense Information School, the
16 purpose of which shall be to provide instruction on
17 the practical concepts and skills needed by public af-
18 fairs, audiovisual, visual information, and records
19 management specialists to understand the following:

20 (A) Digital content provenance for applica-
21 ble Department media content.

22 (B) The challenges posed to missions and
23 operations of the Department by a digital con-
24 tent forgery.

1 (C) How industry open technical standards
2 may be used to authenticate the digital content
3 provenance of applicable Department media
4 content.

5 (2) MATTERS.—The course of education under
6 paragraph (1) shall cover the following matters:

7 (A) The challenges to missions and oper-
8 ations of the Department posed by a digital
9 content forgery.

10 (B) The development of industry open
11 technical standards for authenticating the dig-
12 ital content provenance of applicable Depart-
13 ment media content.

14 (C) Hands-on training on techniques to
15 record secure and authenticated digital content
16 to document and communicate relevant themes
17 and messages of the Department.

18 (D) Training on—

19 (i) the use of industry open technical
20 standards for authenticating digital con-
21 tent provenance in the completion of post-
22 production tasks; and

23 (ii) the transmission of applicable De-
24 partment media content in both oper-
25 ational and nonoperational environments.

1 (E) Such other matters as the Director of
2 the Defense Media Activity considers appro-
3 priate.

4 (3) REPORT.—Not later than one year after the
5 date of the establishment of the course of education
6 under paragraph (1), the Director of the Defense
7 Media Activity shall submit to the Committees on
8 Armed Services of the House of Representatives and
9 the Senate a report on the following:

10 (A) The status of the development of a
11 curriculum for such course of education.

12 (B) The implementation plan of the Direc-
13 tor for such course of education, including the
14 following:

15 (i) The expertise and qualifications of
16 the personnel of the Department respon-
17 sible for teaching such course of education.

18 (ii) The list of sources consulted or
19 otherwise used to develop the curriculum
20 for such course of education.

21 (iii) A description of the industry open
22 technical standards referred to in para-
23 graph (1)(C).

24 (iv) The status of the implementation
25 of such course of education.

1 (C) The resources available to the Director
2 to carry out this subsection and whether the
3 Director requires any additional resources to
4 carry out this subsection.

5 (b) PILOT PROGRAM ON IMPLEMENTING DIGITAL
6 CONTENT PROVENANCE STANDARDS.—

7 (1) PILOT PROGRAM.—Not later than one year
8 after the date of the enactment of this Act, the Di-
9 rector of the Defense Media Activity shall carry out
10 a pilot program to assess the feasibility and advis-
11 ability of implementing industry open technical
12 standards for digital content provenance for official
13 photographs and videos of the Department of De-
14 fense publicly released by the Defense Visual Infor-
15 mation Distribution Service, or any successor oper-
16 ation, and other distribution platforms, systems, and
17 services used by the Department of Defense (in this
18 subsection referred to as the “pilot program”).

19 (2) ELEMENTS.—In carrying out the pilot pro-
20 gram, the Director of the Defense Media Activity
21 shall—

22 (A) establish a process for using industry
23 open technical standards to verify the digital
24 content provenance of applicable Department
25 media content;

1 (B) apply technology solutions that com-
2 port with industry open technical standard for
3 digital content provenance to photographs and
4 videos of the Department publicly released as
5 described in paragraph (1) after the date of the
6 enactment of this Act;

7 (C) assess the feasibility and advisability of
8 applying an industry open technical standard
9 for digital content provenance to historical vis-
10 ual information records of the Department
11 stored at the Defense Visual Information
12 Records Center; and

13 (D) develop and apply measure of effec-
14 tiveness for the implementation of the pilot pro-
15 gram.

16 (3) CONSULTATION.—In carrying out the pilot
17 program, the Director of the Defense Media Activity
18 may consult with federally funded research and de-
19 velopment centers, entities within private industry,
20 institutions of higher education, and such other enti-
21 ties as the Director considers appropriate.

22 (4) TERMINATION.—The pilot program shall
23 terminate on January 1, 2027.

24 (5) REPORT.—

1 (A) IN GENERAL.—Not later than January
2 1, 2026, the Director of the Defense Media Ac-
3 tivity shall submit to the Committees on Armed
4 Services of the House of Representatives and
5 the Senate a report on the pilot program.

6 (B) ELEMENTS.—The report under sub-
7 paragraph (A) shall include the following:

8 (i) The findings of the Director with
9 respect to the pilot program.

10 (ii) The name of each entity the Di-
11 rector consulted with pursuant to para-
12 graph (3) in carrying out the pilot pro-
13 gram.

14 (iii) An assessment by the Director of
15 the effectiveness of the pilot program.

16 (iv) A recommendation by the Direc-
17 tor as to whether the pilot program should
18 be made permanent.

19 (c) DEFINITIONS.—In this section:

20 (1) The term “applicable Department media
21 content” means any media holding generated,
22 stored, or controlled by the Defense Media Activity.

23 (2) The term “digital content forgery” means
24 the use of emerging technologies, including artificial
25 intelligence and machine learning techniques, to fab-

1 ricate or manipulate audio, visual, or text content
2 with the intent to mislead.

3 (3) The term “digital content provenance”
4 means the verifiable chronology of the origin and
5 history of an image, video, audio recording, elec-
6 tronic document, or other form of digital content.

7 **SEC. 1525. PRIZE COMPETITIONS FOR BUSINESS SYSTEMS**
8 **MODERNIZATION.**

9 (a) ESTABLISHMENT.—Not later than 270 days after
10 the date of the enactment of this Act, under the authority
11 of section 4025 of title 10, United States Code, the Sec-
12 retary of Defense shall establish one or more prize com-
13 petitions to support the business systems modernization
14 goals of the Department of Defense.

15 (b) SCOPE.—

16 (1) IN GENERAL.—The Secretary of Defense
17 shall structure any prize competition established
18 under subsection (a) to complement, and to the ex-
19 tent practicable, accelerate the delivery or expand
20 the functionality of business systems capabilities
21 sought by the Secretaries of the military depart-
22 ments that are in operation, in development, or be-
23 long to any broad class of systems covered by the
24 defense business enterprise architecture specified in
25 section 2222(e) of title 10, United States Code.

1 (2) AREAS FOR CONSIDERATION.—In carrying
2 out subsection (a), the Secretary of Defense and the
3 Secretaries of the military departments shall con-
4 sider the following:

5 (A) Integration of artificial intelligence or
6 machine learning capabilities.

7 (B) Data analytics, business intelligence,
8 or related visualization capabilities.

9 (C) Automated updating of business archi-
10 tectures, business systems integration, or docu-
11 mentation relating to existing systems or manu-
12 als.

13 (D) Improvements to interfaces or proc-
14 esses for interacting with other non-Department
15 of Defense business systems.

16 (E) Updates or replacements for legacy de-
17 fense business systems to improve operational
18 effectiveness and efficiency, such as the system
19 of the Defense Logistics Agency known as the
20 “Mechanization of Contract Administration
21 Services” system, or any successor system.

22 (F) Contract writing systems, or expanded
23 capabilities relating to such systems, that may
24 be integrated into existing systems of the De-
25 partment of Defense.

1 (G) Pay and personnel systems, or ex-
2 panded capabilities relating to such systems,
3 that may be integrated into existing systems of
4 the Department of Defense.

5 (H) Other finance and accounting systems,
6 or expanded capabilities relating to such sys-
7 tems, that may be integrated into existing sys-
8 tems of the Department of Defense.

9 (I) Systems supporting the defense indus-
10 trial base and related supply chain visibility,
11 analytics, and management.

12 (c) FRAMEWORK.—Not later than 180 days after the
13 date of the enactment of this Act, the Secretary of Defense
14 shall provide to the congressional defense committees a
15 briefing on the framework to be used in carrying out the
16 prize competition under subsection (a).

17 (d) ANNUAL BRIEFINGS.—Not later than October 1
18 of each year until the date of termination under subsection
19 (e), the Secretary of Defense shall provide to the congres-
20 sional defense committees a briefing on the results of the
21 prize competition under subsection (a).

22 (e) TERMINATION.—The authority to carry out the
23 prize competition under subsection (a) shall terminate on
24 September 30, 2028.

1 **SEC. 1526. REQUIREMENTS FOR DEPLOYMENT OF FIFTH**
2 **GENERATION INFORMATION AND COMMU-**
3 **NICATIONS CAPABILITIES TO MILITARY IN-**
4 **STALLATIONS AND OTHER DEPARTMENT FA-**
5 **CILITIES.**

6 (a) REQUIREMENTS.—

7 (1) STRATEGY FOR PRIVATE WIRELESS NET-
8 WORKS.—Not later than 120 days after the date of
9 the enactment of this Act, the Secretary of Defense
10 shall develop and implement a strategy for deploying
11 to military installations and other facilities of the
12 Department of Defense private wireless networks
13 that are—

14 (A) based on fifth generation information
15 and communications capabilities and Open
16 Radio Access Network architecture; and

17 (B) tailored to the mission, security, and
18 performance requirements of the respective
19 military installation or other facility.

20 (2) PROCESS FOR PUBLIC WIRELESS NETWORK
21 SERVICE PROVIDERS.—

22 (A) ESTABLISHMENT.—The Secretary
23 shall establish a Department-wide process
24 under which a public wireless network service
25 provider of fifth generation information and
26 communications capabilities may gain access to

1 a military installation or other facility of the
2 Department to provide commercial subscriber
3 services to military and civilian personnel of the
4 Department (including contractor personnel) lo-
5 cated at, and organizational elements of the De-
6 partment maintained at, such installation or fa-
7 cility.

8 (B) DESIGN REQUIREMENTS.—In estab-
9 lishing the process under subparagraph (A), the
10 Secretary shall ensure relevant system architec-
11 tures and supporting infrastructure are de-
12 signed to support modular upgrades to future
13 generation technologies.

14 (3) DETERMINATION RELATING TO CONTRACT
15 AUTHORITY.—The Secretary shall determine, on a
16 contract-by-contract basis or as a determination with
17 uniform applicability to contracts across military in-
18 stallations and other facilities of the Department,
19 whether to enter into a contract for—

20 (A) neutral hosting, under which infra-
21 structure and services would be provided to
22 companies deploying private wireless networks
23 and public wireless network services to such in-
24 stallation or other facility through multi-oper-
25 ator core network architectures; or

1 (B) separate private wireless network and
2 public wireless network infrastructure at such
3 installation or other facility (which shall include
4 a determination by the Secretary on how to es-
5 tablish roaming agreements and policies be-
6 tween such networks).

7 (4) BRIEFING.—Not later than 150 days after
8 the date of the enactment of this Act, the Secretary
9 shall provide to the congressional defense commit-
10 tees a briefing on the strategy developed under para-
11 graph (1) and any other activity carried out pursu-
12 ant to this subsection.

13 (b) INTERNATIONAL COOPERATION ACTIVITIES.—
14 The Secretary, using existing authorities available to the
15 Secretary, may engage in cooperation activities with for-
16 eign allies and partners of the United States to—

17 (1) improve the implementation of the strategy
18 under subsection (a)(1); and

19 (2) inform the deployment of private wireless
20 networks to military installations and other facilities
21 of the Department pursuant to such strategy.

22 (c) OPEN RADIO ACCESS NETWORK ARCHITECTURE
23 DEFINED.—In this section, the term “Open Radio Access
24 Network architecture” means a network architecture that

1 is modular, uses open interfaces, and virtualizes
2 functionality on commodity hardware through software.

3 **SEC. 1527. REQUIRED POLICIES TO ESTABLISH DATALINK**
4 **STRATEGY OF DEPARTMENT OF DEFENSE.**

5 (a) POLICIES REQUIRED.—

6 (1) IN GENERAL.—The Secretary of Defense
7 shall develop and implement policies to establish a
8 unified datalink strategy of the Department of De-
9 fense (in this section referred to as the “strategy”).

10 (2) ELEMENTS.—The policies under paragraph
11 (1) shall provide for, at a minimum, the following:

12 (A) The designation of an organization to
13 serve as the lead coordinator of datalink activi-
14 ties throughout the Department of Defense.

15 (B) The prioritization and coordination
16 across the military departments with respect to
17 the strategy within the requirements generation
18 process of the Department.

19 (C) The use throughout the Department of
20 a common standardized datalink network or
21 transport protocol that ensures interoperability
22 between independently developed datalinks, re-
23 gardless of physical medium used, and ensures
24 mesh routing. In developing such policy, the

1 Secretary of Defense shall consider the use of
2 a subset of Internet Protocol.

3 (D) A programmatic decoupling of the
4 physical method used to transmit data, the net-
5 work or transport protocols used in the trans-
6 mission and reception of data, and the applica-
7 tions used to process and use data.

8 (E) Coordination of the strategy with re-
9 spect to weapon systems executing the same
10 mission types across the military departments,
11 including through the use of a common set of
12 datalink waveforms. In developing such policy,
13 the Secretary shall evaluate the use of redun-
14 dant datalinks for line-of-sight and beyond-line-
15 of-sight information exchange for each weapon
16 systems platform.

17 (F) Coordination between the Department
18 and the intelligence community (as such term is
19 defined in section 3 of the National Security
20 Act of 1947 (50 U.S.C. 3003)) to leverage any
21 efficiencies and overlap with existing datalink
22 waveforms of the intelligence community.

23 (G) Methods to support the rapid integra-
24 tion of common datalinks across the military
25 departments.

1 (H) Support for modularity of specific
2 datalink waveforms to enable rapid integration
3 of future datalinks, including the use of soft-
4 ware defined radios compliant with modular
5 open system architecture and sensor open sys-
6 tem architecture.

7 (b) INFORMATION TO CONGRESS.—Not later than
8 June 1, 2024, the Secretary of Defense shall—

9 (1) provide to the appropriate congressional
10 committees a briefing on the proposed policies under
11 subsection (a)(1), including timelines for the imple-
12 mentation of such policies; and

13 (2) submit to the appropriate congressional
14 committees—

15 (A) an estimated timeline for the imple-
16 mentations of datalinks;

17 (B) a list of any additional resources and
18 authorities necessary to implement the strategy;
19 and

20 (C) a determination of whether a common
21 set of datalinks can and should be implemented
22 across all major weapon systems (as such term
23 is defined in section 3455 of title 10, United
24 States Code) of the Department of Defense.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means the congressional defense com-
4 mittees and the congressional intelligence committees, as
5 such term is defined in section 3 of the National Security
6 Act of 1947 (50 U.S.C. 3003).

7 **Subtitle D—Personnel**

8 **SEC. 1531. OFFICE FOR ACADEMIC ENGAGEMENT RELAT-** 9 **ING TO CYBER ACTIVITIES.**

10 (a) ESTABLISHMENT.—Chapter 111 of title 10,
11 United States Code, is amended by inserting after section
12 2192b the following new section:

13 **“§ 2192c. Office for academic engagement relating to** 14 **cyber activities**

15 “(a) ESTABLISHMENT.—The Secretary of Defense,
16 acting through the Chief Information Officer of the De-
17 partment of Defense, shall establish an office to establish,
18 maintain, and oversee the activities of the Department of
19 Defense that pertain to the relationship between the De-
20 partment and academia, including with entities involved
21 in primary, secondary, or postsecondary education, with
22 respect to cyber-related matters (in this section referred
23 to as the ‘Office’).

24 “(b) DIRECTOR.—The Office shall have a Director
25 who shall report directly to the Chief Information Officer

1 of the Department of Defense. An individual serving as
2 Director, while so serving, shall be a member of the Senior
3 Executive Service.

4 “(c) RESPONSIBILITIES.—(1) The Office shall be re-
5 sponsible for the following:

6 “(A) Serving as the consolidated focal point for
7 engagements carried out between the Department of
8 Defense and academia with respect to cyber-related
9 matters.

10 “(B) Coordinating covered academic engage-
11 ment programs for the Department of Defense.

12 “(C) Conducting ongoing analysis, as deter-
13 mined necessary by the Director, of the performance
14 of cyber-related educational scholarships, camps,
15 support efforts, and volunteer partnerships of the
16 Department of Defense.

17 “(D) Identifying actions the Secretary of De-
18 fense may take to improve the cyber skills of per-
19 sonnel within the Department of Defense through
20 participation by such personnel in covered academic
21 engagement programs, for the purposes of assisting
22 the Secretary in cyber-related matters and meeting
23 the long-term national defense needs of the United
24 States for personnel proficient in such skills.

1 “(E) Managing funds and resources for the Na-
2 tional Centers for Academic Excellence in Cyberse-
3 curity program, the Department of Defense Cyber
4 Scholarship Program, the National Defense Univer-
5 sity College of Information and Cyberspace, the Uni-
6 versity Consortium for Cybersecurity, the senior
7 military colleges, and other educational partnerships
8 between academic institutions and active components
9 of the Armed Forces.

10 “(F) Establishing requirements, policies, and
11 procedures to collect data on, and to monitor and
12 evaluate, the performance of covered academic en-
13 gagement programs with respect to the involvement
14 in such programs by the Department of Defense.

15 “(G) Monitoring and evaluating through appli-
16 cable performance measurements (including those
17 established pursuant to subparagraph (F)) the per-
18 formance of covered academic engagement programs
19 with respect to the involvement in such programs by
20 the Department of Defense, and advising the Sec-
21 retary of Defense on whether to continue, modify, or
22 terminate such involvement.

23 “(H) Conducting budgetary oversight and su-
24 pervision, taking into consideration the findings of

1 performance evaluations under subparagraph (G),
2 with respect to—

3 “(i) the involvement in covered academic
4 engagement programs by the Department of
5 Defense; and

6 “(ii) other matters relating to the respon-
7 sibilities under this subsection.

8 “(2) The Office shall be the office of primary respon-
9 sibility for carrying out the following:

10 “(A) Section 2200c of title 10, United States
11 Code.

12 “(B) Section 1640 of the John S. McCain Na-
13 tional Defense Authorization Act for Fiscal Year
14 2019 (Public Law 115–232; 10 U.S.C. 2200 note).

15 “(C) Section 1649 of the National Defense Au-
16 thorization Act for Fiscal Year 2020 (Public Law
17 116–92; 133 Stat. 1758).

18 “(D) The duties of the Secretary of Defense
19 under section 1659 of the National Defense Author-
20 ization Act for Fiscal Year 2020 (Public Law 116–
21 92; 10 U.S.C. 391 note).

22 “(E) The duties of the Chief Information Offi-
23 cer of the Department of Defense under section
24 1726 of the William M. (Mac) Thornberry National

1 Defense Authorization Act for Fiscal Year 2021
2 (Public Law 116–283; 10 U.S.C. 1599f note).

3 “(F) Section 1532 of the National Defense Au-
4 thorization Act for Fiscal Year 2022 (Public Law
5 117–81; 10 U.S.C. 2191 note prec.).

6 “(G) Section 1535 of the National Defense Au-
7 thorization Act for Fiscal Year 2023 (Public Law
8 117–263; 10 U.S.C. 2200 note).

9 “(H) Such other provisions of law as the Sec-
10 retary of Defense may determine relevant.

11 “(d) AUTHORITY RELATING TO COMPLIANCE.—The
12 Secretary of Defense shall take such steps as may be nec-
13 essary to ensure that the Director of the Office has suffi-
14 cient authority to compel and enforce compliance with any
15 decisions or directives issued pursuant to the responsibil-
16 ities under subsection (c).

17 “(e) ADDITIONAL AUTHORITIES.—In carrying out
18 this section, the Director of the Office may, under any
19 provision of this chapter or any other provision of this title
20 providing for the support of educational programs in
21 cyber-related matters (and unless otherwise specified in
22 such provision)—

23 “(1) enter into contracts and cooperative agree-
24 ments, including for the purpose of supporting aca-

1 demic and hands-on programs for individuals
2 transitioning into the cyber field of the Department;

3 “(2) make grants of financial assistance, includ-
4 ing to civilian and military students;

5 “(3) provide cash awards and other items;

6 “(4) accept voluntary services; and

7 “(5) support national competition judging,
8 other educational event activities, and associated
9 award ceremonies in connection with covered aca-
10 demic engagement programs.

11 “(f) RELATIONSHIP TO OTHER ENTITIES.—The
12 Under Secretary of Defense for Research and Engineering
13 and the Secretaries concerned shall coordinate and col-
14 laborate with the Director of the Office on covered aca-
15 demic engagement programs sponsored by the Under Sec-
16 retary as Science, Technology, Engineering, and Mathe-
17 matics (STEM) programs and activities.

18 “(g) COVERED ACADEMIC ENGAGEMENT PROGRAM
19 DEFINED.—In this section, the term ‘covered academic
20 engagement program’ means any of the following:

21 “(1) A primary, secondary, or post-secondary
22 educational program with a cyber focus.

23 “(2) A program of the Department of Defense
24 for the recruitment or retention of cyberspace civil-
25 ian and military personnel (including scholarship

1 programs) other than a Reserve Officers' Training
2 Corps program.

3 “(3) An academic partnership focused on estab-
4 lishing cyber talent among the personnel referred to
5 in paragraph (2).”.

6 (b) DEADLINE FOR ESTABLISHMENT.—The Sec-
7 retary of Defense shall establish the office under section
8 2192c of title 10, United States Code, as added by sub-
9 section (a), by not later than 270 days after the date of
10 the enactment of this Act.

11 (c) CONFORMING AMENDMENTS.—

12 (1) PROGRAM TO ESTABLISH CYBER INSTI-
13 TUTES AT INSTITUTIONS OF HIGHER LEARNING.—
14 Section 1640 of the John S. McCain National De-
15 fense Authorization Act for Fiscal Year 2019 (Pub-
16 lic Law 115–232; 10 U.S.C. 2200 note) is amended
17 by inserting at the end the following new subsection:

18 “(h) DISCHARGE THROUGH DIRECTOR.—In carrying
19 out this section, the Secretary of Defense shall act through
20 the Director of the office established under section 2192c
21 of title 10, United States Code.”.

22 (2) REPORT ON CYBERSECURITY TRAINING
23 PROGRAMS.—Section 1649 of the National Defense
24 Authorization Act for Fiscal Year 2020 (Public Law
25 116–92; 133 Stat. 1758) is amended by inserting “,

1 acting through the Director of the office established
2 under section 2192c of title 10, United States
3 Code,” after “Secretary of Defense”.

4 (3) CONSORTIA OF UNIVERSITIES TO ADVISE
5 SECRETARY OF DEFENSE ON CYBERSECURITY MAT-
6 TERS.—Section 1659 of the National Defense Au-
7 thorization Act for Fiscal Year 2020 (Public Law
8 116–92; 10 U.S.C. 391 note) is amended by adding
9 at the following new subsection:

10 “(g) DISCHARGE THROUGH DIRECTOR.—In carrying
11 out this section, the Secretary of Defense shall act through
12 the Director of the office established under section 2192c
13 of title 10, United States Code.”.

14 (4) DEPARTMENT OF DEFENSE CYBER WORK-
15 FORCE EFFORTS.—Section 1726 of the William M.
16 (Mac) Thornberry National Defense Authorization
17 Act for Fiscal Year 2021 (Public Law 116–283; 10
18 U.S.C. 1599f note) is amended by adding at the end
19 the following new subsection:

20 “(b) DISCHARGE THROUGH DIRECTOR.—In carrying
21 out this section, the Chief Information Officer of the De-
22 partment of Defense shall act through the Director of the
23 office established under section 2192c of title 10, United
24 States Code.”.

1 (5) STUDY ON ESTABLISHMENT OF DES-
2 IGNATED CENTRAL PROGRAM OFFICE.—Section
3 1532 of the National Defense Authorization Act for
4 Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
5 2191 note prec.) is amended—

6 (A) by redesignating subsection (e) as sub-
7 section (f); and

8 (B) by inserting after subsection (d) the
9 following new subsection:

10 “(e) DISCHARGE THROUGH DIRECTOR.—In carrying
11 out this section, the Secretary of Defense shall act through
12 the Director of the office established under section 2192c
13 of title 10, United States Code.”.

14 (6) DEPARTMENT OF DEFENSE CYBER AND
15 DIGITAL SERVICE ACADEMY.—Section 1535 of the
16 National Defense Authorization Act for Fiscal Year
17 2023 (Public Law 117–263; 10 U.S.C. 2200 note)
18 is amended by adding at the end the following new
19 subsection:

20 “(p) DISCHARGE THROUGH DIRECTOR.—In carrying
21 out this section, the Secretary of Defense shall act through
22 the Director of the office established under section 2192c
23 of title 10, United States Code.”.

1 **SEC. 1532. SELECTED RESERVE ORDER TO ACTIVE DUTY TO**
2 **RESPOND TO A SIGNIFICANT CYBER INCI-**
3 **DENT.**

4 Section 12304 of title 10, United States Code, is
5 amended—

6 (1) in subsection (a), by striking “for any
7 named operational mission”;

8 (2) by redesignating subsections (e) through (j)
9 as subsections (d) through (k), respectively;

10 (3) by inserting after subsection (b) the fol-
11 lowing new subsection:

12 “(c) **AUTHORITY RELATING TO SIGNIFICANT CYBER**
13 **INCIDENTS.**—When the Secretary of Defense or the Sec-
14 retary of the department in which the Coast Guard is op-
15 erating determines that it is necessary to augment the ac-
16 tive armed forces for the response of the Department of
17 Defense or other department under which the Coast
18 Guard is operating, respectively, to a covered incident,
19 such Secretary may, without the consent of the member
20 affected, order any unit, and any member not assigned
21 to a unit organized to serve as a unit of the Selected Re-
22 serve (as defined in section 10143(a) of this title), under
23 the respective jurisdiction of such Secretary, to active duty
24 for not more than 365 consecutive days.”;

1 (4) in paragraph (1) of subsection (d), as redesi-
2 gnated by paragraph (2), by inserting “or sub-
3 section (c)” after “subsection (b)”;

4 (5) in subsection (g), as redesignated by para-
5 graph (2), by inserting “or subsection (c)” after
6 “subsection (a)”;

7 (6) by amending subsection (h), as redesignated
8 by paragraph (2), to read as follows:

9 “(h) TERMINATION OF DUTY.—(1) Whenever any
10 unit of the Selected Reserve or any member of the Selected
11 Reserve not assigned to a unit organized to serve as a
12 unit, or any member of the Individual Ready Reserve, is
13 ordered to active duty under authority of subsection (a),
14 the service of all units or members so ordered to active
15 duty may be terminated by—

16 “(A) order of the President; or

17 “(B) law.

18 “(2) Whenever any unit of the Selected Reserve or
19 any member of the Selected Reserve not assigned to a unit
20 organized to serve as a unit is ordered to active duty under
21 authority of subsection (c), the service of all units or mem-
22 bers so ordered to active duty may be terminated by—

23 “(A) order of the Secretary of Defense or, with
24 respect to the Coast Guard, the Secretary of the De-
25 partment in which the Coast Guard is operating; or

1 “(B) law.”; and

2 (7) in subsection (k), as redesignated by para-
3 graph (2)—

4 (A) by redesignating paragraphs (1) and
5 (2) as paragraphs (2) and (3), respectively; and

6 (B) by inserting after the matter preceding
7 paragraph (2), as so redesignated, the following
8 new paragraph:

9 “(1) The term ‘covered incident’ means—

10 “(A) a cyber incident involving a Depart-
11 ment of Defense information system, or a
12 breach of a Department of Defense system that
13 involves personally identifiable information, that
14 the Secretary of Defense determines is likely to
15 result in demonstrable harm to the national se-
16 curity interests, foreign relations, or the econ-
17 omy of the United States, or to the public con-
18 fidence, civil liberties, or public health and safe-
19 ty of the people of the United States;

20 “(B) a cyber incident involving a Depart-
21 ment of Homeland Security information system,
22 or a breach of a Department of Homeland Se-
23 curity system that involves personally identifi-
24 able information, that the Secretary of Home-
25 land Security determines is likely to result in

1 demonstrable harm to the national security in-
2 terests, foreign relations, or the economy of the
3 United States or to the public confidence, civil
4 liberties, or public health and safety of the peo-
5 ple of the United States;

6 “(C) a cyber incident, or collection of re-
7 lated cyber incidents, that the President deter-
8 mines is likely to result in demonstrable harm
9 to the national security interests, foreign rela-
10 tions, or economy of the United States or to the
11 public confidence, civil liberties, or public health
12 and safety of the people of the United States;

13 or

14 “(D) a significant incident declared pursu-
15 ant to section 2233 of the Homeland Security
16 Act of 2002 (6 U.S.C. 677b).”.

17 **SEC. 1533. POST-GRADUATE EMPLOYMENT OF DEPART-**
18 **MENT OF DEFENSE CYBER SERVICE ACAD-**
19 **EMY SCHOLARSHIP RECIPIENTS IN INTEL-**
20 **LIGENCE COMMUNITY.**

21 Section 1535 of the James M. Inhofe National De-
22 fense Authorization Act for Fiscal Year 2023 (Public Law
23 117–263; 10 U.S.C. 2200 note) is amended—

24 (1) in the section heading, by striking “**DE-**
25 **PARTMENT OF DEFENSE CYBER AND DIGITAL**

1 **SERVICE ACADEMY”** and inserting “**DEPART-**
2 **MENT OF DEFENSE CYBER SERVICE ACAD-**
3 **EMY”**;

4 (2) in subsection (a)—

5 (A) in paragraph (1), by inserting “, the
6 heads of the elements of the intelligence com-
7 munity,” after “the Secretary of Homeland Se-
8 curity”; and

9 (B) in paragraph (3), by striking “Depart-
10 ment of Defense Cyber and Digital Service
11 Academy” and inserting “Department of De-
12 fense Cyber Service Academy”;

13 (3) in subsection (d)—

14 (A) by inserting “or an element of the in-
15 telligence community” after “missions of the
16 Department”; and

17 (B) by striking “Secretary” each place it
18 appears and inserting “head concerned”;

19 (4) in subsection (e)—

20 (A) by striking “Secretary” each place it
21 appears and inserting “head concerned”; and

22 (B) by inserting “, or within an element of
23 the intelligence community, as the case may be”
24 after “United States Code”;

1 (5) in subsections (h), (j), and (k), by striking
2 “Secretary” each place it appears and inserting
3 “head concerned”; and

4 (6) by adding at the end of the following new
5 subsections:

6 “(p) INTERAGENCY CONSIDERATIONS.—

7 “(1) IN GENERAL.—Subject to paragraph (2), a
8 scholarship recipient may satisfy their post-award
9 employment obligation under this section by working
10 for an element of the intelligence community that is
11 not part of the Department of Defense only if—

12 “(A) the Secretary of Defense has entered
13 into an agreement with the head of that ele-
14 ment authorizing the placement of scholarship
15 recipients under the Program in positions with-
16 in that element;

17 “(B) under such agreement, the head of
18 that element has agreed to reimburse the De-
19 partment of Defense for the scholarship pro-
20 gram costs associated with any scholarship re-
21 cipient so placed; and

22 “(C) the scholarship recipient has satisfied
23 appropriate hiring criteria and security clear-
24 ance requirements applicable to that element.

1 “(2) LIMITATION ON PERCENTAGE PER GRAD-
2 UATING CLASS.—Not more than 10 percent of each
3 graduating class of scholarship recipients under the
4 Program may be placed in positions not within the
5 Department of Defense unless the Secretary of De-
6 fense submits to the congressional defense commit-
7 tees a certification that the Department of Defense
8 is unable to facilitate placements in positions within
9 the Department of Defense for such excess percent-
10 age.

11 “(q) DEFINITIONS.—In this section:

12 “(1) The term ‘head concerned’ means—

13 “(A) The Secretary of Defense, with re-
14 spect to matters concerning the Department of
15 Defense; or

16 “(B) the head of an element of the intel-
17 ligence community, with respect to matters con-
18 cerning that element.

19 “(2) The term ‘intelligence community’ has the
20 meaning given such term in section 3 of the Na-
21 tional Security Act of 1947 (50 U.S.C. 3003).”.

1 **SEC. 1534. MINIMUM NUMBER OF SCHOLARSHIPS TO BE**
2 **AWARDED ANNUALLY THROUGH DEPART-**
3 **MENT OF DEFENSE CYBER SERVICE ACAD-**
4 **EMY.**

5 Section 1535(c) of the James M. Inhofe National De-
6 fense Authorization Act for Fiscal Year 2023 (Public Law
7 117–263; 10 U.S.C. 2200 note) is amended by adding at
8 the end the following new paragraph:

9 “(5) MINIMUM NUMBER OF SCHOLARSHIP
10 AWARDS.—

11 “(A) IN GENERAL.—The Secretary of De-
12 fense shall award not fewer than 1,000 scholar-
13 ships under the Program in fiscal year 2026
14 and in each fiscal year thereafter.

15 “(B) WAIVER.—The Secretary of Defense
16 may award fewer than the number of scholar-
17 ships required under subparagraph (A) in a fis-
18 cal year if the Secretary determines and notifies
19 the congressional defense committees that fewer
20 scholarships are necessary to address workforce
21 needs.”.

22 **SEC. 1535. PILOT PROGRAM AND OTHER MEASURES TO EN-**
23 **HANCE READINESS AND EFFECTIVENESS OF**
24 **CYBER MISSION FORCE.**

25 (a) PERSONNEL REQUIREMENTS AND TRAINING FOR
26 CRITICAL WORK ROLES.—Not later than 270 days after

1 the date of the enactment of this Act, the Secretary of
2 Defense shall—

3 (1) direct and oversee the implementation of
4 guidance, to be issued by each Secretary of a mili-
5 tary department, that correlates critical work roles
6 to military occupational specialties and periods of
7 obligated service with respect to that military de-
8 partment;

9 (2) require that, prior to the attachment or as-
10 signment of a member of the Armed Forces to a
11 unit of the United States Cyber Command, the Sec-
12 retary concerned ensure such member is fully
13 trained and in compliance with the required stand-
14 ards for the work role to be assumed by the member
15 within such unit, including with respect to critical
16 work roles within the Cyber Mission Force;

17 (3) ensure that the period of obligated service
18 for members of the Armed Forces is—

19 (A) uniform across the military depart-
20 ments with respect to positions of the Cyber
21 Mission Force involving critical work roles;

22 (B) commensurate with the financial and
23 time investments made by Secretary concerned
24 for the purpose of furnishing training pursuant
25 to paragraph (2); and

1 (C) sufficient to meet the readiness re-
2 quirements established by the Commander of
3 the United States Cyber Command;

4 (4) facilitate consecutive assignments of mem-
5 bers of the Armed Forces to the same unit of the
6 United States Cyber Command without inhibiting
7 the advancement or promotion potential of any such
8 member;

9 (5) provide to the Secretaries of the military de-
10 partments direction for the integration of critical
11 work roles into the personnel system of record of the
12 respective military department, to provide for track-
13 ing cyber personnel data by work role; and

14 (6) establish within at least one military depart-
15 ment the curriculum and capacity necessary to train
16 sufficient numbers of members of the Armed Forces
17 from across the military departments in the per-
18 formance of critical work roles within the Cyber Mis-
19 sion Force to achieve the readiness requirements es-
20 tablished by the Commander of United States Cyber
21 Command.

22 (b) PILOT PROGRAM ON CONTRACTING FOR SERV-
23 ICES RELEVANT TO CRITICAL WORK ROLES.—

24 (1) PILOT PROGRAM.—Not later than 180 days
25 after the date of the enactment of this Act, the

1 Commander of the United States Cyber Command
2 shall carry out a pilot program under which the
3 Commander shall seek to enter into one or more
4 contracts under which skilled contractor personnel
5 provide services relevant to critical work roles within
6 the Cyber Mission Force, for the purpose of enhanc-
7 ing the readiness and effectiveness of the Cyber Mis-
8 sion Force.

9 (2) DURATION.—The Commander shall carry
10 out the pilot program under paragraph (1) during
11 the three-year period beginning on the date of the
12 commencement of the pilot program and following
13 such period, may—

14 (A) continue carrying out such pilot pro-
15 gram for such duration as the Commander con-
16 siders appropriate;

17 (B) transition such pilot program to a per-
18 manent program; or

19 (C) terminate such pilot program.

20 (c) PLAN ON HIRING, TRAINING, AND RETAINING CI-
21 VILIANS TO SERVE IN CRITICAL WORK ROLES.—Not later
22 than 120 days after the date of the enactment of this Act,
23 the Commander of the United States Cyber Command
24 shall—

1 (1) develop a plan to hire, train, and retain ci-
2 vilians to serve in critical work roles and other work
3 roles within the Cyber Mission Force, for the pur-
4 pose of enhancing the readiness and effectiveness of
5 the Cyber Mission Force; and

6 (2) provide to the congressional defense com-
7 mittees a briefing on such plan.

8 (d) DEFINITIONS.—In this section:

9 (1) The term “critical work role” means a work
10 role designated as critical by the Commander of the
11 United States Cyber Command for purposes of this
12 section.

13 (2) The term “Secretary concerned” has the
14 meaning given that term in section 101 of title 10,
15 United States Code.

16 **SEC. 1536. AUTHORITY TO CONDUCT PILOT PROGRAM ON**
17 **CIVILIAN CYBERSECURITY RESERVE.**

18 (a) AUTHORITY.—The Secretary of the Army may
19 conduct a pilot program to establish a Civilian Cybersecu-
20 rity Reserve to provide to the United States Cyber Com-
21 mand manpower to effectively—

22 (1) preempt, defeat, deter, or respond to mali-
23 cious cyber activity;

24 (2) conduct cyberspace operations;

1 (3) secure information and systems of the De-
2 partment of Defense against malicious cyber activ-
3 ity; and

4 (4) assist in solving cyber workforce-related
5 challenges.

6 (b) CONDITIONS PRIOR TO CONDUCT OF PILOT PRO-
7 GRAM.—

8 (1) IMPLEMENTATION PLAN.—The Secretary of
9 the Army may not take any action to commence a
10 pilot program pursuant to the authority under sub-
11 section (a) until the Secretary—

12 (A) submits to the congressional defense
13 committees an implementation plan for the pilot
14 program; and

15 (B) provides to the congressional defense
16 committees a briefing on such implementation
17 plan.

18 (2) PROGRAM GUIDANCE.—If the Secretary of
19 the Army intends to conduct a pilot program pursu-
20 ant to the authority under subsection (a), prior to
21 commencing such pilot program, the Secretary, in
22 consultation with the Director of the Office of Per-
23 sonnel Management and the Director of the Office
24 of Government Ethics, shall issue guidance for the

1 establishment and implementation of the pilot pro-
2 gram.

3 (c) CONDITIONS ON CONDUCT OF PILOT PRO-
4 GRAM.—Any pilot program conducted by the Secretary of
5 the Army pursuant to the authority under subsection (a)
6 shall be subject to the following:

7 (1) HIRING AUTHORITY; STATUS IN RE-
8 SERVE.—

9 (A) HIRING AUTHORITY.—In conducting
10 the pilot program, the Secretary of the Army
11 may use any authority otherwise available to
12 the Secretary for the recruitment, employment,
13 and retention of civilian personnel within the
14 Department, including the authority under sec-
15 tion 1599f of title 10, United States Code.

16 (B) STATUS IN RESERVE.—During the pe-
17 riod beginning on the date on which an indi-
18 vidual is recruited to serve in the Civilian Cy-
19 bersecurity Reserve and ending on the date on
20 which the individual is appointed to the Civilian
21 Cybersecurity Reserve, and during any period
22 elapsing between any such appointments, the
23 individual may not be considered a Federal em-
24 ployee.

1 (2) ELIGIBILITY; APPLICATION AND SELEC-
2 TION.—

3 (A) CRITERIA REQUIRED.—The Secretary
4 of the Army shall establish criteria for—

5 (i) individuals to be eligible to serve in
6 the Civilian Cybersecurity Reserve; and

7 (ii) the application and selection proc-
8 esses for service in the Civilian Cybersecu-
9 rity Reserve.

10 (B) REQUIREMENTS FOR INDIVIDUALS.—
11 The criteria under subparagraph (A) shall in-
12 clude, with respect to an individual—

13 (i) if the individual has previously
14 served as a member of the Civilian Cyber-
15 security Reserve, that the previous ap-
16 pointment ended not fewer than 60 days
17 before the individual may be appointed for
18 a subsequent temporary position in the Ci-
19 vilian Cybersecurity Reserve; and

20 (ii) cybersecurity expertise.

21 (C) PRESCREENING.—The Secretary of the
22 Army shall—

23 (i) prior to the appointment of an in-
24 dividual to the Civilian Cybersecurity Re-
25 serve, conduct a prescreening of the indi-

1 vidual for any topic or product that would
2 create a conflict of interest; and

3 (ii) require each individual so ap-
4 pointed to notify the Secretary if a poten-
5 tial conflict of interest arises during such
6 appointment.

7 (D) AGREEMENT REQUIRED.—The Sec-
8 retary of the Army may only appoint an indi-
9 vidual to the Civilian Cybersecurity Reserve if
10 the individual enters into an agreement with the
11 Secretary to serve in the Civilian Cybersecurity
12 Reserve. Such agreement shall set forth the
13 rights and obligations of the individual and the
14 Army.

15 (E) EXCEPTION FOR CONTINUING MILI-
16 TARY SERVICE COMMITMENTS.—A member of
17 the Selected Reserve under section 10143 of
18 title 10, United States Code, may not serve as
19 a member of the Civilian Cybersecurity Reserve.

20 (F) PROHIBITION.—No individual who is
21 an officer or employee of the United States
22 Government, including any member of the uni-
23 formed services, may be recruited or appointed
24 to serve in the Civilian Cybersecurity Reserve.

25 (3) SECURITY CLEARANCES.—

1 (A) IN GENERAL.—The Secretary of the
2 Army shall ensure that each member of the Ci-
3 vilian Cybersecurity Reserve is subject to appro-
4 priate personnel vetting and adjudication com-
5 mensurate with the duties of the position, in-
6 cluding, with respect to positions for which a
7 security clearance is necessary, a favorable de-
8 termination of eligibility for access to classified
9 information, consistent with applicable provi-
10 sions of law and policy.

11 (B) COST OF SPONSORING CLEARANCES.—
12 If a member of the Civilian Cybersecurity Re-
13 serve requires a security clearance in order to
14 carry out the duties of the member, the Army
15 shall be responsible for the cost of sponsoring
16 the security clearance of the member.

17 (4) BRIEFINGS.—Not later than one year after
18 the date on which the guidance under subsection
19 (b)(2) is issued with respect to the pilot program,
20 and annually thereafter until the date on which the
21 pilot program terminates pursuant to paragraph (7),
22 the Secretary of the Army shall provide to the con-
23 gressional defense committees a briefing on activities
24 carried out under the pilot program, including—

1 (A) participation in the Civilian Cybersecu-
2 rity Reserve, including the number of members
3 of the Civilian Cybersecurity Reserve, the diver-
4 sity of such members, and any barriers to re-
5 cruitment or retention of such members;

6 (B) an evaluation of the ethical require-
7 ments of the pilot program;

8 (C) whether the Civilian Cybersecurity Re-
9 serve has been effective in providing additional
10 capacity to the Army; and

11 (D) an evaluation of the eligibility require-
12 ments for the pilot program.

13 (5) FINAL REPORT AND BRIEFING RE-
14 QUIRED.—Not earlier than 180 days and not later
15 than 90 days prior to the date on which the pilot
16 program terminates pursuant to paragraph (7), the
17 Secretary of the Army shall submit to the congres-
18 sional defense committees a report, and provide to
19 the congressional defense committees a briefing, on
20 recommendations relating to the pilot program, in-
21 cluding recommendations for—

22 (A) whether the pilot program should be
23 modified, extended in duration, or established
24 as a permanent program, and if so, an appro-
25 priate scope for the program;

1 (B) how to attract prospective members of
2 the Civilian Cybersecurity Reserve, ensure a di-
3 versity of such members, and address any bar-
4 riers to recruitment or retention of such mem-
5 bers;

6 (C) the ethical requirements of the pilot
7 program and the effectiveness of mitigation ef-
8 forts to address any conflict of interest con-
9 cerns; and

10 (D) an evaluation of the eligibility require-
11 ments for the pilot program.

12 (6) EVALUATION REQUIRED.—Not later than
13 three years after the date on which the pilot pro-
14 gram commences, the Comptroller General of the
15 United States shall—

16 (A) conduct a study evaluating the pilot
17 program; and

18 (B) submit to the congressional defense
19 committees—

20 (i) a report on the results of the
21 study; and

22 (ii) a recommendation with respect to
23 whether the pilot program should be modi-
24 fied.

1 (7) SUNSET.—The authority to conduct the
2 pilot program shall terminate on the date that is
3 four years after the date on which the pilot program
4 commences.

5 **SEC. 1537. REQUIREMENTS FOR IMPLEMENTATION OF**
6 **USER ACTIVITY MONITORING FOR CERTAIN**
7 **PERSONNEL.**

8 (a) IN GENERAL.—The Secretary of Defense shall re-
9 quire each head of a component of the Department of De-
10 fense to fully implement each directive, policy, and pro-
11 gram requirement for user activity monitoring and least
12 privilege access controls with respect to the personnel of
13 that component, including Federal employees and contrac-
14 tors, granted access to classified information and classified
15 networks, including the following directives (and any suc-
16 cessor directives):

17 (1) The Committee on National Security Sys-
18 tems Directive 504, issued on February 4, 2014, re-
19 lating to the protection of national security systems
20 from insider threats (including any annex to such di-
21 rective).

22 (2) Department of Defense Directive 5205.16,
23 issued on September 30, 2014, relating to the in-
24 sider threat program of the Department of Defense.

1 (b) ADDITIONAL REQUIREMENT.—The Secretary of
2 Defense shall require each head of a component of the De-
3 partment of Defense to implement, with respect to sys-
4 tems, devices, and personnel of the component, automated
5 controls to detect and prohibit privileged user accounts
6 from performing general user activities not requiring privi-
7 leged access.

8 (c) PERIODIC TESTING.—The Secretary shall require
9 that, not less frequently than once every two years, each
10 head of a component of the Department of Defense—

11 (1) conducts insider threat testing using threat-
12 realistic tactics, techniques, and procedures; and

13 (2) submits to the Under Secretary of Defense
14 for Intelligence and Security, the Chief Information
15 Officer of the Department of Defense, and the Di-
16 rector of Operational Test and Evaluation of the De-
17 partment of Defense a report on the findings of the
18 head with respect to the testing conducted pursuant
19 to paragraph (1).

20 (d) REPORT.—Not later than 180 days after the date
21 of the enactment of this Act, the Secretary of Defense
22 shall submit to the appropriate congressional committees
23 a report on the implementation of this section.

1 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

4 (1) the Committee on Armed Services and the
5 Permanent Select Committee on Intelligence of the
6 House of Representatives; and

7 (2) the Committee on Armed Services and the
8 Select Committee on Intelligence of the Senate.

9 **SEC. 1538. STUDY ON OCCUPATIONAL RESILIENCY OF**
10 **CYBER MISSION FORCE.**

11 (a) STUDY.—Not later than 180 days after the date
12 of the enactment of this Act, the Principal Cyber Advisor
13 of the Department of Defense and the Under Secretary
14 of Defense for Personnel and Readiness, in coordination
15 with the principal cyber advisors of the military depart-
16 ments and the Commander of the United States Cyber
17 Command, shall conduct a study on the personnel and re-
18 sources required to enhance and support the occupational
19 resiliency of the Cyber Mission Force.

20 (b) ELEMENTS.—The study under subsection (a)
21 shall include the following:

22 (1) An inventory of the resources and programs
23 available to personnel assigned to the Cyber Mission
24 Force, disaggregated by Armed Force and location.

1 (2) An assessment of the risk to the occupa-
2 tional resiliency of such personnel relative to the re-
3 spective operational work role within the Cyber Mis-
4 sion Force (as defined by the Commander of the
5 United States Cyber Command) and the number of
6 such personnel available to perform operations in
7 each such category of operational work role.

8 (3) An evaluation of the extent to which per-
9 sonnel assigned to the Cyber Mission Force have
10 been made aware of the resources and programs re-
11 ferred to in paragraph (1), and of measures required
12 to improve such awareness.

13 (4) A determination by the Commander of the
14 United States Cyber Command regarding the ade-
15 quacy and accessibility of such resources and pro-
16 grams for personnel assigned to the Cyber Mission
17 Force.

18 (5) Such other matters as may be determined
19 necessary by the Principal Cyber Advisor of the De-
20 partment of Defense and the Under Secretary of De-
21 fense for Personnel and Readiness.

22 (c) SUBMISSION TO CONGRESS.—Upon completing
23 the study under subsection (a), the Principal Cyber Advi-
24 sor of the Department of Defense and the Under Sec-
25 retary of Defense for Personnel and Readiness shall sub-

1 mit to the congressional defense committees a report con-
2 taining the results of such study.

3 (d) OCCUPATIONAL RESILIENCY DEFINED.—In this
4 section, the term “occupational resiliency” means, with re-
5 spect to personnel assigned to the Cyber Mission Force,
6 the ability of such personnel to mitigate the unique psy-
7 chological factors that contribute to the degradation of
8 mental health and job performance under such assign-
9 ment.

10 **Subtitle E—Artificial Intelligence**

11 **SEC. 1541. MODIFICATION TO ACQUISITION AUTHORITY OF** 12 **SENIOR OFFICIAL WITH PRINCIPAL RESPON-** 13 **SIBILITY FOR ARTIFICIAL INTELLIGENCE** 14 **AND MACHINE LEARNING.**

15 Section 808 of the William M. (Mac) Thornberry Na-
16 tional Defense Authorization Act for Fiscal Year 2021
17 (Public Law 116–283; 10 U.S.C. 4001 note) is amend-
18 ed—

19 (1) in subsection (c)(1), by striking “The Sec-
20 retary of Defense shall provide the Office with at
21 least 10 full-time employees” and inserting “The
22 Secretary of Defense shall ensure that, at any given
23 time for the duration of the period specified in sub-
24 section (d), the Office has at least 10 full-time em-
25 ployees provided by the Secretary”;

1 (2) in subsection (d), by striking “in each of
2 fiscal years 2021, 2022, 2023, 2024, and 2025” and
3 inserting “in each of fiscal years 2024 through
4 2029”;

5 (3) by amending subsection (e)(1) to read as
6 follows:

7 “(1) IN GENERAL.—

8 “(A) PLAN REQUIRED.—Not later than 30
9 days after the date of the enactment of the Na-
10 tional Defense Authorization Act for Fiscal
11 Year 2024, the Secretary of Defense, acting
12 through the Under Secretary of Defense for Ac-
13 quisition and Sustainment, shall submit to the
14 congressional defense committees a plan for the
15 delegation and exercise of the acquisition au-
16 thority described in subsection (a).

17 “(B) DEMONSTRATION REQUIRED.—Not
18 later than 90 days after the date of the enact-
19 ment of the National Defense Authorization Act
20 for Fiscal Year 2024, the Secretary of Defense,
21 acting through the Chief Digital and Artificial
22 Intelligence Officer of the Department of De-
23 fense, shall provide a demonstration of oper-
24 ational capability delivered under such author-
25 ity. In addition to the matters specified in para-

1 graph (4), such demonstration shall include a
2 description of—

3 “(i) how the Chief Digital and Artifi-
4 cial Intelligence Officer may use the acqui-
5 sition authorities available to the Chief
6 Digital and Artificial Intelligence Officer to
7 further the data and artificial intelligence
8 objectives of the Department of Defense,
9 including an inventory of requirements and
10 funding associated with the exercise of
11 such acquisition authorities;

12 “(ii) how the Chief Digital and Artifi-
13 cial Intelligence Officer may use the acqui-
14 sition authorities of other Federal entities
15 to further such objectives, including an in-
16 ventory of requirements and funding asso-
17 ciated with the exercise of such acquisition
18 authorities; and

19 “(iii) the challenges and benefits of
20 using the acquisition authorities described
21 in clauses (i) and (ii), respectively, to fur-
22 ther such objectives.”; and

23 (4) in subsection (f), by striking “October 1,
24 2025” and inserting “October 1, 2029”.

1 **SEC. 1542. ARTIFICIAL INTELLIGENCE BUG BOUNTY PRO-**
2 **GRAMS.**

3 (a) PROGRAM FOR FOUNDATIONAL ARTIFICIAL IN-
4 TELLIGENCE PRODUCTS BEING INTEGRATED WITHIN
5 DEPARTMENT OF DEFENSE.—

6 (1) DEVELOPMENT REQUIRED.—Not later than
7 180 days after the date of the enactment of this Act
8 and subject to the availability of appropriations, the
9 Chief Digital and Artificial Intelligence Officer of
10 the Department of Defense shall develop a bug
11 bounty program for foundational artificial intel-
12 ligence models being integrated into the missions
13 and operations of the Department of Defense.

14 (2) COLLABORATION.—In developing the pro-
15 gram under paragraph (1), the Chief Digital and
16 Artificial Intelligence Officer may collaborate with
17 the heads of other Federal departments and agencies
18 with expertise in cybersecurity and artificial intel-
19 ligence.

20 (3) IMPLEMENTATION AUTHORIZED.—The
21 Chief Digital and Artificial Intelligence Officer may
22 carry out the program developed under subsection
23 (a).

24 (4) CONTRACTS.—The Secretary of Defense
25 shall ensure, as may be appropriate, that whenever
26 the Secretary enters into any contract, such contract

1 allows for participation in the bug bounty program
2 developed under paragraph (1).

3 (5) RULE OF CONSTRUCTION.—Nothing in this
4 subsection shall be construed to require—

5 (A) the use of any foundational artificial
6 intelligence model; or

7 (B) the implementation of the program de-
8 veloped under paragraph (1) for the purpose of
9 the integration of a foundational artificial intel-
10 ligence model into the missions or operations of
11 the Department of Defense.

12 (b) BRIEFING.—Not later than one year after the
13 date of the enactment of this Act, the Chief Digital and
14 Artificial Intelligence Officer shall provide to the congres-
15 sional defense committees a briefing on—

16 (1) the development and implementation of bug
17 bounty programs the Chief Digital and Artificial In-
18 telligence Officer considers relevant to the matters
19 covered by this section; and

20 (2) long-term plans of the Chief Digital and Ar-
21 tificial Intelligence Officer with respect to such bug
22 bounty programs.

23 (c) FOUNDATIONAL ARTIFICIAL INTELLIGENCE
24 MODEL DEFINED.—In this section, the term
25 “foundational artificial intelligence model” means an

1 adaptive generative model that is trained on a broad set
2 of unlabeled data sets that may be used for different tasks
3 with minimal fine-tuning.

4 **SEC. 1543. PRIZE COMPETITION FOR TECHNOLOGY THAT**
5 **DETECTS AND WATERMARKS USE OF GEN-**
6 **ERATIVE ARTIFICIAL INTELLIGENCE.**

7 (a) ESTABLISHMENT.—Not later than 270 days after
8 the date of the enactment of this Act, under the authority
9 of section 4025 of title 10, United States Code, the Sec-
10 retary of Defense shall establish a prize competition de-
11 signed to evaluate technology (including applications,
12 tools, and models) for generative artificial intelligence de-
13 tection and generative artificial intelligence watermarking,
14 for the purposes of—

15 (1) facilitating the research, development, test-
16 ing, evaluation, and competition of such technologies
17 to support the Secretaries of the military depart-
18 ments and the commanders of combatant commands
19 in warfighting requirements; and

20 (2) transitioning such technologies, including
21 technologies developed pursuant to pilot programs,
22 prototype projects, or other research and develop-
23 ment programs, from the prototyping phase to pro-
24 duction.

1 (b) PARTICIPATION.—The participants in the prize
2 competition under subsection (a) may include federally
3 funded research and development centers, entities within
4 the private sector, entities within the defense industrial
5 base, institutions of higher education, Federal depart-
6 ments and agencies, and such other categories of partici-
7 pants as the Secretary of Defense considers appropriate.

8 (c) DESIGNATION.—The prize competition under sub-
9 section (a) shall be known as the “Generative AI Detection
10 and Watermark Competition”.

11 (d) ADMINISTRATION.—The Under Secretary of De-
12 fense for Research and Engineering shall administer the
13 prize competition under subsection (a).

14 (e) FRAMEWORK.—Not later than 120 days after the
15 date of the enactment of this Act, the Secretary of Defense
16 shall provide to the congressional defense committees a
17 briefing on the framework to be used in carrying out the
18 prize competition under subsection (a).

19 (f) ANNUAL BRIEFINGS.—Not later than October 1
20 of each year until the date of termination under subsection
21 (g), the Secretary of Defense shall provide to the congres-
22 sional defense committees a briefing on the results of the
23 prize competition under subsection (a).

1 (g) TERMINATION.—The authority to carry out the
2 prize competition under subsection (a) shall terminate on
3 December 31, 2025.

4 (h) DEFINITIONS.—In this section:

5 (1) The term “generative artificial intelligence
6 detection” means, with respect to digital content, the
7 positive identification of the use of generative artifi-
8 cial intelligence in the generation of such content.

9 (2) The term “generative artificial intelligence
10 watermarking” means, with respect to digital con-
11 tent, embedding within such content data conveying
12 attribution of the generation of such content to gen-
13 erative artificial intelligence.

14 **SEC. 1544. PLANS, STRATEGIES, AND OTHER MATTERS RE-**
15 **LATING TO ARTIFICIAL INTELLIGENCE.**

16 (a) IN GENERAL.—The Secretary of Defense, in con-
17 sultation with the Deputy Secretary of Defense, shall—

18 (1) establish and document procedures, includ-
19 ing timelines, for the periodic review of the 2018
20 Department of Defense Artificial Intelligence Strat-
21 egy, or any successor strategy, and associated an-
22 nexes of the military departments to assess the im-
23 plementation of such strategy and whether any revi-
24 sion is necessary;

1 (2) issue Department of Defense-wide guidance
2 that defines outcomes of near-term and long-term
3 strategies and plans relating to—

4 (A) the adoption of artificial intelligence;

5 (B) the adoption and enforcement of poli-
6 cies on the ethical use of artificial intelligence
7 systems; and

8 (C) the identification and mitigation of
9 bias in artificial intelligence algorithms;

10 (3) issue Department-wide guidance regarding
11 methods to monitor accountability for artificial intel-
12 ligence-related activity, including artificial intel-
13 ligence performance indicators and metrics;

14 (4) develop a strategic plan for the develop-
15 ment, use, and cybersecurity of generative artificial
16 intelligence, including a policy governing the use of,
17 and the defense against adversarial use of, genera-
18 tive artificial intelligence;

19 (5) assess technical workforce needs across the
20 future years defense plan to support the continued
21 development of artificial intelligence capabilities, in-
22 cluding recruitment and retention policies and pro-
23 grams;

24 (6) assess the availability and adequacy of the
25 basic artificial intelligence training and education

1 curricula, including efforts developed or authorized
2 pursuant to section 256 of the National Defense Au-
3 thorization Act for Fiscal Year 2020 (133 Stat.
4 1290; Public Law 116–92), available to the broader
5 civilian workforce of the Department and military
6 personnel to promote artificial intelligence literacy to
7 the nontechnical workforce and senior leadership
8 with responsibilities adjacent to artificial intelligence
9 technical development;

10 (7) develop and issue a timeline and guidance
11 for the Chief Digital and Artificial Intelligence Offi-
12 cer of the Department and the Secretaries of the
13 military departments to establish a common lexicon
14 for artificial intelligence-related activities;

15 (8) develop and implement a plan to protect
16 and secure the integrity, availability, and privacy of
17 artificial intelligence systems and models, including
18 large language models, data libraries, data reposi-
19 tories, and algorithms, in training, development, and
20 production environments;

21 (9) ensure the fulfilment of the statutory re-
22 quirement to establish data repositories under sec-
23 tion 232 of the National Defense Authorization Act
24 for Fiscal Year 2022 (Public Law 117–81; 10
25 U.S.C. 4001 note), as amended by section 212 of

1 the National Defense Authorization Act for Fiscal
2 Year 2023 (Public Law 117–263; 136 Stat. 2466);
3 (10) develop and implement a plan—
4 (A) to identify commercially available and
5 relevant large language models; and
6 (B) to make such models available, as ap-
7 propriate, on classified networks;
8 (11) develop a plan to defend the personnel, or-
9 ganizations, and systems of the Department against
10 adversarial artificial intelligence, including an identi-
11 fication of organizations within the Department ca-
12 pable of providing to cyber red teams of the Depart-
13 ment capabilities for operational and developmental
14 needs;
15 (12) develop and implement a policy for use by
16 contracting officials to protect the intellectual prop-
17 erty of commercial entities that provide artificial in-
18 telligence algorithms to a data repository specified in
19 paragraph (9), including a policy for how to address
20 data rights in situations in which governmental and
21 commercial intellectual property may be mixed when
22 such artificial intelligence algorithms are deployed in
23 an operational environment;
24 (13) issue guidance and directives governing
25 how the Chief Digital and Artificial Intelligence Offi-

1 cer of the Department shall exercise authority to ac-
2 cess, control, and maintain, on behalf of the Sec-
3 retary, data collected, acquired, accessed, or used by
4 components of the Department consistent with sec-
5 tion 1513 of the James M. Inhofe National Defense
6 Authorization Act for Fiscal Year 2023 (Public Law
7 117–263; 10 U.S.C. 4001 note); and

8 (14) clarify guidance on the instances for, and
9 the role of human intervention and oversight in, the
10 exercise of artificial intelligence algorithms for use in
11 the generation of offensive or lethal courses of action
12 for tactical operations.

13 (b) ETHICAL AND RESPONSIBLE ARTIFICIAL INTEL-
14 LIGENCE.—

15 (1) PROCESS.—The Secretary of Defense, act-
16 ing through the Chief Digital and Artificial Intel-
17 ligence Officer, shall develop and implement a proc-
18 ess—

19 (A) to assess whether a given artificial in-
20 telligence technology used by the Department of
21 Defense is in compliance with a test, evaluation,
22 verification, and validation framework that—

23 (i) operationalizes responsible artifi-
24 cial intelligence principles; and

1 (ii) is validated and selected by the
2 Chief Digital and Artificial Intelligence Of-
3 ficer for purposes of this subsection;

4 (B) to report and remediate any artificial
5 intelligence technology that is determined not to
6 be in compliance with the framework selected
7 pursuant to subparagraph (A); and

8 (C) in a case in which efforts to remediate
9 such technology have been unsuccessful, to dis-
10 continue the use of the technology until effec-
11 tive remediation is achievable.

12 (2) ADDITIONAL REQUIREMENTS.—In devel-
13 oping and implementing the process under para-
14 graph (1), the Secretary of Defense shall—

15 (A) develop clear criteria against which the
16 compliance of an artificial intelligence tech-
17 nology with the framework selected pursuant to
18 subparagraph (A) of such paragraph may be as-
19 sessed under such subparagraph, taking into
20 consideration—

21 (i) similar criteria previously devel-
22 oped by the Secretary; and

23 (ii) the identification of potential
24 vulnerabilities in systems and infrastruc-
25 ture of the Armed Forces that could be ex-

1 exploited by adversarial artificial intelligence
2 applications used by the People’s Republic
3 of China, the Russian Federation, or other
4 foreign adversaries;

5 (B) take steps to integrate such process
6 across the elements of the Department of De-
7 fense, including the combatant commands; and

8 (C) provide information on such process to
9 members of the Armed Forces and civilian per-
10 sonnel of the Department that are—

11 (i) responsible for developing and de-
12 ploying artificial intelligence technologies;

13 (ii) end users of such technologies, in-
14 cluding members of the Army, Navy, Air
15 Force, Marine Corps, or Space Force who
16 use such technologies in military oper-
17 ations; or

18 (iii) otherwise determined relevant by
19 the Secretary.

20 (c) DEADLINE; BRIEFING.—

21 (1) DEADLINE.—The Secretary shall complete
22 the requirements under this section by not later
23 than 120 days after the date of enactment of this
24 Act.

1 (2) BRIEFING.—Not later than 150 days after
2 the date of the enactment of this Act, the Secretary
3 shall provide to the congressional defense commit-
4 tees a briefing on the implementation of this section.

5 **SEC. 1545. STUDY TO ANALYZE VULNERABILITY FOR ARTI-**
6 **FICIAL INTELLIGENCE-ENABLED MILITARY**
7 **APPLICATIONS.**

8 (a) STUDY.—Not later than one year after the date
9 of the enactment of this Act, the Secretary of Defense
10 shall complete a study to assess the functionality of artifi-
11 cial intelligence-enabled military applications, research
12 and development needs related to such applications, and
13 vulnerabilities to the privacy, security, and accuracy of
14 such applications.

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

17 (1) An assessment of research and development
18 efforts, including transition pathways, needed to ad-
19 vance explainable and interpretable artificial intel-
20 ligence-enabled military applications, including the
21 capability to assess the architectures, data models,
22 and algorithms underlying such applications.

23 (2) An assessment of any potential risks to the
24 privacy, security, or accuracy of the architectures,
25 data models, or algorithms underlying artificial intel-

1 intelligence-enabled military applications, including the
2 following:

3 (A) Individual foundational artificial intel-
4 ligence models, including the adequacy of exist-
5 ing testing, training, and auditing for such
6 models to ensure such models may be properly
7 assessed over time.

8 (B) The interactions of multiple artificial
9 intelligence-enabled military applications and
10 how such interactions may affect the ability to
11 detect and assess new, complex, and emergent
12 behavior among individual agents, as well as the
13 collective effect of such interactions on risks to
14 the privacy, security, and accuracy of such ap-
15 plications over time.

16 (C) The effect of increased agency in arti-
17 ficial intelligence-enabled military applications
18 and how such increased agency may affect the
19 ability to detect and assess new, complex, and
20 emergent behavior, as well risks to the privacy,
21 security, and accuracy of such applications over
22 time.

23 (3) An assessment of the survivability and
24 traceability of decision support systems that are in-

1 tegrated with artificial intelligence-enabled military
2 applications and used in a contested environment.

3 (4) An identification of existing artificial intel-
4 ligence metrics, developmental, testing and audit ca-
5 pabilities, personnel, and infrastructure of the De-
6 partment of Defense, including test and evaluation
7 facilities of the Department, needed to enable ongo-
8 ing assessment under paragraphs (1) through (3).

9 (5) An identification of any research gaps nec-
10 essary to be filled to sufficiently carry out the as-
11 sessments and identifications required under para-
12 graphs (1) through (3) that are not currently, or not
13 sufficiently, funded within the Department of De-
14 fense.

15 (c) INTERIM BRIEFING.—Not later than 180 days
16 after the date of the enactment of this Act, the Chief Dig-
17 ital and Artificial Intelligence Officer shall provide to the
18 congressional defense committees a briefing on the interim
19 findings of the study under subsection (a).

20 (d) FINAL REPORT.—

21 (1) SUBMISSION.—Not later than one year after
22 the date of the enactment of this Act, the Secretary
23 of Defense shall submit to the congressional defense
24 committees a final report on the findings with re-

1 spect to the study conducted pursuant to subsection
2 (a).

3 (2) FORM.—The final report under paragraph
4 (1) shall be submitted in unclassified form, but may
5 include a classified annex.

6 (e) FOUNDATIONAL ARTIFICIAL INTELLIGENCE
7 MODEL DEFINED.—In this section, the term
8 “foundational artificial intelligence model” means an
9 adaptive generative model that is trained on a broad set
10 of unlabeled data sets that may be used for different tasks
11 with minimal fine-tuning.

12 **Subtitle F—Reports and Other** 13 **Matters**

14 **SEC. 1551. LIMITATION ON AVAILABILITY OF FUNDS FOR** 15 **TRAVEL FOR OFFICE OF UNDER SECRETARY** 16 **OF DEFENSE FOR PERSONNEL AND READI-** 17 **NESS PENDING STRATEGY RELATING TO DE-** 18 **FENSE TRAVEL SYSTEM.**

19 (a) STRATEGY.—The Under Secretary of Defense for
20 Personnel and Readiness shall develop a strategy to mod-
21 ernize or replace the end-to-end travel management sys-
22 tem of the Department of Defense known as the “Defense
23 Travel System” (in this section, referred to as the “De-
24 fense Travel System”).

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

3 (1) A business case analysis that evaluates op-
4 tions for modernizing or replacing the Defense Trav-
5 el System, including—

6 (A) an assessment of the upgradability of
7 the code base for the Defense Travel System
8 before such code base reaches a point of
9 unsustainability;

10 (B) an assessment of commercially avail-
11 able tools that may be used to upgrade the ca-
12 pabilities of the Defense Travel System;

13 (C) an identification of system depend-
14 encies of the Defense Travel System, with a
15 particular focus on any such dependencies with
16 respect to connections with financial manage-
17 ment systems;

18 (D) an identification of system weaknesses
19 of the Defense Travel System affecting audit
20 readiness;

21 (E) projections of usage rates of the De-
22 fense Travel System necessary to maintain
23 workload and reimbursement rate viability; and

24 (F) estimated costs for any activity associ-
25 ated with the strategy.

1 The DoD’s Use of Mobile Applications” (Report No.
2 DODIG–2023–041).

3 (2) DEADLINE.—The Secretary shall implement
4 each of the recommendations specified in subsection
5 (a) by not later than one year after the date of the
6 enactment of this Act unless the Secretary submits
7 to the congressional defense committees a written
8 notification of any specific recommendation that the
9 Secretary declines to implement or plans to imple-
10 ment after the date that is one year after the date
11 of the enactment of this Act.

12 (b) BRIEFING ON REQUIREMENTS RELATED TO COV-
13 ERED APPLICATIONS.—

14 (1) IN GENERAL.—Not later than 120 days
15 after the date of the enactment of this Act, the Sec-
16 retary shall provide to the congressional defense
17 committees a briefing on actions taken by the Sec-
18 retary to enforce compliance with existing policy of
19 the Department of Defense that prohibits—

20 (A) the installation and use of covered ap-
21 plications on Federal Government devices; and

22 (B) the use of covered applications on the
23 Department of Defense Information Network
24 on personal devices.

1 (2) COVERED APPLICATIONS DEFINED.—In this
2 subsection, the term “covered applications” means
3 the social networking service TikTok, or any suc-
4 cessor application or service developed or provided
5 by ByteDance Limited or an entity owned by
6 ByteDance Limited.

7 **SEC. 1553. REPORT ON DEPARTMENT OF DEFENSE ENTER-**
8 **PRISE CAPABILITIES FOR CYBERSECURITY.**

9 (a) REPORT.—

10 (1) REPORT.—Not later than 180 days after
11 the date of the enactment of this Act, the Chief In-
12 formation Officer of the Department of Defense
13 shall submit to the congressional defense committees
14 a report on any actions or determinations by the De-
15 partment pertaining to the requirements under sec-
16 tion 1511 of the National Defense Authorization Act
17 for Fiscal Year 2022 (Public Law 117–81; 135 Stat.
18 2037) taken or made for the purpose of using cyber-
19 security capabilities to protect assets and networks
20 across the Department.

21 (2) ELEMENTS.—The report under paragraph
22 (1) shall include the following:

23 (A) A description of the risks and benefits
24 associated with the actions and determinations
25 specified in paragraph (1).

1 (B) A description of future plans of the
2 Department for the acquisition of integrated
3 and interoperable cybersecurity tools and appli-
4 cations through a competitive process that
5 would allow multiple vendors to compete sepa-
6 rately and as teams.

7 (C) The results of the analysis conducted
8 by the Director of Cost Assessment and Pro-
9 gram Evaluation of the Department of the costs
10 and effectiveness of the cybersecurity capabili-
11 ties described in paragraph (1).

12 (D) The results of any analyses conducted
13 by the Director of Operational Test and Eval-
14 uation, or the head of any other element of the
15 Department, to test the effectiveness of the cy-
16 bersecurity capabilities described in paragraph
17 (1) compared to other commercially available
18 products and vendors.

19 (b) BRIEFING.—Not later than 60 days after the date
20 of the enactment of this Act, the Chief Information Officer
21 of the Department shall provide to the congressional de-
22 fense committees a briefing on the plans of the Depart-
23 ment to ensure competition and interoperability in the se-
24 curity and identity and access management product mar-
25 ket segments.

1 **SEC. 1554. REPORT ON TECHNOLOGY MODERNIZATION FOR**
2 **ARMY HUMAN RESOURCES COMMAND 2030**
3 **TRANSFORMATION PLAN.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, the Secretary of the
6 Army shall submit to the congressional defense commit-
7 tees a report on the plan of the Army known as the
8 “Human Resources Command 2030 Transformation
9 Plan” that includes—

10 (1) an estimated timeline for the completion of
11 the implementation milestones set forth in such
12 plan; and

13 (2) an identification of future resource needs
14 relating to the modernization of legacy information
15 technology systems.

16 (b) LEGACY INFORMATION TECHNOLOGY SYSTEM
17 DEFINED.—In this section, the term “legacy information
18 technology system” has the meaning given such term in
19 section 1076 of the National Defense Authorization Act
20 for Fiscal Year 2018 (Public Law 115–91; 40 U.S.C.
21 11301 note).

22 **SEC. 1555. CERTIFICATION REQUIREMENT REGARDING**
23 **CONTRACTING FOR MILITARY RECRUITING.**

24 (a) CERTIFICATION REQUIREMENT.—Prior to the
25 Secretary of Defense entering into any contract or other
26 agreement (or extending, renewing, or otherwise modifying

1 an existing contract or other agreement) with an entity
2 for the purpose of that entity placing military recruitment
3 advertisements on behalf of the Department of Defense,
4 the Secretary shall require, as a condition of such contract
5 or agreement, that the entity certify to the Secretary that
6 the entity does not place advertisements in news sources
7 based on personal or institutional political preferences or
8 biases, or determinations of misinformation.

9 (b) NOTIFICATION REQUIREMENT.—

10 (1) IN GENERAL.—The Secretary of Defense, in
11 coordination with the Secretaries of the military de-
12 partments, shall submit a notification to the con-
13 gressional defense committees and congressional
14 leadership each time the Department of Defense en-
15 ters into a contract related to the placement of re-
16 cruitment advertising with an entity specified in
17 paragraph (2) and if such entities are used how they
18 are used.

19 (2) ENTITIES SPECIFIED.—The entities speci-
20 fied in this paragraph are—

21 (A) NewsGuard Technologies Inc.;

22 (B) the Global Disinformation Index, in-
23 corporated in the United Kingdom as
24 “Disinformation Index LTD”; and

25 (C) any similar entity.

1 (c) SUNSET.—The requirement under this section
2 shall terminate on the date that is one year after the date
3 of the enactment of this Act.

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

Subtitle A—Space Activities

- Sec. 1601. Delegation of certain authority of explosive safety board.
- Sec. 1602. Classification review of space major defense acquisition programs.
- Sec. 1603. Enhanced authority to increase space launch capacity through space launch support services.
- Sec. 1604. Principal Military Deputy for Space Acquisition and Integration.
- Sec. 1605. Modification to updates of space policy review.
- Sec. 1606. Authorization for establishment of the National Space Intelligence Center as a field operating agency.
- Sec. 1607. Initial operational capability for Advanced Tracking and Launch Analysis System and requirements for system-level review.
- Sec. 1608. Use of middle tier acquisition program for proliferated warfighter space architecture of the Space Development Agency.
- Sec. 1609. Process and plan for Space Force space situational awareness.
- Sec. 1610. Plan to improve threat-sharing arrangements with commercial space operators.
- Sec. 1611. Plan for an integrated and resilient satellite communications architecture for the Space Force.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

- Sec. 1621. Military intelligence collection and analysis partnerships.

Subtitle C—Nuclear Forces

- Sec. 1631. Establishment of major force program for nuclear command, control, and communications programs.
- Sec. 1632. Technical amendment to additional report matters on strategic delivery systems.
- Sec. 1633. Amendment to annual report on the plan for the nuclear weapons stockpile, nuclear weapons complex, nuclear weapons delivery systems, and nuclear weapons command and control systems.
- Sec. 1634. Matters relating to the acquisition and deployment of the Sentinel intercontinental ballistic missile weapon system.
- Sec. 1635. Tasking and oversight authority with respect to intercontinental ballistic missile site activation task force for Sentinel Program.
- Sec. 1636. Study of weapons programs that allow Armed Forces to address hard and deeply buried targets.
- Sec. 1637. Repeal of requirement for review of nuclear deterrence postures.
- Sec. 1638. Retention of capability to redeploy multiple independently targetable reentry vehicles.

- Sec. 1639. Authorization to establish technology transition program for strategic nuclear deterrence.
- Sec. 1640. Matters relating to the nuclear-armed, sea-launched cruise missile.
- Sec. 1641. Requirements relating to operational silos for the Sentinel intercontinental ballistic missile.
- Sec. 1642. Long-term sustainment of Sentinel ICBM guidance system.
- Sec. 1643. Integrated master schedule for the Sentinel missile program of the Air Force.
- Sec. 1644. Operational timeline for Strategic Automated Command and Control System.
- Sec. 1645. Pilot program on development of reentry vehicles and related systems.
- Sec. 1646. Prohibition on reduction of the intercontinental ballistic missiles of the United States.
- Sec. 1647. Limitation on availability of funds pending compliance with information requests from the Government Accountability Office.
- Sec. 1648. Congressional notification of decision to delay strategic delivery system test event.
- Sec. 1649. Congressional notification of nuclear cooperation between Russia and China.
- Sec. 1650. Plan for decreasing the time to upload additional warheads to the intercontinental ballistic missile fleet.

Subtitle D—Missile Defense Programs

- Sec. 1661. Deputy Director of Office of Missile Defense Agency.
- Sec. 1662. Modification of program accountability matrices requirements for next generation interceptors for missile defense.
- Sec. 1663. National missile defense policy.
- Sec. 1664. Modification of requirement for Comptroller General to review and assess missile defense acquisition programs.
- Sec. 1665. Iron Dome short-range rocket defense system and Israeli cooperative missile defense program co-development and co-production.
- Sec. 1666. Programs to achieve initial and full operational capabilities for the Glide Phase Interceptor program.
- Sec. 1667. Rescission of memorandum on missile defense governance.
- Sec. 1668. Limitation on availability of funds for Office of Cost Assessment and Program Evaluation until submission of report on missile defense roles and responsibilities.
- Sec. 1669. Strategy for integrated air and missile defense of Hawaii and the Indo-Pacific region.
- Sec. 1670. Report on potential enhancements to integrated air and missile defense capabilities in Europe.
- Sec. 1671. Independent analysis of space-based missile defense capability.

Subtitle E—Other Matters

- Sec. 1681. Extension of authorization for protection of certain facilities and assets from unmanned aircraft.
- Sec. 1682. Electromagnetic warfare.
- Sec. 1683. Cooperative threat reduction funds.
- Sec. 1684. Matters relating to space-based ground and airborne moving target indication systems.
- Sec. 1685. Positioning, navigation, and timing.
- Sec. 1686. Actions to address serious deficiencies in electronic protection of systems that operate in the radio frequency spectrum.

Sec. 1687. Limitation on use of funds for certain unreported programs.

Sec. 1688. Indo-Pacific missile strategy.

Sec. 1689. Study on the future of the Integrated Tactical Warning Attack Assessment System.

Sec. 1690. Research and analysis on multipolar deterrence and escalation dynamics.

1 **Subtitle A—Space Activities**

2 **SEC. 1601. DELEGATION OF CERTAIN AUTHORITY OF EX-** 3 **PLOSIVE SAFETY BOARD.**

4 (a) DELEGATION OF RESPONSIBILITIES.—Section
5 172 of title 10, United States Code, is amended—

6 (1) in subsection (c), by striking “The chair”
7 and inserting “Except as provided in subsection (h),
8 the chair”; and

9 (2) by adding at the end the following new sub-
10 section:

11 “(h) EXPLOSIVES USED BY SPACE LAUNCH VEHI-
12 CLES.—(1) The Secretary of Defense shall delegate to the
13 Secretary of the Air Force, who may further delegate to
14 the Commanders of the Space Launch Deltas, the respon-
15 sibilities under subsection (c) with respect to explosives
16 used by space launch vehicles.

17 “(2) In this subsection, the term ‘launch vehicle’ has
18 the meaning given such term in section 50902(11) of title
19 51.”.

20 (b) IMPROVED PROCESS FOR YIELD DETERMINA-
21 TION.—Not later than one year after the date of the enact-
22 ment of this Act, the Secretary of Defense, the Secretary

1 of Transportation, and the Administrator of the National
2 Aeronautics and Space Administration shall jointly estab-
3 lish a process through which scientifically-valid yield deter-
4 minations can be assessed for space launch vehicles while
5 in flight.

6 (c) REPORT.—Not later than 90 days after the com-
7 pletion of the LOX-Methane Assessment working group
8 process, the Secretary of Defense, the Secretary of Trans-
9 portation, and the Administrator of the National Aero-
10 nautics and Space Administration shall submit to the ap-
11 propriate congressional committees a report that includes
12 a description of the effects of the LOX-Methane Assess-
13 ment on existing and future maximum credible event anal-
14 yses and any resulting effects on commercial space launch,
15 civil space activities, and national security.

16 (d) DEFINITIONS.—In this section:

17 (1) The term “appropriate congressional com-
18 mittees” means the following:

19 (A) The congressional defense committees.

20 (B) The Committee on Commerce, Science,
21 and Transportation of the Senate.

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

24 (D) The Committee on Transportation and
25 Infrastructure of the House of Representatives.

1 (2) The term “LOX-Methane Assessment work-
2 ing group” means the ongoing interagency working
3 group studying the explosive characteristics of liquid
4 oxygen and methane and comprised of representa-
5 tives from the Department of Defense, the Depart-
6 ment of Transportation, and the National Aero-
7 nautics and Space Administration.

8 (3) The term “launch vehicle” has the meaning
9 given such term in section 50902(11) of title 51,
10 United States Code.

11 **SEC. 1602. CLASSIFICATION REVIEW OF SPACE MAJOR DE-**
12 **FENSE ACQUISITION PROGRAMS.**

13 Chapter 135 of title 10, United States Code, is
14 amended by inserting after section 2275a the following
15 new section:

16 **“§ 2275b. Requirements for appropriate classification**
17 **guidance.**

18 “(a) IN GENERAL.—Before a space major defense ac-
19 quisition program achieves Milestone B approval, or equiv-
20 alent, the milestone decision authority shall determine
21 whether the classification guidance for the program re-
22 mains appropriate and—

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

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

3 “(b) DEFINITIONS.—In this section:

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

7 “(2) The term ‘major defense acquisition pro-
8 gram’ has the meaning given such term in section
9 4201 of this title.

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

14 **SEC. 1603. ENHANCED AUTHORITY TO INCREASE SPACE**
15 **LAUNCH CAPACITY THROUGH SPACE**
16 **LAUNCH SUPPORT SERVICES.**

17 Chapter 135 of title 10, United States Code, is
18 amended by inserting after section 2276 the following new
19 section:

20 **“§ 2276a. Special authority for provision of space**
21 **launch support services to increase space**
22 **launch capacity**

23 “(a) IN GENERAL.—The Secretary of a military de-
24 partment may support Federal and commercial space
25 launch capacity on any domestic real property under the

1 control of the Secretary through the provision of space
2 launch support services.

3 “(b) PROVISION OF LAUNCH EQUIPMENT AND SERV-
4 ICES TO COMMERCIAL ENTITIES.—

5 “(1) CONTRACT OR OTHER TRANSACTION AU-
6 THORITY.—The Secretary of a military department
7 may enter into a contract or other transaction with
8 one or more commercial entities that intend to con-
9 duct space launch activities on a military installation
10 under the jurisdiction of the Secretary. Under such
11 a contract or agreement, the Secretary may agree to
12 provide to the commercial entity supplies, services,
13 equipment, and construction needed for commercial
14 space launch.

15 “(2) COSTS.—

16 “(A) DIRECT COSTS.—If the Secretary of
17 a military department enters into a contract or
18 other transaction with a commercial entity
19 under paragraph (1), such contract or trans-
20 action shall include a provision that requires
21 the commercial entity to reimburse the Depart-
22 ment of Defense for all direct costs to the
23 United States that are associated with any
24 good, service, or equipment provided to the

1 commercial entity under the contract or other
2 transaction.

3 “(B) INDIRECT COSTS.—If the Secretary
4 of a military department enters into a contract
5 or other transaction with a commercial entity
6 under paragraph (1), such contract or trans-
7 action may include a provision that requires the
8 commercial entity to reimburse the Department
9 of Defense for such indirect costs as the Sec-
10 retary considers to be appropriate. In such a
11 case, such contract or other transaction may
12 provide for the reimbursement of such indirect
13 costs through the establishment of a rate, fixed
14 price, or similar mechanism the Secretary con-
15 cerned determines is reasonable.

16 “(3) RETENTION OF FUNDS COLLECTED FROM
17 COMMERCIAL USERS.—Any amount collected from a
18 commercial entity as a reimbursement under para-
19 graph (2) shall be credited to the appropriations ac-
20 count from which the cost for which such reimburse-
21 ment is provided was derived.

22 “(4) REGULATIONS.—The Secretary of each of
23 the military departments shall prescribe regulations
24 to carry out this subsection.

25 “(c) DEFINITIONS.—In this section:

1 “(1) SPACE LAUNCH.—The term ‘space launch’
2 includes all activities, supplies, equipment, facilities,
3 or services supporting launch preparation, launch,
4 reentry, recovery, and other launch-related activities
5 for both the payload and the space transportation
6 vehicle.

7 “(2) COMMERCIAL ENTITY.—The term ‘com-
8 mercial entity’ or ‘commercial’ means a non-Federal
9 entity organized under the laws of the United States
10 or of any jurisdiction within the United States.

11 “(d) TRANSITION LIMITATIONS AND REPORTING RE-
12 QUIREMENTS.—For each of fiscal years 2024, 2025, and
13 2026, the Secretary of a military department shall—

14 “(1) with respect to any contract or other
15 transaction authority entered into pursuant to sub-
16 section (b), limit the amount of the indirect costs
17 that are reimbursable under paragraph (2)(B) of
18 such subsection to not more than 30 percent, not to
19 exceed \$5,000,000 annually (based on fiscal year
20 2024 constant dollars), of the total amount of the
21 direct costs reimbursable under paragraph (2)(A) of
22 such subsection; and

23 “(2) not later than 90 days after the last day
24 of each such fiscal year, provide for each of the con-

1 gressional defense committees a briefing that in-
2 cludes—

3 “(A) an identification of the total amounts
4 of direct and indirect costs reimbursed to each
5 spaceport for the fiscal year covered by the re-
6 port;

7 “(B) a description of the support provided
8 by reimbursed indirect costs for the fiscal year
9 covered by the report; and

10 “(C) an identification of the rate, fixed
11 price, or similar mechanism, if any, used to cal-
12 culate the amount of the indirect costs that are
13 reimbursable for the fiscal year following the
14 fiscal year covered by the report.”.

15 **SEC. 1604. PRINCIPAL MILITARY DEPUTY FOR SPACE AC-**
16 **QUISITION AND INTEGRATION.**

17 Section 9016(b)(6) of title 10, United States Code,
18 is amended by adding at the end the following new sub-
19 paragraph:

20 “(C) The Assistant Secretary of the Air Force
21 for Space Acquisition and Integration shall have a
22 Principal Military Deputy for Space Acquisition and
23 Integration, who shall be an officer of the Space
24 Force on active duty. The Principal Military Deputy
25 for Space Acquisition and Integration shall be ap-

1 pointed from among officers who have significant ex-
2 perience in the areas of acquisition and program
3 management. The position of Principal Military
4 Deputy for Space Acquisition and Integration shall
5 be designated as a critical acquisition position under
6 section 1731 of this title. In the event of a vacancy
7 in the position of Assistant Secretary of the Air
8 Force for Space Acquisition and Integration, the
9 Principal Military Deputy for Space Acquisition and
10 Integration may serve as Acting Assistant Secretary
11 for Space Acquisition and Integration for a period of
12 not more than one year.”.

13 **SEC. 1605. MODIFICATION TO UPDATES OF SPACE POLICY**
14 **REVIEW.**

15 Paragraph (2) of section 1611(c) of the National De-
16 fense Authorization Act for Fiscal Year 2022 (Public Law
17 117–81; 135 Stat. 2082) is amended to read as follows:

18 “(2) UPDATES.—The Secretary shall provide
19 for updates to the assessments, analyses, and eval-
20 uations carried out pursuant to such review. The
21 Secretary shall submit to the appropriate congres-
22 sional committees a report on any such updates con-
23 currently with the National Defense Strategy re-
24 quired to be submitted to Congress under section
25 113(g) of title 10, United States Code.”.

1 **SEC. 1606. AUTHORIZATION FOR ESTABLISHMENT OF THE**
2 **NATIONAL SPACE INTELLIGENCE CENTER AS**
3 **A FIELD OPERATING AGENCY.**

4 (a) **AUTHORIZATION.**—The Secretary of the Air
5 Force may establish the National Space Intelligence Cen-
6 ter as a field operating agency of the Space Force to ana-
7 lyze and produce scientific and technical intelligence on
8 space-based and counterspace threats from foreign adver-
9 saries.

10 (b) **COLOCATION.**—If the Secretary of the Air Force
11 decides to establish the National Space Intelligence Center
12 as a field operating agency, the Secretary shall consider
13 the operational and geographical benefits provided by co-
14 locating with the National Air and Space Intelligence Cen-
15 ter.

16 **SEC. 1607. INITIAL OPERATIONAL CAPABILITY FOR AD-**
17 **VANCED TRACKING AND LAUNCH ANALYSIS**
18 **SYSTEM AND REQUIREMENTS FOR SYSTEM-**
19 **LEVEL REVIEW.**

20 (a) **ADVANCED TRACKING AND LAUNCH ANALYSIS**
21 **SYSTEM.**—

22 (1) **DATE FOR INITIAL OPERATIONAL CAPA-**
23 **BILITY.**—Not later than 90 days after the date of
24 the enactment of this Act, the Secretary of the Air
25 Force shall—

1 (A) designate a date on which the Ad-
2 vanced Tracking and Launch Analysis System
3 (commonly referred to as “ATLAS”) is ex-
4 pected to achieve initial operational capability;
5 and

6 (B) notify the congressional defense com-
7 mittees of such date.

8 (2) EFFECT OF FAILURE TO TIMELY DE-
9 LIVER.—If the initial operational capability for the
10 Advanced Tracking and Launch Analysis System is
11 not achieved by the date designated under para-
12 graph (1)(A), the Secretary shall—

13 (A) terminate the Advanced Tracking and
14 Launch Analysis System program;

15 (B) designate an alternative program op-
16 tion that provides a comparable capability to
17 the capability intended to be provided by the
18 Advanced Tracking and Launch Analysis Sys-
19 tem; and

20 (C) not later than 30 days after such date,
21 notify the congressional defense committees
22 with respect to—

23 (i) such termination;

24 (ii) the designated alternative pro-
25 gram option;

1 (iii) the justification for selecting such
2 option; and

3 (iv) the estimated time and total costs
4 to completion of such option.

5 (b) SYSTEM-LEVEL REVIEW.—

6 (1) IN GENERAL.—The Secretary of the Air
7 Force shall seek to enter into a contract with a fed-
8 erally funded research and development center under
9 which the center shall, not less frequently than every
10 2 years during the period from 2024 through 2032,
11 conduct a review of the space command and control
12 software acquisition program to assess the ability of
13 such program to build a software framework that in-
14 tegrates multiple aspects of space operations to en-
15 able the warfighter to command and control space
16 assets in a time of conflict.

17 (2) ELEMENTS.—Each review under paragraph
18 (1) shall—

19 (A) evaluate whether and to what extent
20 the software framework described in such para-
21 graph integrates—

22 (i) sensor data applicable to the com-
23 mand and control of space assets;

1 (ii) information contained in the Uni-
2 fied Data Library relating to the number
3 and location of space objects; and

4 (iii) the ability to control space assets
5 based on such data and information; and

6 (B) address such other matters as the Sec-
7 retary of the Air Force considers necessary.

8 (3) BRIEFING.—Not later than 30 days after
9 the conclusion of each review under paragraph (1),
10 the Secretary of the Air Force shall provide to the
11 congressional defense committees a briefing on the
12 findings of the review, including—

13 (A) an assessment of any deficiency identi-
14 fied in the review; and

15 (B) a plan to address such deficiency in a
16 timely manner.

17 **SEC. 1608. USE OF MIDDLE TIER ACQUISITION PROGRAM**
18 **FOR PROLIFERATED WARFIGHTER SPACE AR-**
19 **CHITECTURE OF THE SPACE DEVELOPMENT**
20 **AGENCY.**

21 (a) IN GENERAL.—The Director of the Space Devel-
22 opment Agency shall use a middle tier acquisition program
23 for the rapid fielding of satellites and associated systems
24 for each of the following tranches of the of the proliferated
25 warfighter space architecture of the Agency:

1 (1) Tranch 1.

2 (2) Tranch 2.

3 (3) Tranch 3.

4 (b) RAPID PROTOTYPING AND FIELDING.—Any
5 tranche of satellites or associated systems developed and
6 fielded under subsection (a) shall have a level of maturity
7 that allows such satellites or systems to be rapidly
8 prototyped within an acquisition program or rapidly field-
9 ed within five years of the development of an approved
10 requirement for such satellites or systems.

11 (c) DESIGNATION AS MAJOR CAPABILITY ACQUI-
12 TION.—

13 (1) IN GENERAL.—The Under Secretary of De-
14 fense for Acquisition and Sustainment may des-
15 ignate a tranche described in subsection (a) as a
16 major capability acquisition program consistent with
17 Department of Defense Instruction 5000.85, titled
18 “Major Capability Acquisition” and issued on Au-
19 gust 6, 2020 (or a successor instruction).

20 (2) NOTICE TO CONGRESS.—Not later than 90
21 days before the date on which a designation under
22 paragraph (1) is made, the Under Secretary of De-
23 fense for Acquisition and Sustainment shall notify
24 the congressional defense committees of the intent of
25 the Under Secretary to make such designation and

1 include with such notice a justification for such des-
2 ignation.

3 (d) SPACE ACQUISITION COUNCIL REVIEW AND
4 WAIVER.—

5 (1) REVIEW.—In accordance with section 9021
6 of title 10, United States Code, the Space Acquisi-
7 tion Council shall review each tranche described sub-
8 section (a) to ensure integration across the national
9 security space enterprise.

10 (2) WAIVER.—The Space Acquisition Council
11 may waive the requirements of subsection (a) with
12 respect to a tranche or portion of a tranche described
13 in such subsection if the Council—

14 (A) on the basis of the review conducted
15 under paragraph (1), determines that the use of
16 a middle tier acquisition program is not war-
17 ranted for such tranche or portion thereof; and

18 (B) not later than 14 days after making
19 such determination, submits to the congress-
20 sional defense committees notice of the intent of
21 the Council to issue such a waiver.

22 (e) MIDDLE TIER ACQUISITION PROGRAM DE-
23 FINED.—In this section, the term “middle tier acquisition
24 program” means an acquisition program or project that
25 is carried out using the rapid fielding or rapid prototyping

1 acquisition pathway under section 804 of the National De-
2 fense Authorization Act for Fiscal Year 2016 (Public Law
3 114–92; 10 U.S.C. 3201 note prec.) in a manner con-
4 sistent with Department of Defense Instruction 5000.80,
5 titled “Operation of the Middle Tier of Acquisition
6 (MTA)” and issued on December 30, 2019 (or a successor
7 instruction).

8 **SEC. 1609. PROCESS AND PLAN FOR SPACE FORCE SPACE**
9 **SITUATIONAL AWARENESS.**

10 (a) IN GENERAL.—The Assistant Secretary of the
11 Air Force for Space Acquisition and Integration, in con-
12 sultation with Chief of Space Operations, shall—

13 (1) establish a process to regularly identify and
14 evaluate commercial space situational awareness ca-
15 pabilities, including the extent to which commercial
16 space situational awareness data could meet needs of
17 the Space Force with respect to maintaining situa-
18 tional awareness in space; and

19 (2) develop and implement a plan to integrate
20 the unified data library into the operational systems
21 of the Space Force, including operational systems
22 for space situational awareness and space command
23 and control missions.

24 (b) REPORT.—Not later than 180 days after the date
25 of the enactment of this Act, the Assistant Secretary of

1 the Air Force for Space Acquisition and Integration shall
2 submit to the congressional defense committees a report
3 that includes a description of the process and plan devel-
4 oped under subsection (a).

5 **SEC. 1610. PLAN TO IMPROVE THREAT-SHARING ARRANGE-**
6 **MENTS WITH COMMERCIAL SPACE OPERA-**
7 **TORS.**

8 (a) **PLAN FOR THREAT SHARING WITH COMMERCIAL**
9 **SPACE OPERATORS.**—The Assistant Secretary of the Air
10 Force for Space Acquisition and Integration, in consulta-
11 tion with the Commander of the United States Space
12 Command, shall develop and implement a plan to expand
13 threat-sharing arrangements with commercial space oper-
14 ators that are under contract with the Department of De-
15 fense as of the date of the enactment of this Act.

16 (b) **REPORT.**—Not later than 180 days after the date
17 of the enactment of this Act, the Assistant Secretary of
18 the Air Force for Space Acquisition and Integration, in
19 coordination with the Commander of the United States
20 Space Command, shall submit to the congressional defense
21 committees a report on the plan required under subsection
22 (a).

1 **SEC. 1611. PLAN FOR AN INTEGRATED AND RESILIENT SAT-**
2 **ELLITE COMMUNICATIONS ARCHITECTURE**
3 **FOR THE SPACE FORCE.**

4 (a) IN GENERAL.—The Secretary of the Air Force,
5 in coordination with the Assistant Secretary of the Air
6 Force for Space Acquisition and Integration and the Chief
7 of Space Operations, shall—

8 (1) as part of the force design process for the
9 Space Force, consider options for the integration of
10 resilient military tactical satellite communications
11 capabilities;

12 (2) develop a plan for the integration of such
13 capabilities into the Space Force, as required under
14 subsection (b); and

15 (3) ensure that a geostationary small satellite
16 communications constellation is evaluated for inclu-
17 sion as a component of the space data transport
18 force design of the Space Force through, at a min-
19 imum, the end of fiscal year 2027.

20 (b) PLAN FOR INTEGRATION.—

21 (1) IN GENERAL.—The Secretary of the Air
22 Force, in coordination with the Assistant Secretary
23 of the Air Force for Space Acquisition and Integra-
24 tion and the Chief of Space Operations, shall develop
25 a plan for an integrated and resilient satellite com-
26 munications architecture for the Space Force.

1 (2) ELEMENTS.—The plan under paragraph (1)
2 shall include, at a minimum, options for—

3 (A) leveraging commercially available geo-
4 stationary small satellite communications tech-
5 nology developed and produced in the United
6 States;

7 (B) ensuring sufficient funding for such an
8 integration;

9 (C) including the unique requirements for
10 small satellite communications constellations
11 throughout the acquisition and deployment pe-
12 riod, including support for global X-band cov-
13 erage and support for secure communications
14 waveforms using on-board digital processing;
15 and

16 (D) potential integration of such geo-
17 stationary small satellite communications capa-
18 bility into the enterprise satellite communica-
19 tions management and control (commonly
20 known as “ESC–MC”) implementation plan of
21 the Department of Defense.

22 (3) BRIEFING.—Not later than the date speci-
23 fied in paragraph (4), than the Secretary of the Air
24 Force shall provide to the congressional defense

1 committees a briefing on the plan developed under
2 paragraph (1).

3 (4) DATE SPECIFIED.—The date specified in
4 this subsection is the earlier of—

5 (A) July 1, 2024; or

6 (B) the date on which the Secretary of the
7 Air Force completes the space data transport
8 force design for the Space Force.

9 **Subtitle B—Defense Intelligence**
10 **and Intelligence-Related Activities**

11 **SEC. 1621. MILITARY INTELLIGENCE COLLECTION AND**
12 **ANALYSIS PARTNERSHIPS.**

13 (a) USE OF FUNDS OTHER THAN APPROPRIATED
14 FUNDS.—

15 (1) IN GENERAL.—Subject to paragraph (2),
16 the Director of the Defense Intelligence Agency, in
17 coordination with the Director of National Intel-
18 ligence, may accept and expend funds from one or
19 more foreign partners for the foreign partner (or
20 partners, as the case may be) to share with the De-
21 fense Intelligence Agency the expenses of joint and
22 combined military intelligence collection and analysis
23 activities.

24 (2) LIMITATIONS.—

1 (A) PREVIOUSLY DENIED FUNDS.—Funds
2 accepted under this section may not be ex-
3 pended, in whole or in part, by or for the ben-
4 efit of the Defense Intelligence Agency for any
5 purpose for which Congress has previously de-
6 nied funds.

7 (B) JOINT BENEFIT.—The authority under
8 paragraph (1) may not be used to acquire items
9 or services for the sole benefit of the United
10 States.

11 (b) ANNUAL REPORT.—Not later than March 1,
12 2025, and annually thereafter for four years, the Director
13 of the Defense Intelligence Agency shall submit to the ap-
14 propriate congressional committees a report on any funds
15 accepted or expended under this section during the pre-
16 ceding calendar year, including an identification of the for-
17 eign partner or partners involved and a description of the
18 purpose of such funds.

19 (c) TERMINATION.—The authority to accept and ex-
20 pend funds from a foreign partner pursuant to this section
21 shall terminate on December 31, 2028.

22 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
23 DEFINED.—In this section, the term “appropriate con-
24 gressional committees” means—

1 (1) the Committee on Armed Services, the
2 Committee on Appropriations, and the Select Com-
3 mittee on Intelligence of the Senate; and

4 (2) the Committee on Armed Services, the
5 Committee on Appropriations, and the Permanent
6 Select Committee on Intelligence of the House of
7 Representatives.

8 **Subtitle C—Nuclear Forces**

9 **SEC. 1631. ESTABLISHMENT OF MAJOR FORCE PROGRAM** 10 **FOR NUCLEAR COMMAND, CONTROL, AND** 11 **COMMUNICATIONS PROGRAMS.**

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

14 **“§ 239e. Nuclear command, control, and communica-** 15 **tions: major force program and budget** 16 **assessment**

17 “(a) ESTABLISHMENT OF MAJOR FORCE PRO-
18 GRAM.—The Secretary of Defense shall establish a unified
19 major force program for nuclear command, control, and
20 communications programs pursuant to section 222(b) of
21 this title to prioritize such programs in accordance with
22 the requirements of the Department of Defense and na-
23 tional security.

24 “(b) BUDGET ASSESSMENT.—(1) The Secretary shall
25 include with the defense budget materials for each of fiscal

1 years 2025 through 2030 a report on the budget for nu-
2 clear command, control, and communications programs of
3 the Department of Defense.

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

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

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

19 “(ii) the specific identification, as a budg-
20 etary line item, for the funding under such pro-
21 grams.

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

24 “(C) Any additional matters the Secretary de-
25 termines appropriate.

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

4 “(c) DEFINITIONS.—In this section:

5 “(1) The term ‘budget’, with respect to a fiscal
6 year, means the budget for that fiscal year that is
7 submitted to Congress by the President under sec-
8 tion 1105(a) of title 31.

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

13 “(3) The term ‘nuclear command, control, and
14 communications programs’ means programs through
15 which presidential authority and operational com-
16 mand and control of nuclear weapons is conducted,
17 including programs that facilitate senior-level deci-
18 sions on nuclear weapons employment.”.

19 **SEC. 1632. TECHNICAL AMENDMENT TO ADDITIONAL RE-**
20 **PORT MATTERS ON STRATEGIC DELIVERY**
21 **SYSTEMS.**

22 Section 495(b) of title 10, United States Code, is
23 amended in the matter preceding paragraph (1)—

24 (1) by striking “before fiscal year 2020” and
25 inserting “prior to the expiration of the Treaty be-

1 tween the United States of America and the Russian
2 Federation on Measures for the Further Reduction
3 and Limitation of Strategic Offensive Arms, signed
4 on April 8, 2010, and entered into force on Feb-
5 ruary 5, 2011 (commonly referred to as the ‘New
6 START Treaty’),”;

7 (2) by striking “1043 of the National Defense
8 Authorization Act for Fiscal Year 2012” and insert-
9 ing “492(a) of this title”.

10 **SEC. 1633. AMENDMENT TO ANNUAL REPORT ON THE PLAN**
11 **FOR THE NUCLEAR WEAPONS STOCKPILE,**
12 **NUCLEAR WEAPONS COMPLEX, NUCLEAR**
13 **WEAPONS DELIVERY SYSTEMS, AND NU-**
14 **CLEAR WEAPONS COMMAND AND CONTROL**
15 **SYSTEMS.**

16 Section 492a of title 10, United States Code, is
17 amended by adding at the end the following new sub-
18 section:

19 “(d) INDEPENDENT ASSESSMENT BY UNITED
20 STATES STRATEGIC COMMAND.—

21 “(1) IN GENERAL.—Not later than 150 days
22 after the submission to Congress of the budget of
23 the President under section 1105(a) of title 31, for
24 each fiscal year the Commander of United States
25 Strategic Command shall complete an independent

1 assessment of any operational effects of the suffi-
2 ciency of the execution, as of the date of the assess-
3 ment, of the acquisition, construction, and recapital-
4 ization programs of the Department of Defense and
5 the National Nuclear Security Administration to
6 modernize the nuclear forces of the United States
7 and meet current and future deterrence require-
8 ments.

9 “(2) CONTENTS.—Each assessment required
10 under paragraph (1) shall include an evaluation of
11 the ongoing execution of modernization programs as-
12 sociated with—

13 “(A) the nuclear weapons design, produc-
14 tion, and sustainment infrastructure;

15 “(B) the nuclear weapons stockpile;

16 “(C) the delivery systems for nuclear weap-
17 ons; and

18 “(D) the nuclear command, control, and
19 communications system.

20 “(3) ROUTING AND SUBMISSION.—

21 “(A) SUBMISSION TO NUCLEAR WEAPONS
22 COUNCIL.—Not later than 15 days after com-
23 pletion of an assessment required by paragraph
24 (1), the Commander of United States Strategic
25 Command shall—

1 “(i) submit the assessment to the
2 Chairman of the Nuclear Weapons Council;
3 and

4 “(ii) notify the congressional defense
5 committees that the assessment has been
6 submitted to the Chairman of the Nuclear
7 Weapons Council.

8 “(B) SUBMISSION TO CONGRESS.—Not
9 later than 15 days after the Chairman of the
10 Nuclear Weapons Council receives an assess-
11 ment required by paragraph (1), the Chairman
12 shall transmit the assessment, without change,
13 to the congressional defense committees.”.

14 **SEC. 1634. MATTERS RELATING TO THE ACQUISITION AND**
15 **DEPLOYMENT OF THE SENTINEL INTER-**
16 **CONTINENTAL BALLISTIC MISSILE WEAPON**
17 **SYSTEM.**

18 (a) MODIFICATIONS TO THE INTERCONTINENTAL
19 BALLISTIC MISSILE SITE ACTIVATION TASK FORCE.—
20 Section 1638 of the James M. Inhofe National Defense
21 Authorization Act for Fiscal Year 2023 (Public Law 117–
22 263) is amended—

23 (1) in subsection (b)(1), by inserting “, who
24 shall report directly to the Commander of Air Force

1 Global Strike Command” after “Modernization”;
2 and

3 (2) by striking subsection (d)(1) and inserting
4 the following:

5 “(1) WEAPON SYSTEM.—For purposes of no-
6 menclature and acquisition life cycle activities rang-
7 ing from development through sustainment and de-
8 militarization, each wing level configuration of the
9 LGM-35A Sentinel intercontinental ballistic missile
10 shall be a weapon system.”.

11 (b) ASSESSMENT FOR NEEDED OR MODIFIED ACQUI-
12 SITION AUTHORITIES.—

13 (1) ASSESSMENT REQUIRED.—The Secretary of
14 the Air Force shall conduct an assessment of the
15 Sentinel weapon system program to determine if any
16 existing, modified, or new acquisition authorities
17 could be used in future years to—

18 (A) ensure the program meets current
19 timelines; or

20 (B) ensure the defense industrial base can
21 adequately plan for and deliver components,
22 subsystems, and systems in accordance with the
23 integrated master schedule.

24 (2) MULTI-YEAR PROCUREMENT AUTHORITY.—

25 In conducting the assessment required under para-

1 graph (1), the Secretary shall evaluate the potential
2 need for multi-year procurement authority.

3 (3) REPORT.—Not later than 120 days after
4 the date of the enactment of this Act, the Secretary
5 of the Air Force shall submit to the congressional
6 defense committees a report on the findings of the
7 assessment required under paragraph (1). The re-
8 port shall include—

9 (A) an identification of all authorities cov-
10 ered by the assessment;

11 (B) a determination of the effect of each
12 such authority on the successful delivery of
13 initial- and full-operational capability to the
14 Sentinel weapon system program; and

15 (C) in the case of any new authority, an
16 identification of the year during which the au-
17 thority should be granted.

18 **SEC. 1635. TASKING AND OVERSIGHT AUTHORITY WITH RE-**
19 **SPECT TO INTERCONTINENTAL BALLISTIC**
20 **MISSILE SITE ACTIVATION TASK FORCE FOR**
21 **SENTINEL PROGRAM.**

22 Section 1638 of the James M. Inhofe National De-
23 fense Authorization Act for Fiscal Year 2023 (Public Law
24 117–263; 136 Stat. 2941), as amended by section 1634,
25 is further amended by—

1 (1) redesignating subsection (e) as subsection
2 (f); and

3 (2) inserting after subsection (d), the following
4 new subsection (e):

5 “(e) DELEGATION OF AUTHORITY.—The Secretary of
6 Defense shall—

7 “(1) not later than 120 days after the date of
8 the enactment of the National Defense Authoriza-
9 tion Act for Fiscal Year 2024, delegate to the Com-
10 mander of the Air Force Global Strike Command
11 such tasking and oversight authorities as the Sec-
12 retary considers necessary with respect to other com-
13 ponents of the Department of Defense participating
14 in the Task Force; and

15 “(2) not later than 30 days after the date of
16 such delegation of authority, notify the congressional
17 defense committees of the delegation.”.

18 **SEC. 1636. STUDY OF WEAPONS PROGRAMS THAT ALLOW**
19 **ARMED FORCES TO ADDRESS HARD AND**
20 **DEEPLY BURIED TARGETS.**

21 Section 1674 of the National Defense Authorization
22 Act for Fiscal Year 2023 (Public Law 117–263) is amend-
23 ed—

24 (1) in subsection (e), by inserting “or fiscal
25 year 2024” after “2023”; and

1 (2) by adding at the end the following new sub-
2 section:

3 “(g) AUTHORIZATION.—For fiscal year 2024, the
4 Secretary of Energy may carry out activities related to
5 the development and modification of a nuclear weapon to
6 provide near-term capabilities that address portions of the
7 strategy required by subsection (b)(3) using amounts au-
8 thorized and appropriated for the sustainment of the B83-
9 1 nuclear gravity bomb.”.

10 **SEC. 1637. REPEAL OF REQUIREMENT FOR REVIEW OF NU-**
11 **CLEAR DETERRENCE POSTURES.**

12 Section 1753 of the National Defense Authorization
13 Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.
14 1852) is repealed.

15 **SEC. 1638. RETENTION OF CAPABILITY TO REDEPLOY MUL-**
16 **TIPLE INDEPENDENTLY TARGETABLE RE-**
17 **ENTRY VEHICLES.**

18 Section 1057 of the National Defense Authorization
19 Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C.
20 495 note) is amended by inserting “and Sentinel” after
21 “Minuteman III” both places it appears.

1 **SEC. 1639. AUTHORIZATION TO ESTABLISH TECHNOLOGY**
2 **TRANSITION PROGRAM FOR STRATEGIC NU-**
3 **CLEAR DETERRENCE.**

4 (a) IN GENERAL.—The Commander of Air Force
5 Global Strike Command may, through the use of a part-
6 nership intermediary, establish a program—

7 (1) to carry out technology transition, digital
8 engineering projects, and other innovation activities
9 supporting the Air Force nuclear enterprise; and

10 (2) to identify capabilities for the Air Force nu-
11 clear enterprise that have the potential to generate
12 life-cycle cost savings and provide data-driven ap-
13 proaches to resource allocation.

14 (b) TERMINATION.—The program established under
15 subsection (a) shall terminate on September 30, 2029.

16 (c) PARTNERSHIP INTERMEDIARY DEFINED.—In
17 this section, term “partnership intermediary” has the
18 meaning given that term in section 23(c) of the Stevenson-
19 Wydler Technology Innovation Act of 1980 (15 U.S.C.
20 3715(c)).

21 **SEC. 1640. MATTERS RELATING TO THE NUCLEAR-ARMED,**
22 **SEA-LAUNCHED CRUISE MISSILE.**

23 (a) PROGRAM TREATMENT.—Not later than 90 days
24 after the date of the enactment of this Act, the Secretary
25 of Defense, acting through the Under Secretary of De-
26 fense for Acquisition and Sustainment, shall—

1 (1) establish a program for the development of
2 a nuclear-armed, sea-launched cruise missile capa-
3 bility;

4 (2) designate such program as a major defense
5 acquisition program (as defined in section 4201 of
6 title 10, United States Code) for which the milestone
7 decision authority (as defined in section 4251 of
8 such title) is the Under Secretary of Defense for Ac-
9 quisition and Sustainment;

10 (3) initiate a nuclear weapon project for the
11 W80–4 ALT warhead, at phase 6.2 of the phase 6.X
12 process (relating to feasibility study and down se-
13 lect), to adapt such warhead for use with the capa-
14 bility described in paragraph (1);

15 (4) submit to the National Nuclear Security
16 Administration a formal request, through the Nu-
17 clear Weapons Council, requesting that the Adminis-
18 tration participate in and support the W80–4 ALT
19 warhead project described in paragraph (3); and

20 (5) designate the Department of the Navy as
21 the military department to lead the W80–4 ALT nu-
22 clear weapon project for the Department of Defense.

23 (b) INITIAL OPERATIONAL CAPABILITY.—The Sec-
24 retary of Defense and the Administrator for Nuclear Secu-
25 rity shall take such actions as are necessary to ensure the

1 program and project described subsection (a) achieve ini-
2 tial operational capability, as defined jointly by the Sec-
3 retary of the Navy and the Commander of the United
4 States Strategic Command, by not later than September
5 30, 2034.

6 (c) LIMITATION ON AUTHORITY TO APPROVE PRO-
7 Duction.—The Under Secretary of Defense for Acquisi-
8 tion and Sustainment may not approve a Full Rate Pro-
9 duction Decision or authorize Full Scale Production (as
10 those terms are defined in the memorandum of the Nu-
11 clear Weapons Council titled “Procedural Guidelines for
12 the Phase 6.X Process” and dated April 19, 2000) for
13 the W80–4 ALT project until authorized by Congress.

14 (d) BRIEFING.—

15 (1) IN GENERAL.—Not later than January 15,
16 2024, and not later than each March 1 and Sep-
17 tember 1 thereafter, the Under Secretary of Defense
18 for Acquisition and Sustainment, the Secretary of
19 the Navy, the Administrator for Nuclear Security,
20 and the Commander of the United States Strategic
21 Command shall jointly provide to the congressional
22 defense committees a briefing on the progress of the
23 program and project described in subsection (a).

24 (2) CONTENTS.—Each briefing required under
25 paragraph (1) shall include—

1 (A) a description of significant achieve-
2 ments of the program and project completed
3 during the period specified in paragraph (3)
4 and any planned objectives that were not
5 achieved during such period;

6 (B) for the 180-day period following the
7 briefing—

8 (i) planned objectives for the program
9 and project; and

10 (ii) anticipated spending plans for the
11 program and project;

12 (C) a description of any notable technical
13 hurdles that could impede timely completion of
14 the program and project; and

15 (D) any other information the Under Sec-
16 retary of Defense for Acquisition and
17 Sustainment considers appropriate.

18 (3) PERIOD SPECIFIED.—The period specified
19 in this paragraph is—

20 (A) in the case of the first briefing re-
21 quired by paragraph (1), the 180-day period
22 preceding the briefing; and

23 (B) in the case of any subsequent such
24 briefing, the period since the previous such
25 briefing.

1 (4) TERMINATION.—The requirement to pro-
2 vide briefings under paragraph (1) shall terminate
3 on the date that the program and project described
4 subsection (a) achieve initial operational capability,
5 as defined jointly by the Secretary of the Navy and
6 the Commander of the United States Strategic Com-
7 mand.

8 (e) ASSESSMENT AND REPORT.—

9 (1) IN GENERAL.—The Secretary of the Navy
10 shall complete an assessment, in response to the
11 courses of action developed by the Joint Staff in re-
12 sponse to the report of the Secretary of Defense
13 under subsection 1642(a) of the James M. Inhofe
14 National Defense Authorization Act for Fiscal Year
15 2023 (Public Law 117–263; 136 Stat. 2945), of the
16 actions required to effectively deploy a nuclear sea-
17 launched cruise missile from a Virginia class sub-
18 marine and such other platforms as the Secretary
19 determines appropriate.

20 (2) ELEMENTS.—The assessment under para-
21 graph (1) shall address the following:

22 (A) Any hardware, software, manning, or
23 certification modifications to platforms that are
24 required to accommodate the nuclear sea-
25 launched cruise missile on such platforms.

1 (B) Any required modifications to port fa-
2 cilities that would host platforms carrying the
3 nuclear sea-launched cruise missile, including
4 any modifications relating to physical security
5 and monitoring.

6 (C) Effects on manning associated with
7 the handling, storage, and operations of nuclear
8 sea-launched cruise missiles at affected facilities
9 of the Navy.

10 (D) Funding and schedule estimates to
11 complete any actions identified under subpara-
12 graphs (A) through (C).

13 (3) REPORT REQUIRED.—Not later than 180
14 days after the date of the enactment of this Act, the
15 Secretary of the Navy shall submit to the congres-
16 sional defense committees a report on the results of
17 the assessment conducted under paragraph (1), in-
18 cluding the results of the assessment with respect to
19 each element specified in paragraph (2).

20 (f) LIMITATION ON AVAILABILITY OF FUNDS PEND-
21 ING SUBMITTAL OF REPORT.—Of the funds authorized to
22 be appropriated by this Act or otherwise made available
23 for fiscal year 2024 for the Department of the Navy, and
24 available for the Office of the Secretary of the Navy for
25 the travel of persons, not more than 90 percent may be

1 obligated or expended until the date on which the final
2 report required under section 1642(b)(2) of the James M.
3 Inhofe National Defense Authorization Act for Fiscal Year
4 2023 (Public Law 117–263; 136 Stat. 2945) has been
5 submitted to the congressional defense committees.

6 (g) PHASE 6.X PROCESS DEFINED.—In this section,
7 the term “phase 6.X process” means the phase 6.X proc-
8 ess for major stockpile sustainment activities set forth in
9 the memorandum of the Nuclear Weapons Council titled
10 “Procedural Guidelines for the Phase 6.X Process” and
11 dated April 19, 2000.

12 **SEC. 1641. REQUIREMENTS RELATING TO OPERATIONAL**
13 **SILOS FOR THE SENTINEL INTERCONTI-**
14 **NENTAL BALLISTIC MISSILE.**

15 The Secretary of the Air Force shall refurbish and
16 make operable not fewer than 150 silos for the LGM–35A
17 Sentinel intercontinental ballistic missile at each of the fol-
18 lowing locations:

19 (1) Francis E. Warren Air Force Base, Lar-
20 amie County, Wyoming.

21 (2) Malmstrom Air Force Base, Cascade Coun-
22 ty, Montana.

23 (3) Minot Air Force Base, Ward County, North
24 Dakota.

1 **SEC. 1642. LONG-TERM SUSTAINMENT OF SENTINEL ICBM**
2 **GUIDANCE SYSTEM.**

3 (a) IN GENERAL.—Prior to issuing a Milestone C de-
4 cision for the program to develop the LGM–35A Sentinel
5 intercontinental ballistic missile system (referred to in this
6 section as the “Sentinel”), the Under Secretary of Defense
7 for Acquisition and Sustainment shall certify to the con-
8 gressional defense committees that there is a long-term
9 capability in place to maintain and modernize the guid-
10 ance system of the Sentinel over the full life cycle of the
11 Sentinel.

12 (b) CERTIFICATION ELEMENTS.—The certification
13 described in subsection (a) shall include a list of capabili-
14 ties to maintain and advance—

- 15 (1) accelerometers;
- 16 (2) gyroscopes;
- 17 (3) guidance computers;
- 18 (4) specialized mechanical and retaining assem-
19 blies;
- 20 (5) test equipment; and
- 21 (6) such other components to ensure the guid-
22 ance system will be maintained and modernized over
23 the life of the Sentinel.

1 **SEC. 1643. INTEGRATED MASTER SCHEDULE FOR THE SEN-**
2 **TINEL MISSILE PROGRAM OF THE AIR**
3 **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) ADDITIONAL REQUIREMENTS.—The Under Sec-
13 retary of Defense for Acquisition and Sustainment shall
14 ensure that the integrated master schedule submitted
15 under subsection (a)—

16 (1) is consistent with the scheduling best prac-
17 tices set forth in the publication of the Government
18 Accountability Office titled “Schedule Assessment
19 Guide: Best Practices for Project Schedules” (GAO–
20 16–89G), dated December 2015 (or any successor to
21 such guide);

22 (2) addresses the full scope of work required
23 under the sentinel missile program; and

24 (3) fully integrates contractor and government
25 activities.

1 (c) MONTHLY BRIEFINGS.—Not later than 180 days
2 after the date of the enactment of this Act, and on a
3 monthly basis thereafter until January 1, 2029, the Sec-
4 retary of the Air Force shall provide to the congressional
5 defense committees a briefing on the progress of the Sen-
6 tinel missile program, which shall include an update on
7 the progress of all subsystems and elements associated
8 with achieving full operational capability of the weapons
9 system.

10 (d) NOTIFICATION.—Not later than 30 days after the
11 Secretary of the Air Force becomes aware of an event that
12 is expected to delay, by more than one fiscal quarter, the
13 date on which Sentinel missile achieves initial operational
14 capability (as set forth in the integrated master schedule
15 submitted under subsection (a)), the Secretary shall—

16 (1) submit notice of such delay to the congress-
17 sional defense committees; and

18 (2) include with such notice—

19 (A) an explanation of the factors causing
20 such delay; and

21 (B) a plan to prevent or minimize the du-
22 ration of such delay.

1 **SEC. 1644. OPERATIONAL TIMELINE FOR STRATEGIC AUTO-**
2 **MATED COMMAND AND CONTROL SYSTEM.**

3 (a) IN GENERAL.—The Secretary of the Air Force
4 shall develop a replacement of the Strategic Automated
5 Command and Control System (SACCS) by not later than
6 the date on which the LGM–35A Sentinel intercontinental
7 ballistic missile program reaches initial operational capa-
8 bility.

9 (b) REPLACEMENT CAPABILITIES.—The replacement
10 required by subsection (a) shall—

11 (1) replace the SACCS base processors;

12 (2) replace the SACCS processors at launch
13 control centers;

14 (3) provide internet protocol connectivity for
15 wing-wide command centers of the LGM–35A Sen-
16 tinel intercontinental ballistic missile program; and

17 (4) include such other capabilities necessary to
18 address the evolving requirements of the LGM–35A
19 Sentinel intercontinental ballistic missile program as
20 the Secretary considers appropriate.

21 **SEC. 1645. PILOT PROGRAM ON DEVELOPMENT OF RE-**
22 **ENTRY VEHICLES AND RELATED SYSTEMS.**

23 (a) IN GENERAL.—The Secretary of the Air Force
24 may carry out a pilot program, to be known as the “Re-
25 entry Vehicle Flight Test Bed Program”, to assess the

1 feasibility of providing regular flight test opportunities
2 that support the development of reentry vehicles to—

3 (1) facilitate technology upgrades tested in a re-
4 alistic flight environment;

5 (2) provide an enduring, high-cadence test bed
6 to mature technologies for planned reentry vehicles;
7 and

8 (3) transition technologies developed under
9 other programs and projects relating to long-range
10 ballistic or hypersonic strike missiles from the re-
11 search and development or prototyping phases into
12 operational use.

13 (b) GRANTS, CONTRACTS, AND OTHER AGREE-
14 MENTS.—

15 (1) AUTHORITY.—In carrying out a pilot pro-
16 gram under this section, the Secretary may, subject
17 to paragraph (2), award grants and enter into con-
18 tracts or other agreements with appropriate entities
19 for the conduct of relevant flight tests of reentry ve-
20 hicles and systems.

21 (2) GRANT AND CONTRACT REQUIREMENTS.—

22 (A) MERIT-BASED GRANTS.—Any grant
23 under paragraph (1) shall be awarded through
24 merit-based selection procedures.

1 (B) COMPETITIVE CONTRACT PROCE-
2 DURES.—Any contract or other agreement
3 under paragraph (1) shall be awarded using
4 competitive procedures (as defined in section
5 3012 of title 10, United States Code).

6 (3) USE OF FUNDS.—An entity that receives a
7 grant, or enters into a contract or other agreement,
8 as part of a pilot program carried out under this
9 section shall use the grant, or any amount received
10 under the contract or other agreement, to carry out
11 one or more of the following activities:

12 (A) Conducting flight tests to develop or
13 validate—

- 14 (i) aeroshell design;
15 (ii) thermal protective systems;
16 (iii) guidance and control systems;
17 (iv) sensors;
18 (v) communications;
19 (vi) environmental sensors; or
20 (vii) other relevant technologies.

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

23 (c) COORDINATION.—If the Secretary of the Air
24 Force carries out a pilot program under this section, the
25 Secretary shall ensure that the activities under the pilot

1 program are carried out in coordination with the Secretary
2 of Defense and the Secretary of the Navy.

3 (d) **TERMINATION.**—The authority to carry out a
4 pilot program under this section shall terminate on De-
5 cember 31, 2029.

6 **SEC. 1646. PROHIBITION ON REDUCTION OF THE INTER-**
7 **CONTINENTAL BALLISTIC MISSILES OF THE**
8 **UNITED STATES.**

9 (a) **PROHIBITION.**—Except as provided in subsection
10 (b), none of the funds authorized to be appropriated by
11 this Act or otherwise made available for fiscal year 2024
12 for the Department of Defense may be obligated or ex-
13 pended for the following, and the Department may not
14 otherwise take any action to do the following:

15 (1) Reduce, or prepare to reduce, the respon-
16 siveness or alert level of the intercontinental ballistic
17 missiles of the United States.

18 (2) Reduce, or prepare to reduce, the quantity
19 of deployed intercontinental ballistic missiles of the
20 United States to a number less than 400.

21 (b) **EXCEPTION.**—The prohibition in subsection (a)
22 shall not apply to any of the following activities:

23 (1) The maintenance or sustainment of inter-
24 continental ballistic missiles.

1 (2) Ensuring the safety, security, or reliability
2 of intercontinental ballistic missiles.

3 (3) Facilitating the transition from the Minute-
4 man III intercontinental ballistic missile to the Sen-
5 tinel intercontinental ballistic missile (previously re-
6 ferred to as the “ground-based strategic deterrent
7 weapon”).

8 **SEC. 1647. LIMITATION ON AVAILABILITY OF FUNDS PEND-**
9 **ING COMPLIANCE WITH INFORMATION RE-**
10 **QUESTS FROM THE GOVERNMENT ACCOUNT-**
11 **ABILITY OFFICE.**

12 Of the funds authorized to be appropriated by this
13 Act or otherwise made available for fiscal year 2024 for
14 Operation and Maintenance, Defense-wide, and available
15 for the Office of the Under Secretary of Defense for Pol-
16 icy, not more than 35 percent may be obligated or ex-
17 pended until the date on which the Comptroller General
18 of the United States notifies the congressional defense
19 committees that the Secretary of Defense has fully com-
20 plied with information requests from the Government Ac-
21 countability Office made in connection with the conduct
22 of the study required by section 1652 of the National De-
23 fense Authorization Act for Fiscal Year 2022 (Public Law
24 117–81; 135 Stat. 2100).

1 **SEC. 1648. CONGRESSIONAL NOTIFICATION OF DECISION**
2 **TO DELAY STRATEGIC DELIVERY SYSTEM**
3 **TEST EVENT.**

4 (a) NOTIFICATION.—Not later than five days after
5 the Secretary of Defense makes a decision to delay a
6 scheduled test event for a strategic delivery system, the
7 Secretary shall submit to the congressional defense com-
8 mittees written notice of such decision.

9 (b) REPORT.—

10 (1) IN GENERAL.—Except as provided in para-
11 graph (3), not later than 60 days after the submis-
12 sion of a notification required under subsection (a)
13 with respect to a decision to delay a scheduled test
14 event, the Secretary shall submit to the congres-
15 sional defense committees a report on the decision.

16 (2) ELEMENTS REQUIRED.—A report submitted
17 under paragraph (1) shall include each of the fol-
18 lowing with respect to the scheduled test event cov-
19 ered by the report:

20 (A) A description of the objectives of the
21 test.

22 (B) An explanation for the decision to can-
23 cel the test.

24 (C) An estimate of expenditures related to
25 the cancelled test.

1 (D) An assessment of the effect of the test
2 cancellation on—

3 (i) confidence in the reliability of the
4 strategic nuclear weapons delivery system
5 involved; and

6 (ii) any research, development, test,
7 and evaluation activities related to the test.

8 (E) A plan to reschedule the test event.

9 (3) EXCEPTION.—A report shall not be re-
10 quired under paragraph (1) in the case of a decision
11 to delay a scheduled test event due to any of the fol-
12 lowing circumstances:

13 (A) Unfavorable weather conditions.

14 (B) Safety concerns.

15 (C) Technical issues related to the delivery
16 system or test facility.

17 (D) Operational or security concerns at the
18 test facility or on the test range.

19 **SEC. 1649. CONGRESSIONAL NOTIFICATION OF NUCLEAR**
20 **COOPERATION BETWEEN RUSSIA AND CHINA.**

21 If the Commander of the United States Strategic
22 Command determines, after consultation with the Director
23 of the Defense Intelligence Agency, that militarily signifi-
24 cant cooperation between the Russian Federation and the
25 People's Republic of China related to nuclear or strategic

1 capabilities is likely to occur or has likely occurred, the
2 Commander shall submit to the congressional defense
3 committees a notification of such determination that in-
4 cludes—

5 (1) a description of the military significant co-
6 operation; and

7 (2) an assessment of the implication of such co-
8 operation for the United States with respect to nu-
9 clear deterrence, extended deterrence, assurance,
10 and defense.

11 **SEC. 1650. PLAN FOR DECREASING THE TIME TO UPLOAD**
12 **ADDITIONAL WARHEADS TO THE INTER-**
13 **CONTINENTAL BALLISTIC MISSILE FLEET.**

14 (a) **IN GENERAL.**—The Secretary of the Air Force,
15 in coordination with the Commander of the United States
16 Strategic Command and the Assistant Secretary of De-
17 fense for Space Policy, shall develop a plan to decrease
18 the amount of time required to upload additional warheads
19 to the intercontinental ballistic missile force in the event
20 Presidential direction is given to exercise such a plan.

21 (b) **ELEMENTS.**—The plan required by subsection (a)
22 shall include the following:

23 (1) An assessment of the storage capacity of
24 weapons storage areas and any weapons generation

1 facilities at covered bases, including the capacity of
2 each covered base to store additional warheads.

3 (2) An assessment of the current nuclear war-
4 head transportation capacity and workforce of the
5 National Nuclear Security Administration and asso-
6 ciated timelines for transporting additional nuclear
7 warheads to covered bases.

8 (3) An evaluation of the capacity and limita-
9 tions of the maintenance squadrons and security
10 forces at covered bases and the associated timelines
11 for adding warheads to the intercontinental ballistic
12 missile force.

13 (4) An identification of actions that would ad-
14 dress any identified limitations to upload additional
15 warheads.

16 (5) An evaluation of courses of actions to
17 upload additional warheads to a portion of the inter-
18 continental ballistic missile force.

19 (6) An assessment of the feasibility and advis-
20 ability of initiating immediate deployment of W78
21 warheads to a single wing of the intercontinental
22 ballistic missile force as a hedge against delay of the
23 LGM-35A Sentinel intercontinental ballistic missile.

1 (7) Any policy considerations that would need
2 to be addressed, including any guidance and direc-
3 tion that would required, to execute the plan.

4 (8) An identification of all funding required to
5 carry out actions identified in paragraphs (4) and
6 (5).

7 (c) SUBMISSION TO CONGRESS.—Not later than 90
8 days after the date of the enactment of this Act, the Sec-
9 retary of the Air Force and the Commander of the United
10 States Strategic Command shall submit to the congres-
11 sional defense committees the plan required by subsection
12 (a).

13 (d) FORM.—The plan required by subsection (a) shall
14 be submitted in unclassified form, but may include a clas-
15 sified annex.

16 (e) BRIEFING.—Not later than 30 days after the sub-
17 mission of the plan required by subsection (a), the Sec-
18 retary of the Air Force, the Commander of the United
19 States Strategic Command, and the Assistant Secretary
20 of Defense for Space Policy shall provide for the congres-
21 sional defense committees a briefing on the actions being
22 pursued to implement the plan.

23 (f) COVERED BASE DEFINED.—The term “covered
24 base” means the following:

1 (1) Francis E. Warren Air Force Base, Lar-
2 amie County, Wyoming.

3 (2) Malmstrom Air Force Base, Cascade Coun-
4 ty, Montana.

5 (3) Minot Air Force Base, Ward County, North
6 Dakota.

7 **Subtitle D—Missile Defense**
8 **Programs**

9 **SEC. 1661. DEPUTY DIRECTOR OF OFFICE OF MISSILE DE-**
10 **FENSE AGENCY.**

11 Section 205 of title 10, United States Code, is
12 amended—

13 (1) in subsection (a), by inserting “a general or
14 flag officer” after “shall be”; and

15 (2) by redesignating subsection (b) as sub-
16 section (c); and

17 (3) by inserting after subsection (a) the fol-
18 lowing new subsection:

19 “(b) DEPUTY DIRECTOR.—(1) There is a Deputy Di-
20 rector of the Missile Defense Agency, who shall be ap-
21 pointed by the Secretary of Defense from among the gen-
22 eral officers on active duty in the Army, Air Force, Marine
23 Corps, or Space Force, or from among the flag officers
24 on active duty in the Navy. In selecting an individual to
25 serve as the Deputy Director, the Secretary of Defense

1 shall select an individual who serves in a different armed
2 force than the armed force in which the Director serves.

3 “(2) The Deputy Director shall be appointed for a
4 term of not fewer than two, and not more than four years.

5 “(3) The Deputy Director shall be under the author-
6 ity, direction, and control of the Director of the Missile
7 Defense Agency.

8 “(4) The Deputy Director shall—

9 “(A) carry out such responsibilities as may be
10 assigned by the Director; and

11 “(B) serve as acting director during periods of
12 absence by the Director, or at such times as the of-
13 fice of the Director is vacant.”.

14 **SEC. 1662. MODIFICATION OF PROGRAM ACCOUNTABILITY**
15 **MATRICES REQUIREMENTS FOR NEXT GEN-**
16 **ERATION INTERCEPTORS FOR MISSILE DE-**
17 **FENSE.**

18 Section 1668(f) of the National Defense Authoriza-
19 tion Act for Fiscal Year 2022 (Public Law 117–81; 135
20 Stat. 2107) is amended—

21 (1) by inserting “and the product development
22 phase” after “technology development phase” each
23 place it appears; and

1 (2) in paragraph (7), by striking “enter the
2 product development phase” and inserting “enter
3 the production phase”.

4 **SEC. 1663. NATIONAL MISSILE DEFENSE POLICY.**

5 Subsection (a) of section 1681 of the National De-
6 fense Authorization Act for Fiscal Year 2017 (Public Law
7 114–328; 10 U.S.C. 4205 note) is amended to read as
8 follows:

9 “(a) **POLICY.**—It is the policy of the United States—
10 “(1) to research, develop, test, procure, deploy,
11 and sustain, with funding subject to the annual au-
12 thorization of appropriations for National Missile
13 Defense, systems that provide effective, layered mis-
14 sile defense capabilities to defeat increasingly com-
15 plex missile threats in all phases of flight; and
16 “(2) to rely on nuclear deterrence to address
17 more sophisticated and larger quantity near-peer
18 intercontinental missile threats to the homeland of
19 the United States.”.

20 **SEC. 1664. MODIFICATION OF REQUIREMENT FOR COMP-**
21 **TROLLER GENERAL TO REVIEW AND ASSESS**
22 **MISSILE DEFENSE ACQUISITION PROGRAMS.**

23 Section 232(a) of the National Defense Authorization
24 Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.
25 1339) is amended—

1 (1) in paragraph (1), by striking “through
2 2025” and inserting “through 2030”;

3 (2) in paragraph (2), by striking “through
4 2026” and inserting “through 2031”; and

5 (3) in paragraph (3)—

6 (A) in the paragraph heading, by striking
7 “EMERGING” and inserting “OTHER DEPART-
8 MENT OF DEFENSE MISSILE DEFENSE ACQUI-
9 SITION EFFORTS AND RELATED”;

10 (B) by striking “emerging issues and” and
11 inserting “emerging issues, any Department of
12 Defense missile defense acquisition efforts, and
13 any other related issue and”; and

14 (C) by inserting “on a mutually agreed
15 upon date” before the period at the end.

16 **SEC. 1665. IRON DOME SHORT-RANGE ROCKET DEFENSE**
17 **SYSTEM AND ISRAELI COOPERATIVE MISSILE**
18 **DEFENSE PROGRAM CO-DEVELOPMENT AND**
19 **CO-PRODUCTION.**

20 (a) IRON DOME SHORT-RANGE ROCKET DEFENSE
21 SYSTEM.—

22 (1) AVAILABILITY OF FUNDS.—Of the funds
23 authorized to be appropriated by this Act for fiscal
24 year 2024 for procurement, Defense-wide, and avail-
25 able for the Missile Defense Agency, not more than

1 \$80,000,000 may be provided to the Government of
2 Israel to procure components for the Iron Dome
3 short-range rocket defense system through co-pro-
4 duction of such components in the United States by
5 industry of the United States.

6 (2) CONDITIONS.—

7 (A) AGREEMENT.—Funds described in
8 paragraph (1) for the Iron Dome short-range
9 rocket defense program shall be available sub-
10 ject to the terms and conditions in the Agree-
11 ment Between the Department of Defense of
12 the United States of America and the Ministry
13 of Defense of the State of Israel Concerning
14 Iron Dome Defense System Procurement,
15 signed on March 5, 2014, as amended to in-
16 clude co-production for Tamir interceptors.

17 (B) CERTIFICATION.—Not later than 30
18 days prior to the initial obligation of funds de-
19 scribed in paragraph (1), the Under Secretary
20 of Defense for Acquisition and Sustainment
21 shall submit to the appropriate congressional
22 committees—

23 (i) a certification that the amended bi-
24 lateral international agreement specified in

1 subparagraph (A) is being implemented as
2 provided in such agreement;

3 (ii) an assessment detailing any risks
4 relating to the implementation of such
5 agreement; and

6 (iii) for system improvements result-
7 ing in modified Iron Dome components
8 and Tamir interceptor sub-components, a
9 certification that the Government of Israel
10 has demonstrated successful completion of
11 Production Readiness Reviews, including
12 the validation of production lines, the
13 verification of component conformance,
14 and the verification of performance to
15 specification as defined in the Iron Dome
16 Defense System Procurement Agreement,
17 as further amended.

18 (b) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-
19 GRAM, DAVID'S SLING WEAPON SYSTEM CO-PRODUC-
20 TION.—

21 (1) IN GENERAL.—Subject to paragraph (3), of
22 the funds authorized to be appropriated for fiscal
23 year 2024 for procurement, Defense-wide, and avail-
24 able for the Missile Defense Agency, not more than
25 \$40,000,000 may be provided to the Government of

1 Israel to procure the David's Sling Weapon System,
2 including for co-production of parts and components
3 in the United States by United States industry.

4 (2) AGREEMENT.—Provision of funds specified
5 in paragraph (1) shall be subject to the terms and
6 conditions in the bilateral co-production agreement,
7 including—

8 (A) a one-for-one cash match is made by
9 Israel or in another matching amount that oth-
10 erwise meets best efforts (as mutually agreed to
11 by the United States and Israel); and

12 (B) co-production of parts, components,
13 and all-up rounds (if appropriate) in the United
14 States by United States industry for the Da-
15 vid's Sling Weapon System is not less than 50
16 percent.

17 (3) CERTIFICATION AND ASSESSMENT.—The
18 Under Secretary of Defense for Acquisition and
19 Sustainment shall submit to the appropriate con-
20 gressional committees—

21 (A) a certification that the Government of
22 Israel has demonstrated the successful comple-
23 tion of the knowledge points, technical mile-
24 stones, and Production Readiness Reviews re-
25 quired by the research, development, and tech-

1 nology agreement and the bilateral co-produc-
2 tion agreement for the David's Sling Weapon
3 System; and

4 (B) an assessment detailing any risks re-
5 lating to the implementation of such agreement.

6 (c) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-
7 GRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM
8 CO-PRODUCTION.—

9 (1) IN GENERAL.—Subject to paragraph (2), of
10 the funds authorized to be appropriated for fiscal
11 year 2024 for procurement, Defense-wide, and avail-
12 able for the Missile Defense Agency, not more than
13 \$80,000,000 may be provided to the Government of
14 Israel for the Arrow 3 Upper Tier Interceptor Pro-
15 gram, including for co-production of parts and com-
16 ponents in the United States by United States in-
17 dustry.

18 (2) CERTIFICATION.—The Under Secretary of
19 Defense for Acquisition and Sustainment shall sub-
20 mit to the appropriate congressional committees a
21 certification that—

22 (A) the Government of Israel has dem-
23 onstrated the successful completion of the
24 knowledge points, technical milestones, and
25 Production Readiness Reviews required by the

1 research, development, and technology agree-
2 ment for the Arrow 3 Upper Tier Interceptor
3 Program;

4 (B) funds specified in paragraph (1) will
5 be provided on the basis of a one-for-one cash
6 match made by Israel or in another matching
7 amount that otherwise meets best efforts (as
8 mutually agreed to by the United States and
9 Israel);

10 (C) the United States has entered into a
11 bilateral international agreement with Israel
12 that establishes, with respect to the use of such
13 funds—

14 (i) in accordance with subparagraph
15 (D), the terms of co-production of parts
16 and components on the basis of the great-
17 est practicable co-production of parts, com-
18 ponents, and all-up rounds (if appropriate)
19 by United States industry and minimizes
20 nonrecurring engineering and facilitization
21 expenses to the costs needed for co-produc-
22 tion;

23 (ii) complete transparency on the re-
24 quirement of Israel for the number of
25 interceptors and batteries that will be pro-

1 cured, including with respect to the pro-
2 curement plans, acquisition strategy, and
3 funding profiles of Israel;

4 (iii) technical milestones for co-pro-
5 duction of parts and components and pro-
6 curement;

7 (iv) a joint affordability working
8 group to consider cost reduction initiatives;
9 and

10 (v) joint approval processes for third-
11 party sales; and

12 (D) the level of co-production described in
13 subparagraph (C)(i) for the Arrow 3 Upper
14 Tier Interceptor Program is not less than 50
15 percent.

16 (d) NUMBER.—In carrying out paragraph (2) of sub-
17 section (b) and paragraph (2) of subsection (c), the Under
18 Secretary may submit—

19 (1) one certification covering both the David’s
20 Sling Weapon System and the Arrow 3 Upper Tier
21 Interceptor Program; or

22 (2) separate certifications for each respective
23 system.

24 (e) TIMING.—The Under Secretary shall submit to
25 the congressional defense committees the certification and

1 assessment under subsection (b)(3) and the certification
2 under subsection (c)(2) no later than 30 days before the
3 funds specified in paragraph (1) of subsections (b) and
4 (c) for the respective system covered by the certification
5 are provided to the Government of Israel.

6 (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
7 FINED.—In this section, the term “appropriate congres-
8 sional committees” means the following:

9 (1) The congressional defense committees.

10 (2) The Committee on Foreign Relations of the
11 Senate.

12 (3) The Committee on Foreign Affairs of the
13 House of Representatives.

14 **SEC. 1666. PROGRAMS TO ACHIEVE INITIAL AND FULL**
15 **OPERATIONAL CAPABILITIES FOR THE GLIDE**
16 **PHASE INTERCEPTOR PROGRAM.**

17 (a) PROGRAM TO ACHIEVE INITIAL OPERATIONAL
18 CAPABILITY.—

19 (1) IN GENERAL.—The Secretary of Defense,
20 acting through the Director of the Missile Defense
21 Agency and in coordination with the officials speci-
22 fied in subsection (d), shall carry out a program to
23 achieve, by not later than December 31, 2029, an
24 initial operational capability for the Glide Phase In-
25 terceptor as described in paragraph (2).

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

5 (A) the Glide Phase Interceptor is capable
6 of defeating, in the glide phase, any endo-at-
7 mospheric hypersonic vehicles that are known to
8 the Department of Defense and fielded as of
9 the date of the enactment of this Act; and

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

12 (b) PROGRAM TO ACHIEVE FULL OPERATIONAL CA-
13 PABILITY.—

14 (1) PROGRAM REQUIRED.—The Secretary of
15 Defense, acting through the Director of the Missile
16 Defense Agency and in coordination with the offi-
17 cials specified in subsection (d), shall carry out a
18 program to achieve, by not later than December 31,
19 2032, full operational capability for the Glide Phase
20 Interceptor as described in paragraph (2).

21 (2) REQUIRED CAPABILITIES.—For purposes of
22 paragraph (1), the Glide Phase Interceptor program
23 shall be considered to have achieved full operational
24 capability if—

1 (A) the Glide Phase Interceptor is capable
2 of defeating, in the glide phase, any endo-at-
3 mospheric hypersonic vehicles—

4 (i) that are known to the Department
5 of Defense and fielded as of the date of the
6 enactment of this Act; and

7 (ii) that the Department of Defense
8 expects to be fielded before the end of
9 2040;

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

12 (C) the Glide Phase Interceptor has the
13 ability to be operated collaboratively with space-
14 based or terrestrial sensors that the Depart-
15 ment of Defense expects to be deployed before
16 the end of 2032.

17 (c) COOPERATIVE AGREEMENT AUTHORIZED.—The
18 Director of the Missile Defense Agency is authorized to
19 enter into a cooperative development agreement with one
20 or more international partners of the United States for
21 the development of the full operational capability described
22 in subsection (b).

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

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

3 (2) The Secretary of the Navy.

4 (3) The Commander of the United States Indo-
5 Pacific Command.

6 (4) The Commander of the United States Euro-
7 pean Command.

8 **SEC. 1667. RESCISSION OF MEMORANDUM ON MISSILE DE-**
9 **FENSE GOVERNANCE.**

10 Not later than May 31, 2024, the Secretary of De-
11 fense shall—

12 (1) rescind Directive-type Memorandum 20-002
13 relating to “Missile Defense System Policies and
14 Governance”; and

15 (2) in accordance with section 205(b) of title
16 10, United States Code, replace such memorandum
17 with governance documents, policies, and procedures,
18 that balance—

19 (A) providing the Missile Defense Agency
20 with greater flexibility and agility, particularly
21 with regards to milestone a (or equivalent) ac-
22 quisition decisions to rapidly meet warfighter
23 needs; and

1 (B) the need for continued oversight to en-
2 sure integration into joint-force air and missile
3 defense capabilities.

4 **SEC. 1668. LIMITATION ON AVAILABILITY OF FUNDS FOR**
5 **OFFICE OF COST ASSESSMENT AND PRO-**
6 **GRAM EVALUATION UNTIL SUBMISSION OF**
7 **REPORT ON MISSILE DEFENSE ROLES AND**
8 **RESPONSIBILITIES.**

9 Of the funds authorized to be appropriated by this
10 Act or otherwise made available for fiscal year 2024 for
11 operation and maintenance, Defense-wide, for the Office
12 of Cost Assessment and program evaluation, not more
13 than 50 percent may be obligated or expended until the
14 date on which the Secretary of Defense submits to the
15 congressional defense committees the report required by
16 section 1675(b) of the National Defense Authorization Act
17 for Fiscal Year 2022 (Public Law 117–81).

18 **SEC. 1669. STRATEGY FOR INTEGRATED AIR AND MISSILE**
19 **DEFENSE OF HAWAII AND THE INDO-PACIFIC**
20 **REGION.**

21 (a) STRATEGY.—

22 (1) IN GENERAL.—The Commander of United
23 States Indo-Pacific Command, in coordination with
24 the Under Secretary of Defense for Acquisition and
25 Sustainment, the Under Secretary of Defense for

1 Policy, the Commander of United States Northern
2 Command, the Director of the Missile Defense Agen-
3 cy, and the Director of the Joint Integrated Air and
4 Missile Defense Organization, shall develop a com-
5 prehensive strategy for developing, acquiring, and
6 operationally establishing an integrated air and mis-
7 sile defense architecture for area of responsibility of
8 the United States Indo-Pacific Command.

9 (2) STRATEGY COMPONENTS.—At a minimum,
10 the strategy required by paragraph (1) shall address
11 each of the following:

12 (A) The sensing, tracking, and intercepting
13 capabilities required to address the full range of
14 credible missile threats to—

15 (i) the Hawaiian Islands;

16 (ii) the island of Guam and other is-
17 lands in the greater Marianas region, as
18 determined necessary by the Commander
19 of United States Indo-Pacific Command;

20 (iii) other territories of the United
21 States located within the area of responsi-
22 bility of the United States Indo-Pacific
23 Command; and

24 (iv) United States Armed Forces de-
25 ployed within the territories of other coun-

1 tries located within such area of responsi-
2 bility.

3 (B) The appropriate balance of missile de-
4 tection, tracking, defense, and defeat capabili-
5 ties in such area of responsibility.

6 (C) A command and control network for
7 integrating missile detection, tracking, defense,
8 and defeat capabilities across such area of re-
9 sponsibility.

10 (D) A time-phased scheduling construct for
11 fielding the constituent systems that will com-
12 prise the integrated air and missile defense ar-
13 chitecture for such area of responsibility.

14 (b) REPORTING REQUIREMENTS.—

15 (1) REPORT ON INITIAL FINDINGS.—Not later
16 than 90 days after the date of the enactment of this
17 Act, the Secretary of Defense shall submit to the
18 congressional defense committees a report on the
19 findings of the analysis conducted by Cost Assess-
20 ment and Program Evaluation of the current inte-
21 grated air and missile defense sensor architecture
22 that informed the submission of the budget of the
23 President (as submitted to Congress pursuant to
24 section 1105(a) of title 31, United States Code) for
25 fiscal year 2024, and specific programs of record

1 that can support additional sensor coverage for the
2 State of Hawaii. Such report shall include an identi-
3 fication of—

4 (A) the investments that should be made
5 to increase the detection of nonballistic threats
6 and improve the discrimination of ballistic mis-
7 sile threats, particularly with regards to Ha-
8 waii; and

9 (B) investments that should be made to in-
10 tegrate any sensors into the missile defense sys-
11 tem to assist with protection of Hawaii.

12 (2) ANNUAL REPORT.—

13 (A) IN GENERAL.—Not later than April
14 15, 2024, and annually thereafter, the Com-
15 mander of United States Indo-Pacific Com-
16 mand, in coordination with the Under Secretary
17 of Defense for Acquisition and Sustainment,
18 the Under Secretary of Defense for Policy, the
19 Commander of United States Northern Com-
20 mand, the Director of the Missile Defense
21 Agency, and the Director of the Joint Inte-
22 grated Air and Missile Defense Organization,
23 shall submit to the congressional defense com-
24 mittees an annual report on the status of the
25 strategy required under subsection (a).

1 (B) REPORT CRITERIA.—At a minimum,
2 each annual report under subparagraph (A)
3 shall address—

4 (i) the activities conducted and
5 progress made in developing and imple-
6 menting the strategy over the calendar
7 year preceding the calendar year during
8 which the report is submitted;

9 (ii) the planned activities for devel-
10 oping and implementing the strategy in the
11 calendar year following the calendar year
12 during which the report is submitted; and

13 (iii) a description of likely risks and
14 impediments to the successful implementa-
15 tion of the strategy.

16 (C) TERMINATION.—The requirement to
17 submit a report under this paragraph shall ter-
18minate on the earlier of the following dates:

19 (i) March 15, 2029.

20 (ii) The date on which a comprehen-
21 sive integrated air and missile defense ar-
22 chitecture for the area of responsibility of
23 United States Indo-Pacific Command has
24 achieved initial operational capability, as
25 determined jointly by the Commander of

1 United States Indo-Pacific Command and
2 the Director of the Missile Defense Agen-
3 cy.

4 (3) LIMITATION.—Of the funds authorized to
5 be appropriated by this Act for fiscal year 2024 for
6 Operation and Maintenance, Defense-wide, and
7 available for the Office of the Under Secretary of
8 Defense for Policy, not more than 90 percent may
9 be obligated or expended until the date on which
10 both of the following reports are submitted to the
11 congressional defense committees:

12 (A) The report on initial findings required
13 by paragraph (1).

14 (B) The first annual report required by
15 paragraph (2)(A).

16 **SEC. 1670. REPORT ON POTENTIAL ENHANCEMENTS TO IN-**
17 **TEGRATED AIR AND MISSILE DEFENSE CAPA-**
18 **BILITIES IN EUROPE.**

19 (a) IN GENERAL.—Not later than 240 days after the
20 date of the enactment of this Act, the Secretary of De-
21 fense, in consultation with the officials specified in sub-
22 section (c), shall submit to the congressional defense com-
23 mittees a report on potential enhancements to U.S. and
24 allied air and missile defense capabilities that could con-

1 tribute to the integrated air and missile defense capability
2 of the North Atlantic Treaty Organization (NATO).

3 (b) ELEMENTS.—The report required by subsection
4 (a) shall include—

5 (1) identification of potential enhancements to
6 U.S. and allied air and missile defense capabilities
7 as described in such subsection taking into account
8 a 360-degree approach tailored to address threats to
9 NATO member nations emanating from all strategic
10 directions;

11 (2) a description of—

12 (A) the efforts of NATO to increase its in-
13 tegrated air and missile defense capability, tak-
14 ing into account, as applicable—

15 (i) NATO's Deterrence and Defense
16 of the Euro-Atlantic Area Family of Plans;

17 (ii) NATO's Defense Planning Proc-
18 ess; and

19 (iii) other activities of NATO relating
20 to such capability; and

21 (B) any challenges to such efforts;

22 (3) an assessment of the operational, political,
23 and technical feasibility and advisability of devel-
24 oping, fielding, modifying, integrating, or otherwise
25 employing current and future U.S. and allied air and

1 missile defense capabilities to further improve the
2 ability of the integrated air and missile defense ca-
3 pability of NATO to protect against any type of air
4 or missile threat or attack (such as threats and at-
5 tacks from cruise, ballistic, and hypersonic missiles),
6 including—

7 (A) sensors to detect, track, discriminate,
8 and support the engagement of multi-axial air
9 and missile threats;

10 (B) defensive interceptor systems;

11 (C) passive defense options; and

12 (D) command and control elements;

13 (4) a funding profile, by year, detailing the
14 complete costs to the United States associated with
15 the options assessed under paragraph (3); and

16 (5) such other information as the Secretary of
17 Defense considers appropriate.

18 (c) CONSULTATION.—In preparing the report re-
19 quired by subsection (a), the Secretary of Defense shall
20 seek advice and input from—

21 (1) the Secretary of State;

22 (2) Chairman of the Joint Chiefs of Staff;

23 (3) the Commander of the United States Euro-
24 pean Command; and

25 (4) the Director of the Missile Defense Agency.

1 (d) FORM OF REPORT.—The report required by sec-
2 tion (a) shall be submitted in unclassified form, but may
3 include a classified annex.

4 (e) DEFINITION.—In this section, the term “U.S. and
5 allied air and missile defense capabilities” means air and
6 missile defense capabilities of—

7 (1) the United States; and

8 (2) nations that are allies or partners of the
9 United States.

10 **SEC. 1671. INDEPENDENT ANALYSIS OF SPACE-BASED MIS-**
11 **SILE DEFENSE CAPABILITY.**

12 (a) IN GENERAL.—Not later than 90 days after the
13 date of the enactment of this Act, the Secretary of De-
14 fense, acting through the Director of the Missile Defense
15 Agency, shall seek to enter into an arrangement with an
16 appropriate federally funded research and development
17 center to update the study referred to in subsection (c).

18 (b) ELEMENTS.—The updated study under sub-
19 section (a) shall include analysis of the following:

20 (1) The extent to which space-based capabilities
21 would address current and evolving missile threats
22 to the United States and deployed Armed Forces.

23 (2) The maturity levels of technologies nec-
24 essary for an operational space-based missile defense
25 capability.

1 (3) Potential options for developing, fielding,
2 operating, and sustaining a space-based missile de-
3 fense capability, including—

4 (A) estimated costs; and

5 (B) assessments of the effectiveness of dif-
6 ferent architectures.

7 (4) The technical risks, knowledge gaps, or
8 other challenges associated with the development
9 and operation of space-based interceptor capabilities.

10 (5) The ability of the Department of Defense to
11 protect and defend on-orbit space-based missile de-
12 fense capabilities, including any recommendations
13 for resiliency requirements that would be needed to
14 ensure the effectiveness of such capabilities.

15 (c) STUDY SPECIFIED.—The study referred to in this
16 subsection is the study conducted by the federally funded
17 research and development center known as the “Institute
18 for Defense Analysis” examining the feasibility and advis-
19 ability of developing a space-based missile defense capa-
20 bility.

21 (d) REPORT.—

22 (1) IN GENERAL.—Not later than 270 days
23 after entering into an arrangement under subsection
24 (a), the Secretary of Defense shall submit to the

1 congressional defense committees a report that in-
2 cludes—

3 (A) an unaltered copy of the updated study
4 completed pursuant to the arrangement; and

5 (B) any views of the Secretary of Defense
6 with respect to such updated study.

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

10 **Subtitle E—Other Matters**

11 **SEC. 1681. EXTENSION OF AUTHORIZATION FOR PROTEC-** 12 **TION OF CERTAIN FACILITIES AND ASSETS** 13 **FROM UNMANNED AIRCRAFT.**

14 Section 130i(i) of title 10, United States Code, is
15 amended by striking “2023” both places it appears and
16 inserting “2026”.

17 **SEC. 1682. ELECTROMAGNETIC WARFARE.**

18 (a) IN GENERAL.—Part I of subtitle A of title 10,
19 United States Code, is amended by adding at the end the
20 following new chapter:

21 **“CHAPTER 25—ELECTROMAGNETIC** 22 **WARFARE**

“500. Electromagnetic Spectrum Operations Executive Committee.

“500a. Guidance on electromagnetic spectrum operations mission area and joint
electromagnetic spectrum operations.

“500b. Annual report on electromagnetic spectrum operations strategy of the
Department of Defense.

“500c. Annual assessment of budget with respect to electromagnetic spectrum
operations capabilities.

“500d. Electromagnetic spectrum superiority implementation plan.

“500e. Electromagnetic Spectrum Enterprise Operational Lead for Joint Electromagnetic Spectrum Operations.

“500f. Evaluations of abilities of armed forces and combatant commands to perform electromagnetic spectrum operations missions.

1 **“§ 500. Electromagnetic Spectrum Operations Execu-**
2 **tive Committee**

3 “(a) IN GENERAL.—There is within the Department
4 of Defense an Electromagnetic Spectrum Operations Ex-
5 ecutive Committee (in this section referred to as the ‘Exec-
6 utive Committee’).

7 “(b) PURPOSES.—The Executive Committee shall—

8 “(1) serve as the principal forum within the De-
9 partment of Defense to inform, coordinate, and
10 evaluate matters relating to electromagnetic warfare;

11 “(2) provide senior oversight, coordination, and
12 budget and capability harmonization with respect to
13 such matters; and

14 “(3) act as an advisory body to the Secretary
15 of Defense, the Deputy Secretary of Defense, and
16 the Management Action Group of the Deputy Sec-
17 retary with respect to such matters.

18 “(c) RESPONSIBILITIES.—The Executive Committee
19 shall—

20 “(1) advise key senior level decision-making
21 bodies of the Department of Defense with respect to
22 the development and implementation of acquisition
23 investments relating to electromagnetic warfare and

1 electromagnetic spectrum operations of the Depart-
2 ment, including relevant acquisition policies,
3 projects, programs, modeling, and test and evalua-
4 tion infrastructure;

5 “(2) provide a forum to enable synchronization
6 and integration support with respect to the develop-
7 ment and acquisition of electromagnetic warfare ca-
8 pabilities by—

9 “(A) aligning the processes of the Depart-
10 ment for requirements, research, development,
11 acquisition, testing, and sustainment; and

12 “(B) carrying out other related duties; and

13 “(3) act as the senior level review forum for the
14 portfolio of capability investments of the Depart-
15 ment relating to electromagnetic warfare and elec-
16 tromagnetic spectrum operations and other related
17 matters.

18 “(d) COORDINATION WITH INTELLIGENCE COMMU-
19 NITY.—The Executive Committee, acting through the
20 Under Secretary of Defense for Intelligence and Security,
21 shall coordinate with the intelligence community (as de-
22 fined in section 3 of the National Security Act of 1947
23 (50 U.S.C. 3003)) to generate requirements, facilitate col-
24 laboration, establish interfaces, and align efforts of the
25 Department of Defense with respect to capabilities and ac-

1 quision activities related to electromagnetic spectrum op-
2 erations in areas of dependency or mutual interest.

3 “(e) MEETINGS.—(1) The Executive Committee shall
4 hold meetings not less frequently than quarterly and as
5 necessary to address particular issues.

6 “(2) The Executive Committee may hold meetings by
7 video conference.

8 “(f) MEMBERSHIP.—The Executive Committee shall
9 be composed of the following principal members:

10 “(1) The Under Secretary of Defense for Ac-
11 quisition and Sustainment.

12 “(2) The Vice Chairman of the Joint Chiefs of
13 Staff.

14 “(3) The Under Secretary of Defense for Intel-
15 ligence and Security.

16 “(4) The Under Secretary of Defense for Pol-
17 icy.

18 “(5) The Commander of the United States
19 Strategic Command.

20 “(6) The Chief Information Officer of the De-
21 partment of Defense.

22 “(7) Such other Federal officers or employees
23 as the Secretary of Defense considers appropriate,
24 consistent with other authorities of the Department
25 of Defense and publications of the Joint Staff, in-

1 including the Charter for the Electronic Warfare Ex-
2 ecutive Committee, dated March 17, 2015.

3 “(g) CO-CHAIRS OF EXECUTIVE COMMITTEE.—(1)
4 The Under Secretary of Defense for Acquisition and
5 Sustainment and the Vice Chairman of the Joint Chiefs
6 of Staff, or their designees, shall serve as co-chairs of the
7 Executive Committee.

8 “(2) The co-chairs of the Executive Committee
9 shall—

10 “(A) preside at all Executive Committee meet-
11 ings or have their designees preside at such meet-
12 ings;

13 “(B) provide administrative control of the Exec-
14 utive Committee;

15 “(C) jointly guide the activities and actions of
16 the Executive Committee;

17 “(D) approve all agendas for and summaries of
18 meetings of the Executive Committee;

19 “(E) charter tailored working groups to conduct
20 mission area analysis, as required, under subsection
21 (i); and

22 “(F) perform such other duties as may be nec-
23 essary to ensure the good order and functioning of
24 the Executive Committee.

1 “(h) ELECTROMAGNETIC SPECTRUM OPERATIONS
2 CAPABILITY TEAM.—(1) There is within the Executive
3 Committee an electromagnetic spectrum operations capa-
4 bility team, which shall—

5 “(A) serve as a flag officer level focus group
6 and executive secretariat subordinate to the Execu-
7 tive Committee; and

8 “(B) in that capacity—

9 “(i) provide initial senior level coordination
10 on key electromagnetic spectrum operations
11 issues;

12 “(ii) prepare recommended courses of ac-
13 tion to present to the Executive Committee; and

14 “(iii) perform other related duties.

15 “(2) The electromagnetic spectrum operations capa-
16 bility team shall be co-chaired by one representative from
17 the Office of the Under Secretary of Defense for Acquisi-
18 tion and Sustainment and one representative from the
19 Force Structure, Resources, and Assessment Directorate
20 of the Joint Staff (J-8).

21 “(3) The principal members of the Executive Com-
22 mittee shall designate representatives from their respective
23 staffs to the electromagnetic spectrum operations capa-
24 bility team.

1 “(i) MISSION AREA WORKING GROUPS.—(1) The Ex-
2 ecutive Committee shall establish mission area working
3 groups on a temporary basis—

4 “(A) to address specific issues and mission
5 areas relating to electromagnetic spectrum oper-
6 ations;

7 “(B) to involve subject matter experts and com-
8 ponents of the Department of Defense with expertise
9 in electromagnetic spectrum operations; and

10 “(C) to perform other related duties.

11 “(2) The Executive Committee shall dissolve a mis-
12 sion area working group established under paragraph (1)
13 once the issue the working group was established to ad-
14 dress is satisfactorily resolved.

15 “(j) ADMINISTRATION.—The Under Secretary of De-
16 fense for Acquisition and Sustainment shall administra-
17 tively support the Executive Committee, including by des-
18 ignating not fewer than two officials of the Department
19 of Defense to support the day-to-day operations of the Ex-
20 ecutive Committee.

21 “(k) REPORT TO CONGRESS.—Not later than Feb-
22 ruary 28, 2024, and annually thereafter through 2030, the
23 Executive Committee shall submit to the congressional de-
24 fense committees a summary of activities of the Executive
25 Committee during the preceding fiscal year.

1 **“§ 501. Guidance on electromagnetic spectrum oper-**
2 **ations mission area and joint electro-**
3 **magnetic spectrum operations**

4 “The Secretary of Defense shall—

5 “(1) establish processes and procedures to de-
6 velop, integrate, and enhance the electromagnetic
7 spectrum operations mission area and the conduct of
8 joint electromagnetic spectrum operations in all do-
9 mains across the Department of Defense; and

10 “(2) ensure that such processes and procedures
11 provide for integrated defense-wide strategy, plan-
12 ning, and budgeting with respect to the conduct of
13 such operations by the Department, including activi-
14 ties conducted to counter and deter such operations
15 by malign actors.

16 **“§ 502. Annual report on electromagnetic spectrum**
17 **operations strategy of the Department of**
18 **Defense**

19 “(a) IN GENERAL.—At the same time as the Presi-
20 dent submits to Congress the budget of the President
21 under section 1105(a) of title 31 for each of fiscal years
22 2025 through 2029, the Secretary of Defense, in coordina-
23 tion with the Chief Information Officer of the Department
24 of Defense, the Chairman of the Joint Chiefs of Staff, and
25 the Secretary of each of the military departments, shall
26 submit to the congressional defense committees an annual

1 report on the Electromagnetic Spectrum Superiority
2 Strategy of the Department of Defense.

3 “(b) CONTENTS OF REPORT.—Each report required
4 under subsection (a) shall include each of the following:

5 “(1) A description and overview of—

6 “(A) the electromagnetic spectrum strategy
7 of the Department of Defense;

8 “(B) how such strategy supports the na-
9 tional defense strategy under section 113(g) of
10 this title; and

11 “(C) the organizational structure assigned
12 to oversee the development of the Department’s
13 electromagnetic spectrum strategy, require-
14 ments, capabilities, programs, and projects.

15 “(2) A list of all the electromagnetic spectrum
16 operations acquisition programs and research and
17 development projects of the Department of Defense
18 and a description of how each program or project
19 supports the Department’s electromagnetic spectrum
20 strategy.

21 “(3) For each unclassified program or project
22 on the list required by paragraph (2)—

23 “(A) the senior acquisition executive and
24 organization responsible for oversight of the
25 program or project;

1 “(B) whether or not validated require-
2 ments exist for the program or project and, if
3 such requirements do exist, the date on which
4 the requirements were validated and the organi-
5 zational authority that validated such require-
6 ments;

7 “(C) the total amount of funding appro-
8 priated, obligated, and forecasted by fiscal year
9 for the program or project, including the pro-
10 gram element or procurement line number from
11 which the program or project receives funding;

12 “(D) the development or procurement
13 schedule for the program or project;

14 “(E) an assessment of the cost, schedule,
15 and performance of the program or project as
16 it relates to the program baseline for the pro-
17 gram or project, as of the date of the submis-
18 sion of the report, and the original program
19 baseline for such program or project, if such
20 baselines are not the same;

21 “(F) the technology readiness level of each
22 critical technology that is part of the program
23 or project;

1 “(G) whether or not the program or
2 project is redundant or overlaps with the efforts
3 of another military department; and

4 “(H) the capability gap that the program
5 or project is being developed or procured to ful-
6 fill.

7 “(4) A classified annex that contains the items
8 described in subparagraphs (A) through (H) of
9 paragraph (3) for each classified program or project
10 on the list required by paragraph (2).

11 **“§ 503. Annual assessment of budget with respect to**
12 **electromagnetic spectrum operations ca-**
13 **pabilities**

14 ““At the same time as the President submits to Con-
15 gress the budget of the President under section 1105(a)
16 of title 31 for each of fiscal years 2025 through 2029,
17 the Secretary of Defense shall submit to the congressional
18 defense committees an assessment by the Electromagnetic
19 Spectrum Operations Executive Committee as to whether
20 sufficient funds are requested in such budget for antici-
21 pated activities in such fiscal year for each of the fol-
22 lowing:

23 “(1) The development of an electromagnetic
24 battle management capability for joint electro-
25 magnetic spectrum operations.

1 “(2) The establishment and operation of associ-
2 ated joint electromagnetic spectrum operations cells.

3 **“§ 504. Electromagnetic spectrum superiority imple-**
4 **mentation plan**

5 “(a) IN GENERAL.—The Chief Information Officer of
6 the Department of Defense shall be responsible for over-
7 sight of the electromagnetic superiority implementation
8 plan.

9 “(b) REPORT REQUIRED.—Concurrent with the sub-
10 mission of the budget of the President to Congress under
11 section 1105(a) of title 31 for each of fiscal years 2025
12 through 2029, the Chief Information Officer shall submit
13 to the congressional defense committees a report that in-
14 cludes the following with respect to the electromagnetic
15 superiority implementation plan:

16 “(1) The implementation plan in effect as of
17 the date of the report, noting any revisions from the
18 preceding plan.

19 “(2) A statement of the elements of the imple-
20 mentation plan that have been achieved.

21 “(3) For each element that has been achieved,
22 an assessment of whether the element is having its
23 intended effect.

24 “(4) For any element that has not been
25 achieved, an assessment of progress made in achiev-

1 ing the element, including a description of any ob-
2 stacles that may hinder further progress.

3 “(5) For any element that has been removed
4 from the implementation plan, a description of the
5 reason for the removal of the element and an assess-
6 ment of the impact of not pursuing achievement of
7 the element.

8 “(6) Such additional matters as the Chief In-
9 formation Officer considers appropriate.

10 “(c) ELECTROMAGNETIC SUPERIORITY IMPLEMEN-
11 TATION PLAN DEFINED.—In this section, the term ‘elec-
12 tromagnetic superiority implementation plan’ means the
13 Electromagnetic Superiority Implementation Plan signed
14 by the Secretary of Defense on July 15, 2021, and any
15 successor plan.

16 **“§ 505. Electromagnetic Spectrum Enterprise Oper-**
17 **ational Lead for Joint Electromagnetic**
18 **Spectrum Operations**

19 “(a) IN GENERAL.—Not later than 30 days after the
20 date of the enactment of the National Defense Authoriza-
21 tion Act for Fiscal Year 2024, the Secretary of Defense
22 shall establish an Electromagnetic Spectrum Enterprise
23 Operational Lead for Joint Electromagnetic Spectrum Op-
24 erations (in this section referred to as the ‘operational
25 lead’) at the United States Strategic Command. The oper-

1 ational lead shall report to the Commander of the United
2 States Strategic Command.

3 “(b) FUNCTION.—The operational lead shall be re-
4 sponsible for synchronizing, assessing, and making rec-
5 ommendations to the Chairman of the Joint Chiefs of
6 Staff with respect to the readiness of the combatant com-
7 mands to conduct joint electromagnetic spectrum oper-
8 ations.

9 “(c) BRIEFINGS REQUIRED.—Concurrent with the
10 submission of the budget of the President to Congress
11 under section 1105(a) of title 31 for each of fiscal years
12 2025 through 2029, the Chairman, acting through the
13 operational lead, shall provide to the congressional defense
14 committees a briefing on the following:

15 “(1) Progress made in achieving full oper-
16 ational capability to conduct joint electromagnetic
17 spectrum operations and any impediments to achiev-
18 ing such capability.

19 “(2) The readiness of the combatant commands
20 to conduct such operations.

21 “(3) Recommendations for overcoming any defi-
22 ciencies in the readiness of the combatant commands
23 to conduct such operations and any material gaps
24 contributing to such deficiencies.

1 “(4) Such other matters as the Chairman con-
2 siders important to ensuring that the combatant
3 commands are capable of conducting such oper-
4 ations.

5 **“§ 506. Evaluations of abilities of armed forces and**
6 **combatant commands to perform electro-**
7 **magnetic spectrum operations missions**

8 “(a) EVALUATIONS OF ARMED FORCES.—(1) Not
9 later than October 1, 2024, and annually thereafter
10 through 2029, the Chief of Staff of the Army, the Chief
11 of Naval Operations, the Chief of Staff of the Air Force,
12 the Commandant of the Marine Corps, and the Chief of
13 Space Operations shall each carry out an evaluation of the
14 ability of the armed force concerned to perform electro-
15 magnetic spectrum operations missions required by each
16 of the following:

17 “(A) The Electromagnetic Spectrum Superi-
18 ority Strategy.

19 “(B) The Joint Staff-developed concept of oper-
20 ations for electromagnetic spectrum operations.

21 “(C) The operations and contingency plans of
22 the combatant commands.

23 “(2) Not later than December 31 of each year in
24 which evaluations are required under paragraph (1), each
25 official specified in that paragraph shall certify to the con-

1 gressional defense committees that the evaluation required
2 to be carried out by that official has occurred.

3 “(3) Each evaluation under paragraph (1) shall in-
4 clude an assessment of the following:

5 “(A) Current programs of record, including—

6 “(i) the ability of weapon systems to per-
7 form missions in contested electromagnetic
8 spectrum environments; and

9 “(ii) the ability of electromagnetic attack
10 with capabilities to disrupt adversary oper-
11 ations.

12 “(B) Future programs of record, including—

13 “(i) the need for distributed or network-
14 centric electromagnetic warfare and signals in-
15 telligence capabilities; and

16 “(ii) the need for automated and machine
17 learning- or artificial intelligence-assisted elec-
18 tromagnetic spectrum operations capabilities.

19 “(C) Order of battle.

20 “(D) Individual and unit training.

21 “(E) Tactics, techniques, and procedures, in-
22 cluding—

23 “(i) maneuver, distribution of assets, and
24 the use of decoys; and

1 “(ii) integration of non-kinetic and kinetic
2 fires.

3 “(F) Other matters relevant to evaluating the
4 ability of the armed force concerned to perform elec-
5 tromagnetic spectrum operations missions described
6 in paragraph (1).

7 “(b) EVALUATIONS OF COMBATANT COMMANDS.—
8 (1) Not later than October 1, 2024, and annually there-
9 after through 2029, the Chairman of the Joint Chiefs of
10 Staff, acting through the Electromagnetic Spectrum En-
11 terprise Operational Lead for Joint Electromagnetic Spec-
12 trum Operations established under section 500e (in this
13 section referred to as the ‘operational lead’), shall carry
14 out an evaluation of the plans and posture of the combat-
15 ant commands to execute the electromagnetic spectrum
16 operations envisioned in each of the following:

17 “(A) The Electromagnetic Spectrum Superi-
18 ority Strategy.

19 “(B) The Joint Staff-developed concept of oper-
20 ations for electromagnetic spectrum operations.

21 “(2) Each evaluation under paragraph (1) shall in-
22 clude an assessment, as relevant, of the following:

23 “(A) Operation and contingency plans.

1 “(B) The manning, organizational alignment,
2 and capability of joint electromagnetic spectrum op-
3 erations cells.

4 “(C) Mission rehearsal and exercises.

5 “(D) Force positioning, posture, and readiness.

6 “(3) Not later than December 31 of each year in
7 which an evaluation is required under paragraph (A), the
8 Chairman of the Joint Chiefs of Staff, acting through the
9 operational lead, shall brief the congressional defense com-
10 mittees on the results of the evaluation.”.

11 (b) CLERICAL AMENDMENT.—The tables of chapters
12 at the beginning of subtitle A of title 10, United States
13 Code, and at the beginning of part I of such subtitle, are
14 each amended by inserting after the item relating to chap-
15 ter 24 the following new item:

 “25. Electronic Warfare 500”.

16 (c) CONFORMING REPEAL.—Section 1053 of the
17 John S. McCain National Defense Authorization Act for
18 Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 113
19 note) is repealed.

20 **SEC. 1683. COOPERATIVE THREAT REDUCTION FUNDS.**

21 (a) FUNDING ALLOCATION.—Of the \$350,999,000
22 authorized to be appropriated to the Department of De-
23 fense for fiscal year 2024 in section 301 and made avail-
24 able by the funding table in division D for the Department
25 of Defense Cooperative Threat Reduction Program estab-

1 lished under section 1321 of the Department of Defense
2 Cooperative Threat Reduction Act (50 U.S.C. 3711), the
3 following amounts may be obligated for the purposes spec-
4 ified:

5 (1) For strategic offensive arms elimination,
6 \$6,815,000.

7 (2) For chemical security and elimination,
8 \$16,400,000.

9 (3) For global nuclear security, \$19,406,000.

10 (4) For biological threat reduction,
11 \$228,030,000.

12 (5) For proliferation prevention, \$46,324,000.

13 (6) For activities designated as Other Assess-
14 ments/Administration Costs, \$34,024,000.

15 (b) SPECIFICATION OF COOPERATIVE THREAT RE-
16 Duction Funds.—Funds appropriated pursuant to the
17 authorization of appropriations in section 301 and made
18 available by the funding table in division D for the Depart-
19 ment of Defense Cooperative Threat Reduction Program
20 shall be available for obligation for fiscal years 2024,
21 2025, and 2026.

1 **SEC. 1684. MATTERS RELATING TO SPACE-BASED GROUND**
2 **AND AIRBORNE MOVING TARGET INDICATION**
3 **SYSTEMS.**

4 (a) IN GENERAL.—The Secretary of the Air Force
5 shall be responsible for presenting space-based ground and
6 airborne moving target indication systems to the combat-
7 ant commands to accomplish missions assigned to such
8 commands under the Unified Command Plan that—

9 (1) are primarily or fully funded by the Depart-
10 ment of Defense; and

11 (2) provide near real-time, direct support to
12 satisfy the operational requirements of such com-
13 mands.

14 (b) MILESTONE DECISION AUTHORITY.—The Sec-
15 retary of the Air Force, in consultation with the Director
16 of National Intelligence, shall be milestone decision au-
17 thority (as defined in section 4204 of title 10, United
18 States Code) for Milestone A approval (as defined in sec-
19 tion 4211 of such title) for space-related acquisition pro-
20 grams for ground and airborne moving target indication
21 systems described in subsection (a) that are primarily or
22 fully funded within the military intelligence program.

23 (c) WORKING GROUP.—

24 (1) ESTABLISHMENT.—Not later than 90 days
25 after the date of the enactment of this Act, the Sec-
26 retary of Defense shall establish a working group, to

1 be known as the “Moving Target Indication Working
2 Group” (referred to in this section as the “working
3 group”).

4 (2) RESPONSIBILITIES.—The working group
5 shall be responsible for—

6 (A) addressing Department of Defense
7 joint service requirements for moving target in-
8 dication systems;

9 (B) monitoring the cost, schedule, and per-
10 formance of all efforts to replace the tactical in-
11 telligence, surveillance, and reconnaissance ca-
12 pability that is provided, as of the date of en-
13 actment of this Act, by the Joint Surveillance
14 Target Attack Radar System; and

15 (C) developing the processes and proce-
16 dures for tasking, collection, processing, exploi-
17 tation, and dissemination of the data collected
18 by moving target indication systems.

19 (3) MEMBERSHIP.—

20 (A) IN GENERAL.—The working group
21 shall be composed of members selected by the
22 Secretary of Defense as follows:

23 (i) One member of the Space Force
24 and one member of the Joint Staff each of

1 whom shall serve as a co-chair of the work-
2 ing group.

3 (ii) One representative of each of the
4 following:

5 (I) The Army.

6 (II) The Navy.

7 (III) The Marine Corps.

8 (IV) The Air Force.

9 (B) CONGRESSIONAL NOTIFICATION.—Not
10 later than 90 days after the date of the enact-
11 ment of this Act, the Secretary of Defense shall
12 submit to the congressional defense committees
13 a list of the members selected to serve on the
14 working group pursuant to subparagraph (A).

15 (4) BRIEFING REQUIREMENTS.—

16 (A) INITIAL BRIEFING.—Not later than
17 120 days after the date of the enactment of this
18 Act, the co-chairs of the working group shall
19 provide to the congressional defense committees
20 a briefing on—

21 (i) any capabilities development docu-
22 ments developed by the working group that
23 are either approved by, or in development
24 for, the Joint Requirements Oversight
25 Council; and

1 (ii) any progress of the working group
2 towards developing processes and proce-
3 dures for tasking, collection, processing,
4 exploitation, and dissemination of data col-
5 lected by future moving target indication
6 systems.

7 (B) BIENNIAL BRIEFINGS.—Not less fre-
8 quently than biennially following the initial
9 briefing under subparagraph (A), the working
10 group shall provide to the congressional defense
11 committees a briefing on the status of any mov-
12 ing target indication programs under develop-
13 ment by the Department of Defense as of the
14 date of the briefing.

15 (C) SUNSET.—The requirement to provide
16 briefings under this paragraph shall terminate
17 on the date that is five years after the date of
18 the enactment of this Act.

19 **SEC. 1685. POSITIONING, NAVIGATION, AND TIMING.**

20 (a) QUARTERLY BRIEFINGS ON IMPLEMENTATION OF
21 MILITARY-CODE COMPLIANT GPS RECEIVERS.—

22 (1) IN GENERAL.—Not later than February 1,
23 2024, and quarterly thereafter until the date speci-
24 fied in paragraph (2), the Co-Chairs of the Council
25 on Oversight of the Department of Defense Posi-

1 tioning, Navigation, and Timing Enterprise, shall
2 provide to the congressional defense committees a
3 briefing on the status of the implementation of M-
4 Code compliant GPS receivers through the Military
5 GPS User Equipment program, including the status
6 of increments 1 and 2 of such program and details
7 regarding expected dates of M-Code compliance for
8 all sea-, air, and land-based terminals across the
9 platforms of each of the Armed Forces.

10 (2) TERMINATION DATE.—The date specified in
11 this paragraph is the date on which the Secretary of
12 Defense submits to the congressional defense com-
13 mittees certification that the increments 1 and 2 of
14 the Military GPS User Equipment program have
15 reached full operational capacity.

16 (b) TREATMENT OF POSITIONING, NAVIGATION, AND
17 TIMING RESILIENCY, MODIFICATIONS, AND IMPROVE-
18 MENTS PROGRAM.—The Under Secretary of Defense for
19 Acquisition and Sustainment shall treat the Positioning,
20 Navigation, and Timing Resiliency, Modifications, and Im-
21 provements program of the Air Force (Program Element
22 0604201F) as an acquisition category 1D program, and
23 the authority to manage such program may not be dele-
24 gated.

1 **SEC. 1686. ACTIONS TO ADDRESS SERIOUS DEFICIENCIES**
2 **IN ELECTRONIC PROTECTION OF SYSTEMS**
3 **THAT OPERATE IN THE RADIO FREQUENCY**
4 **SPECTRUM.**

5 (a) IN GENERAL.—The Secretary of Defense shall—

6 (1) establish requirements for and assign suffi-
7 cient priority to ensuring electronic protection of
8 military sensor, navigation, and communications sys-
9 tems and subsystems against jamming, spoofing,
10 and unintended interference from military systems
11 of the United States and foreign adversaries; and

12 (2) provide management oversight and super-
13 vision of the military departments to ensure military
14 systems that emit and receive radio frequencies are
15 protected against threats and interference from
16 United States and foreign adversary military sys-
17 tems operating in the same or adjacent radio fre-
18 quencies.

19 (b) SPECIFIC REQUIRED ACTIONS.—The Secretary of
20 Defense shall require the military departments and com-
21 bat support agencies to carry out the following activities:

22 (1) Not later than 270 days after the date of
23 the enactment of this Act, develop and approve re-
24 quirements, through the Joint Requirements Over-
25 sight Council as appropriate, for every radar, signals
26 intelligence, navigation, and communications system

1 and subsystem subject to the Global Force Manage-
2 ment process to ensure such systems and subsystems
3 are able to withstand threat-realistic levels of jam-
4 ming, spoofing, and unintended interference, includ-
5 ing self-generated interference.

6 (2) Not less frequently than once every 4 years,
7 test each system and subsystem described in para-
8 graph (1) at a test range that permits threat-real-
9 istic electronic warfare attacks against the system or
10 subsystem by a red team or simulated opposition
11 force, with the first set of highest priority systems
12 to be initially tested by not later than the end of fis-
13 cal year 2025.

14 (3) With respect to each system and subsystem
15 described in paragraph (1) that fails to meet elec-
16 tronic protection requirements during testing con-
17 ducted under paragraph (2)—

18 (A) not later than 3 years after the initial
19 failed test, retrofit the system or subsystem
20 with electronic protection measures that can
21 withstand threat-realistic jamming, spoofing,
22 and unintended interference; and

23 (B) not later than 4 years after the initial
24 failed test, retest such systems and subsystems.

1 (4) Survey, identify, and test available tech-
2 nology that can be practically and affordably retro-
3 fitted on the systems and subsystems described in
4 paragraph (1) and which provides robust protection
5 against threat-realistic jamming, spoofing, and unin-
6 tended interference.

7 (5) Design and build electronic protection into
8 ongoing and future development programs to with-
9 stand expected jamming and spoofing threats and
10 unintended interference.

11 (c) WAIVER.—The Secretary of Defense may estab-
12 lish a process for issuing waivers, on a case-by-case basis,
13 for the testing requirement under paragraph (2) of sub-
14 section (b) and for the retrofit requirement under para-
15 graph (3) of such subsection.

16 (d) ANNUAL REPORTS.—Concurrent with the sub-
17 mission of the budget of the President to Congress pursu-
18 ant to section 1105(a) of title 31, United States Code,
19 for each of fiscal years 2025 through 2030, the Director
20 of Operational Test and Evaluation shall submit to the
21 Electronic Warfare Executive Committee of the Depart-
22 ment of Defense and the Committees on Armed Services
23 of the Senate and the House of Representatives a com-
24 prehensive annual report that—

1 (1) aggregates and summarizes information re-
2 ceived from the military departments and combat
3 support agencies for purposes of the preparation of
4 the report; and

5 (2) includes a description of—

6 (A) the activities carried out to implement
7 the requirements of this section;

8 (B) the systems and subsystems subject to
9 testing in the previous year and the results of
10 such tests, including a description of the re-
11 quirements for electronic protection established
12 for the tested systems and subsystems; and

13 (C) each waiver issued in the previous year
14 with respect to such requirements, together
15 with a detailed rationale for the waiver and a
16 plan for addressing any issues that formed the
17 basis of the waiver request.

18 **SEC. 1687. LIMITATION ON USE OF FUNDS FOR CERTAIN**

19 **UNREPORTED PROGRAMS.**

20 (a) **LIMITATION ON AVAILABILITY OF FUNDS.**—None
21 of the funds authorized to be appropriated or otherwise
22 made available by this Act may be obligated or expended
23 in support of any activities involving unidentified anoma-
24 lous phenomena protected under any form of special ac-
25 cess or restricted access limitations unless the Secretary

1 of Defense has provided the details of the activity to the
2 appropriate congressional committees and congressional
3 leadership, including for any activities described in a re-
4 port released by the All-Domain Anomaly Resolution Of-
5 fice in fiscal year 2024.

6 (b) LIMITATION REGARDING INDEPENDENT RE-
7 SEARCH AND DEVELOPMENT.—Consistent with Depart-
8 ment of Defense Instruction Number 3204.01 (dated Au-
9 gust 20, 2014, incorporating change 2, dated July 9,
10 2020; relating to Department policy for oversight of inde-
11 pendent research and development), independent research
12 and development funding relating to unidentified anoma-
13 lous phenomena shall not be allowable as indirect expenses
14 for purposes of contracts covered by such instruction, un-
15 less such material and information is made available the
16 appropriate congressional committees and congressional
17 leadership.

18 (c) DEFINITIONS.—In this section:

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

21 (A) the congressional defense committees;

22 and

23 (B) the Permanent Select Committee on
24 Intelligence of the House of Representatives

1 and the Select Committee on Intelligence of the
2 Senate.

3 (2) The term “congressional leadership”
4 means—

5 (A) the majority leader of the Senate;

6 (B) the minority leader of the Senate;

7 (C) the Speaker of the House of Rep-
8 resentatives; and

9 (D) the minority leader of the House of
10 Representatives.

11 (3) The term “unidentified anomalous phe-
12 nomena” has the meaning given such term in section
13 1683(n) of the National Defense Authorization Act
14 for Fiscal Year 2022 (50 U.S.C. 3373(n)), as
15 amended by section 6802(a) of the Intelligence Au-
16 thorization Act for Fiscal Year 2023 (Public Law
17 117–263).

18 **SEC. 1688. INDO-PACIFIC MISSILE STRATEGY.**

19 (a) STRATEGY.—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary of Defense
21 shall submit to the congressional defense committees a
22 strategy for ground-based theater-range conventional mis-
23 siles in the Indo-Pacific region.

24 (b) ELEMENTS.—The strategy required by subsection

25 (a) shall include the following:

1 (1) An assessment of gaps in ground-based the-
2 ater-range conventional missile capabilities in the
3 area of responsibility of the United States Indo-Pa-
4 cific Command.

5 (2) An identification of military requirements
6 for ground-based theater-range conventional missile
7 systems, including range, propulsion, payload,
8 launch platform, weapon effects, and other oper-
9 ationally relevant factors.

10 (3) An identification of prospective basing loca-
11 tions for ground-based theater-range conventional
12 missiles in the area of responsibility of the United
13 States Indo-Pacific Command and an assessment of
14 steps required to receive host-nation permission for
15 forward-basing of such weapon systems.

16 (4) A description of operational concepts for
17 employment of such ground-based theater-range con-
18 ventional missiles, including integration with other
19 capabilities in the Western Pacific region.

20 (5) An identification of prospective allies, part-
21 ners, and institutional mechanisms for co-production
22 of new ground-based theater-range conventional mis-
23 siles.

24 (6) An assessment of the cost, schedule, and
25 feasibility of ground-based theater-range conven-

1 tional missile programs, including any potential cost-
2 sharing structures through existing institutional
3 mechanisms.

4 (7) Any other matter the Secretary considers
5 relevant.

6 (c) FORM.—The strategy required by subsection (a)
7 may be submitted in classified form, but shall include an
8 unclassified summary.

9 (d) GROUND-BASED THEATER-RANGE CONVEN-
10 TIONAL MISSILE.—The term “ground-based theater-range
11 conventional missile” means a short-range, medium-range,
12 or intermediate-range conventional mobile ground-
13 launched cruise or hypersonic missile system with a range
14 between 500 and 5,500 kilometers.

15 **SEC. 1689. STUDY ON THE FUTURE OF THE INTEGRATED**
16 **TACTICAL WARNING ATTACK ASSESSMENT**
17 **SYSTEM.**

18 (a) IN GENERAL.—The Chairman of the Joint Chiefs
19 of Staff shall enter into an agreement with a federally
20 funded research and development center under which the
21 center shall—

22 (1) conduct a study on the future of the Inte-
23 grated Tactical Warning Attack Assessment System;
24 and

1 (2) submit to the Chairman a report on the
2 findings of the center with respect to the study con-
3 ducted under paragraph (1).

4 (b) ELEMENTS.—The study conducted pursuant to
5 an agreement under subsection (a) shall cover the fol-
6 lowing:

7 (1) Future air and missile threats to the United
8 States.

9 (2) The integration of multi-domain sensor data
10 and their ground systems with the existing architec-
11 ture of the Integrated Tactical Warning Attack As-
12 sessment System.

13 (3) The effect of the integration described in
14 paragraph (2) on the data reliability standards of
15 the Integrated Tactical Warning Attack Assessment
16 System.

17 (4) Future data visualization, conferencing, and
18 decisionmaking capabilities of such system.

19 (5) Such other matters as the Chairman con-
20 siders relevant to the study.

21 (c) REPORT.—Not later than 270 days after the date
22 of the enactment of this Act, the Chairman shall submit
23 to the congressional defense committees—

24 (1) the report submitted to the Chairman under
25 subsection (a)(2); and

1 (2) the assessment of the Chairman with re-
2 spect to the findings in such report and the rec-
3 ommendations of the Chairman with respect to mod-
4 ernizing the Integrated Tactical Warning Attack As-
5 sessment System.

6 **SEC. 1690. RESEARCH AND ANALYSIS ON MULTIPOLAR DE-**
7 **TERRENCE AND ESCALATION DYNAMICS.**

8 (a) IN GENERAL.—Not later than 90 days after the
9 date of the enactment of this Act, the Secretary of Defense
10 shall seek to enter into an agreement with a university
11 affiliated research center with expertise in strategic deter-
12 rence to conduct research and analysis on multipolar de-
13 terrence and escalation dynamics.

14 (b) ELEMENTS.—The research and analysis con-
15 ducted under subsection (a) shall include assessment of
16 the following:

17 (1) Implications for strategic deterrence and al-
18 lied assurance given the emergence of a second near-
19 peer nuclear power.

20 (2) Potential alternative conventional, strategic,
21 and nuclear force structures to optimize deterrence
22 of two near-peer nuclear powers.

23 (3) The contribution made by countervailing
24 nonstrategic capabilities to strategic deterrence.

1 (4) Escalation patterns arising from Russia's
2 Strategic Operations to Destroy Critically Important
3 Targets operational concept and response options for
4 the United States.

5 (5) Multilateral efforts that could contribute to
6 multipolar strategic deterrence and escalation dy-
7 namics.

8 (6) Capabilities and operations sufficient to as-
9 sure European and Pacific allies.

10 (c) REPORT REQUIRED.—

11 (1) IN GENERAL.—Not later than March 1,
12 2025, the Secretary of Defense shall submit to the
13 congressional defense committees a report that in-
14 cludes the results of the research and analysis con-
15 ducted under subsection (a).

16 (2) FORM.—The report under paragraph (1)
17 shall be submitted in unclassified form, but may in-
18 clude a classified annex.

19 **TITLE XVII—SPACE FORCE**
20 **PERSONNEL MANAGEMENT**

Sec. 1701. Short title.

Subtitle A—Space Force Military Personnel System Without Component

Sec. 1711. Establishment of military personnel management system for the
Space Force.

Sec. 1712. Composition of the Space Force without component.

Sec. 1713. Definitions for single personnel management system for the Space
Force.

Sec. 1714. Basic policies relating to service in the Space Force.

Sec. 1715. Status and participation.

Sec. 1716. Officers.

- Sec. 1717. Enlisted members.
- Sec. 1718. Retention and separation generally.
- Sec. 1719. Separation of officers for substandard performance of duty or for certain other reasons.
- Sec. 1719A. Retirement.

Subtitle B—Conforming Amendments Related to Space Force Military Personnel System

- Sec. 1721. Amendments to Department of the Air Force provisions of title 10, United States Code.
- Sec. 1722. Amendments to subtitle A of title 10, United States Code.
- Sec. 1723. Title 38, United States Code (Veterans' Benefits).

Subtitle C—Transition Provisions

- Sec. 1731. Transition period.
- Sec. 1732. Change of duty status of members of the Space Force.
- Sec. 1733. Transfer to the Space Force of members of the reserve components of the Air Force.
- Sec. 1734. Placement of officers on the Space Force officer list.
- Sec. 1735. Disestablishment of Regular Space Force.
- Sec. 1736. End strength flexibility.
- Sec. 1737. Promotion authority flexibility.

Subtitle D—Other Amendments Related to the Space Force

- Sec. 1741. Title 10, United States Code.
- Sec. 1742. Other provisions of law.

1 **SEC. 1701. SHORT TITLE.**

2 This title may be cited as the “Space Force Personnel
3 Management Act”.

4 **Subtitle A—Space Force Military**
5 **Personnel System Without Com-**
6 **ponent**

7 **SEC. 1711. ESTABLISHMENT OF MILITARY PERSONNEL**
8 **MANAGEMENT SYSTEM FOR THE SPACE**
9 **FORCE.**

10 Title 10, United States Code, is amended by adding
11 at the end the following new subtitle:

1 under regulations prescribed by the Secretary, as
2 being in a space force inactive status.

3 “(3) The term ‘space force retired status’
4 means the status of a member of the Space Force
5 who—

6 “(A) is receiving retired pay ; or

7 “(B) but for being under the eligibility age
8 applicable under section 12731 of this title,
9 would be eligible for retired pay under chapter
10 1223 of this title.

11 “(4) The term ‘sustained duty’ means full-time
12 duty by a member of the Space Force ordered to
13 such duty by an authority designated by the Sec-
14 retary of the Air Force—

15 “(A) in the case of an officer—

16 “(i) to fulfill the terms of an active-
17 duty service commitment incurred by the
18 officer under any provision of law; or

19 “(ii) with the consent of the officer;
20 and

21 “(B) in the case of an enlisted member,
22 with the consent of the enlisted member as
23 specified in the terms of the member’s enlist-
24 ment or reenlistment agreement.”.

1 (b) AMENDMENTS TO EXISTING DUTY STATUS DEFINI-
2 TIONS.—Subsection (d) of such section is amended—

3 (1) in paragraph (1), by inserting “, including
4 sustained duty in the Space Force” after “United
5 States”; and

6 (2) in paragraph (7), by inserting “, or a mem-
7 ber of the Space Force,” after “Reserves” in sub-
8 paragraphs (A) and (B).

9 **SEC. 1714. BASIC POLICIES RELATING TO SERVICE IN THE**
10 **SPACE FORCE.**

11 Chapter 2001 of title 10, United States Code, as
12 added by section 1711, is amended by adding at the end
13 the following new sections:

14 **“§ 20002. Members: duty status**

15 “Under regulations prescribed by the Secretary of the
16 Air Force, each member of the Space Force shall be placed
17 in one of the following duty statuses:

18 “(1) Space Force active status.

19 “(2) Space Force inactive status.

20 “(3) Space Force retired status.

21 **“§ 20003. Members: minimum service requirement as**
22 **applied to Space Force**

23 “(a) INAPPLICABILITY OF ACTIVE/RESERVE SERVICE
24 DISTINCTION.—In applying section 651 of this title to a
25 person who becomes a member of the Space Force, the

1 provisions of the second sentence of subsection (a) and of
2 subsection (b) of that section (relating to service in a re-
3 serve component) are inapplicable.

4 “(b) TREATMENT UPON TRANSFER OUT OF SPACE
5 FORCE.—A member of the Space Force who transfers to
6 one of the other armed forces before completing the service
7 required by subsection (a) of section 651 of this title shall
8 upon such transfer be subject to section 651 of this title
9 in the same manner as if such member had initially en-
10 tered the armed force to which the member transfers.”.

11 **SEC. 1715. STATUS AND PARTICIPATION.**

12 Subtitle F of title 10, United States Code, as added
13 by section 1711, is amended by adding at the end the fol-
14 lowing new chapter:

15 **“CHAPTER 2003—STATUS AND**
16 **PARTICIPATION**

“Sec.

“20101. Members in Space Force active status: amount of annual training or
active duty service required.

“20102. Individual ready guardians: designation; mobilization category.

“20103. Members not on sustained duty: agreements concerning conditions of
service.

“20104. Orders to active duty: with consent of member.

“20105. Sustained duty.

“20106. Orders to active duty: without consent of member.

“20107. Transfer to inactive status: initial service obligation not complete.

“20108. Members of Space Force: credit for service for purposes of laws pro-
viding pay and benefits for members, dependents, and sur-
vivors.

“20109. Policy for order to active duty based upon determination by Congress.

1 **“§ 20101. Members in Space Force active status:**
2 **amount of annual training or active duty**
3 **service required**

4 “Except as specifically provided in regulations pre-
5 scribed by the Secretary of Defense, a member of the
6 Space Force in a space force active status who is not serv-
7 ing on sustained duty shall be required to—

8 “(1) participate in at least 48 scheduled drills
9 or training periods during each year and serve on
10 active duty for not less than 14 days (exclusive of
11 travel time) during each year; or

12 “(2) serve on active duty for training for not
13 more than 30 days during each year.

14 **“§ 20102. Individual ready guardians: designation;**
15 **mobilization category**

16 “(a) IN GENERAL.—Under regulations prescribed by
17 the Secretary of Defense, the Secretary of the Air Force
18 may designate a member of the Space Force in a space
19 force active status as an Individual Ready Guardian.

20 “(b) MOBILIZATION CATEGORY.—

21 “(1) IN GENERAL.—Among members of the
22 Space Force designated as Individual Ready Guard-
23 ians, there is a category of members (referred to as
24 a ‘mobilization category’) who, as designated by the
25 Secretary of the Air Force, are subject to being or-

1 dered to active duty without their consent in accord-
2 ance with section 20106(a) of this title.

3 “(2) LIMITATIONS ON PLACEMENT IN MOBILI-
4 ZATION CATEGORY.—A member designated as an In-
5 dividual Ready Guardian may not be placed in the
6 mobilization category referred to in paragraph (1)
7 unless—

8 “(A) the member volunteers to be placed in
9 that mobilization category; and

10 “(B) the member is selected by the Sec-
11 retary of the Air Force, based upon the needs
12 of the Space Force and the grade and military
13 skills of that member.

14 “(3) LIMITATION ON TIME IN MOBILIZATION
15 CATEGORY.—A member of the Space Force in a
16 space force active status may not remain designated
17 an Individual Ready Guardian in such mobilization
18 category after the end of the 24-month period begin-
19 ning on the date of the separation of the member
20 from active service.

21 “(4) DESIGNATION OF GRADES AND MILITARY
22 SKILLS OR SPECIALTIES.—The Secretary of the Air
23 Force shall designate the grades and military skills
24 or specialties of members to be eligible for placement
25 in such mobilization category.

1 “(5) BENEFITS.—A member in such mobiliza-
2 tion category shall be eligible for benefits (other
3 than pay and training) on the same basis as are
4 available to members of the Individual Ready Re-
5 serve who are in the special mobilization category
6 under section 10144(b) of this title, as determined
7 by the Secretary of Defense.

8 **“§ 20103. Members not on sustained duty: agreements**
9 **concerning conditions of service**

10 “(a) AGREEMENTS.—The Secretary of the Air Force
11 may enter into a written agreement with a member of the
12 Space Force not on sustained duty—

13 “(1) requiring the member to serve on active
14 duty for a definite period of time;

15 “(2) specifying the conditions of the member’s
16 service on active duty; and

17 “(3) for a member serving in a space force in-
18 active status, specifying the conditions for the mem-
19 ber’s continued service as well as order to active
20 duty with and without the consent of the member.

21 “(b) CONDITIONS OF SERVICE.—An agreement
22 under subsection (a) shall specify the conditions of service.
23 The Secretary of the Air Force shall prescribe regulations
24 establishing—

1 “(1) what conditions of service may be specified
2 in the agreement;

3 “(2) the obligations of the parties; and

4 “(3) the consequences of failure to comply with
5 the terms of the agreement.

6 “(c) **AUTHORITY FOR RETENTION ON ACTIVE DUTY**
7 **DURING WAR OR NATIONAL EMERGENCY.**—If the period
8 of service on active duty of a member under an agreement
9 under subsection (a) expires during a war or during a na-
10 tional emergency declared by Congress or the President,
11 the member concerned may be kept on active duty, without
12 the consent of the member, as otherwise prescribed by law.

13 **“§ 20104. Orders to active duty: with consent of mem-**
14 **ber**

15 “(a) **AUTHORITY.**—A member of the Space Force
16 who is serving in a space force active status and is not
17 on sustained duty, or who is serving in a space force inac-
18 tive status, may, with the consent of the member, be or-
19 dered to active duty, or retained on active duty, under the
20 following sections of chapter 1209 of this title in the same
21 manner as applies to a member of a reserve component
22 ordered to active duty, or retained on active duty, under
23 that section with the consent of the member:

1 “(1) Section 12301(d), relating to orders to ac-
2 tive duty at any time with the consent of the mem-
3 ber.

4 “(2) Section 12301(h), relating to orders to ac-
5 tive duty in connection with medical or health care
6 matters.

7 “(3) Section 12322, relating to active duty for
8 health care.

9 “(4) Section 12323, relating to active duty
10 pending line of duty determination required for re-
11 sponse to sexual assault.

12 “(b) APPLICABLE PROVISIONS OF LAW.—The fol-
13 lowing sections of chapter 1209 of this title pertaining to
14 a member of a reserve component ordered to active duty
15 with the consent of the member apply to a member of the
16 Space Force who is ordered to active duty under this sec-
17 tion in the same manner as to such a reserve component
18 member:

19 “(1) Section 12308, relating to retention after
20 becoming qualified for retired pay.

21 “(2) Section 12309, relating to use of Reserve
22 officers in expansion of armed forces.

23 “(3) Section 12313, relating to release of re-
24 serve members from active duty.

25 “(4) Section 12314, relating to kinds of duty.

1 “(5) Section 12315, relating to duty with or
2 without pay.

3 “(6) Section 12316, relating to payment of cer-
4 tain Reserves while on duty.

5 “(7) Section 12318, relating to duties and
6 funding of reserve members on active duty.

7 “(8) Section 12320, relating to grade in which
8 ordered to active duty.

9 “(9) Section 12321, relating to a limitation on
10 number of reserve members assigned to Reserve Of-
11 ficer Training Corps units.

12 **“§ 20105. Sustained duty**

13 “(a) ENLISTED MEMBERS.—An authority designated
14 by the Secretary of the Air Force may order an enlisted
15 member of the Space Force in a space force active status
16 to sustained duty, or retain an enlisted member on sus-
17 tained duty, with the consent of that member, as specified
18 in the terms of the member’s enlistment or reenlistment
19 agreement.

20 “(b) OFFICERS.—

21 “(1) An authority designated by the Secretary
22 of the Air Force may order a Space Force officer in
23 a space force active status to sustained duty—

24 “(A) with the consent of the officer; or

1 “(B) to fulfill the terms of an active-duty
2 service commitment incurred by the officer
3 under any provision of law.

4 “(2) An officer ordered to sustained duty under
5 paragraph (1) may not be released from sustained
6 duty without the officer’s consent except as provided
7 in chapter 2009 or 2011 of this title.

8 **“§ 20106. Orders to active duty: without consent of**
9 **member**

10 “(a) MEMBERS IN A SPACE FORCE ACTIVE STA-
11 TUS.—

12 “(1) A member of the Space Force in a space
13 force active status who is not on sustained duty,
14 may, without the consent of the member, be ordered
15 to active duty or inactive duty in the same manner
16 as a member of a reserve component ordered to ac-
17 tive duty or inactive duty under the provisions of
18 chapter 1209 of this title and any other provision of
19 law authorizing the order to active duty of a member
20 of a reserve component in an active status without
21 the consent of the member.

22 “(2) The provisions of chapter 1209 of this
23 title, or other applicable provisions of law, pertaining
24 to a member of the Ready Reserve when ordered to
25 active duty shall apply to a member of the Space

1 Force who is in a space force active status when or-
2 dered to active duty under paragraph (1).

3 “(3) The provisions of section 12304 of this
4 title pertaining to members in the Individual Ready
5 Reserve mobilization category shall apply to a mem-
6 ber of the Space Force who is designated an Indi-
7 vidual Ready Guardian when ordered to active duty
8 who meets the provisions of section 20102(b) of this
9 title.

10 “(b) MEMBERS IN A SPACE FORCE INACTIVE STA-
11 TUS.—

12 “(1) A member of the Space Force in a space
13 force inactive status may be ordered to active duty
14 under—

15 “(A) the provisions of chapter 1209 of this
16 title;

17 “(B) any other provision of law author-
18 izing the order to active duty of a member of
19 a reserve component in an inactive status; and

20 “(C) the terms of any agreement entered
21 into by the member under section 20103 of this
22 title.

23 “(2) The provisions of chapter 1209 of this
24 title, or other applicable provisions of law, pertaining
25 to the Standby Reserve shall apply to a member of

1 the Space Force who is in a space force inactive
2 service when ordered to active duty.

3 “(c) MEMBERS IN A SPACE FORCE RETIRED STA-
4 TUS.—

5 “(1) Chapters 39 and 1209 of this title include
6 provisions authorizing the order to active duty of a
7 member of the Space Force in a space force retired
8 status.

9 “(2) The provisions of sections 688, 688a, and
10 12407 of this title pertaining to a retired member or
11 a member of the Retired Reserve shall apply to a
12 member of the Space Force in a space force retired
13 status when ordered to active duty.

14 “(3) The provisions of section 689 of this title
15 pertaining to a retired member ordered to active
16 duty shall apply to a member of the Space Force in
17 a space force retired status who is ordered to active
18 duty.

19 “(d) OTHER APPLICABLE PROVISIONS.—The fol-
20 lowing provisions of chapter 1209 of this title pertaining
21 shall apply to a member of the Space Force ordered to
22 active duty in the same manner as to a Reserve or member
23 of the Retired Reserve ordered to active duty:

1 “(1) Section 12305, relating to the authority of
2 the President to suspend certain laws relating to
3 promotion, retirement, and separation.

4 “(2) Section 12308, relating to retention after
5 becoming qualified for retired pay.

6 “(3) Section 12313, relating to release from ac-
7 tive duty.

8 “(4) Section 12314, relating to kinds of duty.

9 “(5) Section 12315, relating to duty with or
10 without pay.

11 “(6) Section 12316, relating to payment of cer-
12 tain Reserves while on duty.

13 “(7) Section 12317, relating to theological stu-
14 dents; limitations.

15 “(8) Section 12320, relating to grade in which
16 ordered to active duty.

17 **“§ 20107. Transfer to inactive status: initial service**
18 **obligation not complete**

19 “(a) GENERAL RULE.—A member of the Space Force
20 who has not completed the required minimum service obli-
21 gation referred to in section 20003 of this title shall, if
22 terminating space force active status, be transferred to a
23 space force inactive status and, unless otherwise des-
24 ignated an Individual Ready Guardian under section
25 20102 of this title, shall remain subject to order to active

1 duty without the member's consent under section 20106
2 of this title.

3 “(b) EXCEPTION.—Subsection (a) does not apply to
4 a member who is separated from the Space Force by the
5 Secretary of the Air Force under section 20503 of this
6 title.

7 **“§ 20108. Members of Space Force: credit for service**
8 **for purposes of laws providing pay and**
9 **benefits for members, dependents, and**
10 **survivors**

11 “For the purposes of laws providing pay and benefits
12 for members of the armed forces and their dependents and
13 beneficiaries:

14 “(1) Military training, duty, or other service
15 performed by a member of the Space Force in a
16 space force active status not on sustained duty shall
17 be considered military training, duty, or other serv-
18 ice, as the case may be, as a member of a reserve
19 component.

20 “(2) Sustained duty performed by a member of
21 the Space Force under section 20105 of this title
22 shall be considered active duty as a member of a
23 regular component.

24 “(3) Active duty performed by a member of the
25 Space Force in a space force active status not on

1 sustained duty shall be considered active duty as a
2 member of a reserve component.

3 “(4) Inactive-duty training performed by a
4 member of the Space Force shall be considered inac-
5 tive-duty training as a member of a reserve compo-
6 nent.

7 **“§ 20109. Policy for order to active duty based upon**
8 **determination by Congress**

9 “Whenever Congress determines that more units and
10 organizations capable of conducting space operations are
11 needed for the national security than are available among
12 those units comprised of members of the Space Force serv-
13 ing on active duty, members of the Space Force not serv-
14 ing on active duty shall be ordered to active duty and re-
15 tained as long as so needed.”.

16 **SEC. 1716. OFFICERS.**

17 (a) ORIGINAL APPOINTMENTS.—Subtitle F of title
18 10, United States Code, as amended by section 1715, is
19 further amended by adding at the end the following new
20 chapter:

1 **“CHAPTER 2005—OFFICERS**

2 **“SUBCHAPTER I—ORIGINAL APPOINTMENTS**

3 **“§ 20201. Original appointments: how made**

4 “(a) IN GENERAL.—The provisions of section 531 of
5 this title shall apply to original appointments of commis-
6 sioned officers in the Space Force.

7 “(b) GRADE UPON APPOINTMENT.—(1) The grade of
8 a person receiving an appointment under this section who
9 at the time of appointment is credited with service under
10 section 20203 of this title shall be determined under regu-
11 lations prescribed by the Secretary of the Defense based
12 upon the amount of service credited.

13 “(2) The grade of a person receiving an appointment
14 under this section who at the time of the appointment is
15 a commissioned officer of a reserve component shall be
16 determined under section 20203(e) of this title.

17 **“§ 20202. Original appointments: qualifications**

18 “(a) IN GENERAL.—An original appointment as a
19 commissioned officer in the Space Force may be given only
20 to a person who—

21 “(1) is a citizen of the United States;

22 “(2) is at least 18 years of age; and

23 “(3) has such other physical, mental, moral,
24 professional, and age qualifications as the Secretary
25 of the Air Force may prescribe by regulation.

1 “(b) EXCEPTION.—A person who is otherwise quali-
2 fied, but who has a physical condition that the Secretary
3 of the Air Force determines will not interfere with the per-
4 formance of the duties to which that person may be as-
5 signed, may be appointed as an officer in the Space Force.

6 **“§ 20203. Original appointments: service credit**

7 “(a) IN GENERAL.—The provisions of section 533 of
8 this title shall apply to the crediting of prior active com-
9 missioned service for original appointments of commis-
10 sioned officers.

11 “(b) CREDIT FOR PRIOR SERVICE.—(1) For the pur-
12 pose of determining the grade and rank within grade of
13 a person receiving an original appointment in a commis-
14 sioned grade in the Space Force, such person shall be
15 credited at the time of such appointment with any com-
16 missioned service (other than service as a commissioned
17 warrant officer) that the person performed before such ap-
18 pointment—

19 “(A) as a Space Force officer on active duty or
20 in a space force active status; or

21 “(B) as a regular officer, or as a reserve officer
22 in an active status, in any uniformed service.

23 “(2) The regulations prescribed by the Secretary of
24 Defense under section 533 of this title shall apply to the
25 Space Force to authorize the Secretary of the Air Force

1 to limit the amount of prior active commissioned service
2 with which a person receiving an original appointment
3 may be credited under paragraph (1).

4 “(b) CREDIT FOR EDUCATION, TRAINING, AND EX-
5 PERIENCE.—(1) Under regulations prescribed by the Sec-
6 retary of the Air Force, the Secretary shall credit a person
7 who is receiving an original appointment in a commis-
8 sioned grade in the Space Force and who has advanced
9 education, training, or special experience with constructive
10 service for such education, training, or experience in a par-
11 ticular officer career field as designated by the Secretary
12 of the Air Force, if such education, training, or experience
13 is directly related to the operational needs of the Space
14 Force.

15 “(2)(A) The Secretary may credit a person with con-
16 structive service under this subsection for each instance
17 of relevant advanced education or training or special expe-
18 rience regardless of whether two or more such instances
19 are concurrent.

20 “(B) The Secretary may not credit more than 20 per-
21 sons with an amount of constructive credit under this
22 paragraph in any year.

23 “(3) The amount of constructive service credited an
24 officer under this subsection may not exceed the amount

1 required in order for the officer to be eligible for an origi-
2 nal appointment in the grade of colonel.

3 “(4) Constructive service credited an officer under
4 this subsection is in addition to any service credited that
5 officer under subsection (a) and shall be credited at the
6 time of the original appointment of the officer.

7 “(5) Not later than December 1 of each year, the
8 Secretary of the Air Force shall submit a report to the
9 Committees on Armed Services of the Senate and House
10 of Representatives regarding the amount of constructive
11 service credited under this subsection during the preceding
12 calendar year.

13 “(c) AUTHORIZED USE OF CONSTRUCTIVE CRED-
14 IT.—Constructive service credited an officer under sub-
15 section (b) shall be used only for determining the offi-
16 cer’s—

17 “(1) initial grade;

18 “(2) rank in grade; and

19 “(3) service in grade for promotion eligibility.

20 “(d) EXCLUSION FOR GRADUATES OF THE SERVICE
21 ACADEMIES.—A graduate of a Service Academy (as such
22 term is defined in section 347 of this title) is not entitled
23 to service credit under this section for service performed,
24 or education, training, or experience obtained, before grad-
25 uation from such Service Academy.

1 “(e) RESERVE OFFICERS.—A reserve officer (other
2 than a warrant officer) who receives an original appoint-
3 ment as an officer in the Space Force shall—

4 “(1) in the case of an officer on the active-duty
5 list of an armed force immediately before that ap-
6 pointment, be appointed in the same grade and with
7 the same date of rank as the grade and date of rank
8 held by the officer on the active-duty list imme-
9 diately before the appointment; and

10 “(2) in the case of an officer not on the active-
11 duty list immediately before that appointment, be
12 appointed in the same grade and with the same date
13 of rank as the grade and date of rank which the offi-
14 cer would have held had the officer been serving on
15 the active-duty list on the date of the appointment.

16 “(f) CONTINUITY OF EXISTING DELEGATION OF
17 PRESIDENTIAL APPOINTMENT FUNCTIONS.—Except as
18 otherwise provided by the President by Executive order,
19 the provisions of Executive Order 13384 (10 U.S.C. 531
20 note) relating to the functions of the President under sec-
21 tion 531(a) of this title shall apply in the same manner
22 to functions of the President under section 20201 of this
23 title.”.

24 (b) CONFORMING AMENDMENTS RELATING TO
25 ORIGINAL APPOINTMENTS.—

1 (1) DEFINITIONS.—Section 101 of title 10,
2 United States Code, is amended in subsection
3 (b)(10) by inserting before the period at the end the
4 following: “and, with respect to the appointment of
5 a member of the armed forces in the Space Force,
6 refers to that member’s most recent appointment in
7 the Space Force that is neither a promotion nor a
8 demotion”.

9 (2) ORIGINAL APPOINTMENTS OF COMMISS-
10 SIONED OFFICERS.—Section 531 of such title is
11 amended by striking “Regular” before “Space
12 Force” each place it appears.

13 (3) QUALIFICATIONS FOR ORIGINAL APPOINT-
14 MENT AS A COMMISSIONED OFFICER.—Section
15 532(a) of such title is amended by striking “Regular
16 Marine Corps, or Regular Space Force” and insert-
17 ing “or Regular Marine Corps”.

18 (4) SERVICE CREDIT UPON ORIGINAL APPOINT-
19 MENT AS A COMMISSIONED OFFICER.—Section 533
20 of such title is amended by striking “Regular” be-
21 fore “Space Force” each place it appears.

22 (c) SELECTION BOARDS AND PROMOTIONS.—Chap-
23 ter 205 of title 10, United States Code, as added by sub-
24 section (a), is amended by adding at the end the following
25 new subchapters:

1 “SUBCHAPTER II—SELECTION BOARDS

2 **“§ 20211. Convening of selection boards**

3 “(a) IN GENERAL.—Whenever the needs of the serv-
4 ice require, the Secretary of the Air Force shall convene
5 selection boards to recommend for promotion to the next
6 higher permanent grade officers of the Space Force in
7 each permanent grade from first lieutenant through brigadier
8 general.

9 “(b) EXCEPTION FOR OFFICERS IN GRADE OF FIRST
10 LIEUTENANT.—Subsection (a) does not require the convening
11 of a selection board in the case of Space Force officers in the
12 permanent grade of first lieutenant when the Secretary of the
13 Air Force recommends for promotion to the grade of captain under
14 section 20238(a)(4)(A) of this title all such officers whom the
15 Secretary finds to be fully qualified for promotion.

17 “(c) SELECTION BOARDS FOR EARLY RETIREMENT
18 OR DISCHARGE.—The Secretary of the Air Force may convene
19 selection boards to recommend officers for early retirement under
20 section 20404(a) of this title or for discharge under section
21 20404(b) of this title.

22 “(d) REGULATIONS.—The convening of selection
23 boards under subsection (a) shall be under regulations prescribed
24 by the Secretary of the Defense.

1 **“§ 20212. Composition of selection boards**

2 “(a) APPOINTMENT AND COMPOSITION OF
3 BOARDS.—

4 “(1) IN GENERAL.—Members of a selection
5 board shall be appointed by the Secretary of Air
6 Force in accordance with this section. A selection
7 board shall consist of five or more officers of the
8 Space Force. Each member of a selection board
9 must be serving in a grade higher than the grade of
10 the officers under consideration by the board, except
11 that no member of a board may be serving in a
12 grade below major. The members of a selection
13 board shall include at least one member serving on
14 sustained duty and at least one member in a space
15 force active status who is not serving on sustained
16 duty. The ratio of the members of a selection board
17 serving on sustained duty to members serving in a
18 space force active status not on sustained duty shall,
19 to the extent practicable, reflect the ratio of officers
20 serving in each of those statuses who are being con-
21 sidered for promotion by the board. The members of
22 a selection board shall represent the diverse popu-
23 lation of the Space Force to the extent practicable.

24 “(2) REPRESENTATION FROM COMPETITIVE
25 CATEGORIES.—(A) Except as provided in subpara-
26 graph (B), a selection board shall include at least

1 one officer from each competitive category of officers
2 to be considered by the board.

3 “(B) A selection board need not include an offi-
4 cer from a competitive category when there are no
5 officers of that competitive category on the Space
6 Force officer list in a grade higher than the grade
7 of the officers to be considered by the board and eli-
8 gible to serve on the board.

9 “(3) RETIRED OFFICERS.—If qualified officers
10 on the Space Force officer list are not available in
11 sufficient number to comprise a selection board, the
12 Secretary of the Air Force shall complete the mem-
13 bership of the board by appointing as members of
14 the board—

15 “(A) Space Force officers who hold a
16 grade higher than the grade of the officers
17 under consideration by the board and who are
18 retired officers; and

19 “(B) if sufficient Space Force officers are
20 not available pursuant to subparagraph (A), Air
21 Force officers who hold a grade higher than the
22 grade of the officers under consideration by the
23 board and who are retired officers, but only if
24 the Air Force officer to be appointed to the
25 board has served in the Space Force or in a

1 space-related career field of the Air Force for
2 sufficient time such that the Secretary of the
3 Air Force determines that the retired Air Force
4 officer has adequate knowledge concerning the
5 standards of performance and conduct required
6 of an officer of the Space Force.

7 “(4) EXCLUSION OF RETIRED GENERAL OFFI-
8 CERS ON ACTIVE DUTY TO SERVE ON A BOARD FROM
9 NUMERIC GENERAL OFFICER ACTIVE-DUTY LIMITA-
10 TIONS.—A retired general officer who is on active
11 duty for the purpose of serving on a selection board
12 shall not, while so serving, be counted against any
13 limitation on the number of general and flag officers
14 who may be on active duty.

15 “(b) LIMITATION ON MEMBERSHIP ON CONSECUTIVE
16 BOARDS.—

17 “(1) GENERAL RULE.—Except as provided in
18 paragraph (2), no officer may be a member of two
19 successive selection boards convened under section
20 20211 of this title for the consideration of officers
21 of the same competitive category and grade.

22 “(2) EXCEPTION FOR GENERAL OFFICER
23 BOARDS.—Paragraph (1) does not apply with re-
24 spect to selection boards convened under section

1 20211 of this title for the consideration of officers
2 in the grade of colonel or brigadier general.

3 “(c) JOINT QUALIFIED OFFICERS.—(1) Each selec-
4 tion board convened under section 20211 of this title that
5 will consider an officer described in paragraph (2) shall
6 include at least one officer designated by the Chairman
7 of the Joint Chiefs of Staff who is a joint qualified officer.

8 “(2) Paragraph (1) applies with respect to an officer
9 who—

10 “(A) is serving on, or has served on, the Joint
11 Staff; or

12 “(B) is a joint qualified officer.

13 “(3) The Secretary of Defense may waive the require-
14 ment in paragraph (1) for any selection board of the Space
15 Force.

16 **“§ 20213. Notice of convening of selection boards**

17 “(a) NOTICE TO ELIGIBLE OFFICERS.—At least 30
18 days before a selection board is convened under section
19 20211 of this title to recommend officers in a grade for
20 promotion to the next higher grade, the Secretary of the
21 Air Force shall—

22 “(1) notify in writing the officers eligible for
23 consideration for promotion of the date on which the
24 board is to convene and the name and date of rank

1 of the junior officer, and of the senior officer, in the
2 promotion zone as of the date of the notification; or

3 “(2) issue a general written notice to the Space
4 Force regarding the convening of the board which
5 shall include the convening date of the board and
6 the name and date of rank of the junior officer, and
7 of the senior officer, in the promotion zone as of the
8 date of the notification.

9 “(b) COMMUNICATION FROM OFFICERS.—An officer
10 eligible for consideration by a selection board convened
11 under section 20211 of this title (other than an officer
12 who has been excluded under section 20231(d) of this title
13 from consideration by the board) may send a written com-
14 munication to the board, to arrive not later than 10 cal-
15 endar days before the date on which the board convenes,
16 calling attention to any matter concerning the officer that
17 the officer considers important to the officer’s case. The
18 selection board shall give consideration to any timely com-
19 munication under this subsection.

20 “(c) NOTICE OF INTENT OF CERTAIN OFFICERS TO
21 SERVE ON OR OFF ACTIVE DUTY.—An officer on the
22 Space Force officer list in the grade of colonel or brigadier
23 general who receives a notice under subsection (a) shall
24 inform the Secretary of the officer’s preference to serve

1 either on or off sustained duty if promoted to the grade
2 of brigadier general or major general, respectively.

3 **“§ 20214. Information furnished to selection boards**

4 “The provisions of section 615 of this title shall apply
5 to information furnished to selection boards.

6 **“§ 20215. Recommendations for promotion by selec-**
7 **tion boards**

8 “(a) BOARD TO RECOMMEND OFFICERS BEST
9 QUALIFIED FOR PROMOTION.—A selection board con-
10 vened under section 20211 of this title shall recommend
11 for promotion to the next higher grade those officers con-
12 sidered by the board whom the board, giving due consider-
13 ation to the needs of the Space Force for officers with
14 particular skills (as noted in the guidelines or information
15 furnished the board under section 615(b) of this title),
16 considers best qualified for promotion within each com-
17 petitive category considered by the board.

18 “(b) NUMBER TO BE RECOMMENDED.—The Sec-
19 retary of the Air Force shall establish the number of offi-
20 cers such a selection board may recommend for promotion
21 from among officers being considered.

22 “(c) BOARD PROCEDURES FOR RECOMMENDATIONS;
23 LIMITATIONS.—A selection board convened under section
24 20211 of this title may not recommend an officer for pro-
25 motion unless—

1 “(1) the officer receives the recommendation of
2 a majority of the members of the board;

3 “(2) a majority of the members of the board
4 finds that the officer is fully qualified for promotion;
5 and

6 “(3) a majority of the members of the board,
7 after consideration by all members of the board of
8 any adverse information about the officer that is
9 provided to the board under section 615 of this title,
10 finds that the officer is among the officers best
11 qualified for promotion to meet the needs of the
12 Space Force consistent with the requirement of ex-
13 emplary conduct set forth in section 9233 of this
14 title.

15 “(d) LIMITATION ON PROMOTIONS UNDER OTHER
16 AUTHORITY.—Except as otherwise provided by law, a
17 Space Force officer may not be promoted to a higher
18 grade under this chapter unless the officer is considered
19 and recommended for promotion to that grade by a selec-
20 tion board convened under this chapter or, in the case of
21 an officer transferring into the Space Force from another
22 armed force, chapter 36 or chapter 1403 of this title.

23 “(e) DISCLOSURE OF BOARD RECOMMENDATIONS.—
24 The recommendations of a selection board may be dis-
25 closed only in accordance with regulations prescribed by

1 the Secretary of Defense. Those recommendations may
2 not be disclosed to a person not a member of the board
3 (or a member of the administrative staff designated by
4 the Secretary of the Air Force to assist the board) until
5 the written report of the recommendations of the board,
6 required by section 617 of this title, is signed by each
7 member of the board.

8 “(f) PROHIBITION ON ATTEMPTING TO INFLUENCE
9 MEMBERS OF A BOARD.—The Secretary of the Air Force,
10 and an officer or other official exercising authority over
11 any member of a selection board, may not—

12 “(1) censure, reprimand, or admonish the selec-
13 tion board or any member of the board with respect
14 to the recommendations of the board or the exercise
15 of any lawful function within the authorized discre-
16 tion of the board; or

17 “(2) attempt to coerce or, by any unauthorized
18 means, influence any action of a selection board or
19 any member of a selection board in the formulation
20 of the board’s recommendations.

21 “(g) HIGHER PLACEMENT ON PROMOTION LIST OF
22 OFFICER OF PARTICULAR MERIT.—(1) In selecting the
23 officers to be recommended for promotion, a selection
24 board shall, when authorized by the Secretary of the Air
25 Force, recommend officers of particular merit, pursuant

1 to guidelines and procedures prescribed by the Secretary,
2 from among those officers selected for promotion, to be
3 placed higher on the promotion list established by the Sec-
4 retary under section 624(a)(1) of this title.

5 “(2) An officer may be recommended to be placed
6 higher on a promotion list under paragraph (1) only if
7 the officer receives the recommendation of at least a ma-
8 jority of the members of the board, unless the Secretary
9 of the Air Force establishes an alternative requirement.
10 Any such alternative requirement shall be furnished to the
11 board as part of the guidelines furnished to the board
12 under section 615 of this title.

13 “(3) For the officers recommended to be placed high-
14 er on a promotion list under paragraph (1), the board
15 shall recommend, pursuant to guidelines and procedures
16 prescribed by the Secretary, the order in which those offi-
17 cers should be placed on the list.

18 **“§ 20216. Reports of selection boards**

19 “(a) IN GENERAL.—Each selection board convened
20 under section 20211 of this title shall submit to the Sec-
21 retary of the Air Force a written report, signed by each
22 member of the board, containing a list of the names of
23 the officers it recommends for promotion and certifying—

1 “(1) that the board has carefully considered the
2 record of each officer whose name was furnished to
3 it under section 615 of this title; and

4 “(2) that, in the opinion of a majority of the
5 members of the board, the officers recommended for
6 promotion by the board are best qualified for pro-
7 motion to meet the needs of the Space Force (as
8 noted in the guidelines or information furnished the
9 board under section 615(b) of this title) among
10 those officers whose names were furnished to the se-
11 lection board.

12 “(b) OFFICERS WHO SHOULD BE REQUIRED TO
13 SHOW CAUSE FOR RETENTION.—A selection board con-
14 vened under section 20211 of this title shall include in
15 its report the name of any officer before it for consider-
16 ation for promotion whose record, in the opinion of a ma-
17 jority of the members of the board, indicates that the offi-
18 cer should be required under section 20503 of this title
19 to show cause for the officer’s retention in a space force
20 active status.

21 “(c) OFFICERS RECOMMENDED TO BE PLACED
22 HIGHER ON THE PROMOTION LIST.—A selection board
23 convened under section 20211 of this title shall, when au-
24 thorized under section 20214(g) of this title, include in
25 its report the names of those officers recommended by the

1 board to be placed higher on the promotion list and the
2 order in which the board recommends that those officers
3 should be placed on the list.

4 “(d) RECOMMENDATION FOR OFFICERS TO BE EX-
5 CLUDED FROM FUTURE CONSIDERATION FOR PRO-
6 MOTION.—A selection board convened under section
7 20211 of this title may include in its report a rec-
8 ommendation that an officer considered by the board be
9 excluded from future consideration for promotion under
10 this chapter.

11 **“§ 20217. Action on reports of selection boards for**
12 **promotion to brigadier general or major**
13 **general**

14 “(a) IN GENERAL.—After reviewing a report received
15 under section 20215 of this title recommending officers
16 on the Space Force officer list for promotion to the grade
17 of brigadier general or major general, but before submit-
18 ting the report to the Secretary of Defense, the Secretary
19 of the Air Force may, under regulations prescribed by the
20 Secretary of the Air Force, adjust the placement of offi-
21 cers as recommended in the report in order to ensure that
22 sufficient number of officers on both sustained and non-
23 sustained duty are promoted to meet the requirements of
24 the Space Force to fill general officer vacancies.

1 “(b) REPORT.—Whenever the Secretary of the Air
2 Force uses the authority under subsection (a), the Sec-
3 retary shall submit to the Committees on Armed Services
4 of the Senate and House of Representatives a report in-
5 forming the committees that the authority has been used
6 and the reason for the use of the authority.

7 “SUBCHAPTER III—PROMOTIONS

8 “§ 20231. Eligibility for consideration for promotion:
9 **general rules**

10 “(a) IN GENERAL.—

11 “(1) REQUIREMENT TO BE ON SPACE FORCE
12 OFFICER LIST.—An officer is eligible under this
13 chapter for consideration for promotion by a selec-
14 tion board convened under section 14101(a) of this
15 title only if the officer is on the Space Force officer
16 list.

17 “(2) AUTHORITY TO PRECLUDE FROM CONSID-
18 ERATION CERTAIN OFFICERS BASED ON TIME OF
19 ENTRY ON OR DEPARTURE FROM SUSTAINED
20 DUTY.—The Secretary of the Air Force—

21 “(A) may, by regulation, prescribe a period
22 of time, not to exceed one year, from the time
23 an officer on the Space Force officer list trans-
24 fers on or off of sustained duty during which

1 the officer shall be ineligible for consideration
2 for promotion; and

3 “(B) may, by regulation, provide for the
4 exclusion from consideration for promotion by a
5 selection board of an officer otherwise eligible to
6 be considered by the board who has an estab-
7 lished date for removal from the Space Force
8 officer list that is not more than 90 days after
9 the date on which the board is to be convened.

10 “(b) CERTAIN OFFICERS NOT TO BE CONSID-
11 ERED.—A selection board convened under section 20211
12 of this title may not consider for promotion to the next
13 higher grade any of the following officers:

14 “(1) An officer whose name is on a promotion
15 list for that grade as a result of recommendation for
16 promotion to that grade by an earlier selection board
17 convened under that section or section 20151 of this
18 title, under section 14101 or 14502 of this title, or
19 under chapter 36 of this title.

20 “(2) An officer who is recommended for pro-
21 motion to that grade in the report of an earlier se-
22 lection board convened under a provision referred to
23 in paragraph (1), in the case of such a report that
24 has not yet been approved by the President.

1 “(3) An officer who has been nominated by the
2 President for promotion to that grade under any
3 other provision of law, if that nomination is pending
4 before the Senate.

5 “(4) An officer in the grade of first lieutenant
6 who is on an approved all-fully-qualified-officers list
7 under section 20238(a)(4) of this title.

8 “(5) An officer excluded under 20232 of this
9 title.

10 “(6) An officer who has failed of promotion to
11 a higher grade the maximum number of times speci-
12 fied for opportunities for promotion for such grade
13 within the competitive category concerned pursuant
14 to section 20234 of this title.

15 “(c) CERTAIN COLONELS.—

16 “(1) AUTHORITY TO PRECLUDE FROM CONSID-
17 ERATION.—The Secretary of Defense may authorize
18 the Secretary of the Air Force to preclude from con-
19 sideration by selection boards for promotion to the
20 grade of brigadier general, officers in the grade of
21 colonel who—

22 “(A) have been considered and not selected
23 for promotion to the grade of brigadier general
24 or by at least two selection boards; and

1 “(B) are determined, in accordance with
2 standards and procedures prescribed pursuant
3 to paragraph (2), as not being exceptionally
4 well qualified for promotion.

5 “(2) REGULATIONS.—If the Secretary of De-
6 fense authorizes the Secretary of the Air Force to
7 have the authority described in subparagraph (A),
8 the Secretary shall prescribe by regulation the
9 standards and procedures for the exercise of such
10 authority. Those regulations shall apply uniformly
11 among the military departments and shall include
12 the following provisions:

13 “(A) A requirement that the Secretary of
14 the Air Force may exercise such authority in
15 the case of a particular selection board only if
16 the Secretary of Defense approves the exercise
17 of that authority for that board.

18 “(B) A requirement that an officer may be
19 precluded from consideration by a selection
20 board under this paragraph only upon the rec-
21 ommendation of a preselection board of officers
22 convened by the Secretary of the military de-
23 partment concerned and composed of at least
24 three officers all of whom are serving in a grade
25 higher than the grade of such officer.

1 “(C) A requirement that such a
2 preselection board may not recommend that an
3 officer be precluded from such consideration
4 unless the Secretary of the Air Force has given
5 the officer advance written notice of the con-
6 vening of such board and of the military
7 records that will be considered by the board and
8 has given the officer a reasonable period before
9 the convening of the board in which to submit
10 comments to the board.

11 “(D) A requirement that the Secretary of
12 the Air Force shall provide general guidance to
13 the board in accordance with standards and
14 procedures prescribed by the Secretary of De-
15 fense in those regulations.

16 “(E) A requirement that the preselection
17 board may recommend that an officer be pre-
18 cluded from consideration by a selection board
19 only on the basis of the general guidance pro-
20 vided by the Secretary Air Force, information
21 in the officer’s official military personnel
22 records that has been described in the notice
23 provided the officer as required pursuant to
24 subparagraph (C), and any communication to

1 the board received from that officer before the
2 board convenes.

3 “(d) BRIGADIER GENERALS.—

4 “(1) OFFICERS NOT ON SPACE FORCE OFFICER
5 LIST.—A brigadier general who is not eligible for
6 consideration for promotion because the officer is
7 not on the Space Force officer list (as required by
8 paragraph (1) of subsection (a) for such eligibility)
9 is nevertheless eligible for consideration for pro-
10 motion to the grade of major general by a selection
11 board convened under section 20211(a) of this title
12 if—

13 “(A) as of the date of the convening of the
14 promotion board, the officer has been in an in-
15 active status for less than the minimum thresh-
16 old established in paragraph (2) of subsection
17 (a); and

18 “(B) immediately before the date of the of-
19 ficer’s most recent transfer to an inactive sta-
20 tus, the officer had continuously served on the
21 Space Force officer list for at least one year.

22 “(2) OFFICERS NOT MEETING MINIMUM PAR-
23 TICIPATION THRESHOLD.—A brigadier general who
24 is on the Space Force officer list but who is not eli-
25 gible for consideration for promotion because the of-

1 officer's service does not meet the minimum participa-
2 tion threshold established under subsection (a)(2) is
3 nevertheless eligible for consideration for promotion
4 to the grade of major general by a promotion board
5 convened under section 20211(a) of this title if—

6 “(A) the officer was transferred from an
7 inactive status to the reserve active-status list
8 during the one-year period preceding the date
9 of the convening of the promotion board;

10 “(B) immediately before the date of the of-
11 ficer's most recent transfer to an active status,
12 the officer had been in an inactive status for
13 less than one year; and

14 “(C) immediately before the date of the of-
15 ficer's most recent transfer to an inactive sta-
16 tus, the officer had continuously served for at
17 least one year on the reserve active-status list
18 or the active-duty list (or a combination of the
19 reserve active-status list and the active-duty
20 list).

21 “(e) OFFICERS ON EDUCATIONAL DELAY.—An offi-
22 cer on the Space Force officer list is ineligible for consider-
23 ation for promotion, but shall remain on the Space Force
24 officer list, while the officer—

1 “(b) CRITERIA.—The Secretary may only approve a
2 request under subsection (a) as follows:

3 “(1) COMPLETION OF CERTAIN ASSIGN-
4 MENTS.—If—

5 “(A) the basis for the request is to allow
6 an officer to complete a broadening assignment,
7 an advanced education assignment, another as-
8 signment of significant value to the Depart-
9 ment, or a career progression requirement de-
10 layed by such an assignment;

11 “(B) the Secretary determines the exclu-
12 sion from consideration is in the best interest of
13 the Space Force; and

14 “(C) the officer has not previously failed of
15 selection for promotion to the grade for which
16 the officer requests the exclusion from consider-
17 ation.

18 “(2) COMPLETION OF CERTAIN EDUCATION.—
19 If—

20 “(A) the basis for the request is to allow
21 an officer to complete advanced education or
22 professional military education;

23 “(B) the Secretary determines that it is in
24 the best interests of the Space Force for the of-

1 ficer to continue to serve in current position
2 and grade; and

3 “(C) the officer has not previously opted
4 out of a promotion board under this section.

5 “(3) SERVICE IN CRITICAL SKILL POSITION.—
6 If—

7 “(A) the officer is serving in a critical skill
8 position that cannot be filled by another Space
9 Force officer serving in the same grade;

10 “(B) the Secretary determines that it is in
11 the best interests of the Space Force for the of-
12 ficer to continue to serve in their current posi-
13 tion and grade; and

14 “(C) the officer has not previously opted
15 out of a promotion board under this section.

16 **“§ 20233. Eligibility for consideration for promotion:**
17 **designation as joint qualified officer re-**
18 **quired before promotion to brigadier**
19 **general; exceptions**

20 “(a) GENERAL RULE.—An officer on the Space
21 Force officer list may not be appointed to the grade of
22 brigadier general unless the officer has been designated
23 as a joint qualified officer in accordance with section 661
24 of this title.

1 “(b) EXCEPTIONS.—Subject to subsection (c), the
2 Secretary of Defense may waive subsection (a) in the fol-
3 lowing circumstances:

4 “(1) When necessary for the good of the serv-
5 ice.

6 “(2) In the case of an officer whose proposed
7 selection for promotion is based primarily upon sci-
8 entific and technical qualifications for which joint re-
9 quirements do not exist.

10 “(3) In the case of an officer selected by a pro-
11 motion board for appointment to the grade of briga-
12 dier general while serving in a joint duty assignment
13 if—

14 “(A) the officer’s total consecutive service
15 in joint duty assignments is not less than two
16 years; and

17 “(B) the officer has successfully completed
18 a program of education described in subsections
19 (b) and (c) of section 2155 of this title.

20 “(4) In the case of an officer who—

21 “(A) is selected by a promotion board for
22 appointment to the grade of brigadier general;

23 “(B) is not exempted under subsection (g);
24 and

1 “(C) has successfully completed the edu-
2 cation requirements prescribed in subparagraph
3 (A) of section 661(c)(1) of this title but has not
4 been afforded the opportunity to complete the
5 experience requirements described in subpara-
6 graph (B) of that section.

7 “(c) WAIVER TO BE INDIVIDUAL.—A waiver may be
8 granted under subsection (b) only on a case-by-case basis
9 in the case of an individual officer.

10 “(d) SPECIAL RULE FOR GOOD-OF-THE-SERVICE
11 WAIVER.—In the case of a waiver under subsection (b)(1),
12 the Secretary of Defense shall provide that the first duty
13 assignment as a general officer of the officer for whom
14 the waiver is granted shall be in a joint duty assignment.

15 “(e) LIMITATION ON DELEGATION OF WAIVER AU-
16 THORITY.—The authority of the Secretary of Defense to
17 grant a waiver under subsection (b)(4) may only be dele-
18 gated as provided in section 619a(e) of this title.

19 “(f) REGULATIONS.—The Secretary of Defense shall
20 prescribe regulations to carry out this section. The regula-
21 tions shall specifically identify for purposes of subsection
22 (b)(2) those categories of officers for which selection for
23 promotion to brigadier general is based primarily upon sci-
24 entific and technical qualifications for which joint require-
25 ments do not exist.

1 “(c) AUTHORITY OF SECRETARY OF DEFENSE TO
2 MODIFY NUMBER OF OPPORTUNITIES.—The Secretary of
3 Defense may modify the number of opportunities for con-
4 sideration for promotion to be afforded officers of the
5 Space Force within a competitive category for promotion
6 to a particular grade, as previously specified or modified
7 pursuant to any provision of this section, at the discretion
8 of the Secretary.

9 “(d) LIMITATION ON NUMBER OF OPPORTUNITIES
10 SPECIFIED.—The number of opportunities for consider-
11 ation for promotion to be afforded officers of the Space
12 Force within a competitive category for promotion to a
13 particular grade, as specified or modified pursuant to any
14 provision of this section, may not exceed five opportuni-
15 ties.

16 “(e) EFFECT OF CERTAIN REDUCTION IN NUMBER
17 OF OPPORTUNITIES SPECIFIED.—If, by reason of a reduc-
18 tion in the number of opportunities for consideration for
19 promotion under this section, an officer would no longer
20 have one or more opportunities for consideration for pro-
21 motion that were available to the officer before the reduc-
22 tion, the officer shall be afforded one additional oppor-
23 tunity for consideration for promotion after the reduction.

1 **“§ 20235. Space Force officer list**

2 “(a) SINGLE LIST.—The Secretary of the Air Force
3 shall maintain a single list of all Space Force officers serv-
4 ing in a space force active status. The list shall be known
5 as the ‘Space Force officer list’.

6 “(b) ORDER OF OFFICERS ON LIST.—Officers shall
7 be carried on the Space Force officer list in the order of
8 seniority of the grade in which they are serving. Officers
9 serving in the same grade shall be carried in the order
10 of their rank in that grade.

11 “(c) EFFECT OF SERVICE IN A TEMPORARY AP-
12 POINTMENT.—An officer whose position on the Space
13 Force officer list results from service under a temporary
14 appointment or in a grade held by reason of assignment
15 to a position has, when that appointment or assignment
16 ends, the grade and position on the Space Force officer
17 list that the officer would have held if the officer had not
18 received that appointment or assignment.

19 **“§ 20236. Competitive categories**

20 “(a) REQUIREMENT TO ESTABLISH COMPETITIVE
21 CATEGORIES FOR PROMOTION.—Under regulations pre-
22 scribed by the Secretary of Defense, the Secretary of the
23 Air Force shall establish at least one competitive category
24 for promotion for officers on the Space Force officer list.
25 Each officer whose name appears on the Space Force offi-
26 cer list shall be carried in a competitive category of offi-

1 cers. Officers in the same competitive category shall com-
2 pete among themselves for promotion.

3 “(b) SINGLE COMPETITIVE CATEGORY FOR PRO-
4 MOTION TO GENERAL OFFICER GRADES.—The Secretary
5 of the Air Force shall establish a single competitive cat-
6 egory for all officers on the Space Force officer list who
7 will be considered by a selection board convened under sec-
8 tion 20211 of this title for promotion to the grade of brig-
9 adier general or major general.

10 **“§ 20237. Numbers to be recommended for promotion**

11 “(a) PROMOTION TO GRADES BELOW BRIGADIER
12 GENERAL.—

13 “(1) DETERMINATION OF MAXIMUM NUMBER.—
14 Before convening a selection board under section
15 20211 of this title to consider officers for rec-
16 ommendation for promotion to a grade below briga-
17 dier general and in any competitive category, the
18 Secretary of the Air Force shall determine the max-
19 imum number of officers in that competitive cat-
20 egory that the board may recommend for promotion.

21 “(2) DETERMINATIONS.—In order to make the
22 determination under paragraph (1), the Secretary
23 shall determine—

24 “(A) the number of positions needed to ac-
25 complish mission objectives which require offi-

1 cers of that competitive category in the grade to
2 which the board will recommend officers for
3 promotion;

4 “(B) the estimated number of officers
5 needed to fill vacancies in those positions dur-
6 ing the period in which it is anticipated that of-
7 ficers selected for promotion will be promoted;
8 and

9 “(C) the number of officers in a space
10 force active status authorized by the Secretary
11 of the Air Force to serve both on sustained
12 duty and not on sustained duty in the grade
13 and competitive category under consideration.

14 “(b) PROMOTION TO BRIGADIER GENERAL AND
15 MAJOR GENERAL.—

16 “(1) DETERMINATION OF MAXIMUM NUM-
17 BERS.—Before convening a selection board under
18 section 20211 of this title to consider officers for
19 recommendation for promotion to the grade of briga-
20 dier general or major general, the Secretary of the
21 Air Force shall determine the maximum number of
22 officers serving in a space force active status on sus-
23 tained duty, and the maximum number of officers
24 serving in a space force active status not on sus-

1 tained duty, that the board may recommend for pro-
2 motion.

3 “(2) DETERMINATIONS.—In order to make the
4 determinations under paragraph (1), the Secretary
5 shall determine—

6 “(A) the number of positions needed to ac-
7 complish mission objectives which require offi-
8 cers serving in a space force active status on
9 sustained duty, and in a space force active sta-
10 tus not on sustained duty, in the grade to which
11 the board will recommend officers for pro-
12 motion; and

13 “(B) the estimated number of officers on
14 sustained duty and not on sustained duty need-
15 ed to fill vacancies in those positions over the
16 24-month period beginning on the date on
17 which the selection board convenes.

18 **“§ 20238. Establishment of promotion zones**

19 “(a) IN GENERAL.—Before convening a selection
20 board under section 20211 of this title to consider officers
21 for promotion to any grade above first lieutenant or lieu-
22 tenant (junior grade), the Secretary of the Air Force shall
23 establish a promotion zone for officers serving in each
24 grade and competitive category to be considered by the
25 board.

1 “(b) DETERMINATION OF NUMBER.—The Secretary
2 of the Air Force shall determine the number of officers
3 in the promotion zone for officers serving in any grade
4 and competitive category from among officers who are eli-
5 gible for promotion in that grade and competitive cat-
6 egory. Such determination shall be made on the basis of
7 an estimate of—

8 “(1) the number of officers needed in that com-
9 petitive category in the next higher grade in each of
10 the next five years;

11 “(2) the number of officers to be serving in that
12 competitive category in the next higher grade in
13 each of the next five years;

14 “(3) in the case of a promotion zone for officers
15 to be promoted to a grade to which section 523 of
16 this title is applicable, the number of officers author-
17 ized for such grade under such section to be on sus-
18 tained duty on the last day of each of the next five
19 fiscal years; and

20 “(4) the number of officers that should be
21 placed in that promotion zone in each of the next
22 five years to provide to officers in those years rel-
23 atively similar opportunity for promotion.

24 **“§ 20239. Promotions: how made**

25 “(a) PROMOTION LISTS.—

1 “(1) PLACEMENT OF NAMES ON PROMOTION
2 LIST.—When the report of a selection board con-
3 vened under section 20211 of this title is approved
4 by the President, the Secretary of the Air Force
5 shall place the names of all officers approved for
6 promotion within a competitive category on a single
7 list for that competitive category, to be known as a
8 promotion list, in the order of the seniority of such
9 officers on the Space Force officer list or based on
10 particular merit, as determined by the promotion
11 board, or as modified by the Secretary of the Air
12 Force under section 20217 of this title.

13 “(2) TIME OF ESTABLISHMENT OF PROMOTION
14 LIST.—A promotion list is considered to be estab-
15 lished under this section as of the date of the ap-
16 proval of the report of the selection board under
17 paragraph (1).

18 “(b) PROMOTIONS; HOW MADE; ORDER.—

19 “(1) APPOINTMENT AUTHORITY.—Officers on a
20 promotion list shall be promoted by appointment in
21 the manner specified in section 20201 of this title.

22 “(2) TIMING.—Officers on a promotion list for
23 a competitive category shall be promoted to the next
24 higher grade in accordance with regulations pre-
25 scribed by the Secretary of the Air Force.

1 “(3) ORDER.—Except as provided in sub-
2 sections (e) and (f), promotions shall be made in the
3 order in which the names of officers appear on the
4 promotion list and after officers previously selected
5 for promotion in that competitive category have been
6 promoted.

7 “(4) PROMOTIONS TO GRADE OF FIRST LIEU-
8 TENANT.—Officers to be promoted to the grade of
9 first lieutenant shall be promoted in accordance with
10 regulations prescribed by the Secretary of the Air
11 Force.

12 “(c) PROMOTION OF FIRST LIEUTENANTS ON AN
13 ALL-FULLY-QUALIFIED OFFICERS LIST.—(1) Except as
14 provided in subsection (f), officers on the Space Force offi-
15 cer list in the grade of first lieutenant who are on an ap-
16 proved all-fully-qualified-officers list shall be promoted to
17 the grade of captain in accordance with regulations pre-
18 scribed by the Secretary of the Air Force.

19 “(2) An all-fully-qualified-officers list shall be consid-
20 ered to be approved for purposes of subparagraph (A)
21 when the list is approved by the President. When so ap-
22 proved, such a list shall be treated in the same manner
23 as a promotion list under this chapter.

24 “(3) The Secretary of the Air Force may make a rec-
25 ommendation to the President for approval of an all-fully-

1 qualified-officers list only when the Secretary determines
2 that all officers on the list are needed in the next higher
3 grade to accomplish mission objectives.

4 “(4) For purposes of this paragraph, an all-fully-
5 qualified-officers list is a list of all officers on the Space
6 Force officer list in a grade who the Secretary of the Air
7 Force determines—

8 “(A) are fully qualified for promotion to the
9 next higher grade; and

10 “(B) would be eligible for consideration for pro-
11 motion to the next higher grade by a selection board
12 convened under section 20211 of this title upon the
13 convening of such a board.

14 “(5) If the Secretary of the Air Force determines that
15 one or more officers or former officers were not placed
16 on an all-fully-qualified-list under this subsection because
17 of administrative error, the Secretary may prepare a sup-
18 plemental all-fully-qualified-officers list containing the
19 names of any such officers for approval in accordance with
20 this subsection.

21 “(d) DATE OF RANK.—

22 “(1) GENERAL RULE.—The date of rank of an
23 officer appointed to a higher grade under this sec-
24 tion is determined under section 741(d) of this title.

1 “(2) ADJUSTMENTS.—The date of rank of an
2 officer appointed to a higher grade under this sec-
3 tion may be adjusted in the same manner as an ad-
4 justment may be made under section 741(d)(4) of
5 this title in the date of rank of an officer appointed
6 to a higher grade under section 624(a) of this title.
7 In any use of the authority under the preceding sen-
8 tence, subparagraph (C)(ii) of such section shall be
9 applied by substituting ‘Space Force officer list’ for
10 ‘active-duty list’.

11 “(3) ADDITIONAL PAY AND ALLOWANCES PRE-
12 CLUDED.—Except as provided in paragraph (2) or
13 as otherwise specifically authorized by law, an officer
14 is not entitled to additional pay or allowances if the
15 effective date of the officer’s promotion is adjusted
16 to reflect a date earlier than the actual date of the
17 officer’s promotion.

18 “(e) DELAY OF PROMOTIONS TO GENERAL OFFICER
19 GRADES TO COMPLY WITH STRENGTH LIMITATIONS.—
20 Under regulations prescribed by the Secretary of Defense,
21 the promotion of an officer on the Space Force officer list
22 to the grade of brigadier general or major general shall
23 be delayed if that promotion would cause any strength lim-
24 itation of section 526 of this title to be exceeded. The
25 delay shall expire when the Secretary of the Air Force de-

1 terminates that the delay is no longer required to ensure
2 compliance with the strength limitation.

3 “(f) AUTHORITY TO DELAY APPOINTMENTS FOR
4 SPECIFIED REASONS.—The provisions of section 14311 of
5 this title shall apply to the appointment of an officer under
6 this section in the same manner as they apply to an ap-
7 pointment of an officer under that section, and any ref-
8 erence in that section to an reserve active-status list shall
9 be treated for purposes of applicability to an officer of the
10 Space Force as referring to the Space Force officer list.

11 **“§ 20240. Acceptance of promotions; oath of office**

12 “(a) ACCEPTANCE.—An officer who is appointed to
13 a higher grade under section 20239 of this title is consid-
14 ered to have accepted the appointment on the date on
15 which the appointment is made unless the officer expressly
16 declines the appointment.

17 “(b) OATH.—An officer who has served continuously
18 since taking the oath of office prescribed in section 3331
19 of title 5 is not required to take a new oath upon appoint-
20 ment to a higher grade under section 20239 of this title.

21 **“§ 20241. Removal of officers from a list of officers**
22 **recommended for promotion**

23 “(a) REMOVAL BY PRESIDENT.—The President may
24 remove the name of any officer from a promotion list at
25 any time before the date on which the officer is promoted.

1 “(b) REMOVAL FOR WITHHOLDING OF SENATE AD-
2 VICE AND CONSENT.—If the Senate does not give its ad-
3 vice and consent to the appointment to the next higher
4 grade of an officer whose name is on a list of officers ap-
5 proved by the President for promotion (except in the case
6 of promotions to a grade to which appointments may be
7 made by the President alone), the name of that officer
8 shall be removed from the list.

9 “(c) REMOVAL AFTER 18 MONTHS.—(1) If an officer
10 whose name is on a list of officers approved for promotion
11 under section 20238(a) of this title to a grade for which
12 appointment is required by section 20201(a) of this title
13 to be made by and with the advice and consent of the Sen-
14 ate is not appointed to that grade under such section dur-
15 ing the officer’s promotion eligibility period, the officer’s
16 name shall be removed from the list unless as of the end
17 of such period the Senate has given its advice and consent
18 to the appointment.

19 “(2) Before the end of the promotion eligibility period
20 with respect to an officer under paragraph (1), the Presi-
21 dent may extend that period for purposes of paragraph
22 (1) by an additional 12 months.

23 “(3) In this subsection, the term ‘promotion eligibility
24 period’ means, with respect to an officer whose name is
25 on a list of officers approved for promotion under section

1 20238(a) of this title to a grade for which appointment
2 is required by section 20201(a) of this title to be made
3 by and with the advice and consent of the Senate, the pe-
4 riod beginning on the date on which the list is so approved
5 and ending on the first day of the eighteenth month fol-
6 lowing the month during which the list is so approved.

7 “(d) ADMINISTRATIVE REMOVAL.—Under regula-
8 tions prescribed by the Secretary of the Air Force, if an
9 officer on the Space Force officer list is discharged or
10 dropped from the rolls or transferred to a retired status
11 after having been recommended for promotion to a higher
12 grade under this chapter, but before being promoted, the
13 officer’s name shall be administratively removed from the
14 list of officers recommended for promotion by a selection
15 board.

16 “(e) CONTINUED ELIGIBILITY FOR PROMOTION.—(1)
17 An officer whose name is removed from a list under sub-
18 section (a), (b), or (c) continues to be eligible for consider-
19 ation for promotion. If that officer is recommended for
20 promotion by the next selection board convened for that
21 officer’s grade and competitive category and the officer is
22 promoted, the Secretary of the Air Force may, upon the
23 promotion, grant the officer the same date of rank, the
24 same effective date for the pay and allowances of the grade
25 to which promoted, and the same position on the Space

1 Force officer list, as the officer would have had if the offi-
2 cer's name had not been removed from the list.

3 “(2) If such an officer who is in a grade below the
4 grade of colonel is not recommended for promotion by the
5 next selection board convened for the officer's grade and
6 competitive category, or if the officer's name is again re-
7 moved from the list of officers recommended for pro-
8 motion, or if the Senate again does not give its advice and
9 consent to his promotion, the officer shall be considered
10 for all purposes to have failed of selection for promotion
11 to the next higher grade.

12 “(f) **APPLICABILITY OF PREVIOUS EXECUTIVE**
13 **ORDER.**—Except as otherwise provided by the President
14 by Executive order, any Executive order issued before the
15 date of the enactment of this section relating to functions
16 of the President under section 14310 of this title shall
17 apply in the same manner to functions of the President
18 under this section.

19 **“§ 20242. Authority to vacate promotions to grade of**
20 **brigadier general**

21 “(a) **AUTHORITY.**—The President may vacate the ap-
22 pointment of a Space Force officer to the grade of briga-
23 dier general if the period of time during which the officer
24 has served in that grade after promotion to that grade
25 is less than 18 months.

1 officer as a before the officer's appointment in a
2 general officer grade.

3 “(4) Discharge the officer from the officer's ap-
4 pointment.

5 “(b) CREDIT FOR SERVICE IN GRADE.—An officer
6 who is appointed under subsection (a)(3) shall be credited
7 with an amount of service in the grade in which appointed
8 that is equal to the amount of prior service in an active
9 status in that grade and in any higher grade.

10 “SUBCHAPTER IV—FAILURE OF SELECTION
11 FOR PROMOTION AND INVOLUNTARY SEPA-
12 RATION

13 “§ 20251. Failure of selection for promotion

14 “(a) IN GENERAL.—Except as provided in this sec-
15 tion, sections 14501, 14503, and 14504 and section 631
16 and 632 of this title shall apply to promotions of officers
17 on the Space Force officer list. For the purpose of such
18 applicability—

19 “(1) any reference in those sections to the re-
20 serve active-status list or the active-duty list shall
21 apply to the Space Force officer list; and

22 “(2) any reference in those sections to a board
23 convened under section 14201 or 611 of this title
24 shall apply to a board convened under section 20211
25 of this title.

1 “(b) INAPPLICABILITY OF FAILURE OF SELECTION
2 FOR PROMOTION TO OFFICERS ABOVE PROMOTION
3 ZONE.—The reference in section 14501 of this title to an
4 officer above the promotion zone shall not apply in the
5 promotion of officers on the Space Force officer list.

6 “(c) RETIREMENT AUTHORITIES.—In applying sec-
7 tion 631 or 632 of this title to such an officer, the ref-
8 erence in subsection (a)(3) of that section to qualifying
9 for retirement under certain sections of this title shall be
10 deemed to refer to qualifying for retirement under any
11 provision of law other than chapter 61 of this title.

12 “(d) EFFECT OF FAILURE OF SELECTION.—In the
13 administration of this chapter pursuant to subsection
14 (a)—

15 “(1) an officer on the Space Force officer list
16 shall not be deemed to have failed twice of selection
17 for promotion for purposes of section 629(e)(2) or
18 14502(b) of this title until the officer has failed se-
19 lection of promotion to the next higher grade the
20 maximum number of times specified for opportuni-
21 ties for promotion to such grade within the competi-
22 tive category concerned under section 20234 of this
23 title; and

24 “(2) any reference in section 631(a) or 632(a)
25 of this title, or in sections 14504 through 14506 of

1 this title, to an officer who has failed of selection for
2 promotion to the next higher grade for the second
3 time shall be deemed to refer instead to an officer
4 on the Space Force officer list who has failed of se-
5 lection for promotion to the next higher grade for
6 the maximum number of times specified for opportu-
7 nities for promotion to such grade within the com-
8 petitive category concerned under section 20234 of
9 this title.

10 **“§ 20251. Special selection boards; correction of er-**
11 **rors**

12 “(a) PERSONS NOT CONSIDERED BY PROMOTION
13 BOARD BECAUSE OF ADMINISTRATIVE ERROR.—

14 “(1) CONVENING OF BOARD.—In the case of an
15 officer or former officer who the Secretary of the Air
16 Force determines was not considered for selection
17 for promotion by a selection board convened under
18 section 20211 of this title because of administrative
19 error, the Secretary shall convene a special selection
20 board under this subsection to determine whether
21 that officer or former officer should be recommended
22 for promotion.

23 “(2) BOARD COMPOSITION; OATH.—Any such
24 board shall be convened under regulations prescribed
25 by the Secretary of Defense and shall be appointed

1 and composed in accordance with section 20212 of
2 this title and shall include the representation of com-
3 petitive categories required by that section. The
4 members of a board convened under this subsection
5 shall be required to take an oath in the same man-
6 ner as prescribed in section 14103 of this title.

7 “(3) RECORD CONSIDERED BY BOARD.—A spe-
8 cial selection board convened under paragraph (1)
9 shall consider the record of the officer or former of-
10 ficer as that record would have appeared to the se-
11 lection board that should have considered the officer
12 or former officer. That record shall be compared
13 with a sampling of the records of those officers of
14 the same grade and competitive category who were
15 recommended for promotion, and those officers of
16 the same grade and competitive category who were
17 not recommended for promotion, by that board.

18 “(4) EFFECT.—If a special selection board con-
19 vened under paragraph (1) does not recommend for
20 promotion an officer or former officer in a grade
21 below the grade of colonel whose name was referred
22 to it for consideration, the officer or former officer
23 shall be considered to have failed of selection for
24 promotion.

1 “(b) OFFICERS CONSIDERED BUT NOT SELECTED;
2 MATERIAL ERROR.—

3 “(1) CONVENING OF BOARD.—In the case of an
4 officer or former officer who was eligible for pro-
5 motion and was considered for selection for pro-
6 motion by a selection board convened under section
7 20211 of this title but was not selected, the Sec-
8 retary of the Air Force may, under regulations pre-
9 scribed by the Secretary of Defense, convene a spe-
10 cial selection board under this subsection to deter-
11 mine whether the officer or former officer should be
12 recommended for promotion, if the Secretary must
13 determine that—

14 “(A) the action of the selection board that
15 considered the officer or former officer was con-
16 trary to law in a matter material to the decision
17 of the board or involved material error of fact
18 or material administrative error; or

19 “(B) the board did not have before it for
20 its consideration material information.

21 “(2) BOARD COMPOSITION; OATH.—A special
22 selection board convened under paragraph ((1) shall
23 be appointed and composed in accordance with sec-
24 tion 20212 of this title (including the representation
25 of competitive categories required by that section),

1 and the members of such a board shall take an oath
2 in the same manner as prescribed in section 14103
3 of this title.

4 “(3) RECORD CONSIDERED BY BOARD.—The
5 special selection board shall consider the record of
6 the officer or former officer as that record, if cor-
7 rected, would have appeared to the board that con-
8 sidered the officer or former officer. That record
9 shall be compared with the records of a sampling of
10 those officers of the same grade and competitive cat-
11 egory who were recommended for promotion, and
12 those officers of the same grade and competitive cat-
13 egory who were not recommended for promotion, by
14 that board.

15 “(4) EFFECT.—If a special selection board con-
16 vened under paragraph (1) does not recommend for
17 promotion an officer or former officer whose name
18 was referred to it for consideration, the officer or
19 former officer incurs no additional failure of selec-
20 tion for promotion.

21 “(c) REPORT OF BOARD.—Each special selection
22 board convened under this section shall submit to the Sec-
23 retary of the Air Force a written report, signed by each
24 member of the board, containing the name of each officer
25 or former officer it recommends for promotion and certi-

1 fying that the board has carefully considered the record
2 of each officer or former officer whose name was referred
3 to it.

4 “(d) APPLICABLE PROVISIONS.—The provisions of
5 sections 20215 and 20216 of this title apply to the report
6 and proceedings of a special selection board convened
7 under this section in the same manner as they apply to
8 the report and proceedings of a selection board convened
9 under section 20211 of this title.

10 “(e) APPOINTMENT OF OFFICERS RECOMMENDED
11 FOR PROMOTION.—

12 “(1) PROMOTION.—An officer or former officer
13 whose name is placed on a promotion list as a result
14 of a recommendation for promotion by a special se-
15 lection board convened under this section shall, as
16 soon as practicable, be appointed to the next higher
17 grade in accordance with the law and policies which
18 would have been applicable had the officer or former
19 officer been recommended for promotion by the
20 board which should have considered or which did
21 consider the officer or former officer.

22 “(2) STATUS OF PROMOTED OFFICER.—An offi-
23 cer who is promoted to the next higher grade as the
24 result of the recommendation of a special selection
25 board convened under this section shall, upon such

1 promotion, have the same date of rank, the same ef-
2 fective date for the pay and allowances of that
3 grade, and the same position on the Space Force of-
4 ficer list as the officer would have had if the officer
5 had been recommended for promotion to that grade
6 by the selection board which should have considered,
7 or which did consider, the officer.

8 “(3) CORRECTION OF MILITARY RECORD.—If
9 the report of a special selection board convened
10 under this section, as approved by the President,
11 recommends for promotion to the next higher grade
12 an officer not currently eligible for promotion or a
13 former officer whose name was referred to it for
14 consideration, the Secretary of the Air Force may
15 act under section 1552 of this title to correct the
16 military record of the officer or former officer to cor-
17 rect an error or remove an injustice resulting from
18 not being selected for promotion by the board which
19 should have considered, or which did consider, the
20 officer.

21 “(f) PRESCRIBING OF CIRCUMSTANCES FOR CONSID-
22 ERATION BY BOARD.—The Secretary of Defense may pre-
23 scribe by regulation—

24 “(1) the circumstances under which consider-
25 ation by a special selection board is contingent upon

1 application for consideration by an officer or former
2 officer; and

3 “(2) time limits within which of officer or
4 former officer must make such application in order
5 to be considered by a special selection board under
6 this section.

7 “(g) CONVENING OF BOARDS.—A board convened
8 under this section—

9 “(1) shall be convened under regulations pre-
10 scribed by the Secretary of Defense;

11 “(2) shall be composed in accordance with sec-
12 tion 20212 of this title and regulations prescribed by
13 the Secretary of the Air Force; and

14 “(3) shall be subject to the provisions of section
15 613 of this title.

16 “(h) LIMITATION OF OTHER JURISDICTION.—No of-
17 ficial or court of the United States shall have power or
18 jurisdiction—

19 “(1) over any claim based in any way on the
20 failure of an officer or former officer of the armed
21 forces to be selected for promotion by a selection
22 board convened under this chapter until—

23 “(A) the claim has been referred to a spe-
24 cial selection board by the Secretary of the Air
25 Force and acted upon by that board; or

1 “(B) the claim has been rejected by the
2 Secretary without consideration by a special se-
3 lection board; or

4 “(2) to grant any relief on such a claim unless
5 the officer or former officer has been selected for
6 promotion by a special selection board convened
7 under this section to consider the officer or former
8 officer’s claim.

9 “(i) JUDICIAL REVIEW.—(1) A court of the United
10 States may review a determination by the Secretary of the
11 Air Force under subsection (a)(1), (b)(1), or (e)(3) not
12 to convene a special selection board. If a court finds the
13 determination to be arbitrary or capricious, not based on
14 substantial evidence, or otherwise contrary to law, it shall
15 remand the case to the Secretary, who shall provide for
16 consideration of the officer or former officer by a special
17 selection board under this section.

18 “(2) If a court finds that the action of a special selec-
19 tion board which considers an officer or former officer was
20 contrary to law or involved material error of fact or mate-
21 rial administrative error, it shall remand the case to the
22 Secretary, who shall provide the officer or former officer
23 reconsideration by a new special selection board.

24 “(j) DESIGNATION OF BOARDS.—The Secretary of
25 the Air Force may designate a promotion board convened

1 under section 20201(a) of this title as a special selection
2 board convened under this section.

3 **“§ 20252a. Special selection review boards: reference**

4 “Section 628a of this title, relating to the convening
5 of a special selection review board when credible informa-
6 tion of an adverse nature was not furnished to a pro-
7 motion board, applies with respect to persons rec-
8 ommended by a selection board for promotion to a grade
9 at or below the grade of major general in the Space Force.

10 **“§ 20253. Retirement: retirement for years of service**

11 “Sections 633 through 636 of this title shall apply
12 to the retirement of officers on the Space Force officer
13 list in the same manner as to officers of the Regular Air
14 Force.

15 **“SUBCHAPTER V—CONTINUATION ON ACTIVE
16 DUTY AND SELECTIVE EARLY RETIRE-
17 MENT; OTHER PROVISIONS**

18 **“§ 20261 Selection of officers for continuation on the
19 Space Force officer list**

20 “Section 14701 of this title shall apply in continu-
21 ation or retention on the Space Force officer in the same
22 manner as to continuation on the reserve active-status list.

23 **“§ 20262. Retirement: selective early retirement**

24 “Sections 638 and 638a of this title shall apply to
25 the retirement of officers on the Space Force officer list

1 in the same manner as to officers of the Regular Air
2 Force.

3 **“§ 20263. Entitlement of officers discharged or retired**
4 **under this chapter to separation pay or**
5 **retired pay**

6 “(a) SEPARATION PAY.—An officer who is discharged
7 under this chapter is entitled, if eligible therefor, to sepa-
8 ration pay under section 1174 of this title.

9 “(b) RETIRED PAY.—An officer who is retired under
10 this chapter is entitled to retired pay computed under
11 chapter 71 or 1223 of this title, as applicable.

12 **“§ 20264. Other administrative authorities**

13 “The following provisions of this title shall apply to
14 officers on the Space Force officer list in the same manner
15 as to officers subject to those provisions:

16 “(1) Section 14518, relating to continuation of
17 officers to complete disciplinary action.

18 “(2) Section 14519, relating to deferment of re-
19 tirement or separation for medical reasons.

20 “(3) Section 14704, relating to the selective
21 early removal from the reserve active-status list.”.

22 (d) TEMPORARY (“BREVET”) PROMOTIONS FOR OF-
23 FICERS WITH CRITICAL SKILLS.—Section 605 of title 10,
24 United States Code, is amended as follows:

1 (1) COVERAGE OF SPACE FORCE OFFICERS.—
2 Subsections (a), (b)(2)(A), (f)(1), and (f)(2) are
3 amended by striking “or Marine Corps,” each place
4 it appears and inserting “Marine Corps, or Space
5 Force,”.

6 (2) DISAGGREGATION OF AIR FORCE MAXIMUM
7 NUMBERS.—Subsection (g) is amended—

8 (A) by redesignating paragraphs (3) and
9 (4) as paragraphs (4) and (5), respectively; and

10 (B) by striking paragraph (2) and insert-
11 ing the following new paragraphs (2) and (3):

12 “(2) In the case of the Air Force—

13 “(A) as captain 95;

14 “(B) as major, 305;

15 “(C) as lieutenant colonel, 165; and

16 “(D) as colonel, 75.

17 “(3) In the case of the Space Force—

18 “(A) as captain, 5;

19 “(B) as major, 20;

20 “(C) as lieutenant colonel, 10; and

21 “(D) as colonel, 5.”.

22 **SEC. 1717. ENLISTED MEMBERS.**

23 (a) IN GENERAL.—Subtitle F of title 10, United
24 States Code, as amended by section 1716, is further
25 amended by adding at the end the following new chapter:

1 **“CHAPTER 2007—ENLISTED MEMBERS**

“Sec.

“20301. Original enlistments: qualifications; grade.

“20302. Enlisted members: term of enlistment.

“20303. Reference to chapter 31.

2 **“§ 20301. Original enlistments: qualifications; grade**

3 “(a) ORIGINAL ENLISTMENTS.—

4 “(1) AUTHORITY TO ACCEPT.—The Secretary
5 of the Air Force may accept original enlistments in
6 the Space Force of qualified, effective, and able-bod-
7 ied persons.

8 “(2) AGE.—A person accepted for original en-
9 listment shall be not less than seventeen years of
10 age. However, no person under eighteen years of age
11 may be originally enlisted without the written con-
12 sent of the person’s parent or guardian, if the per-
13 son has a parent or guardian entitled to the person’s
14 custody and control.

15 “(b) GRADE.—A person is enlisted in the Space
16 Force in the grade prescribed by the Secretary of the Air
17 Force.

18 **“§ 20302. Enlisted members: term of enlistment**

19 “(a) TERM OF ORIGINAL ENLISTMENTS.—The Sec-
20 retary of the Air Force may accept original enlistments
21 of persons for the duration of their minority or for a pe-
22 riod of at least two but not more than eight years in the
23 Space Force.

1 “(b) TERM OF REENLISTMENTS.—The Secretary of
2 the Air Force may accept a reenlistment in the Space
3 Force for a period determined in accordance with para-
4 graphs (2), (3), and (4) of section 505(d) of this title.

5 **“§ 20303. Reference to chapter 31**

6 “For other provisions of this title applicable to enlist-
7 ments in the Space Force, see chapter 31 of this title.”.

8 (b) AMENDMENTS TO TITLE 10 CHAPTER RELATING
9 TO ENLISTMENTS.—Chapter 31 of such title is amended
10 as follows:

11 (1) RECRUITING CAMPAIGNS.—Section 503(a)
12 is amended by inserting “and the Space Force”
13 after “Regular Coast Guard”.

14 (2) QUALIFICATIONS, TERM, GRADE.—Section
15 505 is amended—

16 (A) by striking “Regular Space Force,”
17 each place it appears; and

18 (B) by adding at the end the following new
19 subsection:

20 “(e) ENLISTMENTS IN THE SPACE FORCE.—For en-
21 listments in the Space Force, see sections 20301 and
22 20302 of this title.”.

23 (3) EXTENSION OF ENLISTMENTS DURING
24 WAR.—Section 506 is amended by striking “Reg-
25 ular” before “Space Force”.

1 (4) REENLISTMENT.—Section 508 is amended
2 striking “Regular” before “Space Force” in sub-
3 sections (b) and (c).

4 (5) ENLISTMENT INCENTIVES FOR PURSUIT OF
5 SKILLS TO FACILITATE NATIONAL SERVICE.—Sec-
6 tion 510(c) is amended—

7 (A) in paragraph (2), by inserting “or the
8 Space Force” after “Selected Reserve”; and

9 (B) in paragraph (3)—

10 (i) by redesignating subparagraphs
11 (D) and (E) as subparagraphs (E) and
12 (F), respectively;

13 (ii) by inserting after subparagraph
14 (C) the following new subparagraph (D):

15 “(D) in the Space Force;”; and

16 (iii) in subparagraph (F), as so reded-
17 icated, by striking “subparagraphs (A)
18 through (D)” and inserting “subpara-
19 graphs (A) through (E)”.

20 (6) COLLEGE FIRST PROGRAM.—Section
21 511(b)(1)(A), is amended by inserting “or as a
22 member of the Space Force,” after “reserve compo-
23 nent,”.

24 (7) DELAYED ENTRY PROGRAM.—Section
25 513(a) is amended—

1 (A) by inserting, “, or who is qualified
2 under section 20301 of this title and applicable
3 regulations for enlistment in the Space Force,”
4 after “armed force”; and

5 (B) by inserting “, or be enlisted as a
6 member of the Space Force,” after “Coast
7 Guard Reserve”.

8 (8) EFFECT UPON ENLISTED STATUS OF AC-
9 CEPTANCE OF APPOINTMENT AS CADET OR MID-
10 SHIPMAN.—Section 516(b) is amended by inserting
11 “or in the Space Force,” after “armed force”.

12 **SEC. 1718. RETENTION AND SEPARATION GENERALLY.**

13 (a) IN GENERAL.—Subtitle F of title 10, United
14 States Code, as amended by section 1717, is further
15 amended by adding at the end the following new chapter:

16 **“CHAPTER 2009—RETENTION AND**
17 **SEPARATION GENERALLY**

“Sec.

“20401. Applicability of certain provisions of law related to separation.

“20402. Enlisted members: standards and qualifications for retention.

“20403. Officers: standards and qualifications for retention.

“20404. Selection of officers for early retirement or discharge.

“20404. Force shaping authority.

18 **“§ 20401. Applicability of certain provisions of law re-**
19 **lated to separation**

20 “(a) OFFICER SEPARATION.—Except as specified in
21 this section or otherwise modified in this chapter, the pro-
22 visions of chapter 59 of this title applicable to officers of

1 a regular component shall apply to officers of the Space
2 Force.

3 “(b) Except as specified in this section or otherwise
4 modified in this chapter, the provisions of sections 1169,
5 1170, 1171, 1173, 1174(b) 1176(a) of chapter 59 of this
6 title applicable to enlisted members of a regular compo-
7 nent shall apply to enlisted members of the Space Force.

8 “(c) The provisions of section 1172 of this title per-
9 taining to a person enlisted under section 518 of this title
10 shall apply to an enlisted member of the Space Force.

11 “(d) The provisions of section 1174 of this title—

12 “(1) pertaining to a regular officer shall apply
13 to a Space Force officer serving on sustained duty;

14 “(2) pertaining to a regular enlisted member
15 shall apply to an enlisted member of the Space
16 Force serving on sustained duty; and

17 “(3) pertaining to other members shall apply to
18 members of the Space Force not serving on sus-
19 tained duty.

20 “(e) The provisions of section 1175 of this title per-
21 taining to a voluntary appointment, enlistment, or transfer
22 to a reserve component shall apply to the voluntary release
23 from active duty of a member of the Space Force on sus-
24 tained duty.

25 “(f) The provisions of section 1176 of this title—

1 “(1) pertaining to a regular enlisted member
2 shall apply to an enlisted member of the Space
3 Force serving on sustained duty; and

4 “(2) pertaining to a reserve enlisted member
5 serving in an active status shall apply to an enlisted
6 member of the Space Force serving in a space force
7 active status or on sustained duty.

8 **“§ 20402. Enlisted members: standards and qualifica-**
9 **tions for retention**

10 “(a) STANDARDS AND QUALIFICATIONS FOR RETEN-
11 TION.—The Secretary of the Air Force shall, by regula-
12 tion, prescribe—

13 “(1) standards and qualifications for the reten-
14 tion of enlisted members of the Space Force; and

15 “(2) equitable procedures for the periodic deter-
16 mination of the compliance of each such member
17 with those standards and qualifications.

18 “(b) EFFECT OF FAILURE TO COMPLY WITH STAND-
19 ARDS AND QUALIFICATIONS.—If an enlisted member serv-
20 ing in Space Force active status fails to comply with the
21 standards and qualifications prescribed under subsection
22 (a), the member shall—

23 “(1) if qualified, be transferred to Space Force
24 inactive status;

1 “(2) if qualified, be retired in accordance with
2 section 20603 of this title; or

3 “(3) have the member’s enlistment terminated.

4 **“§ 20403. Officers: standards and qualifications for re-**
5 **tention**

6 “(a) STANDARDS AND QUALIFICATIONS.—To be re-
7 tained in an active status, a Space Force officer must—

8 “(1) in any applicable yearly period, attain the
9 number of points under section 12732(a)(2) of this
10 title that are prescribed by the Secretary of the Air
11 Force; and

12 “(2) conform to such other standards and
13 qualifications as the Secretary may prescribe for of-
14 ficers of the Space Force.

15 “(b) LIMITATION ON MINIMUM NUMBER OF
16 POINTS.—The Secretary may not prescribe a minimum of
17 more than 50 points under subsection (a).

18 “(c) RESULT OF FAILURE TO COMPLY.—A Space
19 Force officer who fails to attain the number of points pre-
20 scribed under subsection (a)(1), or to conform to the
21 standards and qualifications prescribed under subsection
22 (a)(2), may be referred to a board convened under section
23 20501(a) of this title.

1 **“§ 20404. Selection of officers for early retirement or**
2 **discharge**

3 “(a) CONSIDERATION FOR EARLY RETIREMENT.—
4 The Secretary of the Air Force may convene selection
5 boards under section 20211(b) of this title to consider for
6 early retirement officers on the space force officer list as
7 follows:

8 “(1) Officers in the grade of lieutenant colonel
9 who have failed of selection for promotion at least
10 one time and whose names are not on a list of offi-
11 cers recommended for promotion.

12 “(2) Officers in the grade of colonel who have
13 served in that grade for at least two years and
14 whose names are not on a list of officers rec-
15 ommended for promotion.

16 “(3) Officers, other than those described in
17 paragraphs (1) and (2), holding a grade below the
18 grade of colonel—

19 “(A) who are eligible for retirement under
20 section 20601 of this title or who after two ad-
21 ditional years or less of active service would be
22 eligible for retirement under that section; and

23 “(B) whose names are not on a list of offi-
24 cers recommended for promotion.

25 “(b) CONSIDERATION FOR DISCHARGE.—

1 “(1) The Secretary of the Air Force may con-
2 vene selection boards under section 20211 of this
3 title to consider for discharge officers on the space
4 force officer list—

5 “(A) who have served at least one year of
6 active status in the grade currently held;

7 “(B) whose names are not on a list of offi-
8 cers recommended for promotion; and

9 “(C) who are not eligible to be retired
10 under any provision of law (other than by rea-
11 son of eligibility pursuant to section 4403 of the
12 National Defense Authorization Act for Fiscal
13 Year 1993) and are not within two years of be-
14 coming so eligible.

15 “(2) An officer who is recommended for dis-
16 charge by a selection board convened pursuant to
17 the authority of paragraph (1) and whose discharge
18 is approved by the Secretary of the Air Force shall
19 be discharged on a date specified by the Secretary.

20 “(3) Selection of officers for discharge under
21 paragraph (1) shall be based on the needs of the
22 service.

23 “(c) DISCHARGES AND RETIREMENTS CONSIDERED
24 TO BE INVOLUNTARY.—The discharge or retirement of an

1 officer pursuant to this section shall be considered to be
2 involuntary for purposes of any other provision of law.

3 **“§ 20405. Force shaping authority**

4 “(a) AUTHORITY.—The Secretary of the Air Force
5 may, solely for the purpose of restructuring the Space
6 Force—

7 “(1) discharge an officer described in sub-
8 section (b); or

9 “(2) involuntarily release such an officer from
10 sustained duty.

11 “(b) COVERED OFFICERS.—

12 “(1) The authority under this section may be
13 exercised in the case of an officer of the Space Force
14 serving on sustained duty who—

15 “(A) has completed not more than six
16 years of service as a commissioned officer in the
17 armed forces; or

18 “(B) has completed more than six years of
19 service as a commissioned officer in the armed
20 forces, but has not completed the minimum
21 service obligation applicable to that officer.

22 “(2) In this subsection, the term ‘minimum
23 service obligation’, with respect to a member of the
24 Space Force, means the initial period of required ac-
25 tive duty service applicable to the member, together

1 with any additional period of required active duty
2 service incurred by that member during the mem-
3 ber's initial period of required active duty service.

4 “(c) REGULATIONS.—The Secretary of the Air Force
5 shall prescribe regulations for the exercise of the Sec-
6 retary's authority under this section.”.

7 (b) CONFORMING AMENDMENTS.—Section 647 of
8 title 10, United States Code, is amended—

9 (1) in subsection (b), by inserting “(other than
10 an officer of the Space Force)” after “in the case of
11 an officer”;

12 (2) in subsection (c), by striking “Regular Ma-
13 rine Corps, of Regular Space Force” and inserting
14 “or Regular Marine Corps”; and

15 (3) by adding at the end the following new sub-
16 section:

17 “(e) SPACE FORCE.—For a similar provision with re-
18 spect to officers of the Space Force, see section 20405
19 of this title.”.

20 **SEC. 1719. SEPARATION OF OFFICERS FOR SUBSTANDARD**
21 **PERFORMANCE OF DUTY OR FOR CERTAIN**
22 **OTHER REASONS.**

23 Subtitle F of title 10, United States Code, as amend-
24 ed by section 1718, is further amended by adding at the
25 end the following new chapter:

1 **“CHAPTER 2011—SEPARATION OF OFFI-**
2 **CERS FOR SUBSTANDARD PERFORM-**
3 **ANCE OF DUTY OR FOR CERTAIN**
4 **OTHER REASONS**

“Sec.

“20501. Authority to establish procedures to consider the separation of officers for substandard performance of duty and for certain other reasons.

“20502. Retention boards.

“20503. Removal of officer: action by Secretary upon recommendation of retention board.

“20504. Rights and procedures.

“20505. Officer considered for removal: voluntary retirement or discharge.

“20506. Officers eligible to serve on retention boards.

5 **“§ 20501. Authority to establish procedures to con-**
6 **sider the separation of officers for sub-**
7 **standard performance of duty and for**
8 **certain other reasons**

9 “(a) PROCEDURES FOR REVIEW OF RECORD OF OF-
10 FICERS RELATING TO STANDARDS OF PERFORMANCE OF
11 DUTY.—

12 “(1) The Secretary of the Air Force shall pre-
13 scribe, by regulation, procedures for the review at
14 any time of the record of any commissioned officer
15 (other than a retired officer) of the Space Force in
16 a space force active status to determine whether the
17 officer shall be required, because of a reason stated
18 in paragraph (2), to show cause for the officer’s re-
19 tention in a space force active status.

1 “(2) The reasons referred to in paragraph (1)
2 are the following:

3 “(A) The officer’s performance of duty has
4 fallen below standards prescribed by the Sec-
5 retary of Defense.

6 “(B) The officer has failed to satisfy the
7 standards and qualifications established under
8 section 20403 of this title by the Secretary of
9 the Air Force.

10 “(b) PROCEDURES FOR REVIEW OF RECORD OF OF-
11 FICERS RELATING TO CERTAIN OTHER REASONS.—

12 “(1) The Secretary of the Air Force shall pre-
13 scribe, by regulation, procedures for the review at
14 any time of the record of any commissioned officer
15 (other than a retired officer) of the Space Force in
16 a space force active status to determine whether the
17 officer should be required, because of a reason stat-
18 ed in paragraph (2), to show cause for the officer’s
19 retention in a space force active status.

20 “(2) The reasons referred to in paragraph (1)
21 are the following:

22 “(A) Misconduct.

23 “(B) Moral or professional dereliction.

1 “(C) The officer’s retention is not clearly
2 consistent with the interests of national secu-
3 rity.

4 “(c) SECRETARY OF DEFENSE LIMITATIONS.—Regu-
5 lations prescribed by the Secretary of the Air Force under
6 this section are subject to such limitations as the Sec-
7 retary of Defense may prescribe.

8 **“§ 20502. Retention boards**

9 “(a) CONVENING OF BOARDS TO CONSIDER OFFI-
10 CERS REQUIRED TO SHOW CAUSE.—The Secretary of the
11 Air Force shall convene retention boards at such times
12 and places as the Secretary may prescribe to receive evi-
13 dence and make findings and recommendations as to
14 whether an officer who is required under section 20501
15 of this title to show cause for retention in a space force
16 active status should be retained in a space force active
17 status. Each retention board shall be composed of not less
18 than three officers having the qualifications prescribed by
19 section 20506 of this title.

20 “(b) FAIR AND IMPARTIAL HEARING.—A retention
21 board shall give a fair and impartial hearing to each offi-
22 cer required under section 20501 of this title to show
23 cause for retention in a space force active status.

1 “(c) EFFECT OF BOARD DETERMINATION THAN AN
2 OFFICER HAS FAILED TO ESTABLISH THAT THE OFFI-
3 CER SHOULD BE RETAINED.—

4 “(1) If a retention board determines that the
5 officer has failed to establish that the officer should
6 be retained in a space force active status, the board
7 shall recommend to the Secretary of the Air Force
8 one of the following:

9 “(A) That the officer be transferred to an
10 inactive status.

11 “(B) That the officer, if qualified under
12 any provision of law, be retired.

13 “(C) That the officer be discharged from
14 the Space Force.

15 “(2) Under regulations prescribed by the Sec-
16 retary of the Air Force, an officer as to whom a re-
17 tention board makes a recommendation under para-
18 graph (1) that the officer not be retained in a space
19 force active status may be required to take leave
20 pending the completion of the officer’s case under
21 this chapter. The officer may be required to begin
22 such leave at any time following the officer’s receipt
23 of the report of the retention board, including the
24 board’s recommendation for removal from a space
25 force active status, and the expiration of any period

1 allowed for submission by the officer of a rebuttal to
2 that report. The leave may be continued until the
3 date on which action by the Secretary of the Air
4 Force on the officer's case is completed or may be
5 terminated at any earlier time.

6 “(d) EFFECT OF BOARD DETERMINATION THAN AN
7 OFFICER HAS ESTABLISHED THAT THE OFFICER
8 SHOULD BE RETAINED.—

9 “(1) If a retention board determines that the
10 officer has established that the officer should be re-
11 tained in a space force active status, the officer's
12 case is closed.

13 “(2) An officer who is required to show cause
14 for retention in a space force active status under
15 subsection (a) of section 20501 of this title and who
16 is determined under paragraph (1) to have estab-
17 lished that the officer should be retained in a space
18 force active status may not again be required to
19 show cause for retention in a space force active sta-
20 tus under such subsection within the one-year period
21 beginning on the date of that determination.

22 “(3)(A) Subject to subparagraph (B), an officer
23 who is required to show cause for retention in a
24 space force active status under subsection (b) of sec-
25 tion 20501 of this title and who is determined under

1 paragraph (1) to have established that the officer
2 should be retained in a space force active status may
3 again be required to show cause for retention at any
4 time.

5 “(B) An officer who has been required to show
6 cause for retention in a space force active status
7 under subsection (b) of section 20501 of this title
8 and who is thereafter retained in an active status
9 may not again be required to show cause for reten-
10 tion in a space force active status under such sub-
11 section solely because of conduct which was the sub-
12 ject of the previous proceedings, unless the findings
13 or recommendations of the retention board that con-
14 sidered the officer’s previous case are determined to
15 have been obtained by fraud or collusion.

16 “(4) In the case of an officer described in para-
17 graph (2) or paragraph (3)(A), the retention board
18 may recommend that the officer be required to com-
19 plete additional training, professional education, or
20 such other developmental programs as may be avail-
21 able to correct any identified deficiencies and im-
22 prove the officer’s performance within the Space
23 Force.

1 **“§ 20503. Removal of officer: action by Secretary**
2 **upon recommendation of retention board**

3 “The Secretary of the Air Force may remove an offi-
4 cer from space force active status if the removal of such
5 officer from space force active status is recommended by
6 a retention board convened under section 20502 of this
7 title.

8 **“§ 20504. Rights and procedures**

9 “(a) IN GENERAL.—Under regulations prescribed by
10 the Secretary of the Air Force, each officer required under
11 section 20501 of this title to show cause for retention in
12 a space force active status—

13 “(1) shall be notified in writing, at least 30
14 days before the hearing of the officer’s case by a re-
15 tention board, of the reasons for which the officer is
16 being required to show cause for retention in a space
17 force active status;

18 “(2) shall be allowed a reasonable time, as de-
19 termined by the board, to prepare the officer’s show-
20 ing of cause for retention in a space force active sta-
21 tus;

22 “(3) shall be allowed to appear either in person
23 or through electronic means and to be represented
24 by counsel at proceedings before the board; and

25 “(4) shall be allowed full access to, and shall be
26 furnished copies of, records relevant to the officer’s

1 case, except that the board shall withhold any record
2 that the Secretary determines should be withheld in
3 the interest of national security.

4 “(b) SUMMARY OF RECORDS WITHHELD IN INTER-
5 EST OF NATIONAL SECURITY.—When a record is withheld
6 under subsection (a)(4), the officer whose case is under
7 consideration shall, to the extent that the interest of na-
8 tional security permits, be furnished a summary of the
9 record so withheld.

10 **“§ 20505. Officer considered for removal: voluntary**
11 **retirement or discharge**

12 “(a) IN GENERAL.—At any time during proceedings
13 under this chapter with respect to the removal of an offi-
14 cer from a space force active status , the Secretary of the
15 Air Force may grant a request by the officer—

16 “(1) for voluntary retirement, if the officer is
17 qualified for retirement; or

18 “(2) for discharge in accordance with sub-
19 section (b)(2).

20 “(b) RETIREMENT OR DISCHARGE.—An officer re-
21 moved from a space force active status under section
22 20503 of this title shall—

23 “(1) if eligible for voluntary retirement under
24 any provision of law on the date of such removal, be
25 retired in the grade and with the retired pay for

1 which the officer would be eligible if retired under
2 such provision; and

3 “(2) if ineligible for voluntary retirement under
4 any provision of law on the date of such removal—

5 “(A) be honorably discharged in the grade
6 then held, in the case of an officer whose case
7 was brought under subsection (a) of section
8 20501 of this title; or

9 “(B) be discharged in the grade then held,
10 in the case of an officer whose case was brought
11 under subsection (b) of section 20501 of this
12 title.

13 “(c) SEPARATION PAY FOR DISCHARGED OFFI-
14 CER.—An officer who is discharged under subsection
15 (b)(2) is entitled, if eligible therefor, to separation pay
16 under section 1174(a)(2) of this title.

17 **“§ 20506. Officers eligible to serve on retention**
18 **boards**

19 “(a) IN GENERAL.—The provisions of section 1187
20 of this title apply to the membership of boards convened
21 under this chapter in the same manner as to the member-
22 ship of boards convened under chapter 60 of this title.

23 “(b) RETIRED AIR FORCE OFFICERS.—

24 “(1) AUTHORITY.—In applying subsection (b)
25 of section 1187 of this title to a board convened

1 under this chapter, the Secretary of the Air Force
2 may appoint retired officers of the Air Force, in ad-
3 dition to retired officers of the Space Force, to com-
4 plete the membership of the board.

5 “(2) LIMITATION.—A retired officer of the Air
6 Force may be appointed to a board under paragraph
7 (1) only if the officer served in a space-related ca-
8 reer field of the Air Force for sufficient time such
9 that the Secretary of the Air Force determines that
10 the retired Air Force officer has adequate knowledge
11 concerning the standards of performance and con-
12 duct required of an officer of the Space Force.”.

13 **SEC. 1719A. RETIREMENT.**

14 (a) IN GENERAL.—Subtitle F of title 10, United
15 States Code, as amended by section 1719, is further
16 amended by adding at the end the following new chapter:

17 **“CHAPTER 2013—VOLUNTARY**
18 **RETIREMENT FOR LENGTH OF SERVICE**

“Sec.

“20601. Officers: voluntary retirement for length of service.

“20602. Officers: computation of years of service for voluntary retirement.

“20603. Enlisted members: voluntary retirement for length of service.

“20604. Enlisted members: computation of years of service for voluntary retire-
ment.

“20605. Applicability of other provisions of law relating to retirement.

19 **“§ 20601. Officers: voluntary retirement for length of**
20 **service**

21 “(a) TWENTY YEARS OR MORE.—The Secretary of
22 the Air Force may, upon the officer’s request, retire a

1 commissioned officer of the Space Force who has at least
2 20 years of service computed under section 20602 of this
3 title, at least 10 years of which have been active service
4 as a commissioned officer.

5 “(b) THIRTY YEARS OR MORE.—A commissioned of-
6 ficer of the Space Force who has at least 30 years of serv-
7 ice computed under section 20602 of this title may be re-
8 tired upon the officer’s request, in the discretion of the
9 President.

10 “(c) FORTY YEARS OR MORE.—Except as provided
11 in section 20503 of this title, a commissioned officer of
12 the Space Force who has at least 40 years of service com-
13 puted under section 20602 of this title shall be retired
14 upon the officer’s request.

15 **“§ 20602. Officers: computation of years of service for**
16 **voluntary retirement**

17 “(a) YEARS OF ACTIVE SERVICE.—For the purpose
18 of determining whether an officer of the Space Force may
19 be retired under section 20601 of this title, the officer’s
20 years of service are computed by adding all active service
21 in the armed forces.

22 “(b) REFERENCE TO SECTION EXCLUDING SERVICE
23 DURING CERTAIN PERIODS.—Section 972(b) of this title
24 excludes from computation of an officer’s years of service

1 for purposes of this section any time identified with re-
2 spect to that officer under that section.

3 **“§ 20603. Enlisted members: voluntary retirement for**
4 **length of service**

5 “(a) TWENTY TO THIRTY YEARS.—Under regula-
6 tions to be prescribed by the Secretary of the Air Force,
7 an enlisted member of the Space Force who has at least
8 20, but less than 30, years of service computed under sec-
9 tion 20604 of this title may, upon the member’s request,
10 be retired.

11 “(b) THIRTY YEARS OR MORE.—An enlisted member
12 of the Space Force who has at least 30 years of service
13 computed under section 20604 of this title shall be retired
14 upon the member’s request.

15 **“§ 20604. Enlisted members: computation of years of**
16 **service for voluntary retirement**

17 “(a) YEARS OF ACTIVE SERVICE.—For the purpose
18 of determining whether an enlisted member of the Space
19 Force may be retired under section 20603 of this title,
20 the member’s years of service are computed by adding all
21 active service in the armed forces.

22 “(b) REFERENCE TO SECTION EXCLUDING COUNT-
23 ING OF CERTAIN SERVICE REQUIRED TO BE MADE UP.—
24 Time required to be made up under section 972(a) of this

1 title may not be counted in computing years of service
2 under subsection (a).

3 **“§ 20605. Applicability of other provisions of law re-**
4 **lating to retirement**

5 “(a) APPLICABILITY TO MEMBERS OF THE SPACE
6 FORCE.—Except as specifically provided for by this chap-
7 ter, the provisions of this title specified in subsection (b)
8 apply to members of the Space Force as follows:

9 “(1) Provisions pertaining to an officer of the
10 Air Force shall apply to an officer of the Space
11 Force.

12 “(2) Provisions pertaining to an enlisted mem-
13 ber of the Air Force shall apply to an enlisted mem-
14 ber of the Space Force.

15 “(3) Provisions pertaining to a regular officer
16 shall apply to an officer who is on sustained duty in
17 the Space Force.

18 “(4) Provisions pertaining to a regular enlisted
19 member shall apply to an enlisted member who is on
20 sustained duty in the Space Force.

21 “(5) Provisions pertaining to a reserve officer
22 shall apply to an officer who is in a space force ac-
23 tive status but not on sustained duty.

24 “(6) Provisions pertaining to a reserve enlisted
25 member shall apply to an enlisted member who is in

1 a space force active status but not on sustained
2 duty.

3 “(7) Provisions pertaining to service in a reg-
4 ular component shall apply to service on sustained
5 duty.

6 “(8) Provisions pertaining to service in a re-
7 serve component shall apply to service in a space
8 force active status not on sustained duty.

9 “(9) Provisions pertaining to a member of the
10 Ready Reserve shall apply to a member of the Space
11 Force who is in a space force active status prior to
12 being ordered to active duty.

13 “(10) Provisions pertaining to a member of the
14 Retired Reserve shall apply to a member of the
15 Space Force who has retired under chapter 1223 of
16 this title.

17 “(b) PROVISIONS OF LAW.—The provisions of this
18 title referred to in subsection (a) are the following:

19 “(1) Chapter 61, relating to retirement or sepa-
20 ration for physical disability.

21 “(2) Chapter 63, relating to retirement for age.

22 “(3) Chapter 69, relating to retired grade.

23 “(4) Chapter 71, relating to computation of re-
24 tired pay.

1 “(5) Chapter 941, relating to retirement from
2 the Air Force for length of service.

3 “(6) Chapter 945, relating to computation of
4 retired pay.

5 “(7) Chapter 1223, relating to retired pay for
6 non-regular service.

7 “(8) Chapter 1225, relating to retired grade.”.

8 (b) CONFORMING AMENDMENTS.—Title 10, United
9 States Code, is amended as follows:

10 (1) RETIRED MEMBERS ORDERED TO ACTIVE
11 DUTY.—Section 688(b) is amended—

12 (A) in paragraph (1), by striking “Regular
13 Marine Corps, or Regular Space Force” and in-
14 serting “or Regular Marine Corps”; and

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

17 “(4) A retired member of the Space Force.”.

18 (2) RETIRED GRADE.—Section 9341 is amend-
19 ed—

20 (A) by striking “or the Space Force” both
21 places it appears in subsection (a);

22 (B) by striking “or a Regular or Reserve
23 of the Space Force” in subsection (b); and

24 (C) by adding at the end the following new
25 subsection:

1 “(c) SPACE FORCE.—(1) The retired grade of a com-
2 missioned officer of the Space Force who retires other
3 than for physical disability is determined under section
4 1370 or 1370a of this title, as applicable to the officer.

5 “(2) Unless entitled to a higher retired grade under
6 some other provision of law, a member of the Space Force
7 not covered by paragraph (1) who retires other than for
8 physical disability retires in the grade that the member
9 holds on the date of the member’s retirement.”.

10 (3) RETIRED GRADE OF ENLISTED MEMBERS
11 AFTER 30 YEARS OF SERVICE.—Section 9344(b)(2)
12 is amended by striking “Regular” before “Space
13 Force”.

14 (4) RETIRED LISTS.—Section 9346 is amend-
15 ed—

16 (A) in subsection (a), by striking “or the
17 Regular Space Force” and inserting “and a
18 separate retired list containing the name of
19 each retired commissioned officer of the Space
20 Force (other than an officer whose name is on
21 the list maintained under subsection (b)(2))”;

22 (B) in subsection (b)—

23 (i) by inserting “(1)” after “(b)”;

1 (ii) by redesignating paragraphs (1)
2 and (2) as subparagraphs (A) and (B), re-
3 spectively;

4 (iii) in subparagraph (A), as so redesi-
5 gnated, by striking “, or for commissioned
6 officers of the Space Force other than of
7 the Regular Space Force”;

8 (iv) in subparagraph (B), as so redesi-
9 gnated, by striking “or the Space Force”;
10 and

11 (v) by adding at the end the following
12 new paragraph:

13 “(2) The Secretary shall maintain a retired list
14 containing the name of—

15 “(A) each person entitled to retired pay
16 who as a member of the Space Force qualified
17 for retirement under section 20601 of this title;
18 and

19 “(B) each retired warrant officer or en-
20 listed member of the Space Force who is ad-
21 vanced to a commissioned grade.”;

22 (C) in subsection (c), by striking “or the
23 Space Force” and inserting “and a separate re-
24 tired list containing the name of each retired
25 warrant officer of the Space Force”; and

1 (D) in subsection (d), by striking “or the
2 Regular Space Force” and inserting “and a
3 separate retired list containing the name of
4 each retired enlisted member of the Space
5 Force”.

6 **Subtitle B—Conforming Amend-**
7 **ments Related to Space Force**
8 **Military Personnel System**

9 **SEC. 1721. AMENDMENTS TO DEPARTMENT OF THE AIR**
10 **FORCE PROVISIONS OF TITLE 10, UNITED**
11 **STATES CODE.**

12 (a) PROVISIONS RELATING TO PERSONNEL.—Part II
13 of subtitle D of title 10, United States Code, is amended
14 as follows:

15 (1) GENDER-FREE BASIS FOR ACCEPTANCE OF
16 ORIGINAL ENLISTMENTS.—

17 (A) Section 9132 by striking “Regular”
18 before “Space Force”.

19 (B) The heading of such section is amend-
20 ed by striking the fifth word.

21 (2) REENLISTMENT AFTER SERVICE AS AN OF-
22 FICER.—

23 (A) Section 9138(a) is amended by strik-
24 ing “Regular” before “Space Force” both
25 places it appears.

1 (B) The heading of section 9138 is amend-
2 ed by striking the fifth word.

3 (3) WARRANT OFFICERS: ORIGINAL APPOINT-
4 MENT; QUALIFICATIONS.—Section 9160 is amended
5 by striking “Regular” before “Space Force”.

6 (4) SERVICE AS AN OFFICER TO BE COUNTED
7 AS ENLISTED SERVICE.—Section 9252 is amended
8 by striking “Regular” before “Space Force”.

9 (5) CHAPTER HEADING.—

10 (A) The heading of chapter 915 is amend-
11 ed to read as follows:

12 **“CHAPTER 915—APPOINTMENTS IN THE**
13 **REGULAR AIR FORCE AND IN THE**
14 **SPACE FORCE”.**

15 (B) The tables of chapters at the begin-
16 ning of subtitle D, and at the beginning of part
17 II of subtitle D of such title, are each amended
18 by striking the item relating to chapter 915 and
19 inserting the following new item:

“915. Appointments in the Regular Air Force and in the Space Force 9151”.

20 (b) PROVISIONS RELATING TO TRAINING GEN-
21 ERALLY.—Section 9401 of such title is amended—

22 (1) in subsection (b)—

23 (A) by striking “or the Regular Space
24 Force” after “Regular Air Force”; and

1 (B) by inserting “or one of the Space
2 Force in a space force active status not on sus-
3 tained duty,” after “on the active-duty list,”;

4 (2) in subsection (c)—

5 (A) by striking “or Reserve of the Space
6 Force” and inserting “or member of the Space
7 Force in a space force active status not on sus-
8 tained duty”; and

9 (B) by striking “the Reserve’s consent”
10 and inserting “the member’s consent”; and

11 (3) in subsection (f)—

12 (A) by striking “the Regular Space Force”
13 and inserting “of Space Force members on sus-
14 tained duty”; and

15 (B) by striking “the Space Force Reserve”
16 and inserting “of Space Force members in an
17 active status not on sustained duty”.

18 (c) PROVISIONS RELATING TO THE AIR FORCE
19 ACADEMY.—Chapter 953 of such title is amended as fol-
20 lows:

21 (1) PERMANENT PROFESSORS; DIRECTOR OF
22 ADMISSIONS.—Section 9436 is amended—

23 (A) in subsection (a)—

24 (i) by striking “the equivalent grade
25 in” both places it appears;

1 (ii) by inserting “or the Space Force”
2 after “Regular Air Force” the first place it
3 appears;

4 (iii) by striking “and a permanent”
5 and all that follows through “in the Reg-
6 ular Air Force”; and

7 (B) in subsection (b)—

8 (i) by striking “the equivalent grade
9 in” both places it appears and inserting
10 “the grade of lieutenant colonel in”; and

11 (ii) by striking “Regular Space Force
12 has the grade equivalent to the grade of
13 colonel in the Regular Air Force” and in-
14 serting “Space Force has the grade of
15 colonel in the Space Force”.

16 (2) APPOINTMENT OF CADETS.—Section
17 9442(b) is amended—

18 (A) in paragraph (1)(C), by inserting “, or
19 the Space Force,” after “members of reserve
20 components”; and

21 (B) in paragraph (2), by striking “Reg-
22 ular” before “Space Force”.

23 (3) AGREEMENT OF CADETS TO SERVE AS OF-
24 FICERS.—Section 9448(a) is amended—

1 (A) in paragraph (2)(A), by striking “Reg-
2 ular” before “Space Force”; and

3 (B) in paragraph (3)—

4 (i) in the matter preceding subpara-
5 graph (A), by inserting “, or to terminate
6 the officer’s order to sustained duty in the
7 Space Force” after “resign as a regular of-
8 ficer”;

9 (ii) in subparagraph (A), by striking
10 “or as a Reserve in the Space Force for
11 service in the Space Force Reserve” and
12 inserting “or will accept further assign-
13 ment in a space force active status”; and

14 (iii) in subparagraph (B), by inserting
15 “, or the Space Force,” after “that reserve
16 component”.

17 (4) HAZING.—Section 9452(c) is amended by
18 striking “Marine Corps, or Space Force,” and in-
19 serting, “or Marine Corps, or in the Space Force,”.

20 (5) COMMISSION UPON GRADUATION.—Section
21 9453(b) is amended—

22 (A) by striking “or in the equivalent grade
23 in the Regular Space Force”; and

1 (B) by inserting before the period the fol-
2 lowing: “or a second lieutenant in the Space
3 Force under section 531 or 20201 of this title”.

4 (d) PROVISIONS RELATING TO SCHOOLS AND
5 CAMPS.—Chapter 957 of such title is amended as follows:

6 (1) PURPOSE.—Section 9481 is amended—

7 (A) by striking “to qualify them for ap-
8 pointment” and inserting “to qualify them
9 for—

10 “(1) appointment”;

11 (B) by striking “or the Space Force Re-
12 serve.” and inserting “; or”; and

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

15 “(2) appointment as officers, or enlistment as
16 noncommissioned officers, for service in the Space
17 Force in a space force active status.”.

18 (2) OPERATION.—Section 9482(4) is amended
19 by striking “or the Regular Space Force” and in-
20 serting “or members of the Space Force in an active
21 status”.

1 **SEC. 1722. AMENDMENTS TO SUBTITLE A OF TITLE 10,**
2 **UNITED STATES CODE.**

3 (a) PROVISIONS RELATING TO ORGANIZATION AND
4 GENERAL MILITARY POWERS.—Part I of subtitle A of
5 title 10, United States Code, is amended as follows:

6 (1) ANNUAL DEFENSE MANPOWER REPORT.—
7 Section 115a(d)(3)(F) is amended by inserting be-
8 fore the period the following: “or, in the case of the
9 Space Force, officers ordered to active duty other
10 than under section 20105(b) of this title”.

11 (2) SUSPENSION OF END-STRENGTH AND
12 OTHER STRENGTH LIMITATIONS IN TIME OF WAR OR
13 NATIONAL EMERGENCY.—Section 123a(a)(2) is
14 amended by inserting “or the Space Force” after “a
15 reserve component”.

16 (3) DEPUTY COMMANDER OF USNORTHCOM.—
17 Section 164(e)(4) is amended—

18 (A) by inserting “(A)” after “(4)”;

19 (B) by striking “shall be a” and all that
20 follows and inserting “shall be—

21 “(i) a qualified officer of a reserve component
22 who is eligible for promotion to the grade of lieuten-
23 ant general or, in the case of the Navy, vice admiral;
24 or

25 “(ii) a qualified officer of the Space Force
26 whose prior service includes service in a space force

1 active status other than sustained duty and who is
2 eligible for promotion to the grade of lieutenant gen-
3 eral.”; and

4 (C) by adding at the end the following new
5 subparagraph:

6 “(B) The requirement in subparagraph (A) does not
7 apply when the officer serving as commander of the com-
8 batant command described in that subparagraph is (i) a
9 reserve component officer, or (ii) an officer of the Space
10 Force whose prior service includes service in a space force
11 active status other than sustained duty.”.

12 (4) READINESS REPORTS.—Section 482(a) is
13 amended by inserting “and the Space Force” after
14 “active and reserve components” in paragraphs (1)
15 and (2).

16 (b) DOPMA OFFICER PERSONNEL PROVISIONS.—
17 Chapter 36 of such title is amended as follows:

18 (1) NONDISCLOSURE OF BOARD PRO-
19 CEEDINGS.—Section 613a is amended by striking
20 “573, 611, or 628” and inserting “573, 611, 628,
21 or 20211” in subsections (a) and (c).

22 (2) INFORMATION FURNISHED TO SELECTION
23 BOARDS.—Section 615(a) is amended—

24 (A) in paragraph (1), by inserting “or
25 20211” after “section 611(a)”; and

1 (B) in paragraph (3)—

2 (i) in subparagraph (B), by striking
3 “regular officer” and all that follows and
4 inserting “regular officer or an officer in
5 the Space Force, a grade above captain or,
6 in the case of the Navy, lieutenant.”; and

7 (ii) in subparagraph (D)—

8 (I) by striking “major general,”
9 and inserting “major general or”; and

10 (II) by striking “or, in the case
11 of the Space Force, the equivalent
12 grade,”.

13 (3) ELIGIBILITY FOR CONSIDERATION FOR PRO-
14 MOTION: TIME-IN-GRADE AND OTHER REQUIRE-
15 MENTS.—Section 619(a) is amended by striking
16 “Marine Corps, or Space Force” each place it ap-
17 pears and inserting “or Marine Corps”.

18 (4) AUTHORITY TO VACATE PROMOTIONS TO
19 GRADES OF BRIGADIER GENERAL AND REAR ADMI-
20 RAL (LOWER HALF).—Section 625(b) is amended by
21 striking “Marine Corps, or Space Force” and insert-
22 ing “or Marine Corps”.

23 (5) SPECIAL SELECTION REVIEW BOARD.—Sec-
24 tion 628a is amended—

25 (A) in subsection (a)(1)(A)—

1 (i) by striking “major general,” and
2 inserting “major general or”;

3 (ii) by striking “, or an equivalent
4 grade in the Space Force”;

5 (B) in subsection (e)(2), by adding at the
6 end the following new sentence: “However, in
7 the case of an officer on the Space Force officer
8 list, the provisions of sections 618, 20215, and
9 20216 of this title apply to the report and pro-
10 ceedings of a special selection review board con-
11 vened under this section in the same manner as
12 they apply to report and proceedings of a pro-
13 motion board convened under section 20211 of
14 this title.”, and

15 (C) in subsection (f)(1), by adding at the
16 end the following new sentence: “However, if
17 the report of a special selection review board
18 convened under this section recommends the
19 sustainment of the recommendation for pro-
20 motion to the next higher grade of an officer on
21 the Space Force officer list who was referred to
22 it for review under this section, and the Presi-
23 dent approves the report, the officer shall, as
24 soon as practicable, be appointed to the grade

1 in accordance with subsections (b) and (c) of
2 section 20251 of this title.”.

3 (6) RETIREMENT FOR YEARS OF SERVICE.—

4 (A) LIEUTENANT COLONELS.—Section
5 633(a) is amended—

6 (i) by inserting “(1)” before “Except
7 as”;

8 (ii) by striking “Regular Marine
9 Corps, or Regular Space Force” and in-
10 sserting “or Regular Marine Corps”; and

11 (iii) by adding at the end the fol-
12 lowing new paragraph:

13 “(2) Except as provided under section 637(b) or 637a
14 of this title, each officer of the Space Force who holds
15 the grade of lieutenant colonel who is not on a list of offi-
16 cers recommended for promotion to the grade of colonel
17 shall, if not earlier retired, be retired on the first day of
18 the month after the month in which the officer completes
19 28 years of active commissioned service.”.

20 (B) COLONELS.—Section 634(a) is amend-
21 ed—

22 (i) by inserting “(1)” before “Except
23 as”;

1 (ii) by striking “Regular Marine
2 Corps, or Regular Space Force” and in-
3 serting “or Regular Marine Corps”; and

4 (iii) by adding at the end the fol-
5 lowing new paragraph:

6 “(2) Except as provided under section 637(b) or 637a
7 of this title, each officer of the Space Force who holds
8 the grade of colonel who is not on a list of officers rec-
9 ommended for promotion to the grade of brigadier general
10 shall, if not earlier retired, be retired on the first day of
11 the month after the month in which the officer completes
12 30 years of active commissioned service.”.

13 (C) BRIGADIER GENERALS.—Section 635
14 is amended—

15 (i) by inserting “(a) ARMY, NAVY, AIR
16 FORCE, AND MARINE CORPS.—” before
17 “Except as”;

18 (ii) by striking “Regular Marine
19 Corps, or Regular Space Force” and in-
20 serting “or Regular Marine Corps”; and

21 (iii) by adding at the end the fol-
22 lowing new subsection:

23 “(b) SPACE FORCE.—Except as provided under sec-
24 tion 637(b) or 637a of this title, each officer of the Space
25 Force who holds the grade of brigadier general who is not

1 on a list of officers recommended for promotion to the
2 grade of major general shall, if not earlier retired, be re-
3 tired as specified in subsection (a).”.

4 (D) OFFICERS IN GRADES ABOVE BRIGA-
5 DIER GENERAL.—Section 636(a) is amended—

6 (i) by inserting “(1)” before “Except
7 as”;

8 (ii) by striking “Regular Marine
9 Corps, or Regular Space Force” and in-
10 sserting “or Regular Marine Corps”; and

11 (iii) by adding at the end the fol-
12 lowing new paragraph:

13 “(2) Except as provided in subsection (b) or (c) and
14 under section 637(b) or 637a of this title, each officer of
15 the Space Force who holds the grade of major general
16 shall, if not earlier retired, be retired as specified in para-
17 graph (1).”.

18 (E) SECTION HEADINGS.—

19 (i) The heading of section 633 is
20 amended by striking “**lieutenant colo-**
21 **nels and**” and inserting “**and Space**
22 **Force lieutenant colonels; regular**
23 **Navy**”.

24 (ii) The heading of section 634 is
25 amended by striking “**colonels and**”

1 and inserting “**and Space Force colo-**
2 **nels; regular**”.

3 (iii) The heading of section 635 is
4 amended by striking “**brigadier gen-**
5 **erals and**” and inserting “**and Space**
6 **Force brigadier generals; regular**
7 **Navy**”.

8 (iv) The heading of section 636 is
9 amended by striking “**officers in**
10 **grades above brigadier general**
11 **and**” and inserting “**and Space Force**
12 **officers in grades above brigadier**
13 **general; regular Navy officers in**
14 **grades above**”.

15 (c) MANAGEMENT POLICIES FOR JOINT QUALIFIED
16 OFFICERS.—Section 661(a) of such title is amended—

17 (1) by striking “Marine Corps, and Space
18 Force” and inserting “and Marine Corps”; and

19 (2) by inserting “, and officers of the Space
20 Force on the Space Force officer list,” after “active-
21 duty list”.

22 (d) LEAVE.—Chapter 40 of such title is amended as
23 follows:

24 (1) ENTITLEMENT AND ACCUMULATION.—Sec-
25 tion 701 is amended—

1 (A) in subsection (h)—

2 (i) by inserting at the end of para-
3 graph (2) the following new subparagraph:

4 “(D) A member of the Space Force in a space
5 force active status, not on sustained duty.”; and

6 (ii) in paragraphs (5)(B) and (6), by
7 inserting “, or of the Space Force,” after
8 “member of a reserve component”; and

9 (B) in subsection (i), by inserting “, or of
10 the Space Force,” after “member of a reserve
11 component”.

12 (2) PAYMENT UPON DISAPPROVAL OF CERTAIN
13 BOARD OF INQUIRY RECOMMENDATIONS FOR EXCESS
14 LEAVE REQUIRED TO BE TAKEN.—Section
15 707a(a)(1) is amended by inserting “or 20503”
16 after “section 1182(c)(2)”.

17 (3) CAREER FLEXIBILITY TO ENHANCE RETEN-
18 TION OF MEMBERS.—Section 710 is amended—

19 (A) in subsection (a), by inserting “or of
20 the Space Force” after “regular components”;

21 (B) in subsection (b)(2), by inserting “, or
22 a Space Force officer in a space force active
23 status not on active duty under section
24 20105(b) of this title,” after “officer”;

1 (C) in subsection (c)(1), by inserting be-
2 fore the period at the end the following: “or, in
3 the case of a member of the Space Force on
4 sustained duty, to accept release from sustained
5 duty orders and to serve in a space force active
6 status”; and

7 (D) in subsection (g)(1)(A), by striking
8 “chapter 36 or 1405” and inserting “chapter
9 36, 1405, or 2005”.

10 (e) LIMITATION ON NUMBER OF OFFICES WHO MAY
11 BE FROCKED TO A HIGHER GRADE.—Section 777(d)(2)
12 of such title is amended by inserting “, or for the Space
13 Force, the Space Force officer list,” after “active-duty
14 list”.

15 (f) UNIFORM CODE OF MILITARY JUSTICE.—Chapter
16 47 of such title (the Uniform Code of Military Justice),
17 is amended as follows:

18 (1) PERSONS SUBJECT TO UCMJ.—Section 802
19 (article 2) is amended—

20 (A) in subsection (a)—

21 (i) in paragraph (1), by inserting
22 “and members of the Space Force on ac-
23 tive duty under section 20105 of this
24 title,” after “regular component of the
25 armed forces,”;

1 (ii) in paragraph (3)(A)(i), by insert-
2 ing “or the Space Force” after “reserve
3 component”;

4 (iii) in paragraph (5), by inserting “,
5 or retired members of the Space Force who
6 qualified for a non-regular retirement and
7 are receiving retired pay,” after “a reserve
8 component”; and

9 (iv) by adding at the end the following
10 new paragraph:

11 “(14) Retired members of the Space Force who
12 qualified for a regular retirement under section
13 20603 of this title and are receiving retired pay.”;
14 and

15 (B) in subsection (d)—

16 (i) in paragraph (1), by inserting “or
17 the Space Force” after “reserve compo-
18 nent”;

19 (ii) in paragraph (2), by inserting “or
20 the Space Force” after “a reserve compo-
21 nent”; and

22 (iii) in paragraph (4), by inserting “or
23 the Space Force” after “in a regular com-
24 ponent of the armed forces”.

1 (2) JURISDICTION TO TRY CERTAIN PER-
2 SONNEL.—Subsection (d) of section 803 (article 3)
3 is amended by inserting, “or the Space Force” after
4 “reserve component”.

5 (3) ARTICLES TO BE EXPLAINED.—Section 937
6 (article 137) is amended—

7 (A) in subsection (a)(1)—

8 (i) by striking “or” at the end of sub-
9 paragraph (A);

10 (ii) by striking the period at the end
11 of subparagraph (B) and inserting “; or”;
12 and

13 (iii) by adding at the end the fol-
14 lowing new subparagraph:

15 “(C) the member’s initial entrance on active
16 duty or into a space force active status.”;

17 (B) in subsection (a)(2)—

18 (i) by striking “and” at the end of
19 subparagraph (A);

20 (ii) by redesignating subparagraph
21 (B) as subparagraph (C); and

22 (iii) by inserting after subparagraph
23 (A) the following new subparagraph:

24 “(B) after a member of Space Force has com-
25 pleted six months of sustained duty or in the case

1 of a member not on sustained duty, after the mem-
2 ber has completed basic or recruit training; and”;

3 (C) in subsection (b)(1)(B), by inserting
4 “or the Space Force” after “in a reserve com-
5 ponent”; and

6 (D) in subsection (d), by striking “or to a
7 member of a reserve component,” and inserting
8 “, to a member of a reserve component, or to
9 a member of the Space Force,”.

10 (f) RESTRICTION ON PERFORMANCE OF CIVIL FUNC-
11 TIONS BY OFFICERS ON ACTIVE DUTY.—Section
12 973(b)(1) of such title 10 is amended—

13 (1) by striking “and” at the end of subpara-
14 graph (B);

15 (2) by striking the period at the end of sub-
16 paragraph (C) and inserting “; and”; and

17 (3) by adding at the end the following new sub-
18 paragraph:

19 “(D) to an officer on the Space Force officer
20 list serving on active duty under section 20105(b) of
21 this title or under a call or order to active duty for
22 a period in excess of 270 days.”.

23 (h) USE OF COMMISSARY STORES AND MWR RETAIL
24 FACILITIES.—Section 1063 of such title is amended—

25 (1) in subsection (c)—

1 (A) in the heading, by inserting “AND
2 SPACE FORCE” after “RESERVE”; and

3 (B) by inserting “or the Space Force”
4 after “reserve component”;

5 (2) by redesignating subsections (d) and (e) as
6 subsections (e) and (f), respectively;

7 (3) by inserting after subsection (c) the fol-
8 lowing new subsection (d):

9 “(d) MEMBERS OF THE SPACE FORCE.—A member
10 of the Space Force in a space force active status who is
11 not on sustained duty shall be permitted to use com-
12 missary stores and MWR retail facilities under the same
13 conditions as specified in subsection (a) for a member of
14 the Selected Reserve.”; and

15 (4) in subsection (e), as redesignated by para-
16 graph (2), by striking “subsection (a) or (b)” in
17 paragraph (1) and inserting “subsection (a), (b), or
18 (d)”.

19 (i) MEMBERS INVOLUNTARY SEPARATED.—

20 (1) ELIGIBILITY FOR CERTAIN BENEFITS AND
21 SERVICES.—Section 1141 of such title is amended—

22 (A) by striking “and” at the end of para-
23 graph (3);

24 (B) by striking the period at the end of
25 paragraph (4) and inserting a semicolon; and

1 (C) by adding at the end the following new
2 paragraphs:

3 “(5) in the case of an officer of the Space
4 Force (other than a retired officer), the officer is in-
5 voluntarily discharged or released from active duty
6 under other than adverse conditions, as character-
7 ized by the Secretary of the Air Force; and

8 “(6) in the case of an enlisted member of the
9 Space Force, the member is—

10 “(A) denied reenlistment; or

11 “(B) involuntarily discharged or released
12 from active duty under other than adverse con-
13 ditions, as characterized by the Secretary of the
14 Air Force.”.

15 (2) SEPARATION PAY.—Section 1174(a)(2) of
16 such title is amended by striking “, Marine Corps,
17 or Space Force” both places it appears and inserting
18 “or Marine Corps”.

19 (j) BOARDS FOR THE CORRECTION OF MILITARY
20 RECORDS.—Chapter 79 of such title is amended as fol-
21 lows:

22 (1) REVIEW OF ACTIONS OF SELECTION
23 BOARDS AND CORRECTION OF MILITARY RECORDS.—
24 Section 1558 is amended—

1 (A) inserting “, or the Space Force,” after
2 “reserve component” each place it appears; and

3 (B) in subsection (b)—

4 (i) in paragraph (1)(C), by striking
5 “section 628 or 14502” and inserting
6 “section 628, 14502, or 20252”;

7 (ii) in paragraph (2)(A), by striking
8 “or 14705” and inserting “14507, or
9 20403”; and

10 (iii) in paragraph (2)(B)(i), by strik-
11 ing “or 14101(a)” and inserting
12 “14101(a), or 20211”.

13 (2) TITLE OF AIR FORCE SERVICE REVIEW
14 AGENCY.—

15 (A) Sections 1555(c)(3) and 1557(f)(3)
16 are amended by inserting “the Department of”
17 after “Air Force,”.

18 (B) Section 1556(a) is amended by insert-
19 ing “the Department of” after “the Army Re-
20 view Boards Agency,”.

21 (C) Section 1559(c)(3) is amended by in-
22 serting “the Department of the” after “Air
23 Force,”.

24 (k) MILITARY FAMILY PROGRAMS.—Chapter 88 of
25 such title is amended as follows:

1 (1) MEMBERS OF DEPARTMENT OF DEFENSE
2 MILITARY READINESS COUNCIL.—Section
3 1781a(b)(1)(B)(iii) is amended—

4 (A) by striking “member and” and insert-
5 ing “member,”; and

6 (B) by inserting “, and one of whom shall
7 be the spouse or parent of a member of the
8 Space Force” after “parent of a reserve compo-
9 nent member”.

10 (2) DEPARTMENT OF DEFENSE POLICY AND
11 PLANS FOR MILITARY FAMILY READINESS.—Section
12 1781b is amended—

13 (A) in subsection (b)(3), by striking “mili-
14 tary families of members of the regular compo-
15 nents and military families of members of the
16 reserve components” and inserting “military
17 families of members of the regular components,
18 the reserve components, and the Space Force”;
19 and

20 (B) in subsection (c)(2)—

21 (i) by striking “both”; and

22 (ii) by striking “military families of
23 members of the regular components and
24 military families of members of the reserve
25 components” and inserting “military fami-

1 lies of members of the regular components,
2 members of the reserve components, and
3 members of the Space Force”.

4 (1) TRAINING AND EDUCATION PROGRAMS.—

5 (1) PAYMENT OF TUITION FOR OFF-DUTY
6 TRAINING OR EDUCATION.—Section 2007 of such
7 title is amended by adding at the end the following
8 new subsection:

9 “(g) The provisions of this section pertaining to mem-
10 bers of the Ready Reserve, the Selected Reserve, or the
11 Individual Ready Reserve also apply to members of the
12 Space Force in a space force active status who are not
13 on active duty.”.

14 (2) ROTC FINANCIAL ASSISTANT PROGRAM FOR
15 SPECIALLY SELECTED MEMBERS.—Section 2107 of
16 such title is amended—

17 (A) in subsection (a)—

18 (i) by striking “Navy,” and inserting
19 “Navy or”; and

20 (ii) by striking “or as an officer in the
21 equivalent grade in the Space Force”; and

22 (B) by adding at the end the following a
23 new subsection:

24 “(k) APPLICABILITY TO SPACE FORCE.—(1) Provi-
25 sions of this section referring to a regular commission,

1 regular officer, or a commission in a regular component
2 shall be treated as also referring to the commission of an
3 officer, or an officer, who is a commissioned officer in the
4 Space Force serving on active duty pursuant to section
5 20105(b) of this title.

6 “(2) Provisions of this section referring to a reserve
7 commission, reserve officer, or a commission in a reserve
8 component shall be treated as also referring to the com-
9 mission of an officer, or an officer, who is a commissioned
10 officer in the Space Force not serving on active duty pur-
11 suant to section 20105(b) of this title.”.

12 (3) DUTY AS ROTC ADMINISTRATORS AND IN-
13 STRUCTORS.—Section 2111 of such title is amended
14 by adding at the end the following new sentence:
15 “The Secretary of the Air Force may detail mem-
16 bers of the Space Force in the same manner as reg-
17 ular and reserve members of the Air Force.”.

18 **SEC. 1723. TITLE 38, UNITED STATES CODE (VETERANS’**
19 **BENEFITS).**

20 (a) DEFINITIONS.—

21 (1) GENERAL DEFINITIONS.—Section 101 of
22 title 38, United States Code, is amended—

23 (A) in paragraph (23), by inserting “, or
24 for members of the Space Force in a space
25 force active status (as defined in section

1 101(e)(1) of title 10),” in subparagraphs (A)
2 and (B) after “(including commissioned officers
3 of the Reserve Corps of the Public Health Serv-
4 ice)”; and

5 (B) in paragraph (27)—

6 (i) by striking subparagraph (E); and

7 (ii) by redesignating subparagraphs
8 (F), (G), and (H) as subparagraphs (E),
9 (F), and (G), respectively.

10 (2) DEFINITIONS FOR PURPOSES OF SGLI.—

11 Section 1965 of such title is amended—

12 (A) in paragraph (2)(A), by inserting “, or
13 by members of the Space Force in a space force
14 active status (as defined in section 101(e)(1) of
15 title 10) but not on sustained duty under sec-
16 tion 20105 of title 10,” after “for Reserves”;
17 and

18 (B) in paragraph (3)(A), by inserting “, or
19 for members of the Space Force in a space
20 force active status (as defined in section
21 101(e)(1) of title 10),” after “(including com-
22 missioned officers of the Reserve Corps of the
23 Public Health Service)”.

24 (b) PERSONS ELIGIBLE FOR INTERMENT IN NA-
25 TIONAL CEMETERIES.—Section 2402(a) of such title is

1 amended in paragraph (2), by inserting “ any member of
2 the Space Force,” after “a Reserve component of the
3 Armed Forces,”.

4 (c) EDUCATIONAL ASSISTANCE.—

5 (1) MONTGOMERY GI BILL.—Section
6 3011(a)(3)(D) of such title is amended by inserting
7 “or for further service in the Space Force in a space
8 force active status not on sustained duty under sec-
9 tion 20105 of title 10” after “of the Armed
10 Forces,”.

11 (2) POST 9-11 GI BILL.—Section 3311(c)(3) of
12 such title is amended by inserting “, or for further
13 service in the Space Force in a space force active
14 status not on sustained duty under section 20105 of
15 title 10,” after “of the Armed Forces” the second
16 place it appears.

17 **Subtitle C—Transition Provisions**

18 **SEC. 1731. TRANSITION PERIOD.**

19 In this subtitle, the term “transition period” means
20 the period beginning on the date of the enactment of this
21 Act and ending on the last day of the fourth fiscal year
22 beginning after the date of the enactment of this Act.

23 **SEC. 1732. CHANGE OF DUTY STATUS OF MEMBERS OF THE** 24 **SPACE FORCE.**

25 (a) CHANGE OF DUTY STATUS.—

1 (1) CONVERSION OF STATUS AND ORDER TO
2 SUSTAINED DUTY.—During the transition period,
3 the Secretary of the Air Force shall change the duty
4 status of each member of the Regular Space Force
5 to space force active status and shall, at the same
6 time, order the member to sustained duty under sec-
7 tion 20105 of title 10, United States Code, as added
8 by section 1715. Any such order may be made with-
9 out regard to any otherwise applicable requirement
10 that such an order be made only with the consent
11 of the member or as specified in an enlistment
12 agreement or active-duty service commitment.

13 (2) DEFINITIONS.—For purposes of this sec-
14 tion, the terms “space force active status” and “sus-
15 tained duty” have the meanings given those terms
16 by subsection (e) of section 101 of title 10, United
17 States Code, as added by section 1713(a).

18 (b) EFFECTIVE DATE OF CHANGE OF DUTY STA-
19 TUS.—The change of a member’s duty status and order
20 to sustained duty in accordance with subsection (a) shall
21 be effective on the date specified by the Secretary of the
22 Air Force, but not later than the last day of the transition
23 period.

1 **SEC. 1733. TRANSFER TO THE SPACE FORCE OF MEMBERS**
2 **OF THE RESERVE COMPONENTS OF THE AIR**
3 **FORCE.**

4 (a) TRANSFER OF MEMBERS.—

5 (1) OFFICERS.—During the transition period,
6 the Secretary of Defense may, with the officer's con-
7 sent, transfer a covered officer of a reserve compo-
8 nent of the Air Force to, and appoint the officer in,
9 the Space Force.

10 (2) ENLISTED MEMBERS.—During the transi-
11 tion period, the Secretary of the Air Force may
12 transfer each covered enlisted member of a reserve
13 component of the Air Force to the Space Force,
14 other than those members who do not consent to the
15 transfer.

16 (3) EFFECTIVE DATE OF TRANSFERS.—Each
17 transfer under this subsection shall be effective on
18 the date specified by the Secretary of Defense, in the
19 case of an officer, or the Secretary of the Air Force,
20 in the case of an enlisted member, but not later than
21 the last day of the transition period.

22 (b) REGULATIONS.—Transfers under subsection (a)
23 shall be carried out under regulations prescribed by the
24 Secretary of Defense. In the case of an officer, applicable
25 regulations shall include those prescribed pursuant to sec-
26 tion 716 of title 10, United States Code.

1 (c) TERM OF INITIAL ENLISTMENT IN SPACE
2 FORCE.—In the case of a covered enlisted member who
3 is transferred to the Space Force in accordance with sub-
4 section (a), the Secretary of the Air Force may accept the
5 initial enlistment of the member in the Space Force for
6 a period of less than 2 years, but only if the period of
7 enlistment in the Space Force is not less than the period
8 remaining, as of the date of the transfer, in the member's
9 term of enlistment in a reserve component of the Air
10 Force.

11 (d) END STRENGTH ADJUSTMENTS UPON TRANS-
12 FERS FROM RESERVE COMPONENTS OF THE AIR
13 FORCE.—During the transition period, upon the transfer
14 of a mission of the Air Force Reserve to the Space
15 Force—

16 (1) the end strength authorized for the Space
17 Force pursuant to section 115(a)(1)(A) of title 10,
18 United States Code, for the fiscal year during which
19 the transfer occurs shall be increased by the number
20 of billets associated with that mission; and

21 (2) the end strength authorized for the reserve
22 components of the Air Force pursuant to section
23 115(a)(2) of such title for such fiscal year shall be
24 decreased by the same number.

1 (e) ADMINISTRATIVE PROVISIONS.—For purposes of
2 the transfer of covered members of the Air Force Reserve
3 in accordance with subsection (a)—

4 (1) the Air Force Reserve, the Air National
5 Guard, and the Space Force shall be considered to
6 be components of the same Armed Force; and

7 (2) the Space Force officer list shall be consid-
8 ered to be an active-duty list of an Armed Force.

9 (f) RETRAINING AND REASSIGNMENT FOR MEMBERS
10 NOT TRANSFERRING.—If a covered member of a reserve
11 component of the Air Force does not consent to transfer
12 to the Space Force in accordance with subsection (a), the
13 Secretary of the Air Force may, as determined appropriate
14 by the Secretary in the case of the individual member, pro-
15 vide the member retraining and reassignment within a re-
16 serve component of the Air Force.

17 (g) COVERED DEFINED.—For purposes of this sec-
18 tion, the term “covered”, with respect to a member of a
19 reserve component of the Air Force, means—

20 (1) a member who, as of the date of the enact-
21 ment of this Act, holds an Air Force specialty code
22 for a specialty held by members of the Space Force;
23 and

1 members of the Space Force pursuant to section 1742 and
2 certification by the Secretary of the Air Force to the con-
3 gressional defense committees that there are no longer any
4 members of the Regular Space Force.

5 (b) PUBLICATION OF NOTICE IN FEDERAL REG-
6 ISTER.—The Secretary shall publish in the Federal Reg-
7 ister notice of the disestablishment of the Regular Space
8 Force, including the date thereof, together with any cer-
9 tification submitted pursuant to subsection (a).

10 (c) CONFORMING REPEAL.—

11 (1) REPEAL.—Section 9085 of title 10, United
12 States Code, relating to the composition of the Reg-
13 ular Space Force, is repealed.

14 (2) EFFECTIVE DATE.—The amendment made
15 by this subsection shall take effect on the date on
16 which the certification is submitted under subsection
17 (a).

18 **SEC. 1736. END STRENGTH FLEXIBILITY.**

19 (a) ADDITIONAL AUTHORITY TO VARY END
20 STRENGTHS.—

21 (1) AUTHORITY.—Notwithstanding section
22 115(g) of title 10, United States Code, upon deter-
23 mination by the Secretary of the Air Force that such
24 action would enhance manning and readiness in es-
25 sential units or in critical specialties, the Secretary

1 may vary the end strength authorized by Congress
2 for a fiscal year as follows:

3 (A) Increase the end strength authorized
4 pursuant to section 115(a)(1)(A) of such title
5 for a fiscal year for the Space Force by a num-
6 ber equal to not more than 5 percent of such
7 authorized end strength.

8 (B) Decrease the end strength authorized
9 pursuant to section 115(a)(1)(A) of such title
10 for a fiscal year for the Space Force by a num-
11 ber equal to not more than 10 percent of such
12 authorized end strength.

13 (2) TERMINATION.—The authority provided
14 under paragraph (1) shall terminate on the last day
15 of the transition period.

16 (b) TEMPORARY EXEMPTION FOR THE SPACE FORCE
17 FROM END STRENGTH GRADE RESTRICTIONS.—Sections
18 517 and 523 of title 10, United States Code, shall not
19 apply to the Space Force during the transition period.

20 **SEC. 1737. PROMOTION AUTHORITY FLEXIBILITY.**

21 (a) PROMOTION AUTHORITY FLEXIBILITY.—During
22 the transition period, the Secretary of the Air Force may
23 convene selection boards to consider officers on the space
24 force officer list for promotion, and may promote Space
25 Force officers selected by such boards, in accordance with

1 any of the following provisions of title 10, United States
2 Code:

3 (1) Chapter 36.

4 (2) Part III of subtitle E.

5 (3) Chapter 2005, as added by section 1716.

6 (b) COORDINATION OF PROVISIONS.—

7 (1) For a selection board convened pursuant to
8 subsection (a) to consider members of the Space
9 Force for promotion in accordance with chapter 36
10 of such title—

11 (A) provisions that apply to an officer of a
12 regular component of the Armed Forces shall
13 apply to an officer of the Space Force; and

14 (B) the space force officer list shall be con-
15 sidered to be an active-duty list.

16 (2) For a selection board convened pursuant to
17 pursuant to subsection (a) to consider members of
18 the Space Force for promotion in accordance with
19 part III of subtitle E of such title—

20 (A) provisions that apply to an officer of a
21 reserve component of the Armed Forces shall
22 apply to an officer of the Space Force; and

23 (B) the space force officer list shall be con-
24 sidered to be a reserve active-status list.

1 (3) For a selection board convened pursuant to
2 subsection (a) to consider members of the Space
3 Force for promotion in accordance with either chap-
4 ter 36 or part III of subtitle E of such title—

5 (A) section 20213 of such title shall apply
6 to the composition of the selection board;

7 (B) the provisions of chapter 2005 of such
8 title regarding officers on the space force officer
9 list eligible to be considered for promotion to
10 the grade of brigadier general or major general
11 shall apply;

12 (C) section 20216 of such title shall apply;
13 and

14 (D) the provisions of chapter 36 or part
15 III of subtitle E of such title, as the case may
16 be, regarding failure of selection for promotion
17 shall apply.

18 (c) EFFECT OF USING NEW CHAPTER 2005 AU-
19 THORITIES.—If the Secretary of the Air Force convenes
20 a selection board under chapter 2005 of title 10, United
21 States Code, as added by section 1716, to consider officers
22 on the space force officer list in a particular grade and
23 competitive category for selection for promotion to the
24 next higher grade, the Secretary may not convene a future
25 selection board pursuant to subsection (a) to consider offi-

1 cers of the same grade and competitive category under
2 chapter 36 or part III of subtitle E of such title.

3 **Subtitle D—Other Amendments**
4 **Related to the Space Force**

5 **SEC. 1741. TITLE 10, UNITED STATES CODE.**

6 (a) AMENDMENTS RELATING TO THE DESIGNATION
7 OF GRADES FOR OFFICERS OF THE SPACE FORCE.—Title
8 10, United States Code, is amended as follows:

9 (1) COMMISSIONED OFFICER GRADES.—Section
10 9151 is amended by inserting “and in the Space
11 Force” after “in the Regular Air Force”.

12 (2) RANK.—Section 741(a) is amended in the
13 table by striking “and Marine Corps” and inserting
14 “Marine Corps, and Space Force”.

15 (3) DEFINITION OF GENERAL OFFICER.—Sec-
16 tion 101(b)(4) is amended by striking “or Marine
17 Corps” and inserting “Marine Corps, or Space
18 Force”.

19 (4) TEMPORARY APPOINTMENTS TO POSITIONS
20 DESIGNATED TO CARRY THE GRADE OF GENERAL OR
21 LIEUTENANT GENERAL.—Section 601(e) is amend-
22 ed—

23 (A) by striking “or Marine Corps,” and in-
24 serting “Marine Corps, or Space Force or”; and

1 (B) by striking “or the commensurate
2 grades in the Space Force,”.

3 (5) RETIRED GRADE OF OFFICERS.—Section
4 1370 is amended as follows:

5 (A) Subsection (a)(2) is amended by strik-
6 ing “major general” and all that follows in sub-
7 paragraphs (A) and (B) and inserting “major
8 general or rear admiral.”.

9 (B) Subsection (b) is amended—

10 (i) in paragraph (1)—

11 (I) by striking “or Marine
12 Corps” and all that follows through
13 “the Space Force,” and inserting
14 “Marine Corps, or, Space Force or
15 lieutenant in the Navy,”; and

16 (II) in subparagraph (B), by
17 striking “major general” and all that
18 follow through “Space Force” and in-
19 serting “major general or rear admi-
20 ral”;

21 (ii) in paragraph (4), by striking “or
22 Marine Corps” and all that follows through
23 “Space Force,” and inserting “Marine
24 Corps, or Space Force or captain in the
25 Navy,”;

1 (iii) in paragraph (5)—

2 (I) in subparagraph (A), by strik-
3 ing “or Marine Corps” and all that
4 follows through “Space Force,” and
5 inserting “Marine Corps, or Space
6 Force or lieutenant commander in the
7 Navy,”;

8 (II) in subparagraph (B), by
9 striking “or Marine Corps” and all
10 that follows through “Space Force,”
11 and inserting “Marine Corps, or
12 Space Force or commander or captain
13 in the Navy,”; and

14 (III) in subparagraph (C), by
15 striking “or Marine Corps” and all
16 that follows through “Space Force,”
17 and inserting “Marine Corps, or
18 Space Force or rear admiral (lower
19 half) or rear admiral in the Navy,”;
20 and

21 (iv) in paragraph (6), by striking “, or
22 an equivalent grade in the Space Force,”.

23 (C) Subsection (c)(1) is amended by “or
24 Marine Corps” and all that follows through
25 “Space Force” and inserting “Marine Corps, or

1 Space Force or vice admiral or admiral in the
2 Navy”.

3 (D) Subsection (d) is amended—

4 (i) in paragraph (1), by striking “or
5 Marine Corps” and all that follows through
6 “Space Force” and inserting “Marine
7 Corps, or Space Force or rear admiral in
8 the Navy”; and

9 (ii) in paragraph (3), by striking “or
10 Marine Corps” and all that follows through
11 “Space Force,” and inserting “Marine
12 Corps, or Space Force or captain in the
13 Navy,”.

14 (E) Subsection (e)(2) is amended by strik-
15 ing “or Marine Corps” and all that follows
16 through “Space Force,” and inserting “Marine
17 Corps, or Space Force or vice admiral or admi-
18 ral in the Navy,”.

19 (F) Subsection (f) is amended—

20 (i) in paragraph (3)—

21 (I) in subparagraph (A), by strik-
22 ing “or Marine Corps” and all that
23 follows through “Space Force,” and
24 inserting “Marine Corps, or Space

1 Force or rear admiral in the Navy”;
2 and

3 (II) in subparagraph (B), by
4 striking “‘or Marine Corps’ and all
5 that follows through ‘Space Force’
6 and inserting “Marine Corps, or Space
7 Force or vice admiral or admiral in
8 the Navy”; and

9 (ii) in paragraph (6)—

10 (I) in subparagraph (A), by strik-
11 ing “or Marine Corps” and all that
12 follows through “Space Force,” and
13 inserting “Marine Corps, or Space
14 Force or rear admiral in the Navy”;
15 and

16 (II) in subparagraph (B), by
17 striking “or Marine Corps” and all
18 that follows through “Space Force,”
19 and inserting “Marine Corps, or
20 Space Force or vice admiral or admi-
21 ral in the Navy”.

22 (6) HONORARY PROMOTIONS.—Sections
23 1563(e)(1) and 1563a(a)(1) are each amended—

24 (A) by striking “general,” and inserting
25 “general or”; and

1 (B) by striking “, or an equivalent grade
2 in the Space Force”.

3 (7) AIR FORCE INSPECTOR GENERAL.—Section
4 9020(a) is amended by striking “the general, flag,
5 or equivalent officers of”.

6 (b) OTHER TITLE 10 AMENDMENTS.—Such title is
7 further amended as follows:

8 (1) LIMITATION ON NUMBER OF RETIRED MEM-
9 BERS ORDERED TO ACTIVE DUTY.—Section 690(a)
10 is amended by striking “or Marine Corps,” and in-
11 sserting “Marine Corps, or Space Force,”.

12 (2) THE UNIFORM.—Section 772(i) is amend-
13 ed—

14 (A) by striking “an Air Force School” and
15 inserting “an Air Force or Space Force school”;
16 and

17 (B) by striking “aviation badges of the Air
18 Force” and inserting “aviation or space badges
19 of the Air Force or Space Force”.

20 (3) MEMBERSHIP IN MILITARY UNIONS, ORGA-
21 NIZING OF MILITARY UNIONS, AND RECOGNITION OF
22 MILITARY UNIONS PROHIBITED.—Section 976(a) is
23 amended by inserting “or the Space Force” in para-
24 graph (1)(C) after “member of a Reserve compo-
25 nent”.

1 (4) LIMITATION ON ENLISTED AIDES.—Section
2 981 is amended—

3 (A) in subsection (a), by striking “Marine
4 Corps, Air Force,” and inserting “Air Force,
5 Marine Corps, Space Force,”;

6 (B) in subsection (b), by striking “and Ma-
7 rine Corps” and inserting “Marine Corps, and
8 Space Force”; and

9 (C) in subsection (c)(1), by inserting
10 “Space Force,” after “Marine Corps,”.

11 (5) DEFINITION OF VETERAN FOR PURPOSES
12 OF FUNERAL HONORS.—Section 1491(h)(1) is
13 amended by striking “or air service” and inserting
14 “air, or space service”.

15 (6) HOUSING FOR RECRUITS.—Section 9419(d)
16 is amended by inserting “or the Space Force” after
17 “training program of the Air Force”.

18 (7) CHARTER OF CHIEF OF SPACE OPER-
19 ATIONS.—Section 9082 is amended as follows:

20 (A) CROSS-REFERENCE CORRECTION.—
21 Subsection (d)(5) is amended by striking “sec-
22 tions” and all that follows through “of law”
23 and inserting “sections 171 and 3104 of this
24 title and other provisions of law”.

1 (B) ELAPSED-TIME PROVISION.—Sub-
2 section (e)(1) is amended by striking “Com-
3 mencing” and all that follows through “the
4 Chief” and inserting “The Chief”.

5 **SEC. 1742. OTHER PROVISIONS OF LAW.**

6 (a) TRADE ACT OF 1974.—Section 233(i)(1) of the
7 Trade Act of 1974 (19 U.S.C. 2293(i)(1)) is amended by
8 inserting “, or a member of the Space Force,” after “a
9 member of a reserve component of the Armed Forces”.

10 (b) TITLE 28, UNITED STATES CODE (JUDICIARY
11 AND JUDICIAL PROCEDURE).—Section 631(c) of title 28,
12 United States Code is amended by inserting “members of
13 the Space Force” after “Coast Guard” the second place
14 it appears.

15 (c) SERVICEMEMBERS CIVIL RELIEF ACT.—The
16 Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.)
17 is amended as follows:

18 (1) MILITARY SERVICE DEFINED.—Section
19 101(2)(A) (50 U.S.C. 3911(2)(A)) is amended by in-
20 serting “Space Force,” after “Marine Corps,”.

21 (2) SAME RIGHTS AND PROTECTIONS AS RE-
22 SERVES ORDERED TO REPORT FOR MILITARY SERV-
23 ICE.—Section 106 (50 U.S.C. 3911) is amended by
24 adding at the end the following new subsection:

1 “(c) The provisions of subsection (a) apply to a mem-
2 ber of the Space Force who is ordered to report for mili-
3 tary service in the same manner as to a member of a re-
4 serve component who is ordered to report for military serv-
5 ice.”.

6 (3) EXERCISE OF RIGHTS UNDER SCRA.—Sec-
7 tion 108(5) (50 U.S.C. 3919(5)) is amended by in-
8 serting before the period at the end the following:
9 “or as a member of the Space Force”.

10 **TITLE XVIII—OTHER DEFENSE** 11 **MATTERS**

Subtitle A—Other Defense Matters

- Sec. 1801. Technical and conforming amendments.
- Sec. 1802. Extension of authority to engage in certain commercial activities.
- Sec. 1803. Modification to requirements relating to combating military reliance on Russian energy.
- Sec. 1804. U.S. Hostage and Wrongful Detainee Day Act of 2023.
- Sec. 1805. Improvements to Department of Veterans Affairs-Department of Defense Joint Executive Committee.
- Sec. 1806. Access to and use of military post offices by United States citizens employed overseas by the North Atlantic Treaty Organization who perform functions in support of military operations of the Armed Forces.
- Sec. 1807. Extension of admission to Guam or the Commonwealth of the Northern Mariana Islands for certain nonimmigrant H-2B workers.
- Sec. 1808. Support for execution of bilateral agreements concerning illicit transnational maritime activity in Africa.
- Sec. 1809. National Cold War Center designation.
- Sec. 1810. Revision of requirement for transfer of certain aircraft to State of California for wildfire suppression purposes.
- Sec. 1811. Limitation on funds for Wuhan Institute of Virology and EcoHealth Alliance, Inc.

Subtitle B—Drone Security

- Sec. 1821. Short title.
- Sec. 1822. Definitions.
- Sec. 1823. Prohibition on procurement of covered unmanned aircraft systems from covered foreign entities.
- Sec. 1824. Prohibition on operation of covered unmanned aircraft systems from covered foreign entities.

- Sec. 1825. Prohibition on use of Federal funds for procurement and operation of covered unmanned aircraft systems from covered foreign entities.
- Sec. 1826. Prohibition on use of Government-issued purchase cards to purchase covered unmanned aircraft systems from covered foreign entities.
- Sec. 1827. Management of existing inventories of covered unmanned aircraft systems from covered foreign entities.
- Sec. 1828. Comptroller General report.
- Sec. 1829. Government-wide policy for procurement of unmanned aircraft systems.
- Sec. 1830. State, local, and territorial law enforcement and emergency service exemption.
- Sec. 1831. Study.
- Sec. 1832. Exceptions.
- Sec. 1833. Sunset.

Subtitle C—Unidentified Anomalous Phenomena

- Sec. 1841. Unidentified anomalous phenomena records collection at the National Archives and Records Administration.
- Sec. 1842. Review, identification, transmission to the National Archives, and public disclosure of unidentified anomalous phenomena records by government offices.
- Sec. 1843. Grounds for postponement of public disclosure of unidentified anomalous phenomena records.

Subtitle D—World Trade Center Health Program

- Sec. 1851. Flexibility and funding for the World Trade Center Health Program.
- Sec. 1852. Extension of certain direct spending reductions.
- Sec. 1853. Medicare improvement fund.

1 **Subtitle A—Other Defense Matters**

2 **SEC. 1801. TECHNICAL AND CONFORMING AMENDMENTS.**

3 (a) TITLE 10, UNITED STATES CODE.—Title 10,
4 United States Code, is amended as follows:

5 (1) In the subtitle analysis for subtitle A—

6 (A) by striking the item relating to chapter
7 113 and inserting the following new item:

“113. Defense Civilian Training Corps2200g”;

8 (B) by striking the item relating to chapter
9 207 and inserting the following new item:

“207. Budgeting and Appropriations 3131”;

1 (C) by striking the item relating to chapter
2 225 and inserting the following new item:

“225. [Reserved] 3271”;

3 (D) by striking the item relating to chap-
4 ter 272 and inserting the following new item:

“272. [Reserved] 3721”;

5 (E) by striking the item relating to chapter
6 287 and inserting the following new item:

“287. Other Contracting Programs 3901”;

7 (F) by striking the item relating to chapter
8 305 and inserting the following new item:

“305. Universities 4141”;

9 (G) by inserting after the item relating to
10 chapter 307 the following new items:

“SUBPART F—MAJOR SYSTEMS, MAJOR DEFENSE ACQUISITION
PROGRAMS, AND WEAPON SYSTEMS DEVELOPMENT

“321. General Matters 4201

“322. Major Systems and Major Defense Acquisition Pro-
grams Generally 4211

“323. Life-Cycle and Sustainment 4321

“324. Selected Acquisition Reports 4350

“325. Cost Growth-Unit Cost Reports (Nunn-McCurdy) ... 4371

“326. Weapon Systems Development And Related Mat-
ters4401”;

11 (H) by striking the item relating to chap-
12 ter 383 and inserting the following new item:

“383. Development, Application, and Support of Dual-
Use Technologies 4831”.

13 (2) Section 172(c) is amended—

14 (A) in paragraph (5), by striking “per-
15 forms” and inserting “perform”;

1 (B) in paragraph (11), by striking “estab-
2 lishes” and inserting “establish”; and

3 (C) in paragraph (13), by striking “con-
4 ducts” and inserting “conduct”.

5 (3) Section 231 is amended—

6 (A) in the section heading, by striking
7 “**plan and certification**” and inserting
8 “**plans and certifications**”; and

9 (B) in subsection (f)(1), by striking “such
10 plan and certification” and inserting “such
11 plans and certifications”.

12 (4) Section 386(b) is amended—

13 (A) in paragraph (2)(E), by striking “bi-
14 lateral” and inserting “bilateral”; and

15 (B) in paragraph (4)—

16 (i) in subparagraph (E)(iii), by insert-
17 ing “and” after the semicolon; and

18 (ii) in subparagraph (H), by striking
19 “sections” and inserting “section”.

20 (5) Section 392a is amended—

21 (A) in subsection (b)(2)(B) by striking
22 “designed” and inserting “designated”; and

23 (B) in subsection (c)(4)(A), by striking
24 “clause (ii)” and inserting “subparagraph (B)”.

1 (6) The second section 398 (relating to pilot
2 program for sharing cyber capabilities and related
3 information with foreign operational partners) is re-
4 designated as section 398a.

5 (7) Section 398a, as so redesignated, is amend-
6 ed—

7 (A) in subsection (b)—

8 (i) in paragraph (1)(A) by striking
9 “paragraph (a)” inserting “subsection
10 (a)”;

11 (ii) in paragraph (2), by striking
12 “paragraph (a)” and inserting “paragraph
13 (1)”;

14 (iii) in paragraph (3), by striking
15 “clause (1)” and inserting “paragraph
16 (1)”;

17 (B) in subsection (e), by striking “para-
18 graph (a)” and inserting “subsection (a)”.

19 (8) Section 491(c) is amended by striking “the
20 a” and inserting “a”.

21 (9) Section 526a is amended by redesignating
22 the second subsection (i) as subsection (j).

23 (10) Section 701(l)(1)(B) is amended by redesi-
24 gnating clauses (A) through (C) as clauses (i)
25 through (iii).

1 (11) Section 1074h(c)(1) is amended by strik-
2 ing “section 491 of title 14” and inserting “section
3 2732 of title 14”.

4 (12) Section 1076a(d)(1)(E)(i) is amended by
5 inserting “)” after “subsection (e)(3)”.

6 (13) The section heading for section 1090a is
7 amended by striking the period after “**disorders**”.

8 (14) Section 1090b(e)(1)(B)(ii) is amended by
9 striking “ensure” and inserting “ensuring”.

10 (15) Section 1134a(b) is amended by striking
11 “section 491 of title 14” and inserting “section
12 2732 of title 14”.

13 (16) Section 1370a is amended—

14 (A) in subsection (e), by inserting “to” be-
15 fore “‘active duty’”; and

16 (B) in subsection (f)—

17 (i) by striking “1370e(e)” and insert-
18 ing “1370(e)”; and

19 (ii) by striking “reference to ‘chapter
20 71’ of this title” and inserting “reference
21 to ‘chapter 71 of this title’”.

22 (17) Section 1789(c)(3) is amended by striking
23 “subparagraph (A) or (B)” and inserting “para-
24 graph (1) or (2)”.

1 (18) Section 2200g(a) is amended by inserting
2 “IN GENERAL.—” before “The Secretary”.

3 (19) Section 2228(c)(2) is amended by striking
4 “;” and inserting “;”.

5 (20) The table of sections at the beginning of
6 chapter 134 is amended by striking the item relating
7 to section 2249.

8 (21) Section 2275(g)(3) is amended by striking
9 “sections” and inserting “section”.

10 (22) Section 2700(2) is amended by striking
11 “The term” and inserting “The terms”.

12 (23) Section 2864(f) is amended by redesignig-
13 nating paragraph (6) as paragraph (4).

14 (24) Section 2878(f)(2)(D)(iii) is amended by
15 striking “An report” and inserting “A report”.

16 (25) The item relating to section 3106 in the
17 table of sections at the beginning of chapter 205 is
18 amended by inserting a period at the end.

19 (26) Section 3304(g) is amended by inserting
20 “under” before “this section”.

21 (27) Section 3323(b)(2) is amended by striking
22 the period after “notwithstanding”.

23 (28) Section 3601(b)(4) is amended by insert-
24 ing “note” before “prec.”.

25 (29) Section 3702 is amended—

1 (A) in subsection (a)(4) is amended by
2 striking “subparagraph (C)” and inserting
3 “paragraph (3)”; and

4 (B) in subsection (f), by striking “subpara-
5 graphs (B) and (C) of such paragraph” and in-
6 serting “paragraphs (1) and (2) of such sub-
7 section”.

8 (30) Section 4014(b) is amended by striking
9 “section 4142(b) of this title” and inserting “section
10 4125(b) of this title”.

11 (31) Section 4024 is amended by striking “sec-
12 tion 2303(a) of this title” each place it appears and
13 inserting “section 3063 of this title”.

14 (32) By striking the second section 4094.

15 (33) Section 4092(c)(2) is amended by striking
16 “the the” and inserting “the”.

17 (34) Section 4273(b)(5)(A) is amended by
18 striking “4736” and inserting “4376”.

19 (35) Section 4351(c)(1)(B)(iv) is amended by
20 striking “section 4355(4) of this title” and inserting
21 “subsection (e)(4)”.

22 (36) Section 4820(b) is amended—

23 (A) by striking “subchapters” and insert-
24 ing “chapters”; and

1 (B) by striking “subchapter” and inserting
2 “chapter”.

3 (37) Section 4902(k)(5) is amended by insert-
4 ing “the” before “mentor”.

5 (38) Section 8062 is amended by redesignating
6 the second subsection (g) as subsection (h).

7 (39) Chapter 863 is amended by redesignating
8 the second section 8696 (relating to battle force ship
9 employment, maintenance, and manning baseline
10 plans) as section 8697.

11 (b) COORDINATION WITH OTHER AMENDMENTS
12 MADE BY THIS ACT.—For purposes of applying amend-
13 ments made by provisions of this Act other than this sec-
14 tion, the amendments made by this section shall be treated
15 as having been enacted immediately before any such
16 amendments by other provisions of this Act.

17 **SEC. 1802. EXTENSION OF AUTHORITY TO ENGAGE IN CER-**
18 **TAIN COMMERCIAL ACTIVITIES.**

19 Section 431(a) of title 10, United States Code, is
20 amended by striking “December 31, 2023” and inserting
21 “December 31, 2024”.

1 **SEC. 1803. MODIFICATION TO REQUIREMENTS RELATING**
2 **TO COMBATING MILITARY RELIANCE ON RUS-**
3 **SIAN ENERGY.**

4 Section 1086 of the James M. Inhofe National De-
5 fense Authorization Act for Fiscal Year 2023 (Public Law
6 117–263) is amended—

7 (1) in subsection (a)(2), by striking “main op-
8 erating bases” and inserting “operating bases”; and

9 (2) in each of subsections (b) and (g), by strik-
10 ing “main operating base” each place it appears and
11 inserting “operating base”;

12 (3) in subsection (c)—

13 (A) in the subsection heading, by striking
14 “MAIN”;

15 (B) by striking paragraph (1) and insert-
16 ing the following new paragraph (1):

17 “(1) IDENTIFICATION OF INSTALLATIONS.—

18 The Secretary of Defense shall submit to the con-
19 gressional defense committees a list of operating
20 bases within the area of responsibility of the United
21 States European Command ranked according to mis-
22 sion criticality and vulnerability to energy disruption
23 as follows:

24 “(A) In the case of a main operating base,
25 by not later than June 1, 2023.

1 “(B) In the case of any operating base
2 other than a main operating base, by not later
3 than June 1, 2024.”; and

4 (C) in paragraph (2)(A), by inserting
5 “(A)” after “paragraph (1)”.

6 **SEC. 1804. U.S. HOSTAGE AND WRONGFUL DETAINEE DAY**

7 **ACT OF 2023.**

8 (a) DESIGNATION.—

9 (1) HOSTAGE AND WRONGFUL DETAINEE
10 DAY.—

11 (A) IN GENERAL.—Chapter 1 of title 36,
12 United States Code, is amended—

13 (i) by redesignating the second section
14 146 (relating to Choose Respect Day) as
15 section 147; and

16 (ii) by adding at the end the fol-
17 lowing:

18 **“§ 148. U.S. Hostage and Wrongful Detainee Day**

19 “(a) DESIGNATION.—March 9 is U.S. Hostage and
20 Wrongful Detainee Day.

21 “(b) PROCLAMATION.—The President is requested to
22 issue each year a proclamation calling on the people of
23 the United States to observe U.S. Hostage and Wrongful
24 Detainee Day with appropriate ceremonies and activi-
25 ties.”.

1 (B) TECHNICAL AND CONFORMING AMEND-
2 MENT.—The table of sections for chapter 1 of
3 title 36, United States Code, is amended by
4 striking the item relating to the second section
5 146 and inserting the following new items:

“147. Choose Respect Day.

“148. U.S. Hostage and Wrongful Detainee Day.”.

6 (2) HOSTAGE AND WRONGFUL DETAINEE
7 FLAG.—

8 (A) IN GENERAL.—Chapter 9 of title 36,
9 United States Code, is amended by adding at
10 the end the following new section:

11 **“§ 904. Hostage and Wrongful Detainee flag**

12 “(a) DESIGNATION.—The Hostage and Wrongful De-
13 tainee flag championed by the Bring Our Families Home
14 Campaign is designated as the symbol of the commitment
15 of the United States to recognizing, and prioritizing the
16 freedom of, citizens and lawful permanent residents of the
17 United States held as hostages or wrongfully detained
18 abroad.

19 “(b) REQUIRED DISPLAY.—

20 “(1) IN GENERAL.—The Hostage and Wrongful
21 Detainee flag shall be displayed at the locations
22 specified in paragraph (3) on the days specified in
23 paragraph (2).

1 “(2) DAYS SPECIFIED.—The days specified in
2 this paragraph are the following:

3 “(A) U.S. Hostage and Wrongful Detainee
4 Day, March 9.

5 “(B) Flag Day, June 14.

6 “(C) Independence Day, July 4.

7 “(D) Any day on which a citizen or lawful
8 permanent resident of the United States—

9 “(i) returns to the United States from
10 being held hostage or wrongfully detained
11 abroad; or

12 “(ii) dies while being held hostage or
13 wrongfully detained abroad.

14 “(3) LOCATIONS SPECIFIED.—The locations
15 specified in this paragraph are the following:

16 “(A) The Capitol.

17 “(B) The White House.

18 “(C) The buildings containing the official
19 office of—

20 “(i) the Secretary of State; and

21 “(ii) the Secretary of Defense.

22 “(c) DISPLAY TO BE IN A MANNER VISIBLE TO THE
23 PUBLIC.—Display of the Hostage and Wrongful Detainee
24 flag pursuant to this section shall be in a manner designed
25 to ensure visibility to the public.

1 “(d) LIMITATION.—This section may not be con-
2 strued or applied so as to require any employee to report
3 to work solely for the purpose of providing for the display
4 of the Hostage and Wrongful Detainee flag.”.

5 (B) TECHNICAL AND CONFORMING AMEND-
6 MENT.—The table of sections for chapter 9 of
7 title 36, United States Code, is amended by
8 adding at the end the following:

“904. Hostage and Wrongful Detainee flag.”.

9 **SEC. 1805. IMPROVEMENTS TO DEPARTMENT OF VETERANS**
10 **AFFAIRS-DEPARTMENT OF DEFENSE JOINT**
11 **EXECUTIVE COMMITTEE.**

12 Section 320 of title 38, United States Code, is
13 amended—

14 (1) in subsection (a)—

15 (A) in paragraph (2)—

16 (i) in subparagraph (A), by striking “;
17 and” and inserting a semicolon;

18 (ii) in subparagraph (B), by striking
19 the period at the end and inserting a semi-
20 colon; and

21 (iii) by adding at the end the fol-
22 lowing new subparagraphs:

23 “(C) the Assistant Secretary of Labor for Vet-
24 erans’ Employment and Training and such other of-

1 ficers and employees of the Department of Labor as
2 the Secretary of Labor may designate; and

3 “(D) such officers and employees of other Exec-
4 utive agencies as the Secretary of Veterans Affairs
5 and the Secretary of Defense jointly determine, with
6 the consent of the heads of the Executive agencies
7 of such officers and employees, necessary to carry
8 out the goals and objectives of the Committee.”;

9 (B) by adding at the end the following new
10 paragraph:

11 “(3) The co-chairs of the Committee are the Deputy
12 Secretary of Veterans Affairs and the Under Secretary of
13 Defense for Personnel and Readiness.”;

14 (2) in subsection (b)(2), by striking “Job
15 Training and Post-Service Placement Executive
16 Committee” and inserting “Transition Executive
17 Committee”;

18 (3) in subsection (d), by adding at the end the
19 following new paragraph:

20 “(6) Develop, implement, and oversee such
21 other joint actions, initiatives, programs, and policies
22 as the two Secretaries determine appropriate and
23 consistent with the purpose of the Committee.”; and

24 (4) in subsection (e)—

1 (A) in the subsection heading, by striking
2 “JOB TRAINING AND POST-SERVICE PLACE-
3 MENT” and inserting “TRANSITION”;

4 (B) in the matter before paragraph (1)—
5 (i) by striking “Job Training and
6 Post-Service Placement” and inserting
7 “Transition”;

8 (ii) by inserting “, in addition to such
9 other activities as may assigned to the
10 committee under subsection (d)(6)” after
11 “shall”; and

12 (C) in paragraph (2), by inserting “, tran-
13 sition from life in the Armed Forces to civilian
14 life,” after “job training”.

15 **SEC. 1806. ACCESS TO AND USE OF MILITARY POST OF-**
16 **FICES BY UNITED STATES CITIZENS EM-**
17 **PLOYED OVERSEAS BY THE NORTH ATLANTIC**
18 **TREATY ORGANIZATION WHO PERFORM**
19 **FUNCTIONS IN SUPPORT OF MILITARY OPER-**
20 **ATIONS OF THE ARMED FORCES.**

21 (a) REQUIREMENT TO AUTHORIZE USE OF POST OF-
22 FICE.—Section 406 of title 39, United States Code, is
23 amended by striking “may authorize the use” and insert-
24 ing “shall authorize the use”.

1 (b) BRIEFING REQUIREMENT.—Not later than
2 March 1, 2024, the Secretary of Defense shall brief the
3 Committees on Armed Services of the Senate and House
4 of Representatives on the revision of the Financial Man-
5 agement Regulation to authorize individuals under sub-
6 paragraph (A) of section 406(c)(1) of title 39, United
7 States Code, as amended by subsection (a), to utilize the
8 authority provided under such subparagraph. If there is
9 a determination that this authority is not feasible for a
10 legal or financial reason, the Secretary shall include the
11 background for those determinations in the briefing.

12 **SEC. 1807. EXTENSION OF ADMISSION TO GUAM OR THE**
13 **COMMONWEALTH OF THE NORTHERN MAR-**
14 **IANA ISLANDS FOR CERTAIN NONIMMIGRANT**
15 **H-2B WORKERS.**

16 Section 6(b)(1)(B) of the Joint Resolution entitled
17 “A Joint Resolution to approve the ‘Covenant to Establish
18 a Commonwealth of the Northern Mariana Islands in Po-
19 litical Union with the United States of America’, and for
20 other purposes”, approved March 24, 1976 (48 U.S.C.
21 1806(b)(1)(B)), is amended, in the matter preceding
22 clause (i), by striking “December 31, 2024” and inserting
23 “December 31, 2029”.

1 **SEC. 1808. SUPPORT FOR EXECUTION OF BILATERAL**
2 **AGREEMENTS CONCERNING ILLICIT**
3 **TRANSNATIONAL MARITIME ACTIVITY IN AF-**
4 **RICA.**

5 (a) IN GENERAL.—The Secretary of Defense, in co-
6 ordination with the Commandant of the Coast Guard, and
7 in consultation with the Secretary of State, may provide
8 assistance to the Coast Guard for the execution of existing
9 maritime law enforcement agreements between the United
10 States and friendly African countries that were established
11 to combat transnational organized illegal maritime activ-
12 ity, including illegal, unreported, and unregulated fishing.

13 (b) EFFECT ON MILITARY TRAINING AND READI-
14 NESS.—The Secretary of Defense shall ensure that the
15 provision of assistance under this section does not nega-
16 tively affect military training, operations, readiness, or
17 other military requirements.

18 (c) FUNDS.—If the Secretary of Defense provides as-
19 sistance under subsection (a) during any fiscal year, the
20 Secretary shall provide such assistance using amounts
21 available for that fiscal year for the Department of De-
22 fense for operation and maintenance.

23 (d) ASSISTANCE DEFINED.—In this section, the term
24 “assistance” means any of the following:

25 (1) The use of surface and air assets as bases
26 of operations and information collection platforms.

1 (2) Communication infrastructure.

2 (3) Information sharing.

3 (4) The provision of logistic support, supplies,
4 and services (as such term is defined in section 2350
5 of title 10, United States Code).

6 **SEC. 1809. NATIONAL COLD WAR CENTER DESIGNATION.**

7 (a) PURPOSES.—The purposes of this section are—

8 (1) to designate the museum located at Blythe-
9 ville/Eaker Air Force Base in Blytheville, Arkansas,
10 including its future and expanded exhibits, collec-
11 tions, and educational programs, as a “National
12 Cold War Center”;

13 (2) to recognize the preservation, maintenance,
14 and interpretation of the artifacts, documents, im-
15 ages, and history collected by the Center;

16 (3) to enhance the knowledge of the American
17 people of the experience of the United States during
18 the Cold War years; and

19 (4) to ensure that all future generations under-
20 stand the sacrifices made to preserve freedom and
21 democracy, and the benefits of peace for all future
22 generations in the 21st century and beyond.

23 (b) DESIGNATION.—

24 (1) IN GENERAL.—The museum located at
25 Blytheville/Eaker Air Force Base in Blytheville, Ar-

1 kansas, is designated as a “National Cold War Cen-
2 ter”.

3 (2) RULE OF CONSTRUCTION.—Nothing in this
4 section shall preclude the designation of other na-
5 tional centers or museums in the United States in-
6 terpreting the Cold War.

7 (c) EFFECT OF DESIGNATION.—The National Cold
8 War Center designated by this section is not a unit of the
9 National Park System, and the designation of the center
10 as a National Cold War Center shall not be construed to
11 require or permit Federal funds to be expended for any
12 purpose related to the designation made by this section.

13 **SEC. 1810. REVISION OF REQUIREMENT FOR TRANSFER OF**
14 **CERTAIN AIRCRAFT TO STATE OF CALI-**
15 **FORNIA FOR WILDFIRE SUPPRESSION PUR-**
16 **POSES.**

17 (a) TRANSFER OF EXCESS COAST GUARD HC-130H
18 AIRCRAFT.—

19 (1) TRANSFER TO STATE OF CALIFORNIA.—The
20 Secretary of Homeland Security shall transfer to the
21 State of California without reimbursement—

22 (A) the 7 HC-130H aircraft specified in
23 paragraph (2); and

24 (B) initial spares and necessary ground
25 support equipment for such aircraft.

1 (2) AIRCRAFT SPECIFIED.—The aircraft speci-
2 fied in this paragraph are the HC-130H Coast
3 Guard aircraft with serial numbers 1706, 1708,
4 1709, 1713, 1714, 1719, and 1721.

5 (3) TIMING; AIRCRAFT MODIFICATIONS.—Sub-
6 ject to paragraph (4), the transfers under paragraph
7 (1)—

8 (A) shall be made as soon as practicable
9 after the date of the enactment of this Act; and

10 (B) may be carried out without further
11 modifications to the aircraft by the United
12 States.

13 (4) DEMILITARIZATION.—The Secretary of
14 Homeland Security shall ensure that before an air-
15 craft specified under paragraph (2) is transferred
16 under paragraph (1), such aircraft is demilitarized,
17 as determined necessary by the Secretary.

18 (b) CONDITIONS OF TRANSFER.—Aircraft trans-
19 ferred to the State of California under this section—

20 (1) may be used only for wildfire suppression
21 purposes, including search and rescue or emergency
22 operations pertaining to wildfires;

23 (2) may not be flown outside of, or otherwise
24 removed from, the United States unless dispatched
25 by the National Interagency Fire Center in support

1 of an international agreement to assist in wildfire
2 suppression efforts or for other disaster-related re-
3 sponse purposes approved by the Governor of Cali-
4 fornia in writing in advance; and

5 (3) may only be disposed of by the State of
6 California pursuant to the statutes and regulations
7 governing the disposal of aircraft provided to the
8 State of California pursuant to the Department of
9 Defense excess personal property program under
10 section 2576a of title 10, United States Code.

11 (c) CALCULATION OF INITIAL SPARES.—For pur-
12 poses of subsection (a)(1)(B), initial spares shall be cal-
13 culated based on shelf stock support for 7 HC–130H air-
14 craft each flying 400 hours each year.

15 (d) TRANSFER OF RESIDUAL KITS AND PARTS HELD
16 BY AIR FORCE.—The Secretary of the Air Force may
17 transfer to the State of California, without reimburse-
18 ment, any residual kits and parts held by the Secretary
19 of the Air Force that were procured in anticipation of the
20 transfer of the aircraft specified in subsection (a)(2).

21 (e) COSTS AFTER TRANSFER.—Any cost associated
22 with the operation, maintenance, sustainment, or disposal
23 of any aircraft, initial spare, or ground support equipment
24 transferred to the State of California under this section
25 that are incurred after the date on which such aircraft,

1 initial spare, or ground support equipment is transferred
2 shall be borne by the State of California.

3 (f) REPEAL OF PRIOR PROVISIONS OF LAW RELAT-
4 ING TO TRANSFER.—The following provisions of law are
5 repealed:

6 (1) Subsections (a), (c), (d), and (f) of section
7 1098 of the National Defense Authorization Act for
8 Fiscal Year 2014 (Public Law 113–66; 127 Stat.
9 881), as amended by subsections (a), (b), (c), and
10 (d) of section 1083 of the John S. McCain National
11 Defense Authorization Act for Fiscal Year 2019
12 (Public Law 115–232; 132 Stat. 1989).

13 (2) Subsections (e) and (f) of section 1083 of
14 the John S. McCain National Defense Authorization
15 Act for Fiscal Year 2019 (Public Law 115–232; 132
16 Stat. 1989).

17 **SEC. 1811. LIMITATION ON FUNDS FOR WUHAN INSTITUTE**
18 **OF VIROLOGY AND ECOHEALTH ALLIANCE,**
19 **INC.**

20 (a) WUHAN INSTITUTE OF VIROLOGY.—None of the
21 funds authorized to be appropriated by this Act or other-
22 wise made available for fiscal year 2024 for the Depart-
23 ment of Defense may be made available for the Wuhan
24 Institute of Virology for any purpose.

1 (b) ECOHEALTH ALLIANCE, INC.—None of the
2 funds authorized to be appropriated by this Act or other-
3 wise made available for fiscal year 2024 for the Depart-
4 ment of Defense may be used to fund any work to be per-
5 formed in China by EcoHealth Alliance, Inc., including—

6 (1) work to be performed by any subsidiary of
7 EcoHealth Alliance Inc, any organization that is di-
8 rectly controlled by EcoHealth Alliance Inc, or any
9 organization or individual that is a subgrantee or
10 subcontractor of EcoHealth Alliance Inc.; or

11 (2) any grant for the performance of any such
12 work.

13 **Subtitle B—Drone Security**

14 **SEC. 1821. SHORT TITLE.**

15 This subtitle may be cited as the “American Security
16 Drone Act of 2023”.

17 **SEC. 1822. DEFINITIONS.**

18 In this subtitle:

19 (1) COVERED FOREIGN ENTITY.—The term
20 “covered foreign entity” means an entity included on
21 a list developed and maintained by the Federal Ac-
22 quisition Security Council and published in the Sys-
23 tem for Award Management (SAM). This list will in-
24 clude entities in the following categories:

1 (A) An entity included on the Consolidated
2 Screening List.

3 (B) Any entity that is subject to
4 extrajudicial direction from a foreign govern-
5 ment, as determined by the Secretary of Home-
6 land Security.

7 (C) Any entity the Secretary of Homeland
8 Security, in coordination with the Attorney
9 General, Director of National Intelligence, and
10 the Secretary of Defense, determines poses a
11 national security risk.

12 (D) Any entity domiciled in the People's
13 Republic of China or subject to influence or
14 control by the Government of the People's Re-
15 public of China or the Communist Party of the
16 People's Republic of China, as determined by
17 the Secretary of Homeland Security.

18 (E) Any subsidiary or affiliate of an entity
19 described in subparagraphs (A) through (D).

20 (2) COVERED UNMANNED AIRCRAFT SYSTEM.—

21 The term “covered unmanned aircraft system” has
22 the meaning given the term “unmanned aircraft sys-
23 tem” in section 44801 of title 49, United States
24 Code.

1 (3) INTELLIGENCE; INTELLIGENCE COMMU-
2 NITY.—The terms “intelligence” and “intelligence
3 community” have the meanings given those terms in
4 section 3 of the National Security Act of 1947 (50
5 U.S.C. 3003).

6 **SEC. 1823. PROHIBITION ON PROCUREMENT OF COVERED**
7 **UNMANNED AIRCRAFT SYSTEMS FROM COV-**
8 **ERED FOREIGN ENTITIES.**

9 (a) IN GENERAL.—Except as provided under sub-
10 sections (b) through (f), the head of an executive agency
11 may not procure any covered unmanned aircraft system
12 that is manufactured or assembled by a covered foreign
13 entity, which includes associated elements related to the
14 collection and transmission of sensitive information (con-
15 sisting of communication links and the components that
16 control the unmanned aircraft) that enable the operator
17 to operate the aircraft in the National Airspace System.
18 The Federal Acquisition Security Council, in coordination
19 with the Secretary of Transportation, shall develop and
20 update a list of associated elements.

21 (b) EXEMPTION.—The Secretary of Homeland Secu-
22 rity, the Secretary of Defense, the Secretary of State, and
23 the Attorney General are exempt from the restriction
24 under subsection (a) if the procurement is required in the
25 national interest of the United States and—

1 (1) is for the sole purposes of research, evalua-
2 tion, training, testing, or analysis for electronic war-
3 fare, information warfare operations, cybersecurity,
4 or development of unmanned aircraft system or
5 counter-unmanned aircraft system technology;

6 (2) is for the sole purposes of conducting
7 counterterrorism or counterintelligence activities,
8 protective missions, or Federal criminal or national
9 security investigations, including forensic examina-
10 tions, or for electronic warfare, information warfare
11 operations, cybersecurity, or development of an un-
12 manned aircraft system or counter-unmanned air-
13 craft system technology; or

14 (3) is an unmanned aircraft system that, as
15 procured or as modified after procurement but be-
16 fore operational use, can no longer transfer to, or
17 download data from, a covered foreign entity and
18 otherwise poses no national security cybersecurity
19 risks as determined by the exempting official.

20 (c) DEPARTMENT OF TRANSPORTATION AND FED-
21 ERAL AVIATION ADMINISTRATION EXEMPTION.—The
22 Secretary of Transportation is exempt from the restriction
23 under subsection (a) if the operation or procurement is
24 deemed to support the safe, secure, or efficient operation
25 of the National Airspace System or maintenance of public

1 safety, including activities carried out under the Federal
2 Aviation Administration's Alliance for System Safety of
3 UAS through Research Excellence (ASSURE) Center of
4 Excellence (COE) and any other activity deemed to sup-
5 port the safe, secure, or efficient operation of the National
6 Airspace System or maintenance of public safety, as deter-
7 mined by the Secretary or the Secretary's designee.

8 (d) NATIONAL TRANSPORTATION SAFETY BOARD
9 EXEMPTION.—The National Transportation Safety
10 Board, in consultation with the Secretary of Homeland Se-
11 curity, is exempt from the restriction under subsection (a)
12 if the operation or procurement is necessary for the sole
13 purpose of conducting safety investigations.

14 (e) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
15 ISTRATION EXEMPTION.—The Administrator of the Na-
16 tional Oceanic and Atmospheric Administration (NOAA),
17 in consultation with the Secretary of Homeland Security,
18 is exempt from the restriction under subsection (a) if the
19 procurement is necessary for the purpose of meeting
20 NOAA's science or management objectives or operational
21 mission.

22 (f) WAIVER.—The head of an executive agency may
23 waive the prohibition under subsection (a) on a case-by-
24 case basis—

1 (1) with the approval of the Director of the Of-
2 fice of Management and Budget, after consultation
3 with the Federal Acquisition Security Council; and

4 (2) upon notification to—

5 (A) the Committee on Homeland Security
6 and Governmental Affairs of the Senate;

7 (B) the Committee on Oversight and Ac-
8 countability in the House of Representatives;
9 and

10 (C) other appropriate congressional com-
11 mittees of jurisdiction.

12 **SEC. 1824. PROHIBITION ON OPERATION OF COVERED UN-**
13 **MANNED AIRCRAFT SYSTEMS FROM COV-**
14 **ERED FOREIGN ENTITIES.**

15 (a) PROHIBITION.—

16 (1) IN GENERAL.—Beginning on the date that
17 is two years after the date of the enactment of this
18 Act, no Federal department or agency may operate
19 a covered unmanned aircraft system manufactured
20 or assembled by a covered foreign entity.

21 (2) APPLICABILITY TO CONTRACTED SERV-
22 ICES.—The prohibition under paragraph (1) applies
23 to any covered unmanned aircraft systems that are
24 being used by any executive agency through the

1 method of contracting for the services of covered un-
2 manned aircraft systems.

3 (b) EXEMPTION.—The Secretary of Homeland Secu-
4 rity, the Secretary of Defense, the Secretary of State, and
5 the Attorney General are exempt from the restriction
6 under subsection (a) if the operation is required in the
7 national interest of the United States and—

8 (1) is for the sole purposes of research, evalua-
9 tion, training, testing, or analysis for electronic war-
10 fare, information warfare operations, cybersecurity,
11 or development of unmanned aircraft system or
12 counter-unmanned aircraft system technology;

13 (2) is for the sole purposes of conducting
14 counterterrorism or counterintelligence activities,
15 protective missions, or Federal criminal or national
16 security investigations, including forensic examina-
17 tions, or for electronic warfare, information warfare
18 operations, cybersecurity, or development of an un-
19 manned aircraft system or counter-unmanned air-
20 craft system technology; or

21 (3) is an unmanned aircraft system that, as
22 procured or as modified after procurement but be-
23 fore operational use, can no longer transfer to, or
24 download data from, a covered foreign entity and

1 otherwise poses no national security cybersecurity
2 risks as determined by the exempting official.

3 (c) DEPARTMENT OF TRANSPORTATION AND FED-
4 ERAL AVIATION ADMINISTRATION EXEMPTION.—The
5 Secretary of Transportation is exempt from the restriction
6 under subsection (a) if the operation is deemed to support
7 the safe, secure, or efficient operation of the National Air-
8 space System or maintenance of public safety, including
9 activities carried out under the Federal Aviation Adminis-
10 tration’s Alliance for System Safety of UAS through Re-
11 search Excellence (ASSURE) Center of Excellence (COE)
12 and any other activity deemed to support the safe, secure,
13 or efficient operation of the National Airspace System or
14 maintenance of public safety, as determined by the Sec-
15 retary or the Secretary’s designee.

16 (d) NATIONAL TRANSPORTATION SAFETY BOARD
17 EXEMPTION.—The National Transportation Safety
18 Board, in consultation with the Secretary of Homeland Se-
19 curity, is exempt from the restriction under subsection (a)
20 if the operation is necessary for the sole purpose of con-
21 ducting safety investigations.

22 (e) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
23 ISTRATION EXEMPTION.—The Administrator of the Na-
24 tional Oceanic and Atmospheric Administration (NOAA),
25 in consultation with the Secretary of Homeland Security,

1 is exempt from the restriction under subsection (a) if the
2 procurement is necessary for the purpose of meeting
3 NOAA's science or management objectives or operational
4 mission.

5 (f) WAIVER.—The head of an executive agency may
6 waive the prohibition under subsection (a) on a case-by-
7 case basis—

8 (1) with the approval of the Director of the Of-
9 fice of Management and Budget, after consultation
10 with the Federal Acquisition Security Council; and

11 (2) upon notification to—

12 (A) the Committee on Homeland Security
13 and Governmental Affairs of the Senate;

14 (B) the Committee on Oversight and Ac-
15 countability in the House of Representatives;
16 and

17 (C) other appropriate congressional com-
18 mittees of jurisdiction.

19 (g) REGULATIONS AND GUIDANCE.—Not later than
20 180 days after the date of the enactment of this Act, the
21 Secretary of Homeland Security, in consultation with the
22 Attorney General and the Secretary of Transportation,
23 shall prescribe regulations or guidance to implement this
24 section.

1 **SEC. 1825. PROHIBITION ON USE OF FEDERAL FUNDS FOR**
2 **PROCUREMENT AND OPERATION OF COV-**
3 **ERED UNMANNED AIRCRAFT SYSTEMS FROM**
4 **COVERED FOREIGN ENTITIES.**

5 (a) IN GENERAL.—Beginning on the date that is two
6 years after the date of the enactment of this Act, except
7 as provided in subsection (b), no Federal funds awarded
8 through a contract, grant, or cooperative agreement, or
9 otherwise made available may be used—

10 (1) to procure a covered unmanned aircraft sys-
11 tem that is manufactured or assembled by a covered
12 foreign entity; or

13 (2) in connection with the operation of such a
14 drone or unmanned aircraft system.

15 (b) EXEMPTION.—The Secretary of Homeland Secu-
16 rity, the Secretary of Defense, the Secretary of State, and
17 the Attorney General are exempt from the restriction
18 under subsection (a) if the procurement or operation is
19 required in the national interest of the United States
20 and—

21 (1) is for the sole purposes of research, evalua-
22 tion, training, testing, or analysis for electronic war-
23 fare, information warfare operations, cybersecurity,
24 or development of unmanned aircraft system or
25 counter-unmanned aircraft system technology;

1 (2) is for the sole purposes of conducting
2 counterterrorism or counterintelligence activities,
3 protective missions, or Federal criminal or national
4 security investigations, including forensic examina-
5 tions, or for electronic warfare, information warfare
6 operations, cybersecurity, or development of an un-
7 manned aircraft system or counter-unmanned air-
8 craft system technology; or

9 (3) is an unmanned aircraft system that, as
10 procured or as modified after procurement but be-
11 fore operational use, can no longer transfer to, or
12 download data from, a covered foreign entity and
13 otherwise poses no national security cybersecurity
14 risks as determined by the exempting official.

15 (c) DEPARTMENT OF TRANSPORTATION AND FED-
16 ERAL AVIATION ADMINISTRATION EXEMPTION.—The
17 Secretary of Transportation is exempt from the restriction
18 under subsection (a) if the operation or procurement is
19 deemed to support the safe, secure, or efficient operation
20 of the National Airspace System or maintenance of public
21 safety, including activities carried out under the Federal
22 Aviation Administration’s Alliance for System Safety of
23 UAS through Research Excellence (ASSURE) Center of
24 Excellence (COE) and any other activity deemed to sup-
25 port the safe, secure, or efficient operation of the National

1 Airspace System or maintenance of public safety, as deter-
2 mined by the Secretary or the Secretary's designee.

3 (d) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
4 ISTRATION EXEMPTION.—The Administrator of the Na-
5 tional Oceanic and Atmospheric Administration (NOAA),
6 in consultation with the Secretary of Homeland Security,
7 is exempt from the restriction under subsection (a) if the
8 operation or procurement is necessary for the purpose of
9 meeting NOAA's science or management objectives or
10 operational mission.

11 (e) WAIVER.—The head of an executive agency may
12 waive the prohibition under subsection (a) on a case-by-
13 case basis—

14 (1) with the approval of the Director of the Of-
15 fice of Management and Budget, after consultation
16 with the Federal Acquisition Security Council; and

17 (2) upon notification to—

18 (A) the Committee on Homeland Security
19 and Governmental Affairs of the Senate;

20 (B) the Committee on Oversight and Ac-
21 countability in the House of Representatives;
22 and

23 (C) other appropriate congressional com-
24 mittees of jurisdiction.

1 (f) REGULATIONS.—Not later than 180 days after
2 the date of the enactment of this Act, the Federal Acquisi-
3 tion Regulatory Council shall prescribe regulations or
4 guidance, as necessary, to implement the requirements of
5 this section pertaining to Federal contracts.

6 **SEC. 1826. PROHIBITION ON USE OF GOVERNMENT-ISSUED**
7 **PURCHASE CARDS TO PURCHASE COVERED**
8 **UNMANNED AIRCRAFT SYSTEMS FROM COV-**
9 **ERED FOREIGN ENTITIES.**

10 Effective immediately, Government-issued Purchase
11 Cards may not be used to procure any covered unmanned
12 aircraft system from a covered foreign entity.

13 **SEC. 1827. MANAGEMENT OF EXISTING INVENTORIES OF**
14 **COVERED UNMANNED AIRCRAFT SYSTEMS**
15 **FROM COVERED FOREIGN ENTITIES.**

16 (a) IN GENERAL.—All executive agencies must ac-
17 count for existing inventories of covered unmanned air-
18 craft systems manufactured or assembled by a covered for-
19 eign entity in their personal property accounting systems,
20 within one year of the date of enactment of this Act, re-
21 gardless of the original procurement cost, or the purpose
22 of procurement due to the special monitoring and account-
23 ing measures necessary to track the items' capabilities.

24 (b) CLASSIFIED TRACKING.—Due to the sensitive na-
25 ture of missions and operations conducted by the United

1 States Government, inventory data related to covered un-
2 manned aircraft systems manufactured or assembled by
3 a covered foreign entity may be tracked at a classified
4 level, as determined by the Secretary of Homeland Secu-
5 rity or the Secretary's designee.

6 (c) EXCEPTIONS.—The Department of Defense, the
7 Department of Homeland Security, the Department of
8 Justice, the Department of Transportation, and the Na-
9 tional Oceanic and Atmospheric Administration may ex-
10 clude from the full inventory process, covered unmanned
11 aircraft systems that are deemed expendable due to mis-
12 sion risk such as recovery issues, or that are one-time-
13 use covered unmanned aircraft due to requirements and
14 low cost.

15 (d) INTELLIGENCE COMMUNITY EXCEPTION.—Noth-
16 ing in this section shall apply to any element of the intel-
17 ligence community.

18 **SEC. 1828. COMPTROLLER GENERAL REPORT.**

19 Not later than 275 days after the date of the enact-
20 ment of this Act, the Comptroller General of the United
21 States shall submit to Congress a report on the amount
22 of commercial off-the-shelf drones and covered unmanned
23 aircraft systems procured by Federal departments and
24 agencies from covered foreign entities, except that nothing

1 in this section shall apply to any element of the intel-
2 ligence community.

3 **SEC. 1829. GOVERNMENT-WIDE POLICY FOR PROCURE-**
4 **MENT OF UNMANNED AIRCRAFT SYSTEMS.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of the enactment of this Act, the Director of the Of-
7 fice of Management and Budget, in coordination with the
8 Department of Homeland Security, Department of Trans-
9 portation, the Department of Justice, and other Depart-
10 ments as determined by the Director of the Office of Man-
11 agement and Budget, and in consultation with the Na-
12 tional Institute of Standards and Technology, shall estab-
13 lish a government-wide policy for the procurement of an
14 unmanned aircraft system—

15 (1) for non-Department of Defense and non-in-
16 telligence community operations; and

17 (2) through grants and cooperative agreements
18 entered into with non-Federal entities.

19 (b) INFORMATION SECURITY.—The policy developed
20 under subsection (a) shall include the following specifica-
21 tions, which to the extent practicable, shall be based on
22 industry standards and technical guidance from the Na-
23 tional Institute of Standards and Technology, to address
24 the risks associated with processing, storing, and trans-

1 mitting Federal information in an unmanned aircraft sys-
2 tem:

3 (1) Protections to ensure controlled access to
4 an unmanned aircraft system.

5 (2) Protecting software, firmware, and hard-
6 ware by ensuring changes to an unmanned aircraft
7 system are properly managed, including by ensuring
8 an unmanned aircraft system can be updated using
9 a secure, controlled, and configurable mechanism.

10 (3) Cryptographically securing sensitive col-
11 lected, stored, and transmitted data, including prop-
12 er handling of privacy data and other controlled un-
13 classified information.

14 (4) Appropriate safeguards necessary to protect
15 sensitive information, including during and after use
16 of an unmanned aircraft system.

17 (5) Appropriate data security to ensure that
18 data is not transmitted to or stored in non-approved
19 locations.

20 (6) The ability to opt out of the uploading,
21 downloading, or transmitting of data that is not re-
22 quired by law or regulation and an ability to choose
23 with whom and where information is shared when it
24 is required.

1 (c) REQUIREMENT.—The policy developed under sub-
2 section (a) shall reflect an appropriate risk-based ap-
3 proach to information security related to use of an un-
4 manned aircraft system.

5 (d) REVISION OF ACQUISITION REGULATIONS.—Not
6 later than 180 days after the date on which the policy
7 required under subsection (a) is issued—

8 (1) the Federal Acquisition Regulatory Council
9 shall revise the Federal Acquisition Regulation, as
10 necessary, to implement the policy; and

11 (2) any Federal department or agency or other
12 Federal entity not subject to, or not subject solely
13 to, the Federal Acquisition Regulation shall revise
14 applicable policy, guidance, or regulations, as nec-
15 essary, to implement the policy.

16 (e) EXEMPTION.—In developing the policy required
17 under subsection (a), the Director of the Office of Man-
18 agement and Budget shall—

19 (1) incorporate policies to implement the ex-
20 emptions contained in this subtitle; and

21 (2) incorporate an exemption to the policy in
22 the case of a head of the procuring department or
23 agency determining, in writing, that no product that
24 complies with the information security requirements
25 described in subsection (b) is capable of fulfilling

1 mission critical performance requirements, and such
2 determination—

3 (A) may not be delegated below the level of
4 the Deputy Secretary, or Administrator, of the
5 procuring department or agency;

6 (B) shall specify—

7 (i) the quantity of end items to which
8 the waiver applies and the procurement
9 value of those items; and

10 (ii) the time period over which the
11 waiver applies, which shall not exceed three
12 years;

13 (C) shall be reported to the Office of Man-
14 agement and Budget following issuance of such
15 a determination; and

16 (D) not later than 30 days after the date
17 on which the determination is made, shall be
18 provided to the Committee on Homeland Secu-
19 rity and Governmental Affairs of the Senate
20 and the Committee on Oversight and Account-
21 ability of the House of Representatives.

1 **SEC. 1830. STATE, LOCAL, AND TERRITORIAL LAW EN-**
2 **FORCEMENT AND EMERGENCY SERVICE EX-**
3 **EMPTION.**

4 (a) **RULE OF CONSTRUCTION.**—Nothing in this sub-
5 title shall prevent a State, local, or territorial law enforce-
6 ment or emergency service agency from procuring or oper-
7 ating a covered unmanned aircraft system purchased with
8 non-Federal dollars.

9 (b) **CONTINUITY OF ARRANGEMENTS.**—The Federal
10 Government may continue entering into contracts, grants,
11 and cooperative agreements or other Federal funding in-
12 struments with State, local, or territorial law enforcement
13 or emergency service agencies under which a covered un-
14 manned aircraft system will be purchased or operated if
15 the agency has received approval or waiver to purchase
16 or operate a covered unmanned aircraft system pursuant
17 to section 1825.

18 **SEC. 1831. STUDY.**

19 (a) **STUDY ON THE SUPPLY CHAIN FOR UNMANNED**
20 **AIRCRAFT SYSTEMS AND COMPONENTS.**—

21 (1) **REPORT REQUIRED.**—Not later than one
22 year after the date of the enactment of this Act, the
23 Under Secretary of Defense for Acquisition and
24 Sustainment shall provide to the appropriate con-
25 gressional committees a report on the supply chain
26 for covered unmanned aircraft systems, including a

1 discussion of current and projected future demand
2 for covered unmanned aircraft systems.

3 (2) ELEMENTS.—The report under paragraph
4 (1) shall include the following:

5 (A) A description of the current and future
6 global and domestic market for covered un-
7 manned aircraft systems that are not widely
8 commercially available except from a covered
9 foreign entity.

10 (B) A description of the sustainability,
11 availability, cost, and quality of secure sources
12 of covered unmanned aircraft systems domesti-
13 cally and from sources in allied and partner
14 countries.

15 (C) The plan of the Secretary of Defense
16 to address any gaps or deficiencies identified in
17 subparagraph (B), including through the use of
18 funds available under the Defense Production
19 Act of 1950 (50 U.S.C. 4501 et seq.) and part-
20 nerships with the National Aeronautics and
21 Space Administration and other interested per-
22 sons.

23 (D) Such other information as the Under
24 Secretary of Defense for Acquisition and
25 Sustainment determines to be appropriate.

1 (3) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES DEFINED.—In this section, the term “appro-
3 priate congressional committees” means the fol-
4 lowing:

5 (A) The Committees on Armed Services of
6 the Senate and the House of Representatives.

7 (B) The Committee on Homeland Security
8 and Governmental Affairs of the Senate and the
9 Committee on Oversight and Accountability of
10 the House of Representatives.

11 (C) The Committee on Commerce, Science,
12 and Transportation of the Senate and the Com-
13 mittee on Science, Space, and Technology of
14 the House of Representatives.

15 (D) The Select Committee on Intelligence
16 of the Senate and the Permanent Select Com-
17 mittee on Intelligence of the House of Rep-
18 resentatives.

19 (E) The Committee on Transportation and
20 Infrastructure of the House of Representatives.

21 (F) The Committee on Homeland Security
22 of the House of Representatives.

23 (G) The Committee on Foreign Relations
24 of the Senate and the Committee on Foreign
25 Affairs of the House of Representatives.

1 **SEC. 1832. EXCEPTIONS.**

2 (a) EXCEPTION FOR WILDFIRE MANAGEMENT OPER-
3 ATIONS AND SEARCH AND RESCUE OPERATIONS.—The
4 appropriate Federal agencies, in consultation with the Sec-
5 retary of Homeland Security, are exempt from the pro-
6 curement and operation restrictions under sections 1823,
7 1824, and 1825 to the extent the procurement or oper-
8 ation is necessary for the purpose of supporting the full
9 range of wildfire management operations or search and
10 rescue operations.

11 (b) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—
12 Sections 1823, 1824, and 1825 shall not apply to any ac-
13 tivity subject to the reporting requirements under title V
14 of the National Security Act of 1947 (50 U.S.C. 3091 et
15 seq.), any authorized intelligence activities of the United
16 States, or any activity or procurement that supports an
17 authorized intelligence activity.

18 (c) EXCEPTION FOR TRIBAL LAW ENFORCEMENT OR
19 EMERGENCY SERVICE AGENCY.—Tribal law enforcement
20 or Tribal emergency service agencies, in consultation with
21 the Secretary of Homeland Security, are exempt from the
22 procurement, operation, and purchase restrictions under
23 sections 1823, 1824, and 1825 to the extent the procure-
24 ment or operation is necessary for the purpose of sup-
25 porting the full range of law enforcement operations or
26 search and rescue operations on Indian lands.

1 **SEC. 1833. SUNSET.**

2 Sections 1823, 1824, and 1825 shall cease to have
3 effect on the date that is five years after the date of the
4 enactment of this Act.

5 **Subtitle C—Unidentified**
6 **Anomalous Phenomena**

7 **SEC. 1841. UNIDENTIFIED ANOMALOUS PHENOMENA**
8 **RECORDS COLLECTION AT THE NATIONAL**
9 **ARCHIVES AND RECORDS ADMINISTRATION.**

10 (a) RECORDS COLLECTION.—

11 (1) ESTABLISHMENT OF COLLECTION.—

12 (A) IN GENERAL.—Not later than 60 days
13 after the date of the enactment of this Act, the
14 Archivist shall commence establishment of a
15 collection of unidentified anomalous phenomena,
16 as such term is defined in section 1673(n)(8) of
17 the National Defense Authorization Act for Fis-
18 cal Year 2022 (Public Law 117–81; 50 U.S.C.
19 3373), records in the National Archives, to be
20 known as the “Unidentified Anomalous Phe-
21 nomena Records Collection”.

22 (B) PHYSICAL INTEGRITY.—In carrying
23 out subparagraph (A), the Archivist shall en-
24 sure the physical integrity and original prove-
25 nance (or if indeterminate, the earliest histor-
26 ical owner) of all records in the Collection.

1 (C) RECORD COPIES.—The Collection shall
2 consist of record copies of all Government, Gov-
3 ernment-provided, or Government-funded
4 records relating to unidentified anomalous phe-
5 nomena, technologies of unknown origin, and
6 non-human intelligence (or equivalent subjects
7 by any other name with the specific and sole ex-
8 clusion of temporarily non-attributed objects),
9 which shall be transmitted to the National Ar-
10 chives in accordance with section 2107 of title
11 44, United States Code.

12 (D) SUBJECT GUIDEBOOK.—The Archivist
13 shall prepare and publish a subject guidebook
14 and index to the Collection.

15 (2) CONTENTS.—The Collection shall include
16 the following:

17 (A) Copies of all unidentified anomalous
18 phenomena records, regardless of age or date of
19 creation—

20 (i) that have been transmitted to the
21 National Archives or disclosed to the public
22 in an unredacted form prior to the date of
23 the enactment of this Act;

24 (ii) that are otherwise required to
25 have been transmitted to the National Ar-

1 chives after the date of the enactment of
2 this Act; or

3 (iii) the disclosure of which is post-
4 poned under this subtitle.

5 (B) A central directory comprised of iden-
6 tification aids created for each record trans-
7 mitted to the Archivist under section 1842(e).

8 (b) DISCLOSURE OF RECORDS.—Copies of all uniden-
9 tified anomalous phenomena records transmitted to the
10 National Archives for disclosure to the public shall—

11 (1) be included in the Collection; and

12 (2) be available to the public—

13 (A) for inspection and copying at the Na-
14 tional Archives within 30 days after their trans-
15 mission to the National Archives; and

16 (B) digitally via the National Archives on-
17 line database within a reasonable amount of
18 time not to exceed 180 days thereafter.

19 (c) FEES FOR COPYING.—

20 (1) IN GENERAL.—The Archivist shall—

21 (A) charge fees for copying unidentified
22 anomalous phenomena records; and

23 (B) grant waivers of such fees pursuant to
24 the standards established by section 552(a)(4)
25 of title 5, United States Code.

1 (2) AMOUNT OF FEES.—The amount of a fee
2 charged by the Archivist pursuant to paragraph
3 (1)(A) for the copying of an unidentified anomalous
4 phenomena record shall be such amount as the Ar-
5 chivist determines appropriate to cover the costs in-
6 curred by the National Archives in making and pro-
7 viding such copy, except that in no case may the
8 amount of the fee charged exceed the actual ex-
9 penses incurred by the National Archives in making
10 and providing such copy.

11 (d) ADDITIONAL REQUIREMENTS.—

12 (1) USE OF FUNDS.—The Collection shall be
13 preserved, protected, archived, digitized, and made
14 available to the public at the National Archives and
15 via the official National Archives online database
16 using appropriations authorized, specified, and re-
17 stricted for use under the terms of this subtitle.

18 (2) SECURITY OF RECORDS.—The National Se-
19 curity Program Office at the National Archives, in
20 consultation with the National Archives Information
21 Security Oversight Office, shall establish a program
22 to ensure the security of the postponed unidentified
23 anomalous phenomena records in the protected, and
24 yet-to-be disclosed or classified portion of the Collec-
25 tion.

1 (e) OVERSIGHT.—

2 (1) SENATE.—The Committee on Homeland
3 Security and Governmental Affairs, the Committee
4 on Armed Services, and the Select Committee on In-
5 telligence of the Senate shall have continuing legisla-
6 tive oversight jurisdiction in the Senate with respect
7 to the Collection.

8 (2) HOUSE OF REPRESENTATIVES.—The Com-
9 mittee on Oversight and Accountability, the Com-
10 mittee on Armed Services, and the Permanent Select
11 Committee on Intelligence of the House of Rep-
12 resentatives shall have continuing legislative over-
13 sight jurisdiction in the House of Representatives
14 with respect to the Collection.

15 **SEC. 1842. REVIEW, IDENTIFICATION, TRANSMISSION TO**
16 **THE NATIONAL ARCHIVES, AND PUBLIC DIS-**
17 **CLOSURE OF UNIDENTIFIED ANOMALOUS**
18 **PHENOMENA RECORDS BY GOVERNMENT OF-**
19 **FICES.**

20 (a) IDENTIFICATION, ORGANIZATION, AND PREPARA-
21 TION FOR TRANSMISSION.—

22 (1) IN GENERAL.—As soon as practicable after
23 the date of the enactment of this Act, each head of
24 a Government office shall—

1 (A) identify and organize records in the
2 possession of the Government office or under
3 the control of the Government office relating to
4 unidentified anomalous phenomena; and

5 (B) prepare such records for transmission
6 to the Archivist for inclusion in the Collection.

7 (2) PROHIBITIONS.—

8 (A) DESTRUCTION; ALTERATION; MUTILA-
9 TION.—No unidentified anomalous phenomena
10 record shall be destroyed, altered, or mutilated
11 in any way.

12 (B) WITHHOLDING; REDACTION; POST-
13 PONEMENT OF DISCLOSURE; RECLASSIFICA-
14 TION.—No unidentified anomalous phenomena
15 record made available or disclosed to the public
16 prior to the date of the enactment of this Act
17 may be withheld, redacted, postponed for public
18 disclosure, or reclassified.

19 (C) RECORDS CREATED BY NON-FEDERAL
20 PERSONS OR ENTITIES.—No unidentified anom-
21 alous phenomena record created by a person or
22 entity outside the Federal Government (exclud-
23 ing names or identities consistent with the re-
24 quirements of section 1843) shall be withheld,

1 redacted, postponed for public disclosure, or re-
2 classified.

3 (b) CUSTODY OF UNIDENTIFIED ANOMALOUS PHE-
4 NOMENA RECORDS PENDING REVIEW.—During the re-
5 view by the heads of Government offices under subsection
6 (c), each head of a Government office shall retain custody
7 of the unidentified anomalous phenomena records of the
8 office for purposes of preservation, security, and effi-
9 ciency, unless it is a third agency record described in sub-
10 section (c)(2)(C).

11 (c) REVIEW BY HEADS OF GOVERNMENT OFFICES.—

12 (1) IN GENERAL.—Not later than 300 days
13 after the date of the enactment of this Act, each
14 head of a Government office shall review, identify,
15 and organize each unidentified anomalous phe-
16 nomena record in the custody or possession of the
17 office for—

18 (A) disclosure to the public; and

19 (B) transmission to the Archivist.

20 (2) REQUIREMENTS.—In carrying out para-
21 graph (1), the head of a Government office shall—

22 (A) determine which of the records of the
23 office are unidentified anomalous phenomena
24 records;

1 (B) determine which of the unidentified
2 anomalous phenomena records of the office
3 have been officially disclosed or made publicly
4 available in a complete and unredacted form;

5 (C)(i) determine which of the unidentified
6 anomalous phenomena records of the office, or
7 particular information contained in such a
8 record, was created by a third agency or by an-
9 other Government office; and

10 (ii) transmit to a third agency or other
11 Government office those records, or particular
12 information contained in those records, or com-
13 plete and accurate copies thereof;

14 (D)(i) determine whether the unidentified
15 anomalous phenomena records of the office or
16 particular information in unidentified anoma-
17 lous phenomena records of the office are cov-
18 ered by the standards for postponement of pub-
19 lic disclosure under this subtitle; and

20 (ii) specify on the identification aid re-
21 quired by subsection (d) the applicable post-
22 ponement provision contained in section 1841;

23 (E) organize and make available, upon re-
24 quest, to heads of Government offices other
25 than the Government office with custody, in-

1 including the All-domain Anomaly Resolution Of-
2 fice, all relevant unidentified anomalous records
3 identified under subparagraph (D);

4 (F) organize and make available to the
5 heads of Government offices other than the
6 Government office with custody, including the
7 All-domain Anomalous Resolution Office, for
8 assistance with any record concerning which the
9 office has any uncertainty as to whether the
10 record is an unidentified anomalous phenomena
11 record governed by this subtitle; and

12 (G) give precedence of work to—

13 (i) the identification, review, and
14 transmission of unidentified anomalous
15 phenomena records not already publicly
16 available or disclosed as of the date of the
17 enactment of this Act;

18 (ii) the identification, review, and
19 transmission of all records that most un-
20 ambiguously and definitively pertain to un-
21 identified anomalous phenomena, tech-
22 nologies of unknown origin, and non-
23 human intelligence;

24 (iii) the identification, review, and
25 transmission of unidentified anomalous

1 phenomena records that on the date of the
2 enactment of this Act are the subject of
3 litigation under section 552 of title 5,
4 United States Code; and

5 (iv) the identification, review, and
6 transmission of unidentified anomalous
7 phenomena records with earliest prove-
8 nance when not inconsistent with clauses
9 (i) through (iii) and otherwise feasible.

10 (3) PRIORITY OF EXPEDITED REVIEW FOR DI-
11 RECTORS OF CERTAIN ARCHIVAL DEPOSITORIES.—

12 The Director of each archival depository established
13 under section 2112 of title 44, United States Code,
14 shall have as a priority the expedited review for pub-
15 lic disclosure of unidentified anomalous phenomena
16 records in the possession and custody of the deposi-
17 tory, and shall make copies of such records available
18 to the All-domain Anomaly Resolution Office.

19 (d) IDENTIFICATION AIDS.—

20 (1) IN GENERAL.—

21 (A) PREPARATION AND AVAILABILITY.—

22 Not later than 45 days after the date of the en-
23 actment of this Act, the Archivist, in consulta-
24 tion with the heads of such Government offices
25 as the Archivist considers appropriate, shall

1 prepare and make available to all Government
2 offices a standard form of identification, or
3 finding aid, for use with each unidentified
4 anomalous phenomena record subject to review
5 under this subtitle whether in hardcopy (phys-
6 ical), softcopy (electronic), or digitized data for-
7 mat as may be appropriate.

8 (B) UNIFORM SYSTEM.—The Archivist
9 shall ensure that the identification aid program
10 is established in such a manner as to result in
11 the creation of a uniform system for cataloging
12 and finding every unidentified anomalous phe-
13 nomena record subject to review under this sub-
14 title where ever and how ever stored in
15 hardcopy (physical), softcopy (electronic), or
16 digitized data format.

17 (2) REQUIREMENTS FOR GOVERNMENT OF-
18 FICES.—Upon completion of an identification aid
19 using the standard form of identification prepared
20 and made available under subparagraph (A) of para-
21 graph (1) for the program established pursuant to
22 subparagraph (B) of such paragraph, the head of a
23 Government office shall—

24 (A) attach a printed copy to each physical
25 unidentified anomalous phenomena record, and

1 an electronic copy to each softcopy or digitized
2 data unidentified anomalous phenomena record,
3 the identification aid describes; and

4 (B) attach a printed copy to each physical
5 unidentified anomalous phenomena record, and
6 an electronic copy to each softcopy or digitized
7 data unidentified anomalous phenomena record
8 the identification aid describes, when trans-
9 mitted to the Archivist.

10 (3) RECORDS OF THE NATIONAL ARCHIVES
11 THAT ARE PUBLICLY AVAILABLE.—Unidentified
12 anomalous phenomena records which are in the pos-
13 session of the National Archives on the date of the
14 enactment of this Act, and which have been publicly
15 available in their entirety without redaction, shall be
16 made available in the Collection without any addi-
17 tional review by another authorized office under this
18 subtitle, and shall not be required to have such an
19 identification aid unless required by the Archivist.

20 (e) TRANSMISSION TO THE NATIONAL ARCHIVES.—
21 Each head of a Government office shall—

22 (1) transmit to the Archivist, and, as soon as
23 possible, make available to the public, all unidenti-
24 fied anomalous phenomena records of the Govern-
25 ment office that can be publicly disclosed, including

1 those that are publicly available on the date of the
2 enactment of this Act, without any redaction, adjust-
3 ment, or withholding under the standards of this
4 subtitle; and

5 (2) transmit to the Archivist upon approval for
6 postponement by the original classification authority
7 upon completion of other action authorized by this
8 subtitle, all unidentified anomalous phenomena
9 records of the Government office the public disclo-
10 sure of which has been postponed, in whole or in
11 part, under the standards of this subtitle, to become
12 part of the protected, yet-to-be disclosed, or classi-
13 fied portion of the Collection.

14 (f) CUSTODY OF POSTPONED UNIDENTIFIED ANOMA-
15 LOUS PHENOMENA RECORDS.—An unidentified anoma-
16 lous phenomena record the public disclosure of which has
17 been postponed shall, pending transmission to the Archi-
18 vist, be held for reasons of security and preservation by
19 the originating body until such time as the information
20 security program has been established at the National Ar-
21 chives as required in section 1841(d)(2).

22 (g) PERIODIC REVIEW OF POSTPONED UNIDENTI-
23 FIED ANOMALOUS PHENOMENA RECORDS.—

1 (1) IN GENERAL.—All postponed or redacted
2 records shall be reviewed periodically by the origi-
3 nating agency and the Archivist.

4 .(2) REQUIREMENTS.—

5 (A) PUBLIC DISCLOSURE.—A periodic re-
6 view under paragraph (1) shall address the
7 public disclosure of additional unidentified
8 anomalous phenomena records in the Collection
9 under the standards of this subtitle.

10 (B) UNCLASSIFIED WRITTEN DESCRIPTION
11 OF REASON.—All postponed unidentified anom-
12 alous phenomena records determined to require
13 continued postponement shall require an unclas-
14 sified written description of the reason for such
15 continued postponement relevant to these spe-
16 cific records. Such description shall be provided
17 to the Archivist and published in the Federal
18 Register upon determination.

19 (C) PERIODIC REVIEW; DOWNGRADING
20 AND DECLASSIFICATION OF INFORMATION.—
21 The Archivist shall establish requirements for
22 periodic review of postponed unidentified anom-
23 alous phenomena records that shall serve to
24 downgrade and declassify information.

1 (D) DEADLINE FOR FULL DISCLOSURE.—

2 Each unidentified anomalous phenomena record
3 shall be publicly disclosed in full, and available
4 in the Collection, not later than the date that
5 is 25 years after the date of the first creation
6 of the record by the originating body, unless the
7 President certifies that—

8 (i) continued postponement is made
9 necessary by an identifiable harm to the
10 military defense, intelligence operations,
11 law enforcement, or conduct of foreign re-
12 lations; and

13 (ii) the identifiable harm is of such
14 gravity that it outweighs the public inter-
15 est in disclosure.

16 (h) REQUIREMENTS FOR EXECUTIVE AGENCIES.—

17 (1) IN GENERAL.—The heads of Executive
18 agencies shall—

19 (A) transmit digital records electronically
20 in accordance with section 2107 of title 44,
21 United States Code;

22 (B) charge fees for copying unidentified
23 anomalous phenomena records; and

1 (C) grant waivers of such fees pursuant to
2 the standards established by section 552(a)(4)
3 of title 5, United States Code.

4 (2) AMOUNT OF FEES.—The amount of a fee
5 charged by the head of an Executive agency pursu-
6 ant to paragraph (1)(B) for the copying of an un-
7 identified anomalous phenomena record shall be
8 such amount as the head determines appropriate to
9 cover the costs incurred by the Executive agency in
10 making and providing such copy, except that in no
11 case may the amount of the fee charged exceed the
12 actual expenses incurred by the Executive agency in
13 making and providing such copy.

14 **SEC. 1843. GROUNDS FOR POSTPONEMENT OF PUBLIC DIS-**
15 **CLOSURE OF UNIDENTIFIED ANOMALOUS**
16 **PHENOMENA RECORDS.**

17 (a) POSTPONEMENT DETERMINATION.—In addition
18 to the relevant authorities in Executive Order 13526, dis-
19 closure of unidentified anomalous phenomena records or
20 particular information in unidentified anomalous phe-
21 nomena records to the public may be postponed subject
22 to the limitations of this subtitle if the original classifica-
23 tion authority makes a determination that there is clear
24 and convincing evidence that—

1 (1) the threat to the military defense, intel-
2 ligence operations, or conduct of foreign relations of
3 the United States posed by the public disclosure of
4 the unidentified anomalous phenomena record is of
5 such gravity that it outweighs the public interest in
6 disclosure, and such public disclosure would reveal—

7 (A) an intelligence agent whose identity
8 currently requires protection;

9 (B) an intelligence source or method which
10 is currently utilized, or reasonably expected to
11 be utilized, by the Federal Government and
12 which has not been officially disclosed, the dis-
13 closure of which would interfere with the con-
14 duct of intelligence activities; or

15 (C) any other matter currently relating to
16 the military defense, intelligence operations, or
17 conduct of foreign relations of the United
18 States, the disclosure of which would demon-
19 strably and substantially impair the national se-
20 curity of the United States;

21 (2) the public disclosure of the unidentified
22 anomalous phenomena record would violate section
23 552a of title 5, United States Code (referred to as
24 the “Privacy Act of 1974”);

1 (3) the public disclosure of the unidentified
2 anomalous phenomena record could reasonably be
3 expected to constitute an unwarranted invasion of
4 personal privacy, and that invasion of privacy is so
5 substantial that it outweighs the public interest; or

6 (4) the public disclosure of the unidentified
7 anomalous phenomena record would compromise the
8 existence of an understanding of confidentiality cur-
9 rently requiring protection between a Federal Gov-
10 ernment agent and a cooperating individual or a for-
11 eign government, and public disclosure would be so
12 harmful that it outweighs the public interest.

13 (b) WITHDRAWAL OF RECORDS.—Senior Agency Of-
14 ficials designated in accordance with Executive Order
15 13526 or any successor Orders may withdraw records in
16 the Collection that are determined to be both not related
17 to unidentified anomalous phenomena and properly classi-
18 fied. The Senior Agency Official must notify the congres-
19 sional leadership and the oversight committees of Con-
20 gress, as identified in section 1841(e), by not later than
21 60 days before each record is withdrawn.

22 (c) CONGRESSIONAL NOTIFICATION OF POSTPONE-
23 MENT OF DISCLOSURE.—In the event that the disclosure
24 of unidentified anomalous phenomena records or par-
25 ticular information in unidentified anomalous phenomena

1 records to the public is postponed by an Executive agency,
2 the head of the Executive agency shall notify congressional
3 leadership and the oversight committees of Congress, as
4 identified in section 1841(e), within 15 days of such deci-
5 sion with a reason for the postponement of disclosure.

6 **Subtitle D—World Trade Center**
7 **Health Program**

8 **SEC. 1851. FLEXIBILITY AND FUNDING FOR THE WORLD**
9 **TRADE CENTER HEALTH PROGRAM.**

10 (a) DEPARTMENT OF DEFENSE, ARMED FORCES, OR
11 OTHER FEDERAL WORKER RESPONDERS TO THE SEP-
12 TEMBER 11 ATTACKS AT THE PENTAGON AND
13 SHANKSVILLE, PENNSYLVANIA.—Title XXXIII of the
14 Public Health Service Act (42 U.S.C. 300mm et seq.) is
15 amended—

16 (1) in section 3306 (42 U.S.C. 300mm–5)—

17 (A) by redesignating paragraphs (5)
18 through (11) and paragraphs (12) through (17)
19 as paragraphs (6) through (12) and paragraphs
20 (14) through (19), respectively;

21 (B) by inserting after paragraph (4) the
22 following:

23 “(5) The term ‘Federal agency’ means an agen-
24 cy, office, or other establishment in the executive,

1 legislative, or judicial branch of the Federal Govern-
2 ment.”; and

3 (C) by inserting after paragraph (12), as
4 so redesignated, the following:

5 “(13) The term ‘uniformed services’ has the
6 meaning given the term in section 101(a) of title 10,
7 United States Code.”; and

8 (2) in section 3311(a) (42 U.S.C. 300mm-
9 21(a))—

10 (A) in paragraph (2)(C)(i)—

11 (i) in subclause (I), by striking “; or”
12 and inserting a semicolon;

13 (ii) in subclause (II), by striking “;
14 and” and inserting a semicolon; and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(III) was an employee of the Depart-
18 ment of Defense or any other Federal
19 agency, worked during the period begin-
20 ning on September 11, 2001, and ending
21 on September 18, 2001, for a contractor of
22 the Department of Defense or any other
23 Federal agency, or was a member of a reg-
24 ular or reserve component of the uni-
25 formed services; and performed rescue, re-

1 covery, demolition, debris cleanup, or other
2 related services at the Pentagon site of the
3 terrorist-related aircraft crash of Sep-
4 tember 11, 2001, during the period begin-
5 ning on September 11, 2001, and ending
6 on the date on which the cleanup of the
7 site was concluded, as determined by the
8 WTC Program Administrator; or

9 “ (IV) was an employee of the Depart-
10 ment of Defense or any other Federal
11 agency, worked during the period begin-
12 ning on September 11, 2001, and ending
13 on September 18, 2001, for a contractor of
14 the Department of Defense or any other
15 Federal agency, or was a member of a reg-
16 ular or reserve component of the uni-
17 formed services; and performed rescue, re-
18 covery, demolition, debris cleanup, or other
19 related services at the Shanksville, Penn-
20 sylvania, site of the terrorist-related air-
21 craft crash of September 11, 2001, during
22 the period beginning on September 11,
23 2001, and ending on the date on which the
24 cleanup of the site was concluded, as deter-

1 mined by the WTC Program Adminis-
2 trator; and”;

3 (B) in paragraph (4)(A)—

4 (i) by striking “(A) IN GENERAL.—
5 The” and inserting the following:

6 “(A) LIMIT.—

7 “(i) IN GENERAL.—The”;

8 (ii) by inserting “or subclause (III) or
9 (IV) of paragraph (2)(C)(i)” after “or
10 (2)(A)(ii)”;

11 (iii) by adding at the end the fol-
12 lowing:

13 “(ii) CERTAIN RESPONDERS TO THE
14 SEPTEMBER 11 ATTACKS AT THE PEN-
15 TAGON AND SHANKSVILLE, PENNSYLV-
16 ANIA.—The total number of individuals
17 who may be enrolled under paragraph
18 (3)(A)(ii) based on eligibility criteria de-
19 scribed in subclause (III) or (IV) of para-
20 graph (2)(C)(i) shall not exceed 500 at any
21 time.”.

22 (b) ADDITIONAL FUNDING FOR THE WORLD TRADE
23 CENTER HEALTH PROGRAM.—Title XXXIII of the Public
24 Health Service Act (42 U.S.C. 300mm et seq.) is amended
25 by adding at the end the following:

1 **“SEC. 3353. SPECIAL FUND.**

2 “(a) IN GENERAL.—There is established a fund to
3 be known as the World Trade Center Health Program
4 Special Fund (referred to in this section as the ‘Special
5 Fund’), consisting of amounts deposited into the Special
6 Fund under subsection (b).

7 “(b) AMOUNT.—Out of any money in the Treasury
8 not otherwise appropriated, there is appropriated for fiscal
9 year 2024 \$444,000,000 for deposit into the Special
10 Fund, which amounts shall remain available in such Fund
11 through fiscal year 2033.

12 “(c) USES OF FUNDS.—Amounts deposited into the
13 Special Fund under subsection (b) shall be available, with-
14 out further appropriation and without regard to any
15 spending limitation under section 3351(c), to the WTC
16 Program Administrator as needed at the discretion of such
17 Administrator, for carrying out any provision in this title
18 (including sections 3303 and 3341(c)).

19 “(d) REMAINING AMOUNTS.—Any amounts that re-
20 main in the Special Fund on September 30, 2033, shall
21 be deposited into the Treasury as miscellaneous receipts.

22 **“SEC. 3354. PENTAGON/SHANKSVILLE FUND.**

23 “(a) IN GENERAL.—There is established a fund to
24 be known as the World Trade Center Health Program
25 Fund for Certain WTC Responders at the Pentagon and
26 Shanksville, Pennsylvania (referred to in this section as

1 the ‘Pentagon/Shanksville Fund’), consisting of amounts
2 deposited into the Pentagon/Shanksville Fund under sub-
3 section (b).

4 “(b) AMOUNT.—Out of any money in the Treasury
5 not otherwise appropriated, there is appropriated for fiscal
6 year 2024 \$232,000,000 for deposit into the Pentagon/
7 Shanksville Fund, which amounts shall remain available
8 in such Fund through fiscal year 2033.

9 “(c) USES OF FUNDS.—

10 “(1) IN GENERAL.—Amounts deposited into the
11 Pentagon/Shanksville Fund under subsection (b)
12 shall be available, without further appropriation and
13 without regard to any spending limitation under sec-
14 tion 3351(c), to the WTC Program Administrator
15 for the purpose of carrying out section 3312 with re-
16 gard to WTC responders enrolled in the WTC Pro-
17 gram based on eligibility criteria described in sub-
18 clause (III) or (IV) of section 3311(a)(2)(C)(i).

19 “(2) LIMITATION ON OTHER FUNDING.—Not-
20 withstanding sections 3331(a), 3351(b)(1), 3352(c),
21 and 3353(c), and any other provision in this title,
22 for the period of fiscal years 2024 through 2033, no
23 amounts made available under this title other than
24 those amounts appropriated under subsection (b)

1 may be available for the purpose described in para-
2 graph (1).

3 “(d) REMAINING AMOUNTS.—Any amounts that re-
4 main in the Pentagon/Shanksville Fund on September 30,
5 2033, shall be deposited into the Treasury as miscella-
6 neous receipts.”.

7 (c) CONFORMING AMENDMENTS.—Title XXXIII of
8 the Public Health Service Act (42 U.S.C. 300mm et seq.)
9 is amended—

10 (1) in section 3311(a)(4)(B)(i)(II) (42 U.S.C.
11 300mm–21(a)(4)(B)(i)(II)), by striking “sections
12 3351 and 3352” and inserting “this title”;

13 (2) in section 3321(a)(3)(B)(i)(II) (42 U.S.C.
14 300mm–31(a)(3)(B)(i)(II)), by striking “sections
15 3351 and 3352” and inserting “this title”;

16 (3) in section 3331 (42 U.S.C. 300mm–41)—

17 (A) in subsection (a), by striking “the
18 World Trade Center Health Program Fund and
19 the World Trade Center Health Program Sup-
20 plemental Fund” and inserting “(as applicable)
21 the Funds established under sections 3351,
22 3352, 3353, and 3354”; and

23 (B) in subsection (d)—

24 (i) in paragraph (1)(A), by inserting
25 “or the World Trade Center Health Pro-

1 gram Special Fund under section 3353”
2 after “section 3351”;

3 (ii) in paragraph (1)(B), by inserting
4 “or the World Trade Center Health Pro-
5 gram Fund for Certain WTC Responders
6 at the Pentagon and Shanksville, Pennsyl-
7 vania under section 3354” after “section
8 3352”; and

9 (iii) in paragraph (2), in the flush text
10 following subparagraph (C), by inserting
11 “or the World Trade Center Health Pro-
12 gram Fund for Certain WTC Responders
13 at the Pentagon and Shanksville, Pennsyl-
14 vania under section 3354” after “section
15 3352”; and

16 (4) in section 3351(b) (42 U.S.C. 300mm-
17 61(b))—

18 (A) in paragraph (2), by inserting “, the
19 World Trade Center Health Program Special
20 Fund under section 3353, or the World Trade
21 Center Health Program Fund for Certain WTC
22 Responders at the Pentagon and Shanksville,
23 Pennsylvania under section 3354” before the
24 period at the end; and

1 (B) in paragraph (3), by inserting “, the
2 World Trade Center Health Program Special
3 Fund under section 3353, or the World Trade
4 Center Health Program Fund for Certain WTC
5 Responders at the Pentagon and Shanksville,
6 Pennsylvania under section 3354” before the
7 period at the end.

8 **SEC. 1852. EXTENSION OF CERTAIN DIRECT SPENDING RE-**
9 **DUCTIONS.**

10 Section 251A(6)(D) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985 (2 U.S.C.
12 901a(6)(D)) is amended—

13 (1) in clause (i), by striking “6” and inserting
14 “7”; and

15 (2) in clause (ii), by striking “second 6
16 months” and inserting “last 5 months”.

17 **SEC. 1853. MEDICARE IMPROVEMENT FUND.**

18 Section 1898(b)(1) of the Social Security Act (42
19 U.S.C. 1395iii(b)(1)) is amended by striking
20 “\$466,795,056” and inserting “\$2,250,795,056”.

1 **DIVISION B—MILITARY CON-**
2 **STRUCTION AUTHORIZA-**
3 **TIONS**

4 **SEC. 2001. SHORT TITLE.**

5 This division and title XLVI of division D may be
6 cited as the “Military Construction Authorization Act for
7 Fiscal Year 2024”.

8 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
9 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
10 **LAW.**

11 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
12 YEARS.—Except as provided in subsection (b), all author-
13 izations contained in titles XXI through XXVII for mili-
14 tary construction projects, land acquisition, family housing
15 projects and facilities, and contributions to the North At-
16 lantic Treaty Organization Security Investment Program
17 (and authorizations of appropriations therefor) shall ex-
18 pire on the later of—

19 (1) October 1, 2026; or

20 (2) the date of the enactment of an Act author-
21 izing funds for military construction for fiscal year
22 2027.

23 (b) EXCEPTION.—Subsection (a) shall not apply to
24 authorizations for military construction projects, land ac-
25 quisition, family housing projects and facilities, and con-

1 tributions to the North Atlantic Treaty Organization Se-
2 curity Investment Program (and authorizations of appro-
3 priations therefor), for which appropriated funds have
4 been obligated before the later of—

5 (1) October 1, 2026; or

6 (2) the date of the enactment of an Act author-
7 izing funds for fiscal year 2027 for military con-
8 struction projects, land acquisition, family housing
9 projects and facilities, or contributions to the North
10 Atlantic Treaty Organization Security Investment
11 Program.

12 **SEC. 2003. EFFECTIVE DATE.**

13 Titles XXI through XXVII shall take effect on the
14 later of—

15 (1) October 1, 2023; or

16 (2) the date of the enactment of this Act.

17 **TITLE XXI—ARMY MILITARY**
18 **CONSTRUCTION**

Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Authorization of appropriations, Army.

Sec. 2104. Extension of authority to use cash payments in special account from
land conveyance, Natick Soldier Systems Center, Massachu-
setts.

Sec. 2105. Extension of authority to carry out fiscal year 2018 project at
Kunsan Air Base, Korea.

Sec. 2106. Extension of authority to carry out certain fiscal year 2019 Army
military construction projects.

Sec. 2107. Extension of authority to carry out certain fiscal year 2021 Army
military construction projects.

1 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 2 **ACQUISITION PROJECTS.**

3 (a) INSIDE THE UNITED STATES.—Using amounts
 4 appropriated pursuant to the authorization of appropria-
 5 tions in section 2103(a) and available for military con-
 6 struction projects inside the United States as specified in
 7 the funding table in section 4601, the Secretary of the
 8 Army may acquire real property and carry out military
 9 construction projects for the installations or locations in-
 10 side the United States, and in the amounts, set forth in
 11 the following table:

Army: Inside the United States

State	Installation	Amount
Alabama	Redstone Arsenal	\$53,000,000
Georgia	Fort Eisenhower	\$177,000,000
Hawaii	Aliamanu Military Reservation	\$20,000,000
	Fort Shafter	\$80,000,000
	Helemano Military Reservation	\$90,000,000
	Schofield Barracks	\$70,000,000
Kansas	Fort Riley	\$105,000,000
Kentucky	Fort Campbell	\$39,000,000
Louisiana	Fort Johnson	\$13,400,000
Massachusetts	Soldier Systems Center Natick	\$18,500,000
Michigan	Detroit Arsenal	\$72,000,000
North Carolina	Fort Liberty	\$253,000,000
Pennsylvania	Letterkenny Army Depot	\$89,000,000
Texas	Fort Bliss	\$118,000,000
	Red River Army Depot	\$113,000,000
Washington	Joint Base Lewis-McChord	\$100,000,000

12 (b) OUTSIDE THE UNITED STATES.—Using amounts
 13 appropriated pursuant to the authorization of appropria-
 14 tions in section 2103(a) and available for military con-
 15 struction projects outside the United States as specified
 16 in the funding table in section 4601, the Secretary of the
 17 Army may acquire real property and carry out military

1 construction projects for the installations or locations out-
 2 side the United States, and in the amounts, set forth in
 3 the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Germany	Grafenwoehr	\$10,400,000
	Hohenfels	\$88,000,000

4 **SEC. 2102. FAMILY HOUSING.**

5 (a) CONSTRUCTION AND ACQUISITION.—Using
 6 amounts appropriated pursuant to the authorization of ap-
 7 propriations in section 2103(a) and available for military
 8 family housing functions as specified in the funding table
 9 in section 4601, the Secretary of the Army may construct
 10 or acquire family housing units (including land acquisition
 11 and supporting facilities) at the installations or locations,
 12 in the number of units, and in the amounts set forth in
 13 the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
Germany	Baumholder	Family Housing New Construc- tion	\$90,135,000
Kwajalein	Kwajalein Atoll	Family Housing Replacement Construction ...	\$98,600,000

14 (b) IMPROVEMENTS TO MILITARY FAMILY HOUSING
 15 UNITS.—Subject to section 2825 of title 10, United States
 16 Code, and using amounts appropriated pursuant to the
 17 authorization of appropriations in section 2103(a) and
 18 available for military family housing functions as specified

1 in the funding table in section 4601, the Secretary of the
2 Army may improve existing military family housing units
3 in an amount not to exceed \$100,000,000.

4 (c) **PLANNING AND DESIGN.**—Using amounts appro-
5 priated pursuant to the authorization of appropriations in
6 section 2103(a) and available for military family housing
7 functions as specified in the funding table in section 4601,
8 the Secretary of the Army may carry out architectural and
9 engineering services and construction design activities
10 with respect to the construction or improvement of family
11 housing units in an amount not to exceed \$27,549,000.

12 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

13 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
14 are hereby authorized to be appropriated for fiscal years
15 beginning after September 30, 2023, for military con-
16 struction, land acquisition, and military family housing
17 functions of the Department of the Army as specified in
18 the funding table in section 4601.

19 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**
20 **PROJECTS.**—Notwithstanding the cost variations author-
21 ized by section 2853 of title 10, United States Code, and
22 any other cost variation authorized by law, the total cost
23 of all projects carried out under section 2101 of this Act
24 may not exceed the total amount authorized to be appro-

1 priated under subsection (a), as specified in the funding
2 table in section 4601.

3 **SEC. 2104. EXTENSION OF AUTHORITY TO USE CASH PAY-**
4 **MENTS IN SPECIAL ACCOUNT FROM LAND**
5 **CONVEYANCE, NATICK SOLDIER SYSTEMS**
6 **CENTER, MASSACHUSETTS.**

7 Section 2844(c)(2)(C) of the Military Construction
8 Authorization Act for Fiscal Year 2018 (division B of
9 Public Law 115–91; 131 Stat. 1865) is amended—

10 (1) in the heading, by striking “OCTOBER 1,
11 2025” and inserting “OCTOBER 1, 2027”; and

12 (2) by striking “October 1, 2025” and inserting
13 “October 1, 2027”.

14 **SEC. 2105. EXTENSION OF AUTHORITY TO CARRY OUT FIS-**
15 **CAL YEAR 2018 PROJECT AT KUNSAN AIR**
16 **BASE, KOREA.**

17 (a) EXTENSION.—Notwithstanding section 2002 of
18 the Military Construction Authorization Act for Fiscal
19 Year 2018 (division B of Public Law 115–91; 131 Stat.
20 1817), the authorization set forth in the table in sub-
21 section (b), as provided in section 2101(b) of such Act
22 (131 Stat. 1819) and extended by section 2106(a) of the
23 Military Construction Act for Fiscal Year 2023 (division
24 B of Public Law 117–263; 136 Stat. 2973), shall remain
25 in effect until October 1, 2024, or the date of the enact-

1 ment of an Act authorizing funds for military construction
2 for fiscal year 2025, whichever is later.

3 (b) TABLE.—The table referred to in subsection (a)
4 is as follows:

Army: Extension of 2018 Project Authorization

Country	Installation or Location	Project	Original Authorized Amount
Korea	Kunsan Air Base	Unmanned Aerial Vehicle Hangar	\$53,000,000

5 **SEC. 2106. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
6 **TAIN FISCAL YEAR 2019 ARMY MILITARY CON-**
7 **STRUCTION PROJECTS.**

8 (a) ARMY MILITARY CONSTRUCTION.—

9 (1) EXTENSION.—Notwithstanding section
10 2002 of the Military Construction Authorization Act
11 for Fiscal Year 2019 (division B of Public Law 115–
12 232; 132 Stat. 2240), the authorizations set forth in
13 the table in paragraph (2), as provided in section
14 2101 of that Act (132 Stat. 2241), shall remain in
15 effect until October 1, 2024, or the date of the en-
16 actment of an Act authorizing funds for military
17 construction for fiscal year 2025, whichever is later.

18 (2) TABLE.—The table referred to in paragraph
19 (1) is as follows:

Army: Extension of 2019 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
Korea	Camp Tango	Command and Control Facility	\$17,500,000
Maryland	Fort Meade	Cantonment Area Roads	\$16,500,000

1 (b) ARMY OVERSEAS CONTINGENCY OPERATIONS

2 MILITARY CONSTRUCTION.—

3 (1) EXTENSION.—Notwithstanding such sec-
 4 tion, the authorizations set forth in the table in
 5 paragraph (2), as provided in section 2901 of such
 6 Act, shall remain in effect until October 1, 2024, or
 7 the date of the enactment of an Act authorizing
 8 funds for military construction for fiscal year 2025,
 9 whichever is later.

10 (2) TABLE.—The table referred to in paragraph

11 (1) is as follows:

Army: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Bulgaria	Nevo Selo FOS	EDI: Ammunition Holding Area	\$5,200,000
Romania	Mihail Kogalniceanu FOS	EDI: Explosives and Ammo Load/Un- load Apron.	\$21,651,000

1 **SEC. 2107. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 2 **TAIN FISCAL YEAR 2021 ARMY MILITARY CON-**
 3 **STRUCTION PROJECTS.**

4 (a) ARMY CONSTRUCTION AND LAND ACQUI-
 5 TION.—

6 (1) EXTENSION.—Notwithstanding section
 7 2002 of the Military Construction Authorization Act
 8 for Fiscal Year 2021 (division B of Public Law 116–
 9 283; 134 Stat. 4294), the authorizations set forth in
 10 the table in paragraph (2), as provided in section
 11 2101(a) of that Act (134 Stat. 4295), shall remain
 12 in effect until October 1, 2024, or the date of the
 13 enactment of an Act authorizing funds for military
 14 construction for fiscal year 2025, whichever is later.

15 (2) TABLE.—The table referred to in paragraph
 16 (1) is as follows:

Army: Extension of 2021 Project Authorizations

State	Installation or Location	Project	Original Authorized Amount
Arizona	Yuma Proving Ground	Ready Building	\$14,000,000
Georgia	Fort Gillem	Forensic Lab	\$71,000,000
Louisiana	Fort Johnson	Information Systems Facility	\$25,000,000

17 (b) CHILD DEVELOPMENT CENTER, FORT EISEN-
 18 HOWER, GEORGIA.—

19 (1) EXTENSION.—Notwithstanding section
 20 2002 of the Military Construction Authorization Act
 21 for Fiscal Year 2021 (division B of Public Law 116–

1 283; 134 Stat. 4294), the authorization under sec-
 2 tion 2865 of that Act (10 U.S.C. 2802 note) for the
 3 project described in paragraph (2) in Fort Eisen-
 4 hower, Georgia, shall remain in effect until October
 5 1, 2024, or the date of the enactment of an Act au-
 6 thorizing funds for military construction for fiscal
 7 year 2025, whichever is later.

8 (2) PROJECT DESCRIBED.—The project de-
 9 scribed in this paragraph is the following:

Army: Extension of 2021 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
Georgia	Fort Eisenhower	Child Development Center	\$21,000,000

10 **TITLE XXII—NAVY MILITARY**
 11 **CONSTRUCTION**

Sec. 2201. Authorized Navy construction and land acquisition projects.

Sec. 2202. Family housing.

Sec. 2203. Authorization of appropriations, Navy.

Sec. 2204. Extension of authority to carry out certain fiscal year 2019 Navy military construction projects.

Sec. 2205. Extension of authority to carry out certain fiscal year 2021 Navy military construction projects.

12 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 13 **ACQUISITION PROJECTS.**

14 (a) INSIDE THE UNITED STATES.—Using amounts
 15 appropriated pursuant to the authorization of appropria-
 16 tions in section 2203(a) and available for military con-
 17 struction projects inside the United States as specified in
 18 the funding table in section 4601, the Secretary of the

1 Navy may acquire real property and carry out military
 2 construction projects for the installations or locations in-
 3 side the United States, and in the amounts, set forth in
 4 the following table:

Navy: Inside the United States

State	Installation	Amount
California	Marine Corps Air Ground Combat Center Twentynine Palms	\$55,341,000
	Port Hueneme	\$120,800,000
	Connecticut	Naval Submarine Base New London
District Of Columbia	Marine Barracks Washington (8th Street and I).	\$131,800,000
Florida	Naval Air Station Whiting Field	\$148,505,000
Georgia	Marine Corps Logistics Base Albany	\$64,000,000
Guam	Andersen Air Force Base	\$497,620,000
	Joint Region Marianas	\$174,540,000
	Naval Base Guam	\$950,656,000
Hawaii	Marine Corps Base Kaneohe Bay	\$318,845,000
Maryland	Fort Meade	\$186,480,000
	Naval Air Station Patuxent River	\$141,700,000
North Carolina	Marine Corps Air Station Cherry Point	\$269,790,000
	Marine Corps Base Camp Lejeune	\$286,780,000
Pennsylvania	Naval Surface Warfare Center Philadelphia	\$100,000,000
Virginia	Dam Neck Annex	\$109,680,000
	Joint Expeditionary Base Little Creek - Fort Story	\$57,000,000
	Marine Corps Base Quantico	\$127,120,000
	Naval Station Norfolk	\$175,878,000
	Naval Weapons Station Yorktown	\$283,500,000
Washington	Naval Base Kitsap	\$245,000,000

5 (b) OUTSIDE THE UNITED STATES.—Using amounts
 6 appropriated pursuant to the authorization of appropria-
 7 tions in section 2203(a) and available for military con-
 8 struction projects outside the United States as specified
 9 in the funding table in section 4601, the Secretary of the
 10 Navy may acquire real property and carry out military
 11 construction projects for the installations or locations out-
 12 side the United States, and in the amounts, set forth in
 13 the following table:

Navy: Outside the United States

Country	Installation	Amount
Djibouti	Camp Lemonnier	\$126,839,000
Italy	Naval Air Station Sigonella	\$90,348,000

1 SEC. 2202. FAMILY HOUSING.

2 (a) CONSTRUCTION AND ACQUISITION.—Using
3 amounts appropriated pursuant to the authorization of ap-
4 propriations in section 2203(a) and available for military
5 family housing functions as specified in the funding table
6 in section 4601, the Secretary of the Navy may construct
7 or acquire family housing units (including land acquisition
8 and supporting facilities) at the installations or locations,
9 in the number of units, and in the amounts set forth in
10 the following table:

Navy: Family Housing

Location	Installation	Amount
Guam	Joint Region Marianas	\$290,365,000

11 (b) IMPROVEMENTS TO MILITARY FAMILY HOUSING
12 UNITS.—Subject to section 2825 of title 10, United States
13 Code, and using amounts appropriated pursuant to the
14 authorization of appropriations in section 2203(a) and
15 available for military family housing functions as specified
16 in the funding table in section 4601, the Secretary of the
17 Navy may improve existing military family housing units
18 in an amount not to exceed \$57,740,000.

19 (c) PLANNING AND DESIGN.—Using amounts appro-
20 priated pursuant to the authorization of appropriations in

1 section 2203(a) and available for military family housing
2 functions as specified in the funding table in section 4601,
3 the Secretary of the Navy may carry out architectural and
4 engineering services and construction design activities
5 with respect to the construction or improvement of family
6 housing units in an amount not to exceed \$14,370,000.

7 **SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

8 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
9 are hereby authorized to be appropriated for fiscal years
10 beginning after September 30, 2023, for military con-
11 struction, land acquisition, and military family housing
12 functions of the Department of the Navy, as specified in
13 the funding table in section 4601.

14 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
15 PROJECTS.—Notwithstanding the cost variations author-
16 ized by section 2853 of title 10, United States Code, and
17 any other cost variation authorized by law, the total cost
18 of all projects carried out under section 2201 may not ex-
19 ceed the total amount authorized to be appropriated under
20 subsection (a), as specified in the funding table in section
21 4601.

22 **SEC. 2204. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
23 **TAIN FISCAL YEAR 2019 NAVY MILITARY CON-**
24 **STRUCTION PROJECTS.**

25 (a) NAVY MILITARY CONSTRUCTION.—

1 (1) EXTENSION.—Notwithstanding section
 2 2002 of the Military Construction Authorization Act
 3 for Fiscal Year 2019 (division B of Public Law 115–
 4 232; 132 Stat. 2240), the authorizations set forth in
 5 the table in paragraph (2), as provided in section
 6 2201 of that Act (132 Stat. 2244), shall remain in
 7 effect until October 1, 2024, or the date of the en-
 8 actment of an Act authorizing funds for military
 9 construction for fiscal year 2025, whichever is later.

10 (2) TABLE.—The table referred to in paragraph
 11 (1) is as follows:

Navy: Extension of 2019 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
Bahrain	SW Asia	Fleet Maintenance Facility and TOC	\$26,340,000
North Carolina	Marine Corps Base Camp Lejeune	2nd Radio BN Com- plex, Phase 2	\$51,300,000
South Carolina	Marine Corps Air Sta- tion Beaufort	Recycling/Hazardous Waste Facility	\$9,517,000
Washington ...	Bangor	Pier and Mainte- nance Facility	\$88,960,000

12 (b) ENHANCING FORCE PROTECTION AND SAFETY
 13 ON MILITARY INSTALLATIONS.—

14 (1) EXTENSION.—Notwithstanding section
 15 2002 of the Military Construction Authorization Act
 16 for Fiscal Year 2019 (division B of Public Law 115–
 17 232; 132 Stat. 2240), the authorization set forth in
 18 the table in paragraph (2), as provided in section

1 2810 of that Act (132 Stat. 2266), shall remain in
 2 effect until October 1, 2024, or the date of the en-
 3 actment of an Act authorizing funds for military
 4 construction for fiscal year 2025, whichever is later.

5 (2) TABLE.—The table referred to in paragraph
 6 (1) is as follows:

Navy: Extension of 2019 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
South Carolina	Marine Corps Air Station Beaufort	Laurel Bay Fire Station	\$10,750,000

7 (c) NAVY CONSTRUCTION AND LAND ACQUISITION
 8 PROJECT.—

9 (1) EXTENSION.—Notwithstanding section
 10 2002 of the Military Construction Authorization Act
 11 for Fiscal Year 2019 (division B of Public Law 115–
 12 232; 132 Stat. 2240), the authorization set forth in
 13 the table in paragraph (2), as provided in section
 14 2902 of that Act (132 Stat. 2286), shall remain in
 15 effect until October 1, 2024, or the date of the en-
 16 actment of an Act authorizing funds for military
 17 construction for fiscal year 2025, whichever is later.

18 (2) TABLE.—The table referred to in paragraph
 19 (1) is as follows:

Navy: Extension of 2019 Project Authorization

Country	Installation or Location	Project	Original Authorized Amount
Greece	Naval Support Activity Souda Bay	EDI: Joint Mobility Processing Center	\$41,650,000

1 **SEC. 2205. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
2 **TAIN FISCAL YEAR 2021 NAVY MILITARY CON-**
3 **STRUCTION PROJECTS.**

4 (a) EXTENSION.—Notwithstanding section 2002 of
5 the Military Construction Authorization Act for Fiscal
6 Year 2021 (division B of Public Law 116–283; 134 Stat.
7 4294), the authorizations set forth in the table in sub-
8 section (b), as provided in section 2201 of that Act (134
9 Stat. 4297), shall remain in effect until October 1, 2024,
10 or the date of the enactment of an Act authorizing funds
11 for military construction for fiscal year 2025, whichever
12 is later.

13 (b) TABLE.—The table referred to in subsection (a)
14 is as follows:

Navy: Extension of 2021 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
California	Twentynine Palms	Wastewater Treat- ment Plant	\$76,500,000
Guam	Joint Region Marianas	Joint Communica- tion Upgrade	\$166,000,000
Maine	NCTAMS LANT De- tachment Cutler	Perimeter Security ..	\$26,100,000
Nevada	Fallon	Range Training Complex, Phase 1	\$29,040,000

1 **TITLE XXIII—AIR FORCE**
 2 **MILITARY CONSTRUCTION**

Sec. 2301. Authorized Air Force construction and land acquisition projects.
 Sec. 2302. Family housing.
 Sec. 2303. Authorization of appropriations, Air Force.
 Sec. 2304. Extension of authority to carry out certain fiscal year 2017 Air Force military construction projects.
 Sec. 2305. Extension of authority to carry out certain fiscal year 2018 Air Force military construction projects.
 Sec. 2306. Extension of authority to carry out certain fiscal year 2019 Air Force military construction projects.
 Sec. 2307. Extension of authority to carry out fiscal year 2021 Air Force military construction projects.

3 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 4 **LAND ACQUISITION PROJECTS.**

5 (a) INSIDE THE UNITED STATES.—Using amounts
 6 appropriated pursuant to the authorization of appropria-
 7 tions in section 2303(a) and available for military con-
 8 struction projects inside the United States as specified in
 9 the funding table in section 4601, the Secretary of the
 10 Air Force may acquire real property and carry out mili-
 11 tary construction projects for the installations or locations
 12 inside the United States, and in the amounts, set forth
 13 in the following table:

Air Force: Inside the United States

State	Installation	Amount
Florida	Eglin Air Force Base	\$15,500,000
	MacDill Air Force Base	\$148,000,000
	Patrick Space Force Base	\$27,000,000
	Tyndall Air Force Base	\$252,000,000
Georgia	Robins Air Force Base	\$115,000,000
Guam	Joint Region Marianas	\$411,000,000
Massachusetts	Hanscom Air Force Base	\$37,000,000
Mississippi	Columbus Air Force Base	\$39,500,000
Montana	Malmstrom Air Force Base	\$10,300,000
South Dakota	Ellsworth Air Force Base	\$235,000,000
Texas	Joint Base San Antonio-Lackland	\$158,000,000
Utah	Hill Air Force Base	\$107,000,000
Wyoming	F.E. Warren Air Force Base	\$85,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
 2 appropriated pursuant to the authorization of appropria-
 3 tions in section 2303(a) and available for military con-
 4 struction projects outside the United States as specified
 5 in the funding table in section 4601, the Secretary of the
 6 Air Force may acquire real property and carry out mili-
 7 tary construction projects for the installations or locations
 8 outside the United States, and in the amounts, set forth
 9 in the following table:

Air Force: Outside the United States

Country	Installation	Amount
Australia	Royal Australian Air Force Base Darwin ...	\$26,000,000
	Royal Australian Air Force Base Tindal	\$130,500,000
Norway	Rygge Air Station	\$136,000,000
Philippines	Cesar Basa Air Base	\$35,000,000
Spain	Morón Air Base	\$34,000,000
United Kingdom	Royal Air Force Fairford	\$67,000,000
	Royal Air Force Lakenheath	\$101,000,000

10 **SEC. 2302. FAMILY HOUSING.**

11 (a) CONSTRUCTION AND ACQUISITION.—Using
 12 amounts appropriated pursuant to the authorization of ap-
 13 propriations in section 2303(a) and available for military
 14 family housing functions as specified in the funding table
 15 in section 4601, the Secretary of the Air Force may con-
 16 struct or acquire family housing units (including land ac-
 17 quisition and supporting facilities) at the installations or
 18 locations, in the number of units, and in the amounts set
 19 forth in the following table:

Navy: Family Housing

Country	Installation	Amount
Japan	Yokota Air Base	\$27,000,000

1 (b) IMPROVEMENTS TO MILITARY FAMILY HOUSING
2 UNITS.—Subject to section 2825 of title 10, United States
3 Code, and using amounts appropriated pursuant to the
4 authorization of appropriations in section 2303(a) and
5 available for military family housing functions as specified
6 in the funding table in section 4601, the Secretary of the
7 Air Force may improve existing military family housing
8 units in an amount not to exceed \$229,282,000.

9 (c) PLANNING AND DESIGN.—Using amounts appro-
10 priated pursuant to the authorization of appropriations in
11 section 2303(a) and available for military family housing
12 functions as specified in the funding table in section 4601,
13 the Secretary of the Air Force may carry out architectural
14 and engineering services and construction design activities
15 with respect to the construction or improvement of family
16 housing units in an amount not to exceed \$7,815,000.

17 **SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR**
18 **FORCE.**

19 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
20 are hereby authorized to be appropriated for fiscal years
21 beginning after September 30, 2023, for military con-
22 struction, land acquisition, and military family housing

1 functions of the Department of the Air Force, as specified
2 in the funding table in section 4601.

3 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**
4 **PROJECTS.**—Notwithstanding the cost variations author-
5 ized by section 2853 of title 10, United States Code, and
6 any other cost variation authorized by law, the total cost
7 of all projects carried out under section 2301 of this divi-
8 sion may not exceed the total amount authorized to be
9 appropriated under subsection (a), as specified in the
10 funding table in section 4601

11 **SEC. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
12 **TAIN FISCAL YEAR 2017 AIR FORCE MILITARY**
13 **CONSTRUCTION PROJECTS.**

14 (a) **AIR FORCE MILITARY CONSTRUCTION PROJECTS**
15 **OUTSIDE THE UNITED STATES.**—

16 (1) **EXTENSION.**—Notwithstanding section
17 2002 of the Military Construction Authorization Act
18 for Fiscal Year 2017 (division B of Public Law 114–
19 328; 130 Stat. 2688), the authorizations set forth in
20 the table in paragraph (2), as provided in section
21 2301(b) of that Act (130 Stat. 2696) and extended
22 by section 2304 of the Military Construction Act for
23 Fiscal Year 2022 (division B of Public Law 117–81;
24 135 Stat. 2169), shall remain in effect until October
25 1, 2024, or the date of the enactment of an Act au-

1 thorizing funds for military construction for fiscal
2 year 2025, whichever is later.

3 (2) TABLE.—The table referred to in paragraph
4 (1) is as follows:

Air Force: Extension of 2017 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Ramstein Air Base	37 AS Squadron Operations/Aircraft Maintenance Unit	\$13,437,000
Germany	Spangdahlem Air Base	Upgrade Hardened Aircraft Shelters for F/A-22	\$2,700,000
Japan	Yokota Air Base	C-130J Corrosion Control Hangar ...	\$23,777,000

5 (b) AIR FORCE OVERSEAS CONTINGENCY OPER-
6 ATIONS PROJECTS.—

7 (1) EXTENSION.—Notwithstanding section
8 2002 of the Military Construction Authorization Act
9 for Fiscal Year 2017 (division B of Public Law 114–
10 328; 130 Stat. 2688), the authorization set forth in
11 the table in paragraph (2), as provided in section
12 2902 of that Act (130 Stat. 2743) and extended by
13 section 2304 of the Military Construction Act for
14 Fiscal Year 2022 (division B of Public Law 117–81;
15 135 Stat. 2169), shall remain in effect until October
16 1, 2024, or the date of the enactment of an Act au-
17 thorizing funds for military construction for fiscal
18 year 2025, whichever is later.

1 (2) TABLE.—The table referred to in paragraph
 2 (1) is as follows:

Air Force: Extension of 2017 Project Authorization

Country	Installation or Location	Project	Original Authorized Amount
Germany	Spangdahlem Air Base	F/A-22 Low Observable/Composite Repair Facility	\$12,000,000

3 **SEC. 2305. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 4 **TAIN FISCAL YEAR 2018 AIR FORCE MILITARY**
 5 **CONSTRUCTION PROJECTS.**

6 (a) TYNDALL AIR FORCE BASE, FLORIDA.—

7 (1) EXTENSION.—Notwithstanding section
 8 2002 of the Military Construction Authorization Act
 9 for Fiscal Year 2018 (division B of Public Law 115–
 10 91; 131 Stat. 1817), the authorization set forth in
 11 the table in paragraph (2), as provided in section
 12 2301(a) of that Act (131 Stat. 1825) and extended
 13 by section 2304(a) of the Military Construction Act
 14 for Fiscal Year 2023 (division B of Public Law 117–
 15 263), shall remain in effect until October 1, 2024,
 16 or the date of the enactment of an Act authorizing
 17 funds for military construction for fiscal year 2025,
 18 whichever is later.

19 (2) TABLE.—The table referred to in paragraph
 20 (1) is as follows:

Air Force: Extension of 2018 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
Florida	Tyndall Air Force Base	Fire Station	\$17,000,000

1 (b) AIR FORCE OVERSEAS CONTINGENCY OPER-
 2 ATIONS PROJECTS.—

3 (1) EXTENSION.—Notwithstanding section
 4 2002 of the Military Construction Authorization Act
 5 for Fiscal Year 2018 (division B of Public Law 115–
 6 91; 131 Stat. 1817), the authorizations set forth in
 7 the table in paragraph (2), as provided in section
 8 2903 of that Act (131 Stat. 1876) and extended by
 9 section 2304(b) of the Military Construction Act for
 10 Fiscal Year 2023 (division B of Public Law 117–
 11 263), shall remain in effect until October 1, 2024,
 12 or the date of the enactment of an Act authorizing
 13 funds for military construction for fiscal year 2025,
 14 whichever is later.

15 (2) TABLE.—The table referred to in paragraph
 16 (1) is as follows:

Air Force: Extension of 2018 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Hungary	Keesket Air Base	ERI: Airfield Up-grades	\$12,900,000
	Keesket Air Base	ERI: Construct Parallel Taxiway	\$30,000,000
	Keesket Air Base	ERI: Increase POL Storage Capacity	\$12,500,000

Air Force: Extension of 2018 Project Authorizations—Continued

Country	Installation or Location	Project	Original Authorized Amount
Luxembourg ...	Sanem	ERI: ECAOS Deployable Air-base System Storage	\$67,400,000
Slovakia	Malacky	ERI: Airfield Upgrades	\$4,000,000
	Malacky	ERI: Increase POL Storage Capacity	\$20,000,000

1 **SEC. 2306. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
2 **TAIN FISCAL YEAR 2019 AIR FORCE MILITARY**
3 **CONSTRUCTION PROJECTS.**

4 (a) AIR FORCE MILITARY CONSTRUCTION
5 PROJECTS.—

6 (1) EXTENSION.—Notwithstanding section
7 2002 of the Military Construction Authorization Act
8 for Fiscal Year 2019 (division B of Public Law 115–
9 232; 132 Stat. 2240), the authorizations set forth in
10 the table in paragraph (2), as provided in section
11 2301 of that Act (132 Stat. 2246), shall remain in
12 effect until October 1, 2024, or the date of the en-
13 actment of an Act authorizing funds for military
14 construction for fiscal year 2025, whichever is later.

15 (2) TABLE.—The table referred to in paragraph
16 (1) is as follows:

Air Force: Extension of 2019 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
Mariana Is- lands	Tinian	APR-Cargo Pad with Taxiway Ex- tension.	\$46,000,000
	Tinian	APR-Maintenance Support Facility ..	\$4,700,000
Maryland	Joint Base Andrews	Child Development Center	\$13,000,000
	Joint Base Andrews	PAR Relocate Haz Cargo Pad and EOD Range.	\$37,000,000
New Mexico	Holloman Air Force Base	MQ-9 FTU Ops Fa- cility	\$85,000,000
	Kirtland Air Force Base	Wyoming Gate Up- grade for Anti- Terrorism Compli- ance	\$7,000,000
United King- dom	Royal Air Force Lakenheath	F-35A ADAL Con- ventional Muni- tions MX.	\$9,204,000
Utah	Hill Air Force Base	Composite Aircraft Antenna Calibra- tion Fac.	\$26,000,000

1 (b) AIR FORCE OVERSEAS CONTINGENCY OPER-
2 ATIONS PROJECTS.—

3 (1) EXTENSION.—Notwithstanding section
4 2002 of the Military Construction Authorization Act
5 for Fiscal Year 2019 (division B of Public Law 115–
6 232; 132 Stat. 2240), the authorizations set forth in
7 the table in paragraph (2), as provided in section
8 2903 of that Act (132 Stat. 2287), shall remain in
9 effect until October 1, 2024, or the date of the en-
10 actment of an Act authorizing funds for military
11 construction for fiscal year 2025, whichever is later.

1 (2) TABLE.—The table referred to in paragraph
2 (1) is as follows:

Air Force: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Slovakia	Malacky	EDI: Regional Munitions Storage Area	\$59,000,000
United Kingdom	RAF Fairford	EDI: Construct DABS-FEV Storage	\$87,000,000
	RAF Fairford	EDI: Munitions Holding Area	\$19,000,000

3 **SEC. 2307. EXTENSION OF AUTHORITY TO CARRY OUT FIS-**
4 **CAL YEAR 2021 AIR FORCE MILITARY CON-**
5 **STRUCTION PROJECTS.**

6 (a) JOINT BASE LANGLEY–EUSTIS, VIRGINIA.—

7 (1) EXTENSION.—Notwithstanding section
8 2002 of the Military Construction Authorization Act
9 for Fiscal Year 2021 (division B of Public Law 116–
10 283; 134 Stat. 4294), the authorization set forth in
11 the table in paragraph (2), as provided in section
12 2301 of that Act (134 Stat. 4299), shall remain in
13 effect until October 1, 2024, or the date of the en-
14 actment of an Act authorizing funds for military
15 construction for fiscal year 2025, whichever is later.

16 (2) TABLE.—The table referred to in paragraph
17 (1) is as follows:

Air Force: Extension of 2021 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
Virginia	Joint Base Langley-Eustis	Access Control Point Main Gate With Land Acq.	\$19,500,000

1 (b) AIR FORCE OVERSEAS CONTINGENCY OPER-
 2 ATIONS.—

3 (1) EXTENSION.—Notwithstanding section
 4 2002 of the Military Construction Authorization Act
 5 for Fiscal Year 2021 (division B of Public Law 116–
 6 283; 134 Stat. 4294), the authorizations set forth in
 7 the table in paragraph (2), as provided in section
 8 2902 of that Act (134 Stat. 4373), shall remain in
 9 effect until October 1, 2024, or the date of the en-
 10 actment of an Act authorizing funds for military
 11 construction for fiscal year 2025, whichever is later.

12 (2) TABLE.—The table referred to in paragraph
 13 (1) is as follows:

Air Force: Extension of 2021 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Ramstein Air Base	EDI: Rapid Airfield Damage Repair Storage	\$36,345,000
	Spangdahlem	EDI: Rapid Airfield Damage Repair Storage	\$25,824,000

1 **TITLE XXIV—DEFENSE AGEN-**
 2 **CIES MILITARY CONSTRUC-**
 3 **TION**

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Authorized Energy Resilience and Conservation Investment Program projects.
- Sec. 2403. Authorization of appropriations, Defense Agencies.
- Sec. 2404. Extension of authority to carry out certain fiscal year 2018 Defense Agencies military construction projects.
- Sec. 2405. Extension and modification of authority to carry out certain fiscal year 2019 Defense Agencies military construction projects.
- Sec. 2406. Extension of authority to carry out fiscal year 2021 project at Defense Fuel Support Point Tsurumi, Japan.
- Sec. 2407. Extension of authority to carry out certain fiscal year 2021 Energy Resilience and Conservation Investment projects.
- Sec. 2408. Authority to carry out military construction projects to improve certain fiscal year 2022 utility systems.
- Sec. 2409. Additional authority to carry out certain military construction projects to improve certain fiscal year 2023 utility systems.

4 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 5 **TION AND LAND ACQUISITION PROJECTS.**

6 (a) **INSIDE THE UNITED STATES.**—Using amounts
 7 appropriated pursuant to the authorization of appropria-
 8 tions in section 2403(a) and available for military con-
 9 struction projects inside the United States as specified in
 10 the funding table in section 4601, the Secretary of De-
 11 fense may acquire real property and carry out military
 12 construction projects for the installations or locations in-
 13 side the United States, and in the amounts, set forth in
 14 the following table:

Defense Agencies: Inside the United States

State	Installation	Amount
Alabama	Redstone Arsenal	\$147,975,000
California	Marine Corps Air Station Miramar	\$103,000,000
	Naval Base Coronado	\$51,000,000

Defense Agencies: Inside the United States—Continued

State	Installation	Amount
	Naval Base San Diego	\$101,644,000
Delaware	Dover Air Force Base	\$30,500,000
Maryland	Fort Meade	\$885,000,000
	Joint Base Andrews	\$38,300,000
Montana	Great Falls International Airport	\$30,000,000
North Carolina	Marine Corps Base Camp Lejeune	\$70,000,000
Utah	Hill Air Force Base	\$14,200,000
Virginia	Fort Belvoir	\$185,000,000
	Joint Expeditionary Base Little Creek - Fort Story.	\$61,000,000
	Pentagon	\$30,600,000
Washington	Joint Base Lewis-McChord	\$62,000,000
	Manchester	\$71,000,000
	Naval Undersea Warfare Center Keyport	\$37,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2403(a) and available for military con-
4 struction projects outside the United States as specified
5 in the funding table in section 4601, the Secretary of De-
6 fense may acquire real property and carry out military
7 construction projects for the installations or locations out-
8 side the United States, and in the amounts, set forth in
9 the following table:

Defense Agencies: Outside the United States

Country	Installation	Amount
Cuba	Naval Station Guantanamo Bay	\$257,000,000
Germany	Baumholder	\$57,700,000
	Ramstein Air Base	\$181,764,000
Honduras	Soto Cano Air Base	\$41,300,000
Japan	Kadena Air Base	\$100,300,000
Spain	Naval Station Rota	\$80,000,000

1 **SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CON-**
 2 **SERVATION INVESTMENT PROGRAM**
 3 **PROJECTS.**

4 (a) **INSIDE THE UNITED STATES.**—Using amounts
 5 appropriated pursuant to the authorization of appropria-
 6 tions in section 2403(a) and available for energy conserva-
 7 tion projects as specified in the funding table in section
 8 4601, the Secretary of Defense may carry out energy con-
 9 servation projects under chapter 173 of title 10, United
 10 States Code, for the installations or locations inside the
 11 United States, and in the amounts, set forth in the fol-
 12 lowing table:

ERCIP Projects: Inside the United States

State	Installation or Location	Amount
California	Marine Corps Air Station Miramar	\$30,550,000
	Naval Base San Diego	\$6,300,000
	Vandenberg Space Force Base	\$57,000,000
Colorado	Buckley Space Force Base	\$14,700,000
Georgia	Naval Submarine Base Kings Bay	\$74,500,000
Kansas	Forbes Field	\$5,850,000
Missouri	Lake City Army Ammunition Plant	\$80,100,000
Nebraska	Offutt Air Force Base	\$41,000,000
North Carolina	Fort Liberty (Camp Mackall)	\$10,500,000
Oklahoma	Fort Sill	\$76,650,000
Puerto Rico	Fort Buchanan	\$56,000,000
Texas	Fort Cavazos	\$18,250,000
Virginia	Pentagon	\$2,250,000
Washington	Joint Base Lewis-McChord	\$49,850,000
Wyoming	F.E. Warren Air Force Base	\$25,000,000

13 (b) **OUTSIDE THE UNITED STATES.**—Using amounts
 14 appropriated pursuant to the authorization of appropria-
 15 tions in section 2403(a) and available for energy conserva-
 16 tion projects as specified in the funding table in section
 17 4601, the Secretary of Defense may carry out energy con-
 18 servation projects under chapter 173 of title 10, United

1 States Code, for the installations or locations outside the
 2 United States, and in the amounts, set forth in the fol-
 3 lowing table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Korea	K-16 Air Base	\$5,650,000
Kuwait	Camp Buehring	\$18,850,000

4 (c) IMPROVEMENTS TO CONVEYED UTILITY SYS-
 5 TEMS.—In the case of a utility system that is conveyed
 6 under section 2688 of title 10, United States Code, and
 7 that only provides utility services to a military installation,
 8 notwithstanding subchapters I and III of chapter 169 and
 9 chapters 221 and 223 of title 10, United States Code, the
 10 Secretary of Defense or the Secretary of a military depart-
 11 ment may authorize a contract with the conveyee of the
 12 utility system to carry out the military construction
 13 projects set forth in the following table:

Improvements to Conveyed Utility Systems

State	Installation or Location	Project
Nebraska	Offutt Air Force Base	Microgrid and Backup Power
North Carolina ...	Fort Liberty (Camp Mackall)	Microgrid and Backup Power
Texas	Fort Cavazos	Microgrid and Backup Power
Washington	Joint Base Lewis-McChord	Power Generation and Microgrid

14 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
 15 **FENSE AGENCIES.**

16 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
 17 are hereby authorized to be appropriated for fiscal years

1 beginning after September 30, 2023, for military con-
2 struction, land acquisition, and military family housing
3 functions of the Department of Defense (other than the
4 military departments), as specified in the funding table
5 in section 4601.

6 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**
7 **PROJECTS.**—Notwithstanding the cost variations author-
8 ized by section 2853 of title 10, United States Code, and
9 any other cost variation authorized by law, the total cost
10 of all projects carried out under section 2401 of this Act
11 may not exceed the total amount authorized to be appro-
12 priated under subsection (a), as specified in the funding
13 table in section 4601.

14 **SEC. 2404. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
15 **TAIN FISCAL YEAR 2018 DEFENSE AGENCIES**
16 **MILITARY CONSTRUCTION PROJECTS.**

17 (a) **EXTENSION.**—Notwithstanding section 2002 of
18 the Military Construction Authorization Act for Fiscal
19 Year 2018 (division B of Public Law 115–91; 131 Stat.
20 1817), the authorizations set forth in the table in sub-
21 section (b), as provided in section 2401(b) of that Act
22 (131 Stat. 1829) and extended by section 2404 of the
23 Military Construction Authorization Act for Fiscal Year
24 2023 (division B of Public Law 117–263), shall remain
25 in effect until October 1, 2024, or the date of the enact-

1 ment of an Act authorizing funds for military construction
2 for fiscal year 2025, whichever is later.

3 (b) TABLE.—The table referred to in subsection (a)
4 is as follows:

Defense Agencies: Extension of 2018 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Japan	Iwakuni	PDI: Construct Bulk Storage Tanks PH 1	\$30,800,000
Puerto Rico	Punta Borinquen	Ramey Unit School Replacement	\$61,071,000

5 **SEC. 2405. EXTENSION AND MODIFICATION OF AUTHORITY**
6 **TO CARRY OUT CERTAIN FISCAL YEAR 2019**
7 **DEFENSE AGENCIES MILITARY CONSTRU-**
8 **CTION PROJECTS.**

9 (a) EXTENSION.—

10 (1) IN GENERAL.—Notwithstanding section
11 2002 of the Military Construction Authorization Act
12 for Fiscal Year 2019 (division B of Public Law 115–
13 232; 132 Stat. 2240), the authorizations set forth in
14 the table in paragraph (2), as provided in section
15 2401(b) of that Act (132 Stat. 2249), shall remain
16 in effect until October 1, 2024, or the date of the
17 enactment of an Act authorizing funds for military
18 construction for fiscal year 2025, whichever is later.

19 (2) TABLE.—The table referred to in paragraph
20 (1) is as follows:

Defense Agencies: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Germany	Baumholder	SOF Joint Parachute Rigging Facility	\$11,504,000
Japan	Camp McTureous Iwakuni	Betchel Elementary School Fuel Pier	\$94,851,000 \$33,200,000

1 (b) MODIFICATION OF AUTHORITY TO CARRY OUT
2 FISCAL YEAR 2019 PROJECT IN BAUMHOLDER, GER-
3 MANY.—

4 (1) MODIFICATION OF PROJECT AUTHORITY.—

5 In the case of the authorization contained in the
6 table in section 2401(b) of the Military Construction
7 Authorization Act for Fiscal Year 2019 (division B
8 of Public Law 115–232; 132 Stat. 2249) for
9 Baumholder, Germany, for construction of a SOF
10 Joint Parachute Rigging Facility, the Secretary of
11 Defense may construct a 3,200 square meter facility.

12 (2) MODIFICATION OF PROJECT AMOUNTS.—

13 (A) DIVISION B TABLE.—The authoriza-
14 tion table in section 2401(b) of the Military
15 Construction Authorization Act for Fiscal Year
16 2019 (division B of Public Law 115–232; 132
17 Stat. 2249), as extended pursuant to subsection
18 (a), is amended in the item relating to
19 Baumholder, Germany, by striking
20 “\$11,504,000” and inserting “\$23,000,000” to

1 reflect the project modification made by para-
2 graph (1).

3 (B) DIVISION D TABLE.—The funding
4 table in section 4601 of the John S. McCain
5 National Defense Authorization Act for Fiscal
6 Year 2019 (Public Law 115–232; 132 Stat.
7 2406) is amended in the item relating to De-
8 fense-wide, Baumholder, Germany, SOF Joint
9 Parachute Rigging Facility, by striking
10 “11,504” in the Conference Authorized column
11 and inserting “23,000” to reflect the project
12 modification made by paragraph (1).

13 **SEC. 2406. EXTENSION OF AUTHORITY TO CARRY OUT FIS-**
14 **CAL YEAR 2021 PROJECT AT DEFENSE FUEL**
15 **SUPPORT POINT TSURUMI, JAPAN.**

16 (a) EXTENSION.—Notwithstanding section 2002 of
17 the Military Construction Authorization Act for Fiscal
18 Year 2021 (division B of Public Law 116–283; 134 Stat.
19 4294), the authorization set forth in the table in sub-
20 section (b), as provided in section 2401(b) of that Act
21 (134 Stat. 4304), shall remain in effect until October 1,
22 2024, or the date of the enactment of an Act authorizing
23 funds for military construction for fiscal year 2025, which-
24 ever is later.

1 (b) TABLE.—The table referred to in subsection (a)
 2 is as follows:

Defense Agencies: Extension of 2021 Project Authorization

Country	Installation or Location	Project	Original Authorized Amount
Japan	Def Fuel Support Point Tsurumi	Fuel Wharf	\$49,500,000

3 **SEC. 2407. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 4 **TAIN FISCAL YEAR 2021 ENERGY RESILIENCE**
 5 **AND CONSERVATION INVESTMENT**
 6 **PROJECTS.**

7 (a) EXTENSION.—Notwithstanding section 2002 of
 8 the Military Construction Authorization Act for Fiscal
 9 Year 2021 (division B of Public Law 116–283; 134 Stat.
 10 4294), the authorizations set forth in the table in sub-
 11 section (b), as provided in section 2402 of that Act (134
 12 Stat. 4306), shall remain in effect until October 1, 2024,
 13 or the date of the enactment of an Act authorizing funds
 14 for military construction for fiscal year 2025, whichever
 15 is later.

16 (b) TABLE.—The table referred to in subsection (a)
 17 is as follows:

ERCIP Projects: Extension of 2021 Project Authorizations

State/ Country	Installation or Location	Project	Original Authorized Amount
Arkansas	Ebbing Air National Guard Base	PV Arrays and Bat- tery Storage	\$2,600,000

ERCIP Projects: Extension of 2021 Project Authorizations—
Continued

State/ Country	Installation or Location	Project	Original Authorized Amount
California	Marine Corps Air Com- bat Center Twentynine Palms ...	Install 10 Mw Bat- tery Energy Stor- age for Various Buildings	\$11,646,000
	Military Ocean Ter- minal Concord	Military Ocean Ter- minal Concord Microgrid	\$29,000,000
	Naval Support Activity Monterey	Cogeneration Plant at B236	\$10,540,000
Italy	Naval Support Activity Naples	Smart Grid	\$3,490,000
Nevada	Creech Air Force Base	Central Standby Generators	\$32,000,000
Virginia	Naval Medical Center Portsmouth	Retro Air Handling Units From Con- stant Volume; Re- heat to Variable Air Volume	\$611,000

1 SEC. 2408. AUTHORITY TO CARRY OUT MILITARY CON-
2 STRUCTION PROJECTS TO IMPROVE CERTAIN
3 FISCAL YEAR 2022 UTILITY SYSTEMS.

4 In the case of a utility system that is conveyed under
5 section 2688 of title 10, United States Code, and that only
6 provides utility services to a military installation, notwith-
7 standing subchapters I and III of chapter 169 and chap-
8 ters 221 and 223 of title 10, United States Code, the Sec-
9 retary of Defense or the Secretary of a military depart-
10 ment may authorize a contract with the conveyee of the
11 utility system to carry out the military construction
12 projects set forth in the following table:

Improvement of Conveyed Utility Systems

State	Installation or Location	Project
Alabama	Fort Novosel	Construct a 10 MW RICE Generator Plant and Micro-Grid Controls
Georgia	Fort Moore	Construct 4.8MW Generation and Microgrid
	Fort Stewart	Construct a 10 MW Generation Plant, with Microgrid Controls
New York	Fort Drum	Well Field Expansion Project
North Carolina ...	Fort Liberty	Construct 10 MW Microgrid Utilizing Existing and New Generators
	Fort Liberty	Fort Liberty Emergency Water System

1 **SEC. 2409. ADDITIONAL AUTHORITY TO CARRY OUT CER-**
2 **TAIN MILITARY CONSTRUCTION PROJECTS**
3 **TO IMPROVE CERTAIN FISCAL YEAR 2023**
4 **UTILITY SYSTEMS.**

5 In the case of a utility system that is conveyed under
6 section 2688 of title 10, United States Code, and that only
7 provides utility services to a military installation, notwith-
8 standing subchapters I and III of chapter 169 and chap-
9 ters 221 and 223 of title 10, United States Code, the Sec-
10 retary of Defense or the Secretary of a military depart-
11 ment may authorize a contract with the conveyee of the
12 utility system to carry out the military construction
13 projects set forth in the following table:

Improvement of Conveyed Utility Systems

State	Installation or Location	Project
Georgia	Fort Stewart – Hunter Army Airfield	Power Generation and Microgrid
Kansas	Fort Riley	Power Generation and Microgrid
Texas	Fort Cavazos	Power Generation and Microgrid

1 **TITLE XXV—INTERNATIONAL**
2 **PROGRAMS**

Subtitle A—North Atlantic Treaty Organization Security Investment

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

Subtitle B—Host Country In-Kind Contributions

Sec. 2511. Republic of Korea funded construction projects.

Sec. 2512. Republic of Poland funded construction projects.

3 **Subtitle A—North Atlantic Treaty**
4 **Organization Security Investment**

5 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
6 **ACQUISITION PROJECTS.**

7 The Secretary of Defense may make contributions for
8 the North Atlantic Treaty Organization Security Invest-
9 ment Program, as provided in section 2806 of title 10,
10 United States Code, in an amount not to exceed the sum
11 of the amount authorized to be appropriated for this pur-
12 pose in section 2502 and the amount collected from the
13 North Atlantic Treaty Organization as a result of con-
14 struction previously financed by the United States.

1 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

2 Funds are hereby authorized to be appropriated for
 3 fiscal years beginning after September 30, 2023, for con-
 4 tributions by the Secretary of Defense under section 2806
 5 of title 10, United States Code, for the share of the United
 6 States of the cost of projects for the North Atlantic Treaty
 7 Organization Security Investment Program authorized by
 8 section 2501 as specified in the funding table in section
 9 4601.

10 **Subtitle B—Host Country In-Kind**
 11 **Contributions**

12 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION**
 13 **PROJECTS.**

14 Pursuant to agreement with the Republic of Korea
 15 for required in-kind contributions, the Secretary of De-
 16 fense may accept military construction projects for the in-
 17 stallations or locations in the Republic of Korea, and in
 18 the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp Bonifas	Vehicle Maintenance Shop	\$7,700,000
Army	Camp Carroll	Humidity Controlled Ware- house	\$189,000,000
Army	Camp Humphreys	Airfield Services Storage Warehouse	\$7,100,000
Army	Camp Walker	Consolidated Fire and Military Police Station ..	\$48,000,000
Army	Pusan	Warehouse Facility	\$40,000,000
Navy	Chinhae	Electrical Switchgear Building	\$6,000,000
Air Force	Osan Air Base	Consolidated Operations Group and Maintenance Group Headquarters	\$46,000,000
Air Force	Osan Air Base	Flight Line Dining Facility	\$6,800,000

Republic of Korea Funded Construction Projects—Continued

Component	Installation or Location	Project	Amount
Air Force	Osan Air Base	Reconnaissance Squadron Operations and Avionics Facility	\$30,000,000
Air Force	Osan Air Base	Repair Aircraft Maintenance Hangar B1732	\$8,000,000
Air Force	Osan Air Base	Upgrade Electrical Distribution East, Phase 2	\$46,000,000
Air Force	Osan Air Base	Water Supply Treatment Facility	\$22,000,000

1 **SEC. 2512. REPUBLIC OF POLAND FUNDED CONSTRUCTION**
2 **PROJECTS.**

3 Pursuant to agreement with the Republic of Poland
4 for required in-kind contributions, the Secretary of De-
5 fense may accept military construction projects for the in-
6 stallations or locations in the Republic of Poland, and in
7 the amounts, set forth in the following table:

Republic of Poland Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Powidz	Barracks and Dining Facility	\$93,000,000
Army	Powidz	Rotary Wing Aircraft Apron	\$35,000,000
Army	Swietoszow	Bulk Fuel Storage	\$35,000,000
Army	Swietoszow	Rail Extension and Railhead	\$7,300,000
Air Force	Wroclaw	Aerial Port of Debarkation Ramp	\$59,000,000
Air Force	Wroclaw	Taxiways to Aerial Port of Debarkation Ramp	\$39,000,000
Defense-Wide	Lubliniec	Special Operations Forces Company Operations Facility	\$16,200,000

8 **TITLE XXVI—GUARD AND**
9 **RESERVE FORCES FACILITIES**

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.

Sec. 2602. Authorized Army Reserve construction and land acquisition projects.

Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.

- Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
- Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
- Sec. 2606. Authorization of appropriations, National Guard and Reserve.
- Sec. 2607. Extension of authority to carry out fiscal year 2018 project at Hulman Regional Airport, Indiana.
- Sec. 2608. Extension of authority to carry out fiscal year 2019 project at Francis S. Gabreski Airport, New York.
- Sec. 2609. Extension of authority to carry out certain fiscal year 2021 National Guard and Reserve military construction projects.
- Sec. 2610. Modification of authority to carry out fiscal year 2023 project at Camp Pendleton, California.
- Sec. 2611. Authority to conduct restoration and modernization projects at the First City Troop Readiness Center in Philadelphia, Pennsylvania.

1 SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-
2 STRUCTION AND LAND ACQUISITION
3 PROJECTS.

4 Using amounts appropriated pursuant to the author-
 5 ization of appropriations in section 2606 and available for
 6 the National Guard and Reserve as specified in the fund-
 7 ing table in section 4601, the Secretary of the Army may
 8 acquire real property and carry out military construction
 9 projects for the Army National Guard locations inside the
 10 United States, and in the amounts, set forth in the fol-
 11 lowing table:

Army National Guard: Inside the United States

State	Installation	Amount
Arizona	Surprise Readiness Center	\$15,000,000
Florida	Camp Blanding	\$11,000,000
Idaho	Jerome County Regional Site	\$17,000,000
Illinois	North Riverside Armory	\$24,000,000
Kentucky	Burlington	\$16,400,000
Mississippi	Southaven Readiness Center	\$33,000,000
Missouri	Bellefontaine	\$28,000,000
New Hampshire	Littleton	\$23,000,000
New Mexico	Rio Rancho Training Site	\$11,000,000
New York	Lexington Avenue Armory	\$90,000,000
Ohio	Camp Perry Joint Training Center	\$19,200,000
Oregon	Washington County Readiness Center	\$26,000,000
Pennsylvania	Hermitage Readiness Center	\$13,600,000
Rhode Island	Quonset Point	\$41,000,000

Army National Guard: Inside the United States—Continued

State	Installation	Amount
South Carolina	Aiken County Readiness Center	\$20,000,000
	McCrary Training Center	\$7,900,000
Virginia	Sandston RC & FMS 1	\$20,000,000
Wisconsin	Viroqua	\$18,200,000

1 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
2 **AND LAND ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the author-
4 ization of appropriations in section 2606 and available for
5 the National Guard and Reserve as specified in the fund-
6 ing table in section 4601, the Secretary of the Army may
7 acquire real property and carry out military construction
8 projects for the Army Reserve locations inside the United
9 States, and in the amounts, set forth in the following
10 table:

Army Reserve

State	Installation	Amount
Alabama	Birmingham	\$57,000,000
Arizona	San Tan Valley	\$17,000,000
California	Fort Hunter Liggett	\$40,000,000
Georgia	Marine Corps Logistics Base Albany	\$40,000,000

11 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
12 **CORPS RESERVE CONSTRUCTION AND LAND**
13 **ACQUISITION PROJECTS.**

14 Using amounts appropriated pursuant to the author-
15 ization of appropriations in section 2606 and available for
16 the National Guard and Reserve as specified in the fund-
17 ing table in section 4601, the Secretary of the Navy may
18 acquire real property and carry out military construction

1 projects for the Navy Reserve and Marine Corps Reserve
 2 locations inside the United States, and in the amounts,
 3 set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Installation or Location	Amount
Michigan	Naval Reserve Center Battle Creek	\$24,549,000
Virginia	Marine Forces Reserve Dam Neck Virginia Beach	\$12,400,000

4 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

5
 6 Using amounts appropriated pursuant to the author-
 7 ization of appropriations in section 2606 and available for
 8 the National Guard and Reserve as specified in the fund-
 9 ing table in section 4601, the Secretary of the Air Force
 10 may acquire real property and carry out military construc-
 11 tion projects for the Air National Guard locations inside
 12 the United States, and in the amounts, set forth in the
 13 following table:

Air National Guard

State	Location	Amount
Alabama	Montgomery Regional Airport	\$7,000,000
Alaska	Joint Base Elmendorf – Richardson	\$7,000,000
Arizona	Tucson International Airport	\$11,600,000
Arkansas	Ebbing Air National Guard Base	\$75,989,000
Colorado	Buckley Space Force Base	\$12,000,000
Indiana	Fort Wayne International Airport	\$8,900,000
Oregon	Portland International Airport	\$79,000,000
Pennsylvania	Harrisburg International Airport	\$8,000,000
Wisconsin	Truax Field	\$5,200,000

1 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**
 2 **TION AND LAND ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the author-
 4 ization of appropriations in section 2606 and available for
 5 the National Guard and Reserve as specified in the fund-
 6 ing table in section 4601, the Secretary of the Air Force
 7 may acquire real property and carry out military construc-
 8 tion projects for the Air Force Reserve locations inside
 9 the United States, and in the amounts, set forth in the
 10 following table:

Air Force Reserve

State	Location	Amount
Arizona	Davis-Monthan Air Force Base	\$8,500,000
California	March Air Reserve Base	\$226,500,000
Georgia	Dobbins Air Reserve Base	\$22,000,000
Guam	Joint Region Marianas	\$27,000,000
Louisiana	Barksdale Air Force Base	\$7,000,000
Texas	Naval Air Station Joint Reserve Base Fort Worth.	\$16,000,000

11 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**
 12 **TIONAL GUARD AND RESERVE.**

13 Funds are hereby authorized to be appropriated for
 14 fiscal years beginning after September 30, 2023, for the
 15 costs of acquisition, architectural and engineering services,
 16 and construction of facilities for the Guard and Reserve
 17 Forces, and for contributions therefor, under chapter
 18 1803 of title 10, United States Code (including the cost
 19 of acquisition of land for those facilities), as specified in
 20 the funding table in section 4601.

1 **SEC. 2607. EXTENSION OF AUTHORITY TO CARRY OUT FIS-**
 2 **CAL YEAR 2018 PROJECT AT HULMAN RE-**
 3 **GIONAL AIRPORT, INDIANA.**

4 (a) **EXTENSION.**—Notwithstanding section 2002 of
 5 the Military Construction Authorization Act for Fiscal
 6 Year 2018 (division B of Public Law 115–91; 131 Stat.
 7 1817), the authorization set forth in the table in sub-
 8 section (b), as provided in section 2604 of that Act (131
 9 Stat. 1836) and extended by section 2608 of the Military
 10 Construction Act for Fiscal Year 2023 (division B of Pub-
 11 lic Law 117–263), shall remain in effect until October 1,
 12 2024, or the date of the enactment of an Act authorizing
 13 funds for military construction for fiscal year 2025, which-
 14 ever is later.

15 (b) **TABLE.**—The table referred to in subsection (a)
 16 is as follows:

**National Guard and Reserve: Extension of 2018 Project
 Authorization**

State	Installation or Location	Project	Original Authorized Amount
Indiana	Hulman Regional Air- port	Construct Small Arms Range	\$8,000,000

17 **SEC. 2608. EXTENSION OF AUTHORITY TO CARRY OUT FIS-**
 18 **CAL YEAR 2019 PROJECT AT FRANCIS S.**
 19 **GABRESKI AIRPORT, NEW YORK.**

20 (a) **EXTENSION.**—Notwithstanding section 2002 of
 21 the Military Construction Authorization Act for Fiscal

1 Year 2019 (division B of Public Law 115–232; 132 Stat.
 2 2240), the authorization set forth in the table in sub-
 3 section (b), as provided in sections 2604 of that Act (132
 4 Stat. 2255), shall remain in effect until October 1, 2024,
 5 or the date of the enactment of an Act authorizing funds
 6 for military construction for fiscal year 2025, whichever
 7 is later.

8 (b) TABLE.—The table referred to in subsection (a)
 9 is as follows:

**National Guard and Reserve: Extension of 2019 Project
 Authorization**

State	Installation or Location	Project	Original Authorized Amount
New York	Francis S. Gabreski Airport	Security Forces/ Comm. Training Facility	\$20,000,000

10 **SEC. 2609. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 11 **TAIN FISCAL YEAR 2021 NATIONAL GUARD**
 12 **AND RESERVE MILITARY CONSTRUCTION**
 13 **PROJECTS.**

14 (a) EXTENSION.—Notwithstanding section 2002 of
 15 the Military Construction Authorization Act for Fiscal
 16 Year 2021 (division B of Public Law 116–283; 134 Stat.
 17 4294), the authorizations set forth in the table in sub-
 18 section (b), as provided in sections 2601, 2602, and 2604
 19 of that Act (134 Stat. 4312, 4313, 4314), shall remain
 20 in effect until October 1, 2024, or the date of the enact-

1 ment of an Act authorizing funds for military construction
 2 for fiscal year 2025, whichever is later.

3 (b) TABLE.—The table referred to in subsection (a)
 4 is as follows:

National Guard and Reserve: Extension of 2021 Project Authorizations

State or Territory	Installation or Location	Project	Original Authorized Amount
Arkansas	Fort Chaffee	National Guard Readiness Center	\$15,000,000
California	Bakersfield	National Guard Vehicle Maintenance Shop	\$9,300,000
Colorado	Peterson Space Force Base	National Guard Readiness Center	\$15,000,000
Guam	Joint Region Marianas	Space Control Facility #5	\$20,000,000
Ohio	Columbus	National Guard Readiness Center	\$15,000,000
Massachusetts	Devens Reserve Forces Training Area	Automated Multi-purpose Machine Gun Range	\$8,700,000
North Carolina	Asheville	Army Reserve Center/Land	\$24,000,000
Puerto Rico	Fort Allen	National Guard Readiness Center	\$37,000,000
South Carolina	Joint Base Charleston	National Guard Readiness Center	\$15,000,000
Texas	Fort Worth	Aircraft Maintenance Hangar Addition/Alt.	\$6,000,000
	Joint Base San Antonio	F-16 Mission Training Center	\$10,800,000
Virgin Islands	St. Croix	Army Aviation Support Facility (AASF)	\$28,000,000
	St. Croix	CST Ready Building	\$11,400,000

5 **SEC. 2610. MODIFICATION OF AUTHORITY TO CARRY OUT**
 6 **FISCAL YEAR 2023 PROJECT AT CAMP PEN-**
 7 **DLETON, CALIFORNIA.**

8 In the case of the authorization contained in the table
 9 in section 2602 of the Military Construction Authorization
 10 Act for Fiscal Year 2023 (division B of Public Law 117–

1 263; 136 Stat. 2987) for Camp Pendleton, California, for
2 construction of an area maintenance support activity, the
3 Secretary of the Army may construct a 15,000 square foot
4 facility.

5 **SEC. 2611. AUTHORITY TO CONDUCT RESTORATION AND**
6 **MODERNIZATION PROJECTS AT THE FIRST**
7 **CITY TROOP READINESS CENTER IN PHILA-**
8 **DELPHIA, PENNSYLVANIA.**

9 (a) IN GENERAL.—Subject to the conditions de-
10 scribed in subsection (b), the Chief of the National Guard
11 Bureau may only obligate or expend amounts available to
12 the Army National Guard for Facilities Sustainment, Res-
13 toration, and Modernization, or award a contract, to con-
14 duct restoration and modernization projects at the First
15 City Troop Readiness Center in Philadelphia, Pennsyl-
16 vania.

17 (b) CONDITIONS.—The conditions described in this
18 subsection are the following:

19 (1) As of the date on which the Chief awards
20 a contract under subsection (a), any lease held by
21 the Commonwealth of Pennsylvania for the First
22 City Troop Readiness Center has a term sufficient
23 to allow a project described in subsection (a) to real-
24 ize the applicable full lifecycle benefit.

1 (2) The Federal contribution for such a project
2 does not exceed 50 percent of the total cost of the
3 project.

4 (3) Not later than 15 days before the date on
5 which the Chief awards any such contract, the Chief
6 submits to the Committees on Armed Services of the
7 Senate and the House of Representatives a notifica-
8 tion that includes an explanation of the sufficiency
9 of the term of the lease described in paragraph (1).

10 **TITLE XXVII—BASE REALIGN-**
11 **MENT AND CLOSURE ACTIVI-**
12 **TIES**

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account.

Sec. 2702. Prohibition on conducting additional base realignment and closure (BRAC) round.

13 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**
14 **BASE REALIGNMENT AND CLOSURE ACTIVI-**
15 **TIES FUNDED THROUGH DEPARTMENT OF**
16 **DEFENSE BASE CLOSURE ACCOUNT.**

17 Funds are hereby authorized to be appropriated for
18 fiscal years beginning after September 30, 2023, for base
19 realignment and closure activities, including real property
20 acquisition and military construction projects, as author-
21 ized by the Defense Base Closure and Realignment Act
22 of 1990 (part A of title XXIX of Public Law 101–510;
23 10 U.S.C. 2687 note) and funded through the Department

1 of Defense Base Closure Account established by section
2 2906 of such Act as specified in the funding table in sec-
3 tion 4601.

4 **SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL**
5 **BASE REALIGNMENT AND CLOSURE (BRAC)**
6 **ROUND.**

7 Nothing in this Act shall be construed to authorize
8 an additional Base Realignment and Closure (BRAC)
9 round.

10 **TITLE XXVIII—MILITARY CON-**
11 **STRUCTION GENERAL PROVI-**
12 **SIONS**

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Programs

- Sec. 2801. Modifications to Defense Community Infrastructure Program.
- Sec. 2802. Modification to authority for unspecified minor construction.
- Sec. 2803. Application of dollar limitations for unspecified minor military construction projects to locations outside the United States.
- Sec. 2804. Increase to amount of certain funds for military installation resilience projects.
- Sec. 2805. Authority for certain construction projects in friendly foreign countries.
- Sec. 2806. Temporary expansion of authority for use of one-step turn-key procedures for repair projects.
- Sec. 2807. Authorization of cost-plus incentive-fee contracting for military construction projects to mitigate risk to the Sentinel program schedule and cost.
- Sec. 2808. Inclusion on Department of Defense Form 1391 of information on consideration of certain methods of construction for certain military construction projects.
- Sec. 2809. Incorporation of cybersecurity supply chain risk management tools and methods.
- Sec. 2810. Authority for Indo-Pacific posture unspecified minor military construction projects.
- Sec. 2811. Authority to conduct energy resilience and conservation projects at installations at which certain energy projects have occurred.

Subtitle B—Military Housing Reforms

- Sec. 2821. Establishment of the Military Family Readiness Working Group for Military Housing.
- Sec. 2822. Improvements to privatized military housing.
- Sec. 2823. Notification relating to legal counsel for nondisclosure agreements.
- Sec. 2824. Inclusion of questions regarding military housing for members of the Armed Forces in status of forces survey.
- Sec. 2825. Implementation of Comptroller General recommendations relating to strengthening oversight of privatized military housing.

Subtitle C—Covered Military Unaccompanied Housing Reforms

- Sec. 2831. Design standards for covered military unaccompanied housing.
- Sec. 2832. Establishment of standards for habitability of covered military unaccompanied housing.
- Sec. 2833. Modification of procedures for issuance of waivers of covered privacy and configuration standards; temporary biannual briefing.
- Sec. 2834. Certification of habitability of covered military unaccompanied housing.
- Sec. 2835. Pilot program for military construction projects to replace certain covered military unaccompanied housing facilities.
- Sec. 2836. Establishment of civilian employees for oversight of covered military unaccompanied housing.
- Sec. 2837. Maintenance work order management process for covered military unaccompanied housing.
- Sec. 2838. Uniform index for evaluating the condition of covered military unaccompanied housing facilities.
- Sec. 2839. Annual reports on the condition of covered military unaccompanied housing.
- Sec. 2840. Submission of temporary housing support certification to Members of Congress.
- Sec. 2841. Elimination of flexibilities for construction standards for covered military unaccompanied housing.

Subtitle D—Real Property and Facilities Administration

- Sec. 2851. Guidance on Department of Defense-wide standards for access to military installations.
- Sec. 2852. Authority to make grants for security and fire protection for former Army and Navy General Hospital, Hot Springs National Park, Hot Springs, Arkansas; briefing.
- Sec. 2853. Plan and report on critical infrastructure systems at military installations.
- Sec. 2854. Closure and disposal of the Pueblo Chemical Depot, Pueblo County, Colorado.
- Sec. 2855. Limitation on authority to modify or restrict public access to Greenbury Point Conservation Area at Naval Support Activity Annapolis, Maryland.
- Sec. 2856. Authorization for the Secretary of the Navy to resolve the electrical utility operations at Former Naval Air Station Barbers Point, Hawaii.
- Sec. 2857. Inclusion of military installation resilience in real property management and installation master planning of Department.
- Sec. 2858. Modification of authority to relocate Joint Spectrum Center to Fort Meade, Maryland.

Subtitle E—Land Conveyances

- Sec. 2861. Extension of sunset for land conveyance, Sharpe Army Depot, Lathrop, California.
- Sec. 2862. Clarification of authority of Department of Defense to conduct certain military activities at Nevada test and training range.
- Sec. 2863. Extensions, additions, and revisions to the Military Lands Withdrawal Act of 1999 relating to the Barry M. Goldwater Range, Arizona.
- Sec. 2864. Land acquisition, Westmoreland State Park, Virginia.
- Sec. 2865. Land conveyance, Naval Weapons Station Earle, New Jersey.
- Sec. 2866. Land Conveyance, Paine Field Air National Guard Station, Everett, Snohomish County, Washington.
- Sec. 2867. Land conveyance, Wetzel County Memorial Army Reserve Center, New Martinsville, West Virginia.
- Sec. 2868. Land conveyance, BG J Sumner Jones Army Reserve Center, Wheeling, West Virginia.

Subtitle F—Pilot Programs and Reports

- Sec. 2871. Modification of pilot program on increased use of sustainable building materials in military construction.
- Sec. 2872. Modification of pilot program on establishment of account for reimbursement for use of testing facilities at installations of the Department of the Air Force.
- Sec. 2873. Pilot program to provide air purification technology in covered military housing.
- Sec. 2874. Joint Housing Requirements and Market Analysis for certain military installations in Hawaii.
- Sec. 2875. Quarterly briefings on military construction related to the Sentinel intercontinental ballistic missile weapon system program.

Subtitle G—Other Matters

- Sec. 2881. Increase of limitation on fee for architectural and engineering services procured by military departments.
- Sec. 2882. Development and operation of Marine Corps Heritage Center and National Museum of the Marine Corps.
- Sec. 2883. Technical corrections.
- Sec. 2884. Modification of authority of Secretary of the Army to enter into cooperative agreements relating to access and management of Air Force Memorial.
- Sec. 2885. Designation of National Museum of the Mighty Eighth Air Force.
- Sec. 2886. Continuing education curriculum on use of innovative products for military construction projects.
- Sec. 2887. Guidance on encroachment that affects covered sites.
- Sec. 2888. Extension and modification of annual updates to master plans and investment strategies for Army ammunition plants.
- Sec. 2889. Limitation on use of funds for United States Space Command Headquarters.
- Sec. 2890. Plan for use of excess construction materials on southwest border.

1 **Subtitle A—Military Construction**
2 **Programs**

3 **SEC. 2801. MODIFICATIONS TO DEFENSE COMMUNITY IN-**
4 **FRASTRUCTURE PROGRAM.**

5 Section 2391(d) of title 10, United States Code, is
6 amended—

7 (1) in the subsection heading, by striking
8 “PILOT”; and

9 (2) by striking paragraph (5).

10 **SEC. 2802. MODIFICATION TO AUTHORITY FOR UNSPEC-**
11 **IFIED MINOR CONSTRUCTION.**

12 (a) INCLUSION OF DEMOLITION IN DEFINITION OF
13 UNSPECIFIED MINOR MILITARY CONSTRUCTION
14 PROJECT.—Section 2805(a) of title 10, United States
15 Code, is amended—

16 (1) in paragraph (2), by inserting “or a demoli-
17 tion project” after “is a military construction
18 project”; and

19 (2) by adding at the end the following new
20 paragraph:

21 “(3) Notwithstanding the requirements of this sec-
22 tion, the Secretary concerned may use amounts authorized
23 pursuant to another law or regulation to carry out a demo-
24 lition project described in paragraph (2).”.

1 (b) MODIFICATION TO DOLLAR THRESHOLDS FOR
2 UNSPECIFIED MINOR CONSTRUCTION.—Section 2805 of
3 title 10, United States Code, is amended—

4 (1) in subsection (a)(2), by striking the dollar
5 figure and inserting “\$9,000,000”;

6 (2) in subsection (b)(2), by striking the dollar
7 figure and inserting “\$4,000,000”;

8 (3) in subsection (c), by striking the dollar fig-
9 ure and inserting “\$4,000,000”; and

10 (4) in subsection (d)—

11 (A) in paragraph (1)—

12 (i) in subparagraph (A), by striking
13 the dollar figure and inserting
14 “\$9,000,000”; and

15 (ii) in subparagraph (B), by striking
16 the dollar figure and inserting
17 “\$9,000,000”; and

18 (B) in paragraph (2), by striking the dollar
19 figure and inserting “\$9,000,000”.

20 (c) MODIFICATION TO ADJUSTMENT OF DOLLAR
21 LIMITATIONS FOR LOCATION.—Section 2805(f) of title
22 10, United States Code, is amended—

23 (1) in paragraph (1), by striking the dollar fig-
24 ure and inserting “\$14,000,000”; and

25 (2) by striking paragraph (3).

1 (d) REPORT.—No later than 270 days after the date
2 of the enactment of this Act, the Secretary of Defense
3 shall submit to the congressional defense committees a re-
4 port on the impacts of inflation over time on the utility
5 of the authority to carry out unspecified minor military
6 construction projects under section 2805 of title 10,
7 United States Code.

8 (e) REPEAL.—Section 2801 of the National Defense
9 Authorization Act for Fiscal Year 2023 (Public Law 117–
10 263; 136 Stat. 2992; 10 U.S.C. 2805 note) is repealed.

11 **SEC. 2803. APPLICATION OF DOLLAR LIMITATIONS FOR UN-**
12 **SPECIFIED MINOR MILITARY CONSTRUCTION**
13 **PROJECTS TO LOCATIONS OUTSIDE THE**
14 **UNITED STATES.**

15 Section 2805(f) of title 10, United States Code (as
16 amended by section 2802), is further amended—

17 (1) in paragraph (1), by striking “inside the
18 United States”; and

19 (2) by striking paragraph (2).

20 **SEC. 2804. INCREASE TO AMOUNT OF CERTAIN FUNDS FOR**
21 **MILITARY INSTALLATION RESILIENCE**
22 **PROJECTS.**

23 Section 2815(e)(3) of title 10, United States Code,
24 is amended by striking “\$100,000,000” and inserting
25 “\$125,000,000”.

1 **SEC. 2805. AUTHORITY FOR CERTAIN CONSTRUCTION**
2 **PROJECTS IN FRIENDLY FOREIGN COUN-**
3 **TRIES.**

4 Subchapter I of chapter 169 of title 10, United States
5 Code, is amended by adding at the end the following new
6 section:

7 **“§ 2817. Authority for certain construction projects in**
8 **friendly foreign countries**

9 “(a) CONSTRUCTION AUTHORIZED.—Using funds
10 available for operations and maintenance, the Secretary
11 of Defense may carry out a construction project in a
12 friendly foreign country, and perform planning and design
13 to support such a project, that the Secretary determines
14 meets each of the following conditions:

15 “(1) The commander of the geographic combat-
16 ant command in which the construction project will
17 be carried out identified the construction project as
18 necessary to support vital United States military re-
19 quirements at an air port of debarkation, sea port
20 of debarkation, or rail or other logistics support lo-
21 cation.

22 “(2) The construction project will not be car-
23 ried out at a military installation.

24 “(3) The funds made available under the au-
25 thority of this section for the construction project—

26 “(A) will be sufficient to—

1 “(i) construct a complete and usable
2 facility or make an improvement to a facil-
3 ity; or

4 “(ii) complete the repair of an existing
5 facility or improvement to a facility; and

6 “(B) will not require additional funds from
7 other Department of Defense accounts.

8 “(4) The level of construction for the construc-
9 tion project may not exceed the minimum necessary
10 to meet the military requirements identified under
11 paragraph (1).

12 “(5) Deferral of the construction project pend-
13 ing inclusion of the construction project proposal in
14 the national defense authorization Act for a subse-
15 quent fiscal year is inconsistent with the military re-
16 quirements identified under paragraph (1) and other
17 national security or national interests of the United
18 States.

19 “(b) CONGRESSIONAL NOTIFICATION.—

20 “(1) NOTIFICATION REQUIRED.—Upon deter-
21 mining to carry out a construction project under this
22 section that has an estimated cost in excess of the
23 amounts authorized for unspecified minor military
24 construction projects under section 2805(c) of this
25 title, the Secretary of Defense shall submit to the

1 specified congressional committees a notification of
2 such determination.

3 “(2) ELEMENTS.—The notification required by
4 paragraph (1) shall include the following:

5 “(A) A certification that the conditions
6 specified in subsection (a) are satisfied with re-
7 gard to the construction project.

8 “(B) A justification for such project.

9 “(C) An estimate of the cost of such
10 project.

11 “(3) NOTICE AND WAIT.—The Secretary of De-
12 fense may carry out a construction project only after
13 the end of the 30-day period beginning on the date
14 the notice required by paragraph (1) is received by
15 the specified congressional committees in an elec-
16 tronic medium pursuant to section 480 of this title.

17 “(c) ANNUAL LIMITATIONS ON USE OF AUTHOR-
18 ITY.—

19 “(1) TOTAL COST LIMITATION.—The Secretary
20 of Defense may not obligate more than
21 \$200,000,000 in any fiscal year under the authority
22 provided by this section.

23 “(2) ADDITIONAL OBLIGATION AUTHORITY.—
24 Notwithstanding paragraph (1), the Secretary of De-
25 fense may authorize the obligation under this section

1 of not more than an additional \$10,000,000 from
2 funds available for operations and maintenance for
3 a fiscal year if the Secretary determines that the ad-
4 ditional funds are needed for costs associated with
5 contract closeouts for all construction projects dur-
6 ing such fiscal year.

7 “(3) PROJECT LIMITATION.—The maximum
8 amount that the Secretary may obligate for a single
9 construction project is \$15,000,000.

10 “(d) SPECIFIED CONGRESSIONAL COMMITTEES DE-
11 FINED.—In this section, the term ‘specified congressional
12 committees’ means—

13 “(1) the Committee on Armed Services and the
14 Subcommittee on Defense and the Subcommittee on
15 Military Construction, Veterans Affairs, and Related
16 Agencies of the Committee on Appropriations of the
17 Senate; and

18 “(2) the Committee on Armed Services and the
19 Subcommittee on Defense and the Subcommittee on
20 Military Construction, Veterans Affairs, and Related
21 Agencies of the Committee on Appropriations of the
22 House of Representatives.”.

1 **SEC. 2806. TEMPORARY EXPANSION OF AUTHORITY FOR**
2 **USE OF ONE-STEP TURN-KEY PROCEDURES**
3 **FOR REPAIR PROJECTS.**

4 During the five-year period beginning on the date of
5 the enactment of this Act, section 2862(a)(2) of title 10,
6 United States Code, shall be applied and administered by
7 substituting “\$8,000,000” for “\$4,000,000”.

8 **SEC. 2807. AUTHORIZATION OF COST-PLUS INCENTIVE-FEE**
9 **CONTRACTING FOR MILITARY CONSTRU-**
10 **CTION PROJECTS TO MITIGATE RISK TO THE**
11 **SENTINEL PROGRAM SCHEDULE AND COST.**

12 Notwithstanding section 3323 of title 10, United
13 States Code, the Secretary of Defense may authorize the
14 use of contracts using cost-plus incentive-fee contracting
15 for military construction projects associated with launch
16 facilities, launch centers, and related infrastructure of the
17 Sentinel intercontinental ballistic missile weapon system
18 program of the Department of Defense for not more than
19 one low-rate initial production lot at each of the following
20 locations:

- 21 (1) F.E. Warren Air Force Base, Wyoming.
22 (2) Malmstrom Air Force Base, Montana.
23 (3) Minot Air Force Base, North Dakota.

1 **SEC. 2808. INCLUSION ON DEPARTMENT OF DEFENSE FORM**
2 **1391 OF INFORMATION ON CONSIDERATION**
3 **OF CERTAIN METHODS OF CONSTRUCTION**
4 **FOR CERTAIN MILITARY CONSTRUCTION**
5 **PROJECTS.**

6 (a) IN GENERAL.—As part of the Department of De-
7 fense Form 1391 submitted to the appropriate committees
8 of Congress for a covered military construction project,
9 each covered official shall, to the extent practicable, in-
10 clude information on whether all relevant construction ma-
11 terials and methods of construction included in the Uni-
12 fied Facilities Criteria/DoD Building Code (UFC 1–200–
13 01) were considered in the design of such covered military
14 construction project.

15 (b) DEFINITIONS.—In this section:

16 (1) The terms “appropriate committees of Con-
17 gress” and “military construction project” have the
18 meanings given in section 2801 of title 10, United
19 States Code.

20 (2) The term “covered military construction
21 project” means a military construction project with
22 an estimated total cost in excess of \$9,000,000.

23 (3) The term “covered official” means—

24 (A) the Secretary of Defense; and

25 (B) each Secretary of a military depart-
26 ment.

1 **SEC. 2809. INCORPORATION OF CYBERSECURITY SUPPLY**
2 **CHAIN RISK MANAGEMENT TOOLS AND**
3 **METHODS.**

4 Section 2914 of title 10, United States Code, is
5 amended—

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

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

10 “(e) INCORPORATION OF CYBERSECURITY SUPPLY
11 CHAIN RISK MANAGEMENT TOOLS AND METHODS.—(1)
12 The Secretary of Defense shall incorporate into covered
13 projects cybersecurity supply chain risk management tools
14 and solutions to provide continuous analysis, monitoring,
15 and mitigation of cyber vulnerabilities.

16 “(2) In carrying out the requirements of paragraph
17 (1), the Secretary of Defense shall consider, to the max-
18 imum extent practicable, the following:

19 “(A) The adoption of commercially available cy-
20 bersecurity supply chain risk management tools and
21 solutions.

22 “(B) The inclusion of existing databases on
23 cyber vulnerabilities when selecting such tools and
24 solutions.

1 “(C) The need for such tools and methods to
2 provide continuous analysis, monitoring, and mitiga-
3 tion of cyber vulnerabilities in covered projects.

4 “(D) Beginning with fiscal year 2026, docu-
5 mentation for any new requirements for cybersecu-
6 rity supply chain risk management in annual guid-
7 ance for covered projects that is submitted along
8 with the annual budget request of the President sub-
9 mitted pursuant to section 1105 of title 31.

10 “(3) In this subsection, the term ‘covered project’
11 means a project connected to a Department of Defense
12 Information Network for which funds are made available
13 under this section.”.

14 **SEC. 2810. AUTHORITY FOR INDO-PACIFIC POSTURE UN-**
15 **SPECIFIED MINOR MILITARY CONSTRUCTION**
16 **PROJECTS.**

17 (a) **AUTHORITY.**—To support the posture of the
18 Armed Forces in the United States Indo-Pacific Command
19 area of operations, the Commander of the United States
20 Indo-Pacific Command (in this section referred to as the
21 “Commander”) may carry out unspecified minor military
22 construction projects not otherwise authorized by law with
23 an approved cost less than \$15,000,000.

24 (b) **SCOPE OF PROJECT AUTHORITY.**—A project car-
25 ried out under this section may include—

1 (1) the design, construction, development, con-
2 version, extension, renovation, or repair of a facility,
3 whether to satisfy temporary or permanent require-
4 ments; and

5 (2) to the extent necessary, any acquisition of
6 land subject to the limitations on real property ac-
7 quisition of chapter 159 of title 10, United States
8 Code.

9 (c) PURPOSES.—A project carried out under this sec-
10 tion shall be for the purpose of—

11 (1) supporting the rotational deployments of
12 the Armed Forces;

13 (2) enhancing facility preparedness and military
14 installation resilience (as defined in section
15 101(e)(8) of title 10, United States Code) in support
16 of potential, planned, or anticipated defense activi-
17 ties; or

18 (3) providing for prepositioning and storage of
19 equipment and supplies.

20 (d) LOCATION OF PROJECTS.—A project carried out
21 under this section must be located within the area of re-
22 sponsibility of the United States Indo-Pacific Command
23 and at a military installation that includes a main oper-
24 ating base, cooperative security location, forward oper-

1 ating site, or contingency location for use by the Armed
2 Forces.

3 (e) AVAILABLE AMOUNTS.—In carrying out a project
4 under this section, the Commander may use amounts ap-
5 propriated for—

6 (1) the INDOPACOM Military Construction
7 Pilot Program fund (as specified in the funding
8 table in section 4601); and

9 (2) operation and maintenance, not to exceed
10 200 percent of the amount specified in section
11 2805(e) of title 10, United States Code.

12 (f) NOTICE TO CONGRESS.—

13 (1) IN GENERAL.—If the Commander decides
14 to carry out a project under this section with a cost
15 exceeding \$2,000,000, the Commander shall submit
16 a written notification to the congressional defense
17 committees of that decision.

18 (2) RELEVANT DETAILS.—A notice under para-
19 graph (1) with respect to a project shall include rel-
20 evant details and justification of the project, includ-
21 ing the estimated cost, and may include a classified
22 annex.

23 (3) TIMING.—A project under this section cov-
24 ered by paragraph (1) may not be carried out until
25 the end of the 14-day period beginning on the date

1 of receipt of the notification under such paragraph
2 by the congressional defense committees.

3 (g) PROJECT EXECUTION.—

4 (1) PROJECT SUPERVISION.—Subsections (a)
5 and (b) of section 2851 of title 10, United States
6 Code, shall not apply to projects carried out by the
7 Commander under this section.

8 (2) APPLICATION OF CHAPTER 169 OF TITLE 10,
9 UNITED STATES CODE.—When exercising the au-
10 thority under subsection (a), the Commander shall,
11 for purposes of chapter 169 of title 10, United
12 States Code, be considered the Secretary concerned.

13 (h) ANNUAL REPORT.—Not later than December 31,
14 2024, and annually thereafter until the termination date
15 in subsection (i), the Commander shall submit to the con-
16 gressional defense committees a report containing a list
17 of projects funded, lessons learned, and, subject to the
18 concurrence of the Secretary of Defense, recommended ad-
19 justments to the authority under this section for the most
20 recently ended fiscal year covered by the report.

21 (i) TERMINATION.—The authority to carry out a
22 project under this section expires on March 31, 2029.

1 **SEC. 2811. AUTHORITY TO CONDUCT ENERGY RESILIENCE**
2 **AND CONSERVATION PROJECTS AT INSTAL-**
3 **LATIONS AT WHICH CERTAIN ENERGY**
4 **PROJECTS HAVE OCCURRED.**

5 (a) IN GENERAL.—Subsection (k) of section 2688 of
6 title 10, United States Code, is amended to read as fol-
7 lows:

8 “(k) IMPROVEMENT OF CONVEYED UTILITY SYS-
9 TEM.—(1) In the case of a utility system that has been
10 conveyed under this section and that only provides utility
11 services to a military installation, the Secretary of Defense
12 or the Secretary of a military department may authorize
13 a contract on a sole source basis with the conveyee of the
14 utility system to carry out a military construction project
15 as authorized and appropriated for by law for an infra-
16 structure improvement that enhances the reliability, resil-
17 ience, efficiency, physical security, or cybersecurity of the
18 utility system.

19 “(2) The Secretary of Defense or the Secretary of
20 a military department may convey under subsection (j)
21 any infrastructure constructed under paragraph (1) that
22 is in addition to the utility system conveyed under such
23 paragraph.”.

24 (b) DEPARTMENT OF DEFENSE INFRASTRUCTURE
25 RESILIENCE AND READINESS.—

1 (1) AUTHORITY.—The Secretary of Defense
2 and the Secretary of the military department con-
3 cerned may utilize existing areawide contracts to
4 procure utility services from a utility service sup-
5 plier—

6 (A) to support installation energy resilience
7 and mission readiness;

8 (B) for the protection of critical infrastruc-
9 ture of the Department of Defense located at a
10 military installation; and

11 (C) to achieve energy resilience at military
12 installations through implementation of utility
13 system infrastructure projects, to include facili-
14 ties sustainment, restoration, and moderniza-
15 tion of such infrastructure.

16 (2) SUNSET.—The authority under this sub-
17 section shall terminate on September 30, 2032.

18 (3) DEFINITIONS.—In this section:

19 (A) AREAWIDE CONTRACT.—The term
20 “areawide contract” means a contract entered
21 into between the General Services Administra-
22 tion and a utility service supplier under section
23 501 of title 40, United States Code, to procure
24 the utility service needs of Federal agencies
25 within the franchise territory of the supplier.

1 (B) ENERGY RESILIENCE.—The term “en-
2 ergy resilience” has the meaning given the term
3 in section 101(e) of title 10, United States
4 Code.

5 (C) FRANCHISE TERRITORY.—The term
6 “franchise territory” means a geographical area
7 that a utility service supplier has a right to
8 serve based upon a franchise granted by an
9 independent regulatory body, a certificate of
10 public convenience and necessity, or other legal
11 means.

12 (D) UTILITY SERVICE.—The term “utility
13 service”—

14 (i) means a utility or service described
15 in section 2872a(b) of title 10, United
16 States Code;

17 (ii) includes the services supplied by a
18 utility service supplier described in an
19 areawide contract such as connection,
20 change, disconnection, continue service,
21 line extension, alteration or relocation, me-
22 tering, and special facilities, including pri-
23 mary generation, backup generation,
24 microgrid controls, charging capabilities,
25 and any supporting infrastructure; and

1 (iii) includes ancillary services, includ-
2 ing total maintenance and repair, major
3 restoration and repair, studies, and any
4 other services, as appropriate.

5 (E) UTILITY SERVICE SUPPLIER.—The
6 term “utility service supplier” means an entity
7 that supplies a utility service.

8 (F) UTILITY SYSTEM.—The term “utility
9 system” has the meaning given the term in sub-
10 sections (i)(1)(A) and (i)(2)(A) of section 2688
11 of title 10, United States Code.

12 **Subtitle B—Military Housing**

13 **Reforms**

14 **SEC. 2821. ESTABLISHMENT OF THE MILITARY FAMILY** 15 **READINESS WORKING GROUP FOR MILITARY** 16 **HOUSING.**

17 (a) IN GENERAL.—Subsection (e) of section 1781a
18 of title 10, United States Code, is amended to read as
19 follows:

20 “(e) MILITARY FAMILY READINESS WORKING
21 GROUP FOR MILITARY HOUSING.—

22 “(1) There is in the Council the Military Fam-
23 ily Readiness Working Group for Military Housing
24 (in this section referred to as the ‘Housing Working
25 Group’).

1 “(2)(A) The Housing Working Group shall be
2 composed of the following members:

3 “(i) The Assistant Secretary of Defense for
4 Energy, Installations, and Environment, who
5 shall serve as chair of the Housing Working
6 Group on a nondelegable basis.

7 “(ii) One representative of each of the
8 Army, Navy, Air Force, Marine Corps, and
9 Space Force—

10 “(I) each of whom shall be a member
11 of the armed force to be represented; and

12 “(II) not fewer than two of whom
13 shall be enlisted members.

14 “(iii) One spouse of a member of each of
15 the Army, Navy, Air Force, Marine Corps, and
16 Space Force on active duty, not fewer than two
17 of which shall be the spouse of an enlisted
18 member.

19 “(iv) One commander or senior official of
20 a military installation from each military de-
21 partment with responsibility for the public
22 works or civil engineering systems of such in-
23 stallation.

24 “(v) One individual appointed by the Sec-
25 retary of Defense among representatives of a

1 voluntary consensus standards body that devel-
2 ops personnel certification standards for build-
3 ing maintenance, inspections, or restoration.

4 “(vi) The Director of the Office of Military
5 Family Readiness Policy.

6 “(B) The term of Housing Working Group
7 members specified under clauses (ii) through (v) of
8 subparagraph (A) shall be two years and may be re-
9 newed by the Secretary of Defense.

10 “(C) The chair of the Housing Working Group
11 shall extend an invitation to all landlords for one
12 representative of each landlord to attend such meet-
13 ings of the Housing Working Group as the chair
14 considers appropriate but at a minimum of once per
15 year.

16 “(3) The Housing Working Group shall meet at
17 least two times each year.

18 “(4) The duties of the Housing Working Group
19 shall include the following:

20 “(A) To review and make recommenda-
21 tions to the Secretary of Defense on policies for
22 covered military housing, including inspections
23 practices and resident surveys.

24 “(B) To make recommendations to the
25 Secretary of Defense to improve—

1 “(i) awareness and promotion of accu-
2 rate and timely information about covered
3 military housing, accommodations available
4 through the Exceptional Family Member
5 Program of the Department, and other
6 support services; and

7 “(ii) collaboration among policy-
8 makers, providers of such accommodations
9 and other support services, and targeted
10 beneficiaries of such accommodations and
11 other support services.

12 “(5) In this subsection:

13 “(A) The term ‘landlord’ has the meaning
14 given that term in section 2871 of this title.

15 “(B) The term ‘covered military housing’
16 means housing acquired or constructed pursu-
17 ant to subchapter IV of chapter 169 of this title
18 that is owned by an entity other than the Fed-
19 eral Government.”.

20 (b) ANNUAL REPORTS.—

21 (1) IN GENERAL.—Not later than July 1, 2024,
22 and annually thereafter until July 1, 2029, the De-
23 partment of Defense Military Family Readiness
24 Council (established under section 1781a of title 10,
25 United States Code) shall submit to the Secretary of

1 Defense and the congressional defense committees a
2 report on military family readiness.

3 (2) CONTENTS.—Each report under this sub-
4 section shall include the following:

5 (A) An assessment of the adequacy and ef-
6 fectiveness of the military family readiness pro-
7 grams and activities of the Department of De-
8 fense during the fiscal year preceding the date
9 of submission of the report in meeting the
10 needs and requirements of military families.

11 (B) Recommendations on actions to be
12 taken to improve the capability of the military
13 family readiness programs and activities of the
14 Department of Defense to meet the needs and
15 requirements of military families, including ac-
16 tions relating to the allocation of funding and
17 other resources to and among such programs
18 and activities.

19 (C) A report on the activities of the Mili-
20 tary Family Readiness Working Group for Mili-
21 tary Housing (established under subsection (e)
22 of such section 1781a, as amended by this sec-
23 tion) during the year covered by the report.

24 (c) CONFORMING AMENDMENT.—Paragraph (31) of
25 section 1061(c) of the National Defense Authorization Act

1 for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.
2 111 note) is repealed.

3 **SEC. 2822. IMPROVEMENTS TO PRIVATIZED MILITARY**
4 **HOUSING.**

5 (a) INCLUSION OF INFORMATION ON COMPLIANCE
6 WITH TENANT BILL OF RIGHTS IN NOTICE OF LEASE
7 EXTENSION.—Section 2878(f)(2) of title 10, United
8 States Code, is amended by adding at the end the fol-
9 lowing new subparagraph:

10 “(E) An assessment of compliance by the lessor
11 with the Military Housing Privatization Initiative
12 Tenant Bill of Rights developed under section 2890
13 of this title.”.

14 (b) MODIFICATION OF AUTHORITY TO INVESTIGATE
15 REPRISALS.—Subsection (e) of section 2890 of such title
16 is amended—

17 (1) in paragraph (1)—

18 (A) by striking “Assistant Secretary of De-
19 fense for Sustainment” and inserting “Inspec-
20 tor General of the Department of Defense”;
21 and

22 (B) by striking “member of the armed
23 forces” and inserting “tenant”;

24 (2) in paragraph (2)—

1 (A) in the matter preceding subparagraph

2 (A)—

3 (i) by striking “Assistant Secretary of
4 Defense for Sustainment” and inserting
5 “Inspector General”;

6 (ii) by striking “member of the armed
7 forces” and inserting “tenant”; and

8 (iii) by striking “Assistant Secretary”
9 and inserting “Inspector General”; and

10 (B) in subparagraph (B), by striking “As-
11 sistant Secretary” and inserting “Inspector
12 General”; and

13 (3) in paragraph (3)—

14 (A) by striking “Assistant Secretary of De-
15 fense for Sustainment” and inserting “Inspec-
16 tor General of the Department of Defense”;
17 and

18 (B) by striking “Secretary of the military
19 department concerned” and inserting “Inspec-
20 tor General of the military department con-
21 cerned”.

22 (c) LIMITATION ON HOUSING ENHANCEMENT PAY-
23 MENTS.—Section 606(a)(2) of the John S. McCain Na-
24 tional Defense Authorization Act for Fiscal Year 2019

1 (Public Law 115–232; 10 U.S.C. 2871 note) is amend-
2 ed—

3 (1) in subparagraph (A)—

4 (A) by striking “Each month” and insert-
5 ing “Except as provided in subparagraph (D),
6 each month”; and

7 (B) by striking “one of more” and insert-
8 ing “one or more”; and

9 (2) by adding at the end the following new sub-
10 paragraph:

11 “(D) LIMITATION ON PAYMENT.—

12 “(i) IN GENERAL.—Subject to clause
13 (ii), the Secretary of a military department
14 may not make a payment under subpara-
15 graph (A) to a lessor unless the Assistant
16 Secretary of Defense for Energy, Installa-
17 tions, and Environment determines the les-
18 sor is in compliance with the Military
19 Housing Privatization Initiative Tenant
20 Bill of Rights developed under section
21 2890 of title 10, United States Code.

22 “(ii) APPLICATION.—The limitation
23 under clause (i) shall apply to any pay-
24 ment under a housing agreement entered
25 into on or after the date of the enactment

1 of the National Defense Authorization Act
2 for Fiscal Year 2024 by the Secretary of
3 a military department with a lessor.”.

4 **SEC. 2823. NOTIFICATION RELATING TO LEGAL COUNSEL**
5 **FOR NONDISCLOSURE AGREEMENTS.**

6 Section 2890(f) of title 10, United States Code, is
7 amended by adding at the end the following new para-
8 graph:

9 “(3) A party presenting a proposed nondislo-
10 sure agreement to a tenant shall notify such tenant
11 that such tenant may, not later than 10 business
12 days after such presentation, seek legal counsel with
13 respect to the terms of and implications of entering
14 into such agreement. A tenant may not be required
15 to sign such agreement before the end of such 10-
16 day period.”.

17 **SEC. 2824. INCLUSION OF QUESTIONS REGARDING MILI-**
18 **TARY HOUSING FOR MEMBERS OF THE**
19 **ARMED FORCES IN STATUS OF FORCES SUR-**
20 **VEY.**

21 The Secretary of Defense shall include, at a min-
22 imum, in each status of forces survey of the Department
23 of Defense conducted on or after the date of the enact-
24 ment of this Act questions specifically relating to the fol-
25 lowing:

1 (1) Overall satisfaction with current military
2 housing of members of the Armed Forces.

3 (2) Satisfaction of such members with the phys-
4 ical condition of such military housing.

5 (3) Satisfaction of such members with the af-
6 fordability of such military housing.

7 (4) Whether such military housing of such
8 members has impacted any decision of such a mem-
9 ber related to reenlistment in the Armed Forces.

10 **SEC. 2825. IMPLEMENTATION OF COMPTROLLER GENERAL**
11 **RECOMMENDATIONS RELATING TO**
12 **STRENGTHENING OVERSIGHT OF**
13 **PRIVATIZED MILITARY HOUSING.**

14 (a) IN GENERAL.—Not later than one year after the
15 date of the enactment of this Act, the Secretary of Defense
16 shall implement each recommendation of the Comptroller
17 General of the United States contained in the report titled
18 “DOD Can Further Strengthen Oversight of Its
19 Privatized Housing Program” (GAO–23–105377), dated
20 April 6, 2023, and reissued with revisions on April 20,
21 2023.

22 (b) NON-IMPLEMENTATION REPORTING REQUIRE-
23 MENT.—If the Secretary elects not to implement any such
24 recommendation, the Secretary shall, not later than one
25 year after the date of the enactment of this Act, submit

1 to the Committees on Armed Services of the Senate and
2 the House of Representatives a report that includes a jus-
3 tification for such election.

4 **Subtitle C—Covered Military**
5 **Unaccompanied Housing Reforms**

6 **SEC. 2831. DESIGN STANDARDS FOR COVERED MILITARY**
7 **UNACCOMPANIED HOUSING.**

8 (a) UNIFORM STANDARDS FOR FLOOR SPACE AND
9 NUMBER OF MEMBERS ALLOWED.—

10 (1) IN GENERAL.—Section 2856 of title 10,
11 United States Code, is amended—

12 (A) in the section heading, by striking
13 **“local comparability of floor areas”**
14 and inserting **“standards”**;

15 (B) by striking “In” and inserting “(a)
16 LOCAL COMPARABILITY IN FLOOR AREAS.—
17 In”;

18 (C) in subsection (a), as designated by
19 subparagraph (B)—

20 (i) by inserting “, except for purposes
21 of meeting minimum area requirements
22 under subsection (b)(1)(A),” after “in that
23 locality”; and

24 (ii) by inserting “covered” before
25 “military unaccompanied housing”; and

1 (D) by adding at the end the following new
2 subsections:

3 “(b) FLOOR SPACE AND NUMBER OF MEMBERS AL-
4 LOWED.—In the design and configuration of covered mili-
5 tary unaccompanied housing, the Secretary of Defense
6 shall establish uniform design standards that—

7 “(1) provide a minimum area of floor space, not
8 including bathrooms or closets, per individual occu-
9 pying a unit of covered military unaccompanied
10 housing;

11 “(2) ensure that not more than two individuals
12 may occupy such a unit; and

13 “(3) provide definitions and measures that
14 specify—

15 “(A) criteria of design;

16 “(B) quality of construction material to be
17 used; and

18 “(C) levels of maintenance to be required.

19 “(c) COVERED MILITARY UNACCOMPANIED HOUS-
20 ING.—For purposes of this section, section 2856a, and
21 section 2856b, the term ‘covered military unaccompanied
22 housing’ means Government-owned military housing in-
23 tended to be occupied by members of the armed forces
24 serving a tour of duty unaccompanied by dependents.”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
2 tions at the beginning of subchapter III of chapter
3 169 of title 10, United States Code, is amended by
4 amending the item relating to section 2856 to read
5 as follows:

“2856. Covered military unaccompanied housing: design standards.”.

6 (b) COMPLETION AND ISSUANCE OF UNIFORM DE-
7 SIGN STANDARDS.—Not later than 180 days after the
8 date of the enactment of this Act, the Secretary of Defense
9 shall—

10 (1) ensure that the uniform design standards
11 required under section 2856(b)(1) of title 10, United
12 States Code, as added by subsection (a)(1)(D), are
13 completed, issued, and submitted to the congres-
14 sional defense committees; or

15 (2) submit to the congressional defense commit-
16 tees a report—

17 (A) explaining in detail why such stand-
18 ards are not completed and issued;

19 (B) indicating when such standards are ex-
20 pected to be completed and issued; and

21 (C) specifying the names of the personnel
22 responsible for the failure to complete and issue
23 such standards.

24 (c) COMPLIANCE WITH UNIFORM DESIGN STAND-
25 ARDS.—

1 (1) IN GENERAL.—Not later than two years
2 after the date of the enactment of this Act, the Sec-
3 retary of each military department shall ensure that
4 all covered military unaccompanied housing located
5 on a military installation under the jurisdiction of
6 such Secretary complies with the uniform standards
7 established under section 2856(b)(1) of title 10,
8 United States Code, as added by subsection
9 (a)(1)(D).

10 (2) NO WAIVER.—The requirement under para-
11 graph (1) may not be waived.

12 (3) COVERED MILITARY UNACCOMPANIED
13 HOUSING DEFINED.—In this subsection, the term
14 “covered military unaccompanied housing” has the
15 meaning given in section 2856 of title 10, United
16 States Code (as amended by subsection (a)).

17 (d) CERTIFICATION OF BUDGET REQUIREMENTS.—
18 The Under Secretary of Defense (Comptroller) shall in-
19 clude with the submission of the budget of the President
20 to Congress pursuant to section 1105 of title 31, United
21 States Code, for fiscal years 2025 through 2029 a signed
22 certification that the Secretary of Defense and each Sec-
23 retary of a military department has requested sufficient
24 funds to comply with this section and the amendments
25 made by this section.

1 **SEC. 2832. ESTABLISHMENT OF STANDARDS FOR HABIT-**
2 **ABILITY OF COVERED MILITARY UNACCOM-**
3 **PANIED HOUSING.**

4 (a) ESTABLISHMENT.—Subchapter III of title 10,
5 United States Code, (as amended by section 2833) is fur-
6 ther amended by inserting after section 2856a (as added
7 by such section) the following new section:

8 **“§ 2856b. Covered military unaccompanied housing:**
9 **standards for habitability**

10 “(a) STANDARDS REQUIRED.—For the purposes of
11 assigning a member of the armed forces to a unit of cov-
12 ered military unaccompanied housing, the Secretary of
13 Defense shall establish uniform minimum standards for
14 covered military unaccompanied housing, that shall in-
15 clude minimum requirements for—

16 “(1) condition;

17 “(2) habitability, health, and environmental
18 comfort;

19 “(3) safety and security; and

20 “(4) any other element the Secretary of De-
21 fense determines appropriate.

22 “(b) LIMITATION ON ISSUANCE OF WAIVERS.—Any
23 waiver of a uniform standard described in subsection (a)
24 may only be issued by a Secretary of a military depart-
25 ment.”.

1 (b) GUIDANCE.—Not later than 30 days after the
2 date on which the Secretary of Defense develops the uni-
3 form standards under section 2856b of title 10, United
4 States Code (as added by subsection (a)), the Secretary
5 of Defense shall issue to each Secretary of a military de-
6 partment guidance on such uniform standards.

7 **SEC. 2833. MODIFICATION OF PROCEDURES FOR ISSUANCE**
8 **OF WAIVERS OF COVERED PRIVACY AND**
9 **CONFIGURATION STANDARDS; TEMPORARY**
10 **BIANNUAL BRIEFING.**

11 (a) TERMINATION OF EXISTING WAIVERS OF COV-
12 ERED PRIVACY AND CONFIGURATION STANDARDS.—Any
13 waiver of covered privacy and configuration standards in
14 effect on or before the date of the enactment of this Act
15 shall terminate on March 1, 2024.

16 (b) WAIVERS OF COVERED PRIVACY AND CONFIGU-
17 RATION STANDARDS.—Subchapter III of title 10, United
18 States Code, is amended by inserting after section 2856
19 the following new section:

20 **“§ 2856a. Covered military unaccompanied housing:**
21 **waivers of covered privacy and configu-**
22 **ration standards**

23 **“(a) PROCEDURES FOR ISSUANCE OF CERTAIN**
24 **WAIVERS.**—Effective March 2, 2024, any waiver of cov-

1 ered privacy and configuration standards shall be issued
2 in accordance with the following:

3 “(1) A commander of a military installation de-
4 siring a waiver of covered habitability standards
5 shall submit to the Secretary of the military depart-
6 ment concerned a request for such waiver.

7 “(2) A Secretary of a military department may
8 approve a request under subparagraph (A) only if
9 such Secretary has exhausted all options available to
10 such Secretary to provide housing that meets cov-
11 ered privacy and configuration standards, including
12 the—

13 “(A) use of available privately-owned mili-
14 tary housing;

15 “(B) modification of unit integrity goals to
16 allow the use of each available unit of covered
17 military unaccompanied housing that meets cov-
18 ered privacy and configuration standards; and

19 “(C) issuance of a certificate of nonavail-
20 ability of covered military unaccompanied hous-
21 ing to allow eligibility for basic allowance for
22 housing under section 403 of title 37.

23 “(3) An official described in paragraph (1) or
24 (2) may not delegate the respective authorities under
25 such paragraphs.

1 “(4) Any waiver of covered privacy and configu-
2 ration standards issued pursuant to this paragraph
3 shall terminate on the date that is 9 months after
4 the date on which such waiver was issued. A Sec-
5 retary of a military department may not renew any
6 such waiver.

7 “(b) ANNUAL REPORT ON WAIVERS.—Not later than
8 March 1, 2025, and annually thereafter not later than 15
9 days after the submission of the budget of the President
10 to Congress pursuant to section 1105 of title 31, the Sec-
11 retary of Defense shall submit to the Committees on
12 Armed Services of the House of Representatives and the
13 Senate and the Comptroller General of the United States
14 a report on waivers issued under this section that in-
15 cludes—

16 “(1) the number of such waivers that were
17 issued during the period covered by the report;

18 “(2) a plan to remedy the deficiencies, if any,
19 of covered military unaccompanied housing that re-
20 quired the issuance of such a waiver;

21 “(3) a strategy to remedy issues, if any, caused
22 by covered military unaccompanied housing that did
23 not comply with such uniform standards;

24 “(4) a strategy to remedy the factors, if any,
25 that require a commander of a military installation

1 to submit to the applicable Secretary of a military
2 department a request for consecutive waivers of such
3 uniform standards, including a timeline for the im-
4 plementation of such strategy; and

5 “(5) an analysis of strategies to remedy the fac-
6 tors described in paragraph (4), including—

7 “(A) projects to modernize existing covered
8 military unaccompanied housing to comply with
9 such uniform standards;

10 “(B) projects to construct new covered
11 military unaccompanied housing; and

12 “(C) modifications to relevant policies of
13 the Department of Defense, excluding such poli-
14 cies relating to infrastructure.

15 “(c) COVERED PRIVACY AND CONFIGURATION
16 STANDARD DEFINED.—In this section, the term ‘covered
17 privacy and configuration standard’ means the minimum
18 standards for privacy and configuration applicable to cov-
19 ered military unaccompanied housing described in Depart-
20 ment of Defense Manual 4165.63 titled ‘DoD Housing
21 Management’ and dated October 28, 2010 (or a successor
22 document).”.

23 (c) TEMPORARY BIENNIAL BRIEFING ON WAIVERS;
24 LIMITATIONS ON AVAILABILITY OF FUNDS.—

1 (1) BRIEFINGS.—Not later than 30 days after
2 the submission of the budget of the President to
3 Congress pursuant to section 1105 of title 31,
4 United States Code, and on a biannual basis there-
5 after until the date that is two years after the date
6 of the enactment of this Act, each Secretary of a
7 military department shall provide to the congress-
8 sional defense committees a briefing on waivers of
9 covered privacy and configuration standards pursu-
10 ant to section 2856a of title 10, United States Code,
11 for covered military unaccompanied housing under
12 the jurisdiction of that Secretary that includes—

13 (A) the number, disaggregated by military
14 installation, of waivers in effect as of the date
15 of such briefing relating to occupancy;

16 (B) a list of each waiver described in sub-
17 paragraph (A) that includes—

18 (i) an identification of the official who
19 approved each such waiver;

20 (ii) a description of the military neces-
21 sity underlying each such waiver; and

22 (iii) a statement of the period each
23 such waiver is effective; and

24 (C) an identification of the number of
25 members of the Armed Forces that reside in

1 covered military unaccompanied housing subject
2 to a waiver described in such subparagraph.

3 (2) LIMITATIONS.—

4 (A) OPERATIONS AND MAINTENANCE,
5 ARMY.—Of the funds authorized to be appro-
6 priated by this Act or otherwise made available
7 for fiscal 2024 for Administration and Service-
8 wide Activities, operations and maintenance,
9 Army, not more than 75 percent may be obli-
10 gated or expended until the Secretary of the
11 Army provides the first respective briefing de-
12 scribed in paragraph (1).

13 (B) OPERATIONS AND MAINTENANCE,
14 NAVY.—Of the funds authorized to be appro-
15 priated by this Act or otherwise made available
16 for fiscal 2024 for Administration and Service-
17 wide Activities, operations and maintenance,
18 Navy, not more than 75 percent may be obli-
19 gated or expended until the Secretary of the
20 Navy provides the first respective briefing de-
21 scribed in such paragraph.

22 (C) OPERATIONS AND MAINTENANCE, AIR
23 FORCE.—Of the funds authorized to be appro-
24 priated by this Act or otherwise made available
25 for fiscal 2024 for Administration and Service-

1 wide Activities, operations and maintenance,
2 Air Force, not more than 75 percent may be
3 obligated or expended until the Secretary of the
4 Air Force provides the first respective briefing
5 described in such paragraph.

6 (d) REVISIONS TO RULES, GUIDANCE, OR OTHER
7 ISSUANCES.—Not later than 120 days after the date of
8 the enactment of this Act, the Secretary of Defense and
9 Secretaries of the military departments shall revise any
10 rule, guidance, or other issuance of the Department of De-
11 fense and the military departments under the respective
12 jurisdictions of such Secretaries to include the procedures
13 for the issuance of waivers of covered privacy and configu-
14 ration standards pursuant to section 2856a of title 10,
15 United States Code (as added by subsection (a)).

16 (e) COMPTROLLER GENERAL BRIEFING.—Not later
17 than 60 days after the date of the submission of the plan
18 described in subsection (b)(2) of section 2856a of title 10,
19 United States Code (as added by subsection (a)), con-
20 tained in the first report required under such subsection,
21 the Comptroller General of the United States shall provide
22 to the Committees on Armed Services of the House of
23 Representatives and the Senate a briefing that includes—

24 (1) an analysis on the ability of each military
25 department to execute such plan; and

1 (2) recommendations, if any, of the Comptroller
2 General with respect to modifications of such plan.

3 (f) COVERED PRIVACY AND CONFIGURATION STAND-
4 ARD.—The term “covered privacy and configuration
5 standard” has the meaning given in section 2856a of title
6 10, United States Code (as added by subsection (a)).

7 **SEC. 2834. CERTIFICATION OF HABITABILITY OF COVERED**
8 **MILITARY UNACCOMPANIED HOUSING.**

9 Section 2856b of title 10, United States Code (as
10 added by section 2832) is amended by adding at the end
11 the following new subsection:

12 “(c) CERTIFICATION.—The Secretary of Defense
13 shall include, in conjunction with the submission of the
14 budget of the President to Congress pursuant to section
15 1105 of title 31, a certification from each Secretary of
16 a military department to the congressional defense com-
17 mittees that the cost for all needed repairs and improve-
18 ments for each occupied covered military unaccompanied
19 housing facility under the jurisdiction of such Secretary
20 does not exceed 20 percent of the replacement cost of such
21 facility, as mandated by Department of Defense Manual
22 4165.63 titled ‘DoD Housing Management’ and dated Oc-
23 tober 28, 2010 (or a successor document).”.

1 **SEC. 2835. PILOT PROGRAM FOR MILITARY CONSTRUCTION**
2 **PROJECTS TO REPLACE CERTAIN COVERED**
3 **MILITARY UNACCOMPANIED HOUSING FA-**
4 **CILITIES.**

5 (a) IN GENERAL.—Each Secretary of a military de-
6 partment may carry out a pilot program under which each
7 such Secretary administers a military construction project,
8 not otherwise authorized by law, to replace a covered mili-
9 tary unaccompanied housing facility—

10 (1) that such Secretary determines is not in
11 compliance with the uniform standards for covered
12 military unaccompanied housing under section
13 2856b of title 10, United States Code (as added by
14 section 2832); and

15 (2) for which the total cost of a repair project
16 to bring such covered military unaccompanied facil-
17 ity into compliance with such uniform standards ex-
18 ceeds 75 percent of the total cost of such a military
19 construction project.

20 (b) FACILITY REQUIREMENTS.—A facility con-
21 structed pursuant to a military construction project under
22 a pilot program under subsection (a)—

23 (1) with respect to the covered military unac-
24 companied housing facility such facility replaces—

25 (A) may not have a capacity to house more
26 members of the Armed Forces;

1 (B) shall be designed and utilized for the
2 same purpose; and

3 (C) shall be located on the same military
4 installation; and

5 (2) shall be designed to meet, at a minimum,
6 standards for construction, utilization, and force
7 protection.

8 (c) NONDELEGATION.—For the purposes of carrying
9 out a military construction project under a pilot program
10 under subsection (a), the authority of a Secretary of a
11 military department to determine whether a covered mili-
12 tary unaccompanied housing facility is in substandard
13 condition may not be delegated.

14 (d) SOURCE OF FUNDS.—A Secretary of a military
15 department may spend amounts available to such Sec-
16 retary for operation and maintenance or unspecified mili-
17 tary construction to carry out this section.

18 (e) CONGRESSIONAL NOTIFICATION.—With respect
19 to a military construction project proposed to be carried
20 out under a pilot program under subsection (a) with an
21 estimated cost in excess of \$10,000,000, the Secretary of
22 the military department concerned shall submit to the ap-
23 propriate committees of Congress a report that includes—

24 (1) a justification for such military construction
25 project;

1 (2) an estimate of the total cost of such mili-
2 tary construction project; and

3 (3) a description of the elements of military
4 construction, including the elements specified in sec-
5 tion 2802(b) of title 10, United States Code, incor-
6 porated into such military construction project.

7 (f) SUNSET.—The authority to carry out a pilot pro-
8 gram pursuant to subsection (a) shall terminate on the
9 date that is five years after the date of the enactment of
10 this Act.

11 (g) DEFINITIONS.—In this section:

12 (1) The term “appropriate committees of Con-
13 gress” has the meaning given such term in section
14 2801 of title 10, United States Code.

15 (2) The term “covered military unaccompanied
16 housing” has the meaning given such term in section
17 2856 of such title (as amended by section 2831).

18 **SEC. 2836. ESTABLISHMENT OF CIVILIAN EMPLOYEES FOR**
19 **OVERSIGHT OF COVERED MILITARY UNAC-**
20 **COMPANIED HOUSING.**

21 (a) ESTABLISHMENT CIVILIAN EMPLOYEES.—

22 (1) IN GENERAL.—Not later than 30 days after
23 the date of the enactment of this Act and subject to
24 paragraph (3), the Secretary of Defense shall issue
25 regulations to require each Secretary of a military

1 department to establish a civilian employee at the
2 housing office of each military installation under the
3 respective jurisdiction of each such Secretary to be
4 responsible for oversight of covered military unac-
5 companied housing at that military installation.
6 Such civilian employee shall be an employee of—

7 (A) the Department of Defense; or

8 (B) the military department concerned.

9 (2) SUPERVISORY CHAIN.—Each civilian em-
10 ployee described in paragraph (1) and member of
11 the Armed Forces described in paragraph (3) shall
12 report to an appropriate supervisory civilian em-
13 ployee at the housing office for the applicable mili-
14 tary installation.

15 (3) EXCEPTION.—The requirement under the
16 regulations issued pursuant to paragraph (1) shall
17 not apply with respect to military installations at
18 which oversight of covered military unaccompanied
19 housing is performed by a member of the Armed
20 Forces with an occupational specialty that defines
21 the primary duty of such member as a barracks
22 manager or an equivalent occupation.

23 (b) LIMITATION ON ROLE BY MEMBERS OF THE
24 ARMED FORCES; POSITION DESIGNATION.—

1 (1) LIMITATION.—The Secretary of Defense
2 and the Secretaries of the military departments con-
3 cerned may not allow an enlisted member of the
4 Armed Forces or commissioned officer to, as a col-
5 lateral duty, be designated as a barracks manager or
6 supervisor overseeing, managing, accepting, or com-
7 piling maintenance records for any covered military
8 unaccompanied housing at the applicable military in-
9 stallation.

10 (2) DESIGNATION.—Except as provided in
11 paragraph (3) of subsection (a), the functions of a
12 barracks manager or supervisor described in para-
13 graph (1) shall be completed by a civilian employee
14 described in paragraph (1) of such subsection.

15 (c) DEFINITIONS.—In this section:

16 (1) The term “covered military unaccompanied
17 housing” has the meaning given such term in section
18 2856 of title 10, United States Code (as amended by
19 section 2831).

20 (2) The term “military installation” has the
21 meaning given such term in section 2801 of such
22 title.

1 **SEC. 2837. MAINTENANCE WORK ORDER MANAGEMENT**
2 **PROCESS FOR COVERED MILITARY UNAC-**
3 **COMPANIED HOUSING.**

4 (a) **IN GENERAL.**—Not later than 60 days after the
5 date of the enactment of this Act, the Secretary of Defense
6 shall issue rules to establish for each military department
7 a process associated with maintenance work order man-
8 agement for covered military unaccompanied housing
9 under the jurisdiction of such military department that
10 is—

11 (1) in existence on or before the date of the en-
12 actment of this Act; or

13 (2) constructed or used on or after such date
14 of enactment.

15 (b) **USE OF PROCESS.**—The processes required under
16 subsection (a) shall include clearly defined requirements
17 for effective and timely maintenance work order manage-
18 ment, including requirements with respect to—

19 (1) quality assurance for maintenance com-
20 pleted;

21 (2) communication of maintenance progress and
22 resolution with individuals responsible for the man-
23 agement of the covered military unaccompanied
24 housing and the residents of such housing; and

1 (3) standardized performance metrics, such as
2 the timeliness of completion of maintenance work or-
3 ders.

4 (c) ADMINISTRATION.—The Secretary of each mili-
5 tary department shall administer the process for mainte-
6 nance work order management required under subsection
7 (a) for the military department under the jurisdiction of
8 such Secretary and shall issue or update relevant guidance
9 as necessary.

10 (d) COVERED MILITARY UNACCOMPANIED HOUSING
11 DEFINED.—In this section, the term “covered military un-
12 accompanied housing” has the meaning given in section
13 2856 of title 10, United States Code (as amended by sec-
14 tion 2831).

15 **SEC. 2838. UNIFORM INDEX FOR EVALUATING THE CONDI-**
16 **TION OF COVERED MILITARY UNACCOM-**
17 **PANIED HOUSING FACILITIES.**

18 (a) IN GENERAL.—Not later than 30 days after the
19 date of the enactment of this Act, the Secretary of De-
20 fense, acting through the Assistant Secretary of Defense
21 for Energy, Installations, and Environment, shall establish
22 a uniform index for evaluating the condition of covered
23 military unaccompanied housing facilities—

24 (1) that exist as of the date of the enactment
25 of this Act; and

1 (2) that are constructed or used on or after
2 such date.

3 (b) COMPLETION OF INDEX.—Not later than 6
4 months after the date of the enactment of this Act, each
5 Secretary of a military department shall apply the uniform
6 index established under subsection (a) to evaluate the con-
7 dition of each military installation under the jurisdiction
8 of each such Secretary.

9 (c) DEFINITIONS.—In this section:

10 (1) The term “covered military unaccompanied
11 housing” has the meaning given in section 2856 of
12 title 10, United States Code (as amended by section
13 2831).

14 (2) The term “military department” has the
15 meaning given in section 101 of such title.

16 (3) The term “military installation” has the
17 meaning given in section 2801 of such title.

18 **SEC. 2839. ANNUAL REPORTS ON THE CONDITION OF COV-**
19 **ERED MILITARY UNACCOMPANIED HOUSING.**

20 (a) REPORT REQUIRED.—Along with the submission
21 of the budget of the President to Congress pursuant to
22 section 1105 of title 31, United States Code, for fiscal
23 year 2025, and annually thereafter for the subsequent
24 four years, each Secretary of a military department shall
25 submit to the Committees on Armed Services of the Sen-

1 ate and the House of Representatives a report on the con-
2 dition of covered military unaccompanied housing facilities
3 using the uniform index described in section 2838 of this
4 Act.

5 (b) ELEMENTS.—Each report required under sub-
6 section (a) shall include the following:

7 (1) A list of the condition of each such covered
8 military unaccompanied housing facility located on
9 each military installation under the jurisdiction of
10 the Secretary of the military department concerned.

11 (2) For such facilities in poor or failing condi-
12 tion—

13 (A) the percentage of repair costs as com-
14 pared to the total replacement cost for each
15 such facility;

16 (B) the funding required to conduct all
17 needed repairs and improvements at each such
18 facility; and

19 (C) the five-year plan for addressing condi-
20 tions at such facility.

21 (3) For such facilities in good and fair condi-
22 tion, the five-year plan for sustainment to ensure
23 that each such facility does not fall to poor or failing
24 condition.

1 (4) Any other information determined appro-
2 priate by the Secretary of the military department
3 concerned.

4 (c) DEFINITIONS.—In this section:

5 (1) The term “covered military unaccompanied
6 housing” has the meaning given in section 2856 of
7 title 10, United States Code (as amended by section
8 2831).

9 (2) The term “military department” has the
10 meaning given in section 101 of such title.

11 (3) The term “military installation” has the
12 meaning given in section 2801 of such title.

13 (d) AMENDMENT TO BRIEFINGS ON MHPI HOUSING
14 PROJECTS.—Section 606(a)(4) of the John S. McCain
15 National Defense Authorization Act for Fiscal Year 2019
16 (Public Law 115–232; 132 Stat. 1795; 10 U.S.C. 2871
17 note) is amended by striking “the Secretary of Defense”
18 and inserting “each Secretary of a military department”.

19 (e) AMENDMENT TO SUBMISSIONS ON HOUSING
20 DOCUMENTS.—Section 2890(d) of title 10, United States
21 Code, is amended—

22 (1) by striking “the Secretary of Defense” each
23 place it appears and inserting “each Secretary of a
24 military department”; and

1 (2) by striking “the Department of Defense”
2 and inserting “the military department under the ju-
3 risdiction of such Secretary”.

4 **SEC. 2840. SUBMISSION OF TEMPORARY HOUSING SUPPORT**

5 **CERTIFICATION TO MEMBERS OF CONGRESS.**

6 Section 2815 of the National Defense Authorization
7 Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.
8 2556 note) is amended by adding at the end the following
9 new sentence: “Upon granting such certification, the Sec-
10 retary of Defense shall notify each Member of Congress
11 representing the area in which such facility is located of
12 such grant of certification.”

13 **SEC. 2841. ELIMINATION OF FLEXIBILITIES FOR CON-**

14 **STRUCTION STANDARDS FOR COVERED MILI-**

15 **TARY UNACCOMPANIED HOUSING.**

16 (a) **IN GENERAL.**—Not later than 180 days after the
17 date of the enactment of this Act, the Secretary of Defense
18 and each Secretary of a military department shall modify
19 all directives, instructions, manuals, regulations, policies,
20 and other guidance and issuances of the Department of
21 Defense or appropriate military department to eliminate
22 the grant of any flexibilities to the standards for construc-
23 tion of new covered military unaccompanied housing.

24 (b) **MATTERS INCLUDED.**—The requirement under
25 subsection (a) shall include modifications that remove the

1 flexibility provided to the military departments with re-
2 spect to new construction standards for covered military
3 unaccompanied housing, including modification of the De-
4 partment of Defense Manual 4165.63 titled “DoD Hous-
5 ing Management” and dated October 28, 2010 (or a suc-
6 cessor document).

7 (c) COVERED MILITARY UNACCOMPANIED HOUSING
8 DEFINED.—In this section, the term “covered military un-
9 accompanied housing” has the meaning given in section
10 2856 of title 10, United States Code (as amended by sec-
11 tion 2831).

12 **Subtitle D—Real Property and** 13 **Facilities Administration**

14 **SEC. 2851. GUIDANCE ON DEPARTMENT OF DEFENSE-WIDE** 15 **STANDARDS FOR ACCESS TO MILITARY IN-** 16 **STALLATIONS.**

17 (a) INTERIM GUIDANCE.—Not later than 30 days
18 after the date of the enactment of this Act, the Secretary
19 of Defense shall issue interim guidance to the appropriate
20 official or officials within the Department of Defense for
21 purposes of establishing final standards of the Depart-
22 ment of Defense for determining the fitness of individuals
23 for access to military installations, which shall include
24 modifying volume 3 of the Department of Defense Manual
25 5200.08 titled “Physical Security Program: Access to

1 DoD Installations” (dated January 2, 2019) or any com-
2 parable or successor policy guidance document.

3 (b) FINAL GUIDANCE.—Not later than 180 days
4 after the date of the enactment of this Act, the Secretary
5 of Defense shall issue final guidance relating to the stand-
6 ards described in subsection (a).

7 (c) BRIEFING.—Not later than 60 days after issuing
8 the interim guidance required under subsection (a), the
9 Secretary of Defense shall brief the Committees on Armed
10 Services of the Senate and the House of Representatives
11 on such guidance, which shall include a timeline for the
12 issuance of such final guidance.

13 **SEC. 2852. AUTHORITY TO MAKE GRANTS FOR SECURITY**
14 **AND FIRE PROTECTION FOR FORMER ARMY**
15 **AND NAVY GENERAL HOSPITAL, HOT**
16 **SPRINGS NATIONAL PARK, HOT SPRINGS, AR-**
17 **KANSAS; BRIEFING.**

18 (a) GRANT AUTHORITY.—The Secretary of Defense,
19 acting through the Director of the Office of Local Defense
20 Community Cooperation, may make a grant (including a
21 supplemental grant) or enter into a cooperative agreement
22 under section 2391 of title 10, United States Code, to as-
23 sist the State of Arkansas provide security services and
24 fire protection services for the covered property.

1 (b) BRIEFING REQUIRED.—Not later than 120 days
2 after the date of the enactment of this Act, the Secretary
3 of the Army shall provide to the congressional defense
4 committees a briefing that includes—

5 (1) a summary of the coordination among af-
6 fected stakeholders during the period covered by the
7 briefing, including—

8 (A) the Administrator of the General Serv-
9 ices Administration;

10 (B) the National Park Service;

11 (C) the Governor of Arkansas;

12 (D) the Mayor of Hot Springs, Arkansas;

13 and

14 (E) the State Historic Preservation Officer
15 for the State of Arkansas;

16 (2) a summary of—

17 (A) any environmental investigations con-
18 ducted at the covered property as of the date of
19 the enactment of this Act;

20 (B) the response actions required under
21 any such environmental investigation;

22 (C) an identification of potentially respon-
23 sible parties, if any, for any hazardous sub-
24 stance identified under an environmental inves-
25 tigation described in subparagraph (A); and

1 (D) an estimate of the cost to complete en-
2 vironmental restoration at the covered property;

3 (3) an estimation of the total cost to—

4 (A) stabilize each structure on the covered
5 property; and

6 (B) demolish each such structure; and

7 (4) an assessment of necessary steps for the
8 covered property to be eligible for a grant under the
9 Arkansas Brownfields Program and recommenda-
10 tions with respect to such steps.

11 (c) AUTHORIZATION OF APPROPRIATIONS.—The Sec-
12 retary of Defense may obligate or expend not more than
13 \$2,750,000 of the funds authorized to be appropriated in
14 section 4301 for the Office of Local Defense Community
15 Operation to carry out subsection (a).

16 (d) COVERED PROPERTY DEFINED.—In this section,
17 the term “covered property” means the approximately
18 twenty-one acres, more or less, of land located at Hot
19 Springs National Park, Arkansas, which comprise facili-
20 ties previously occupied by the Army and Navy General
21 Hospital conveyed by quitclaim deed to the State of Ar-
22 kansas pursuant to the Act of September 21, 1959.

1 **SEC. 2853. PLAN AND REPORT ON CRITICAL INFRASTRUC-**
2 **TURE SYSTEMS AT MILITARY INSTALLA-**
3 **TIONS.**

4 (a) PLAN.—Not later than one year after the date
5 of the enactment of this Act, the Secretary of Defense,
6 in coordination with each Secretary of a military depart-
7 ment, shall submit to the Committees on Armed Services
8 of the Senate and the House of Representatives a plan
9 to implement a standardized system to measure and report
10 on the condition and performance of, the level of invest-
11 ment in, and any applicable risks to critical infrastructure
12 systems owned by the Federal Government that—

13 (1) have not been privatized or transferred pur-
14 suant to a conveyance under section 2688 of title
15 10, United States Code; and

16 (2) are located on a military installation (as de-
17 fined in section 2801 of such title).

18 (b) REPORT.—

19 (1) IN GENERAL.—Beginning on February 1 of
20 the year immediately following the date on which the
21 plan under subsection (a) is submitted, and annually
22 thereafter, the Secretary of Defense, in coordination
23 with each Secretary of a military department, shall
24 submit to the Committees on Armed Services of the
25 Senate and the House of Representatives a consoli-
26 dated report on the condition of critical infrastruc-

1 ture systems owned by the Federal Government lo-
2 cated at military installations.

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

5 (A) Installation-level data for each critical
6 infrastructure system described in paragraph
7 (1) that includes the following for each such
8 system:

9 (i) For the five-year period preceding
10 the date of submission of the report, all in-
11 stances of noncompliance of such system
12 with any applicable Federal or State law or
13 regulation, including information on any
14 prior or current consent order or equiva-
15 lent compliance agreement with any Fed-
16 eral or State regulatory agency.

17 (ii) The year of original installation of
18 critical infrastructure system components,
19 including treatment facilities, pump sta-
20 tions, and storage tanks.

21 (iii) The average age of distribution
22 system piping and wiring.

23 (iv) The rate of system recapitaliza-
24 tion, represented as an annual percentage

1 replacement rate of all critical infrastruc-
2 ture system assets.

3 (v) For the one-year period preceding
4 the date of submission of the report, the
5 percentage of key system operational com-
6 ponents (including fire hydrants, valves,
7 and backflow preventors) inspected and de-
8 termined through testing to be fully oper-
9 ational.

10 (vi) For the one-year period preceding
11 the date of submission of the report, the
12 absolute number, and a normalized meas-
13 ure for comparative purposes, of all un-
14 planned system outages.

15 (vii) For the one-year period pre-
16 ceding the date of submission of the re-
17 port, the absolute duration, and a normal-
18 ized measure for comparative purposes, of
19 all unplanned system outages.

20 (viii) For the one-year period pre-
21 ceding the date of submission of the re-
22 port, the absolute number, and a normal-
23 ized measure for comparative purposes, of
24 all critical infrastructure system main
25 breaks and leaks.

1 (B) A standardized risk assessment for
2 each military installation, identifying the cur-
3 rent and projected level of risk related to the
4 following:

5 (i) The ability to maintain compliance
6 with applicable current and proposed State
7 regulations and standards and applicable
8 regulations and policies of the Department
9 of Defense and the military departments
10 related to each critical infrastructure sys-
11 tem described in paragraph (1), and the
12 ability to operate critical infrastructure
13 systems in accordance with accepted indus-
14 try standards.

15 (ii) The ability to maintain a con-
16 sistent and compliant supply of water for
17 current and projected future installation
18 needs based on current and projected
19 source water availability and quality, in-
20 cluding an assessment of source water con-
21 tamination risks for each critical infra-
22 structure system described in paragraph
23 (1).

24 (iii) The ability of each critical infra-
25 structure system described in paragraph

1 (1) to withstand severe weather events, in-
2 cluding drought, flooding, and temperature
3 fluctuations.

4 (iv) The ability for utility industrial
5 controls systems for each critical infra-
6 structure system described in paragraph
7 (1) to maintain compliance with applicable
8 current and proposed cybersecurity stand-
9 ards and regulations.

10 (3) FORM.—A report under this subsection
11 shall be submitted in an unclassified form but may
12 contain a classified annex.

13 (c) CRITICAL INFRASTRUCTURE SYSTEM DE-
14 FINED.—In this section, the term “critical infrastructure
15 system” includes a transportation infrastructure system
16 and a utilities infrastructure system.

17 **SEC. 2854. CLOSURE AND DISPOSAL OF THE PUEBLO CHEM-**
18 **ICAL DEPOT, PUEBLO COUNTY, COLORADO.**

19 (a) IN GENERAL.—The Secretary of the Army shall
20 close Pueblo Chemical Depot in Pueblo County, Colorado
21 (in this section referred to as the “Depot”), not later than
22 one year after the completion of the chemical demilitariza-
23 tion mission in such location in accordance with the Chem-
24 ical Weapons Convention Treaty.

1 (b) PROCEDURES.—The Secretary of the Army shall
2 carry out the closure and subsequent related property
3 management and disposal of the Depot, including the
4 land, buildings, structures, infrastructure, and associated
5 equipment, installed equipment, material, and personal
6 property that comprise the Chemical Agent-Destruction
7 Pilot Plant, in accordance with the procedures and au-
8 thorities for the closure, management, and disposal of
9 property under the appropriate base closure laws (as de-
10 fined in section 101 of title 10, United States Code).

11 (c) OFFICE OF LOCAL DEFENSE COMMUNITY CO-
12 OPERATION ACTIVITIES.—The Office of Local Defense
13 Community Cooperation of the Department of Defense
14 may make grants and supplement other Federal funds
15 pursuant to section 2391 of title 10, United States Code,
16 to support closure and reuse activities of the Depot.

17 (d) TREATMENT OF EXISTING PERMITS.—Nothing in
18 this section shall be construed to prevent the removal or
19 demolition by the Program Executive Office, Assembled
20 Chemical Weapons Alternatives of the Department of the
21 Army of existing buildings, structures, infrastructure, and
22 associated equipment, installed equipment, material, and
23 personal property of the Chemical Agent-Destruction Pilot
24 Plant at the Depot in accordance with the existing Haz-
25 ardous Waste Permit Number CO-20-09-02-01 under the

1 Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) (com-
2 monly known as the Resource Conservation and Recovery
3 Act of 1976) issued by the State of Colorado, or any asso-
4 ciated or follow-on permits under such Act.

5 (e) RELATION TO PROCEDURES FOR USE TO ASSIST
6 THE HOMELESS.—Such land, buildings, structures, infra-
7 structure, and associated equipment, installed equipment,
8 material, and personal property comprising the Chemical
9 Agent-Destruction Pilot Plant at the Depot is—

10 (1) hereby deemed unsuitable for use to assist
11 the homeless; and

12 (2) not subject to the procedures relating to the
13 use to assist the homeless of buildings and property
14 at military installations under the Defense Base Clo-
15 sure and Realignment Act of 1990 (part A of title
16 XXIX of Public Law 101–510; 10 U.S.C. 2687
17 note).

18 **SEC. 2855. LIMITATION ON AUTHORITY TO MODIFY OR RE-**
19 **STRICT PUBLIC ACCESS TO GREENBURY**
20 **POINT CONSERVATION AREA AT NAVAL SUP-**
21 **PORT ACTIVITY ANNAPOLIS, MARYLAND.**

22 (a) IN GENERAL.—Except as provided in subsection
23 (b), the Secretary of the Navy may not modify or restrict
24 public access to the Greenbury Point Conservation Area
25 at Naval Support Activity Annapolis, Maryland.

1 (b) EXCEPTIONS.—The limitation in subsection (a)
2 shall not apply to—

3 (1) temporary restrictions to protect public
4 safety that are necessitated by emergent situations,
5 hazardous conditions, maintenance of existing facili-
6 ties, or live fire exercises; or

7 (2) the terms of a lease or transfer of the
8 Greenbury Point Conservation Area to another pub-
9 lic entity.

10 **SEC. 2856. AUTHORIZATION FOR THE SECRETARY OF THE**
11 **NAVY TO RESOLVE THE ELECTRICAL UTILITY**
12 **OPERATIONS AT FORMER NAVAL AIR STA-**
13 **TION BARBERS POINT, HAWAII.**

14 (a) IN GENERAL.—The Secretary of the Navy (in this
15 section referred to as the “Secretary”) may enter into an
16 agreement with the State of Hawaii or a third party for
17 the purpose of resolving the electrical utility operations at
18 Former Naval Air Station Barbers Point, Hawaii, also
19 known as “Kalaeloa”.

20 (b) ELEMENTS OF AGREEMENT.—An agreement en-
21 tered into under subsection (a) shall include a requirement
22 that the Secretary—

23 (1) assist with—

1 (A) the transfer of customers of the Navy
2 off of the electrical utility system of the Navy
3 at the location specified in such subsection; and

4 (B) the enhancement of the surrounding
5 electrical utility system to accept any additional
6 load from such transfer, with a priority for such
7 systems that serve downtown Kalaeloa, Hawaii,
8 and the Hawaii Army National Guard;

9 (2) provide the instantaneous peak demand
10 analysis and design necessary to conduct such trans-
11 fer;

12 (3) provide rights of way and easements nec-
13 essary to support the construction of replacement
14 electrical infrastructure; and

15 (4) be responsible for all environmental assess-
16 ments and remediation, and costs related to the re-
17 moval and disposal, of the electrical utility system of
18 the Navy once it is no longer in use.

19 (c) LIMITATION ON EXPENDITURE OF AMOUNTS.—
20 The Secretary may expend not more than \$48,000,000
21 during any fiscal year to provide support for an agreement
22 entered into under subsection (a).

23 (d) NOTIFICATION.—Not later than 180 days after
24 the date of the enactment of this Act, and not less fre-
25 quently than every 180 days thereafter until the date on

1 which an agreement described in subsection (a) is entered
2 into, the Secretary shall submit to the congressional de-
3 fense committees a report on progress made in developing
4 and entering into an agreement described in subsection
5 (a).

6 (e) REPEAL.—Section 2205 of the Military Construc-
7 tion Authorization Act for Fiscal Year 2023 (division B
8 of Public Law 117–263; 136 Stat. 2977) is repealed.

9 **SEC. 2857. INCLUSION OF MILITARY INSTALLATION RESIL-**
10 **IENCE IN REAL PROPERTY MANAGEMENT**
11 **AND INSTALLATION MASTER PLANNING OF**
12 **DEPARTMENT.**

13 (a) IN GENERAL.—Not later than one year after the
14 date of the enactment of this Act, the Secretary of Defense
15 shall—

16 (1) update Department of Defense Instruction
17 4165.70 (relating to real property management) and
18 Unified Facilities Criteria 2–100–01 (relating to in-
19 stallation master planning) to—

20 (A) include a requirement to incorporate
21 the impact of military installation resilience in
22 all installation master plans;

23 (B) include a list of all sources of informa-
24 tion approved by the Department of Defense;

1 (C) define the 17 identified military instal-
2 lation resilience hazards to ensure that the im-
3 pacts from such hazards are reported consist-
4 ently across the Department;

5 (D) require each commander of a military
6 installation to address the rationale for deter-
7 mining that any such hazard is not applicable
8 to the military installation concerned;

9 (E) standardize reporting formats for mili-
10 tary installation resilience plans;

11 (F) establish and define standardized risk
12 rating categories for the use by each Secretary
13 of a military department; and

14 (G) define criteria for determining the level
15 of risk to a military installation to compare
16 hazards between military departments; and

17 (2) require each Secretary of a military depart-
18 ment to update the handbook for the military de-
19 partment concerned to incorporate the requirements
20 under paragraph (1).

21 **SEC. 2858. MODIFICATION OF AUTHORITY TO RELOCATE**
22 **JOINT SPECTRUM CENTER TO FORT MEADE,**
23 **MARYLAND.**

24 Section 2887(a)(1) of the Military Construction Au-
25 thorization Act for Fiscal Year 2008 (division B of Public

1 Law 110–181; 122 Stat. 569) is amended by striking “;
2 and” and inserting “; or”.

3 **Subtitle E—Land Conveyances**

4 **SEC. 2861. EXTENSION OF SUNSET FOR LAND CONVEYANCE,** 5 **SHARPE ARMY DEPOT, LATHROP, CALI-** 6 **FORNIA.**

7 Section 2833(g) of the William M. (Mac) Thornberry
8 National Defense Authorization Act for Fiscal Year 2021
9 (Public Law 116–283) is amended by striking “three
10 years” and inserting “five years”.

11 **SEC. 2862. CLARIFICATION OF AUTHORITY OF DEPART-** 12 **MENT OF DEFENSE TO CONDUCT CERTAIN** 13 **MILITARY ACTIVITIES AT NEVADA TEST AND** 14 **TRAINING RANGE.**

15 (a) SPECIFICATION OF AUTHORIZED MILITARY AC-
16 TIVITIES.—Paragraph (1) of section 3011(b) of the Mili-
17 tary Lands Withdrawal Act of 1999 (title XXX of the Na-
18 tional Defense Authorization Act for Fiscal Year 2000;
19 Public Law 106–65; 113 Stat. 886) is amended—

20 (1) in the matter preceding subparagraph (A),
21 by inserting “, subject to the conditions set forth in
22 subsection (a) of section 3014” after “Secretary of
23 the Air Force”;

24 (2) by striking “and” at the end of subpara-
25 graph (C);

1 (3) by redesignating subparagraph (D) as sub-
2 paragraph (G); and

3 (4) by inserting after subparagraph (C) the fol-
4 lowing new subparagraphs:

5 “(D) for emergency response;

6 “(E) for the establishment and use of ex-
7 isting or new electronic tracking and commu-
8 nications sites, including the construction of up
9 to 15 equipment pads, no larger than 150-by-
10 150 feet in size, along existing roads to allow
11 placement and operation of threat emitters;

12 “(F) for the use and maintenance of roads
13 in existence as of January 1, 2024, to allow ac-
14 cess to threat emitters and repeaters for instal-
15 lation, maintenance, and periodic relocation;
16 and”.

17 (b) INTERAGENCY COMMITTEE.—Section
18 3011(b)(5)(G) of the Military Lands Withdrawal Act of
19 1999 (title XXX of the National Defense Authorization
20 Act for Fiscal Year 2000; Public Law 106–65) is amend-
21 ed—

22 (1) by amending clause (i) to read as follows:

23 “(i) IN GENERAL.—The Secretary of
24 the Interior and the Secretary of the Air
25 Force shall jointly establish an interagency

1 committee (referred to in this subpara-
2 graph as the ‘interagency committee’) to—

3 “(I) facilitate coordination, man-
4 age public access needs and require-
5 ments, and minimize potential conflict
6 between the Department of the Inte-
7 rior and the Department of the Air
8 Force with respect to joint operating
9 areas within the Desert National
10 Wildlife Refuge; and

11 “(II) discuss the activities au-
12 thorized in paragraph (1) and provide
13 input to the United States Fish and
14 Wildlife Service and the Department
15 of the Air Force when assessing
16 whether these activities may be con-
17 ducted on the joint operating areas
18 within the Desert National Wildlife
19 Refuge that are under the primary ju-
20 risdiction of the Secretary of the Inte-
21 rior in a manner that is consistent
22 with the National Wildlife Refuge
23 System Administration Act (16
24 U.S.C. 668dd et seq.) and other appli-
25 cable law.”; and

1 (2) in clause (ii)—

2 (A) by inserting “, including a designee of
3 the Director of the United States Fish and
4 Wildlife Service” before the period at the end of
5 subclause (I); and

6 (B) by inserting “, including a designee of
7 the Assistant Secretary of the Air Force for
8 Energy, Installations, and Environment” before
9 the period at the end of subclause (II).

10 (c) ADDITIONAL PURPOSE OF INTERGOVERNMENTAL
11 EXECUTIVE COMMITTEE.—Section 3011(b)(5)(H)(ii) of
12 the Military Lands Withdrawal Act of 1999 (title XXX
13 of the National Defense Authorization Act for Fiscal Year
14 2000; Public Law 106–65) is amended—

15 (1) by striking “and” at the end of subclause
16 (I);

17 (2) by striking the period at the end of sub-
18 clause (II) and inserting “; and”; and

19 (3) by adding at the end the following new sub-
20 clause:

21 “(III) discussing and making rec-
22 ommendations to the interagency com-
23 mittee established under subpara-
24 graph (G) with respect to any pro-
25 posal by the Secretary of the Air

1 Force to undertake any of the activi-
2 ties authorized in paragraph (1) on
3 the joint operating areas within the
4 Desert National Wildlife Refuge.”.

5 (d) COMPLETION OF INTERAGENCY MEMORANDUM
6 OF UNDERSTANDING.—

7 (1) DEADLINE.—Not later than one year after
8 the date of the enactment of this Act, the Secretary
9 of the Air Force and the Secretary of the Interior
10 shall—

11 (A) enter into a complete new operational
12 memorandum of understanding under para-
13 graph (5)(E) of section 3011(b) of the Military
14 Lands Withdrawal Act of 1999 (title XXX of
15 the National Defense Authorization Act for Fis-
16 cal Year 2000; Public Law 106–65); or

17 (B) amend the current memorandum of
18 understanding in effect under that paragraph
19 that will complete the memorandum of under-
20 standing.

21 (2) ACCESS TO JOINT USE AREA FOR FISH AND
22 WILDLIFE SERVICE.—The memorandum of under-
23 standing entered into or amended under paragraph
24 (1) shall include one or more provisions to ensure

1 adequate access for the United States Fish and
2 Wildlife Service to the joint use area.

3 (e) BUREAU OF LAND MANAGEMENT AND STATE OF
4 NEVADA COOPERATIVE AGREEMENT.—Not later than 180
5 days after the date of enactment of this Act, the Secretary
6 of the Interior shall submit to the Committee on Energy
7 and Natural Resources of the Senate and the Committee
8 on Natural Resources of the House of Representatives a
9 report that describes the status of the cooperative agree-
10 ment authorized under section 2905(j)(6) of the James
11 M. Inhofe National Defense Authorization Act for Fiscal
12 Year 2023 (Public Law 117–263; 136 Stat. 3043).

13 **SEC. 2863. EXTENSIONS, ADDITIONS, AND REVISIONS TO**
14 **THE MILITARY LANDS WITHDRAWAL ACT OF**
15 **1999 RELATING TO THE BARRY M. GOLD-**
16 **WATER RANGE, ARIZONA.**

17 (a) EXTENSION OF WITHDRAWAL AND GILA BEND
18 ADDITION TO BARRY M. GOLDWATER RANGE.—Section
19 3031(a)(3) of the Military Lands Withdrawal Act of 1999
20 (title XXX of Public Law 106–65; 113 Stat. 898) is
21 amended—

22 (1) by striking “comprise approximately
23 1,650,200 acres” and inserting the following: “com-
24 prise—

25 “(A) approximately 1,656,491.94 acres”;

1 (2) by striking “‘Barry M. Goldwater Range
2 Land Withdrawal’, dated June 17, 1999” and in-
3 sserting the following: “‘Barry M. Goldwater Range
4 Requested Withdrawal Extension Map’, dated June
5 13, 2022”; and

6 (3) by striking “section 3033.” and inserting
7 the following: “section 3033; and

8 “(B) approximately 2,365.89 acres of land
9 in Maricopa County, Arizona, as generally de-
10 picted on the map entitled ‘Gila Bend Addition
11 to Barry M. Goldwater Range’, dated July 5,
12 2022, and filed in accordance with section
13 3033.”.

14 (b) RELATION TO OTHER WITHDRAWALS AND RES-
15 ERVATIONS.—Section 3031(a) of such Act is amended—

16 (1) by redesignating paragraphs (4), (5), (6),
17 and (7) as paragraphs (5), (6), (7), and (8), respec-
18 tively;

19 (2) in paragraph (5), as so redesignated, by in-
20 sserting “, whichever is later” after “accepted by the
21 Secretary of the Interior”; and

22 (3) by inserting after paragraph (3) the fol-
23 lowing:

24 “(4) RELATION TO OTHER WITHDRAWALS AND
25 RESERVATIONS.—

1 “(A) The prior withdrawals and reserva-
2 tions identified as Public Land Order Nos. 56
3 and 97, and Executive Orders 8892, 9104, and
4 9215, are hereby revoked in their entirety.

5 “(B) Upon the date of the enactment of
6 this paragraph, the patented mining claim
7 known as the Legal Tender, Mineral Survey
8 No. 3445, located in Section 26, Township 15
9 South, Range 10 West, Gila Salt River Merid-
10 ian, Arizona, is hereby transferred from the
11 Secretary of the Air Force to the Secretary of
12 the Interior, at no cost and in ‘as-is’ condition,
13 and shall be managed by the United States
14 Fish and Wildlife Service as a land parcel in-
15 cluded within the Cabeza Prieta National Wild-
16 life Refuge and in wilderness status as part of
17 the Cabeza Prieta Wilderness.”.

18 (c) RENEWAL OF CURRENT WITHDRAWAL AND RES-
19 ERVATION.—Section 3031(d) of such Act is amended by
20 striking “25 years after the date of the enactment of this
21 Act” and inserting “on October 5, 2049”.

22 (d) EXTENSION.—Section 3031(e) of such Act is
23 amended—

24 (1) in the heading, by striking “INITIAL”; and

25 (2) in paragraph (1), by striking “initial”.

1 **SEC. 2864. LAND ACQUISITION, WESTMORELAND STATE**
2 **PARK, VIRGINIA.**

3 (a) **AUTHORITY.**—The Secretary of the Navy may ac-
4 quire, by purchase or lease from the Commonwealth of
5 Virginia (in this section referred to as the “Common-
6 wealth”), a real property interest in approximately 225
7 square feet of land, including ingress and egress, at West-
8 moreland State Park, Virginia, for the purpose of install-
9 ing, operating, maintaining, and protecting equipment to
10 support research and development activities by the De-
11 partment of the Navy for national security purposes.

12 (b) **TERMS AND CONDITIONS.**—The acquisition of
13 property under this section shall be subject to the fol-
14 lowing terms and conditions:

15 (1) The Secretary shall pay the Commonwealth
16 fair market value for the interest to be acquired, as
17 determined by the Secretary.

18 (2) Such other terms and conditions considered
19 appropriate by the Secretary.

20 (c) **DESCRIPTION OF PROPERTY.**—The legal descrip-
21 tion of the property to be acquired under this section shall
22 be determined by a survey that is satisfactory to the Sec-
23 retary and the Commonwealth.

24 (d) **APPLICABILITY OF THE LAND AND WATER CON-**
25 **SERVATION FUND ACT.**—The provisions of chapter 2003

1 of title 54, United States Code, shall not apply to the ac-
2 quisition of property under this section.

3 (e) REIMBURSEMENT.—The Secretary shall reim-
4 burse the Commonwealth for reasonable and documented
5 administrative costs incurred by the Commonwealth to
6 execute the acquisition by the Secretary authorized by this
7 section.

8 (f) TERMINATION OF REAL PROPERTY INTEREST.—
9 The real property interest acquired by the Secretary shall
10 terminate, and be released without cost to the Common-
11 wealth, when the Secretary determines such real property
12 interest is no longer required for national security pur-
13 poses.

14 **SEC. 2865. LAND CONVEYANCE, NAVAL WEAPONS STATION**
15 **EARLE, NEW JERSEY.**

16 (a) CONVEYANCE AUTHORIZED.—The Secretary of
17 the Navy may convey to Colts Neck Township, New Jersey
18 (in this section referred to as the “Township”), all right,
19 title, and interest of the United States in and to a parcel
20 of real property, including any improvements thereon, con-
21 sisting of approximately 3.13 acres and currently used by
22 the Township for school bus parking.

23 (b) CONSIDERATION.—

24 (1) CONSIDERATION REQUIRED.—As consider-
25 ation for the conveyance under subsection (a), the

1 Township shall pay to the Secretary of the Navy an
2 amount equal to not less than the fair market value
3 of the property to be conveyed, as determined by the
4 Secretary, which may consist of cash payment, in-
5 kind consideration as described in paragraph (2), or
6 a combination thereof.

7 (2) IN-KIND CONSIDERATION.—In-kind consid-
8 eration provided by the Township under paragraph
9 (1) may include—

10 (A) the acquisition, construction, provision,
11 improvement, maintenance, repair, or restora-
12 tion (including environmental restoration), or a
13 combination thereof, of any property, facilities,
14 or infrastructure with proximity to Naval
15 Weapons Station Earle, New Jersey; or

16 (B) the delivery of services relating to the
17 needs of Naval Weapons Station Earle that the
18 Secretary considers acceptable.

19 (3) CONVEYANCE.—Cash payments received
20 under subsection (b) as consideration for the convey-
21 ance under subsection (a) shall be deposited in the
22 special account in the Treasury established under
23 section 572(b)(5) of title 40, United States Code.

24 (c) PAYMENT OF COSTS OF CONVEYANCE.—

1 (1) PAYMENT REQUIRED.—The Secretary of
2 the Navy shall require the Township to cover costs
3 to be incurred by the Secretary, or to reimburse the
4 Secretary for such costs incurred by the Secretary,
5 to carry out the conveyance under subsection (a), in-
6 cluding survey costs, costs for environmental docu-
7 mentation related to the conveyance, and any other
8 administrative costs related to the conveyance. If
9 amounts are collected from the Township in advance
10 of the Secretary incurring the actual costs, and the
11 amount collected exceeds the costs actually incurred
12 by the Secretary to carry out the conveyance, the
13 Secretary shall refund the excess amount to the
14 Township.

15 (2) TREATMENT OF AMOUNTS RECEIVED.—
16 Amounts received as reimbursement under para-
17 graph (1) shall be credited to the fund or account
18 that was used to cover the costs incurred by the Sec-
19 retary in carrying out the land conveyance under
20 subsection (a) or, if the period of availability of obli-
21 gations for that appropriation has expired, to the
22 appropriations of a fund that is currently available
23 to the Secretary for the same purpose. Amounts so
24 credited shall be merged with amounts in such fund
25 or account and shall be available for the same pur-

1 poses, and subject to the same conditions and limita-
2 tions, as amounts in such fund or account.

3 (d) DESCRIPTION OF PROPERTY.—The exact acreage
4 and legal description of the parcel of real property to be
5 conveyed under subsection (a) shall be determined by sur-
6 veys satisfactory to the Secretary of the Navy.

7 (e) ADDITIONAL TERMS AND CONDITIONS.—The
8 Secretary of the Navy may require such additional terms
9 and conditions in connection with the conveyance under
10 subsection (a) as the Secretary considers appropriate to
11 protect the interests of the United States.

12 **SEC. 2866. LAND CONVEYANCE, PAINE FIELD AIR NATIONAL**
13 **GUARD STATION, EVERETT, SNOHOMISH**
14 **COUNTY, WASHINGTON.**

15 (a) CONVEYANCE AUTHORIZED.—The Secretary of
16 the Air Force (in this section referred to as the “Sec-
17 retary”) may convey to Snohomish County, a political sub-
18 division of the State of Washington (in this section re-
19 ferred to as the “County”) all right, title, and interest of
20 the United States in and to three parcels of real property,
21 including any improvements thereon and any related ease-
22 ments, consisting of approximately 14.23 acres, collec-
23 tively, located on the Washington Air National Guard
24 Base at Paine Field, Everett, Washington, for the pur-
25 poses of—

1 (1) removing the property from the boundaries
2 of the Washington Air National Guard Base and ac-
3 commodating the operational needs of the Snoho-
4 mish County Airport and Paine Field; and

5 (2) the development of the parcels and build-
6 ings for economic purposes.

7 (b) CONDITIONS OF CONVEYANCE.—The conveyance
8 under subsection (a) shall be—

9 (1) subject to valid existing rights;

10 (2) subject to the condition that the County ac-
11 cept the real property, and any improvements there-
12 on, in its condition at the time of the conveyance
13 (commonly known as a conveyance “as is”);

14 (3) subject to any other terms and conditions
15 as agreed to by the Secretary and the County; and

16 (4) subject to any other terms and conditions
17 as the Secretary considers appropriate to protect the
18 interests of the United States.

19 (c) CONSIDERATION.—

20 (1) CONSIDERATION REQUIRED.—As consider-
21 ation for the conveyance under subsection (a), the
22 County shall pay to the Secretary in cash an amount
23 that is not less than the fair market value of the
24 right, title, and interest conveyed under subsection

1 (a), as determined by the Secretary based on an ap-
2 praisal of the property.

3 (2) TREATMENT OF CONSIDERATION RE-
4 CEIVED.—Consideration received by the Secretary
5 under paragraph (1) shall be deposited in the ac-
6 count in the Treasury established under section
7 572(b) of title 40, United States Code, and shall be
8 available in accordance with paragraph (5)(B)(ii) of
9 such subsection.

10 (d) PAYMENT OF COSTS OF CONVEYANCE.—

11 (1) PAYMENT REQUIRED.—The Secretary may
12 require the County to cover all costs (except costs
13 for environmental remediation of the property) to be
14 incurred by the Secretary, or to reimburse the Sec-
15 retary for costs incurred by the Secretary, to carry
16 out the conveyance under subsection (a), including
17 costs related to real estate due diligence and any
18 other administrative costs related to the conveyance.
19 If amounts paid by the County to the Secretary in
20 advance exceed the costs actually incurred by the
21 Secretary to carry out the conveyance under sub-
22 section (a), the Secretary shall refund the excess
23 amount to the County.

24 (2) TREATMENT OF AMOUNTS RECEIVED.—
25 Amounts received under paragraph (1) as reim-

1 bursement for costs incurred by the Secretary to
2 carry out the conveyance under subsection (a) shall
3 be credited to the fund or account that was used to
4 cover the costs incurred by the Secretary in carrying
5 out the conveyance or to an appropriate fund or ac-
6 count currently available to the Secretary for the
7 purposes for which the costs were paid. Amounts so
8 credited shall be merged with amounts in such fund
9 or account and shall be available for the same pur-
10 poses, and to the same conditions and limitations, as
11 amounts in such fund or account.

12 (e) DESCRIPTION OF PROPERTY.—The exact acreage
13 and legal description of the property to be conveyed under
14 subsection (a) shall be determined by a survey satisfactory
15 to the Secretary.

16 **SEC. 2867. LAND CONVEYANCE, WETZEL COUNTY MEMO-**
17 **RIAL ARMY RESERVE CENTER, NEW**
18 **MARTINSVILLE, WEST VIRGINIA.**

19 (a) CONVEYANCE AUTHORIZED.—

20 (1) IN GENERAL.—The Secretary of the Army
21 (in this section referred to as the “Secretary”) may
22 convey to the City of New Martinsville, West Vir-
23 ginia (in this section referred to as the “City”), all
24 right, title, and interest of the United States in and
25 to a parcel of real property, including any improve-

1 ments thereon, consisting of approximately 2.96
2 acres, known as the former Wetzel County Memorial
3 Army Reserve Center, located within the City, for
4 the purpose of providing emergency management re-
5 sponse or law enforcement services.

6 (2) CONTINUATION OF EXISTING EASEMENTS,
7 RESTRICTIONS, AND COVENANTS.—The conveyance
8 of the property under paragraph (1) shall be subject
9 to any easement, restriction, or covenant of record
10 applicable to the property and in existence on the
11 date of the enactment of this Act.

12 (b) REVISIONARY INTEREST.—

13 (1) IN GENERAL.—If the Secretary determines
14 at any time that the property conveyed under sub-
15 section (a) is not being used in accordance with the
16 purpose of the conveyance specified in such sub-
17 section, all right, title, and interest in and to the
18 property, including any improvements thereto, may,
19 at the option of the Secretary, revert to and become
20 the property of the United States, and the United
21 States may have the right of immediate entry onto
22 such property.

23 (2) DETERMINATION.—A determination by the
24 Secretary under paragraph (1) may be made on the
25 record after an opportunity for a hearing.

1 (c) PAYMENT OF COSTS OF CONVEYANCE.—

2 (1) PAYMENT REQUIRED.—The Secretary may
3 require the City to cover all costs (except costs for
4 environmental remediation of the property) to be in-
5 curred by the Secretary, or to reimburse the Sec-
6 retary for costs incurred by the Secretary, to carry
7 out the conveyance under subsection (a), including
8 costs for environmental and real estate due diligence
9 and any other administrative costs related to the
10 conveyance.

11 (2) REFUND OF EXCESS AMOUNTS.—If
12 amounts are collected from the City under para-
13 graph (1) in advance of the Secretary incurring the
14 actual costs, and the amount collected exceeds the
15 costs actually incurred by the Secretary to carry out
16 the conveyance under subsection (a), the Secretary
17 shall refund the excess amount to the City.

18 (d) LIMITATION ON SOURCE OF FUNDS.—The City
19 may not use Federal funds to cover any portion of the
20 costs required to be paid by the City under this section.

21 (e) DESCRIPTION OF PROPERTY.—The exact acreage
22 and legal description of the property to be conveyed under
23 subsection (a) shall be determined by a survey satisfactory
24 to the Secretary.

1 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
2 retary may require such additional terms and conditions
3 in connection with the conveyance under subsection (a) as
4 the Secretary considers appropriate to protect the inter-
5 ests of the United States.

6 **SEC. 2868. LAND CONVEYANCE, BG J SUMNER JONES ARMY**
7 **RESERVE CENTER, WHEELING, WEST VIR-**
8 **GINIA.**

9 (a) CONVEYANCE AUTHORIZED.—

10 (1) IN GENERAL.—The Secretary of the Army
11 (in this section referred to as the “Secretary”) may
12 convey to the City of Wheeling, West Virginia (in
13 this section referred to as the “City”), all right,
14 title, and interest of the United States in and to a
15 parcel of real property, including any improvements
16 thereon, consisting of approximately 3.33 acres,
17 known as the former BG J Sumner Jones Army Re-
18 serve Center, located within the City, for the pur-
19 pose of providing emergency management response
20 or law enforcement services.

21 (2) CONTINUATION OF EXISTING EASEMENTS,
22 RESTRICTIONS, AND COVENANTS.—The conveyance
23 of the property under paragraph (1) shall be subject
24 to any easement, restriction, or covenant of record

1 applicable to the property and in existence on the
2 date of the enactment of this Act.

3 (b) REVISIONARY INTEREST.—

4 (1) IN GENERAL.—If the Secretary determines
5 at any time that the property conveyed under sub-
6 section (a) is not being used in accordance with the
7 purpose of the conveyance specified in such sub-
8 section, all right, title, and interest in and to the
9 property, including any improvements thereto, may,
10 at the option of the Secretary, revert to and become
11 the property of the United States, and the United
12 States may have the right of immediate entry onto
13 such property.

14 (2) DETERMINATION.—A determination by the
15 Secretary under paragraph (1) may be made on the
16 record after an opportunity for a hearing.

17 (c) PAYMENT OF COSTS OF CONVEYANCE.—

18 (1) PAYMENT REQUIRED.—The Secretary may
19 require the City to cover all costs (except costs for
20 environmental remediation of the property) to be in-
21 curred by the Secretary, or to reimburse the Sec-
22 retary for costs incurred by the Secretary, to carry
23 out the conveyance under subsection (a), including
24 costs for environmental and real estate due diligence

1 and any other administrative costs related to the
2 conveyance.

3 (2) REFUND OF EXCESS AMOUNTS.—If
4 amounts are collected from the City under para-
5 graph (1) in advance of the Secretary incurring the
6 actual costs, and the amount collected exceeds the
7 costs actually incurred by the Secretary to carry out
8 the conveyance under subsection (a), the Secretary
9 shall refund the excess amount to the City.

10 (d) LIMITATION ON SOURCE OF FUNDS.—The City
11 may not use Federal funds to cover any portion of the
12 costs required to be paid by the City under this section.

13 (e) DESCRIPTION OF PROPERTY.—The exact acreage
14 and legal description of the property to be conveyed under
15 subsection (a) shall be determined by a survey satisfactory
16 to the Secretary.

17 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
18 retary may require such additional terms and conditions
19 in connection with the conveyance under subsection (a) as
20 the Secretary considers appropriate to protect the inter-
21 ests of the United States.

1 **Subtitle F—Pilot Programs and**
2 **Reports**

3 **SEC. 2871. MODIFICATION OF PILOT PROGRAM ON IN-**
4 **CREASED USE OF SUSTAINABLE BUILDING**
5 **MATERIALS IN MILITARY CONSTRUCTION.**

6 Section 2861 of the National Defense Authorization
7 Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
8 2802 note) is amended—

9 (1) in subsection (b)(1), by striking “at least”
10 and all that follows through the period at the end
11 and inserting “, under the pilot program, at least—

12 “(A) one military construction project for
13 mass timber; and

14 “(B) one military construction project for
15 low carbon concrete.”;

16 (2) in subsection (d), by striking “September
17 30, 2024” and inserting “September 30, 2025”;

18 (3) by redesignating subsections (e) and (f) as
19 subsections (f) and (g), respectively;

20 (4) by inserting after subsection (d) the fol-
21 lowing new subsection:

22 “(e) **DEADLINE FOR COMMENCEMENT OF CON-**
23 **STRUCTION.**—Any construction pursuant to a military
24 construction project carried out under the pilot program
25 must commence by not later than January 1, 2025.”; and

1 (5) in subsection (f)(1) (as so redesignated), by
2 striking “December 31, 2024” and inserting “De-
3 cember 31, 2025”.

4 **SEC. 2872. MODIFICATION OF PILOT PROGRAM ON ESTAB-**
5 **LISHMENT OF ACCOUNT FOR REIMBURSE-**
6 **MENT FOR USE OF TESTING FACILITIES AT**
7 **INSTALLATIONS OF THE DEPARTMENT OF**
8 **THE AIR FORCE.**

9 (a) IN GENERAL.—Section 2862 of the Military Con-
10 struction Authorization Act for Fiscal Year 2022 (division
11 B of Public Law 117–81; 10 U.S.C. 9771 note prec.) is
12 amended—

13 (1) in subsection (a), by striking “testing” and
14 inserting “Major Range and Test Facility Base”;

15 (2) in subsection (b), by inserting “, have Major
16 Range and Test Facility Base facilities,” after “con-
17 struct”;

18 (3) by amending subsection (c) to read as fol-
19 lows:

20 “(c) OVERSIGHT OF FUNDS.—

21 “(1) USE OF AMOUNTS.—The commander of an
22 installation selected to participate in the pilot pro-
23 gram may obligate or expend amounts reimbursed
24 under the pilot program for projects at the installa-
25 tion.

1 “(2) DESIGNATION OF MAINTENANCE COSTS.—

2 “(A) IN GENERAL.—The commander of an
3 installation selected to participate in the pilot
4 program may designate the appropriate amount
5 of maintenance cost reimbursements to be
6 charged to users of Major Range and Test Fa-
7 cility Base facilities under the pilot program.

8 “(B) USE OF MAINTENANCE COST REIM-
9 BURSEMENTS.—Maintenance cost reimburse-
10 ments under subparagraph (A) for an installa-
11 tion may be used either solely or in combination
12 with funds otherwise made available to satisfy
13 the costs of maintenance projects at the instal-
14 lation.

15 “(3) OVERSIGHT.—The commander of an in-
16 stallation selected to participate in the pilot program
17 shall have direct oversight over amounts reimbursed
18 to the installation under the pilot program for Facil-
19 ity, Sustainment, Restoration, and Modernization.”;

20 (4) by redesignating subsection (e) as sub-
21 section (f);

22 (5) by inserting after subsection (d) the fol-
23 lowing new subsection:

24 “(e) TREATMENT OF REIMBURSEMENTS.—Funds
25 otherwise made available to participants in the pilot pro-

1 gram may not be reduced by amounts reimbursed under
2 the pilot program for Facility, Sustainment, Restoration,
3 and Modernization.”; and

4 (6) in subsection (f), as redesignated by para-
5 graph (2), by striking “December 1, 2026” and in-
6 serting “December 1, 2027”.

7 (b) CLERICAL AMENDMENT.—The heading for such
8 section 2862 is amended to read as follows:

9 **“SEC. 2862. PILOT PROGRAM TO AUGMENT SUSTAINMENT**
10 **WITH MAINTENANCE COST REIMBURSE-**
11 **MENTS FROM MAJOR RANGE AND TEST FA-**
12 **CILITY BASE USERS AT INSTALLATIONS OF**
13 **THE DEPARTMENT OF THE AIR FORCE.”.**

14 **SEC. 2873. PILOT PROGRAM TO PROVIDE AIR PURIFI-**
15 **CATION TECHNOLOGY IN COVERED MILI-**
16 **TARY HOUSING.**

17 (a) IN GENERAL.—The Secretary of Defense may
18 carry out a pilot program to—

19 (1) provide commercially available off-the-shelf
20 items (as defined in section 104 of title 41, United
21 States Code) for air purification and covered sensors
22 to landlords; and

23 (2) monitor and measure the effect of such
24 items on the environmental health and public health
25 of tenants of covered military housing.

1 (b) SELECTION OF INSTALLATIONS.—

2 (1) IN GENERAL.—The Secretary of the Army,
3 the Secretary of the Navy, and the Secretary of the
4 Air Force shall each select one military installation
5 under the jurisdiction of such Secretary to carry out
6 any pilot program carried out under this section.

7 (2) CONSIDERATIONS.—Each Secretary shall
8 ensure that the military installation selected under
9 this section contains military unaccompanied hous-
10 ing in which the items described in subsection (a)
11 may be used.

12 (c) DEVICES.—An air purification item or a covered
13 sensor provided under this section shall use technology
14 proven to reduce indoor air risks and yield measurable en-
15 vironmental health and public health outcomes.

16 (d) BRIEFING.—Not later than 365 days after the
17 date on which a pilot program is commenced under this
18 section, the Secretary of the Army, the Secretary of the
19 Navy, and the Secretary of the Air Force shall each pro-
20 vide to the Committees on Armed Services of the House
21 of Representatives and the Senate a briefing on the pilot
22 program established under this section, including a de-
23 scription of the items described in subsection (a) used
24 under such program. The briefing shall include—

1 (1) a description of any cost savings identified
2 from use of such items relating to—

3 (A) extending the durability and habit-
4 ability of covered military housing; and

5 (B) reducing maintenance frequency; and

6 (2) with respect to cost savings identified in
7 paragraph (1), a plan to expand the use of covered
8 sensors and air purification items in newly con-
9 structed covered military housing.

10 (e) DEFINITIONS.—In this section:

11 (1) The term “covered sensor” means a com-
12 mercially available off-the-shelf item (as defined in
13 section 104 of title 41, United States Code) manu-
14 factured in the United States that detects the condi-
15 tions for potential mold growth before mold is
16 present.

17 (2) The term “covered military housing”
18 means—

19 (A) military unaccompanied housing; and

20 (B) Government-owned units of military
21 housing.

22 (3) The term “military unaccompanied hous-
23 ing” has the meaning given in section 2871 of title
24 10, United States Code.

1 **SEC. 2874. JOINT HOUSING REQUIREMENTS AND MARKET**
2 **ANALYSIS FOR CERTAIN MILITARY INSTALLA-**
3 **TIONS IN HAWAII.**

4 (a) IN GENERAL.—The Secretary of Defense, in con-
5 sultation with appropriate Federal, State, and local stake-
6 holders (to the maximum extent practicable) shall conduct
7 a joint Housing Requirements and Market Analysis for
8 each covered military installation.

9 (b) DEADLINE.—Not later than one year after the
10 date of the enactment of this Act, the Secretary shall sub-
11 mit to the congressional defense committees a report on
12 each joint Housing Requirements and Market Analysis
13 conducted under subsection (a) that includes—

14 (1) an analysis of the extent to which military
15 installations in Hawaii have affected the availability
16 of housing in communities in proximity to such mili-
17 tary installations;

18 (2) the number of members of the Armed
19 Forces and their dependents residing in privately-
20 owned housing located outside of such military in-
21 stallations;

22 (3) a cost-benefit analysis of implementing a re-
23 quirement for each member of the Armed Forces as-
24 signed to a duty station in Hawaii to reside in hous-
25 ing located on the military installation to which such
26 member is assigned;

1 (4) an assessment of strategies to reduce the ef-
2 fect of members of the Armed Forces and depend-
3 ents of such members on the availability of rental
4 housing in such communities, including strategies to
5 provide such members and dependents with alter-
6 native housing options;

7 (5) the optimal stock and occupancy rate of
8 military housing units in Hawaii, as determined by
9 the Secretary;

10 (6) an estimate of the cost to the United States
11 to maintain such optimal stock and occupancy rate;

12 (7) an assessment of the feasibility of expand-
13 ing housing located on military installations in Ha-
14 waii to create housing intended to be occupied by ci-
15 vilian employees and contractors of the Department
16 of Defense;

17 (8) an identification of limitations and chal-
18 lenges, if any, to data collection and analysis in car-
19 rying out such joint Housing Requirements and
20 Market Analysis;

21 (9) strategies to—

22 (A) address such limitations and chal-
23 lenges; and

24 (B) standardize methods of data collection
25 and analysis for conducting a Housing Require-

1 ments and Market Analysis under section 2837
2 of title 10, United States Code; and
3 (10) other relevant information, as determined
4 by the Secretary.

5 (c) DEFINITIONS.—In this section:

6 (1) The term “covered military installation”
7 means a military installation in Hawaii for which a
8 Housing Requirements and Market Analysis has not
9 been conducted during the three-year period pre-
10 ceding the date of the enactment of this Act.

11 (2) The term “Housing Requirements and Mar-
12 ket Analysis” has the meaning given such term in
13 section 2837 of title 10, United States Code.

14 (3) The term “military installation” has the
15 meaning given such term in section 2801 of such
16 title.

17 **SEC. 2875. QUARTERLY BRIEFINGS ON MILITARY CON-**
18 **STRUCTION RELATED TO THE SENTINEL**
19 **INTERCONTINENTAL BALLISTIC MISSILE**
20 **WEAPON SYSTEM PROGRAM.**

21 (a) BRIEFING REQUIRED.—Not later than 180 days
22 after the date of the enactment of this Act, and every 90
23 days thereafter until the date that is five years after the
24 date of the enactment of this Act, the Secretary of the
25 Air Force shall provide to the Committees on Armed Serv-

1 ices of the House of Representatives and the Senate a
2 briefing on contracts for covered construction projects re-
3 lating to the Sentinel intercontinental ballistic missile
4 weapon system program.

5 (b) ELEMENTS.—These briefings shall include at a
6 minimum the following information:

7 (1) An update on the Sentinel intercontinental
8 ballistic missile weapon system program, including
9 delays that may affect the timelines for covered con-
10 struction projects.

11 (2) An update on timelines and costs for cov-
12 ered construction projects, including details on land
13 acquisitions for such projects.

14 (3) An update on any site surveys conducted at
15 the site for performance of the covered construction
16 project, including new information about site condi-
17 tions that may impact future contracts for covered
18 construction projects.

19 (4) With respect to any contract or subcontract
20 (at any tier) for a covered construction project that
21 is not a fixed-price contract, a description of the lo-
22 cation of performance for such contract or sub-
23 contract.

24 (5) With respect to any contract or subcontract
25 (at any tier) for a covered construction project that

1 is a cost-plus-incentive-fee contract, a description of
2 the following for performance of the contract or sub-
3 contract:

4 (A) The target cost.

5 (B) The target incentive fee.

6 (C) The minimum and maximum incentive
7 fee amounts.

8 (D) A description of the incentive fee ad-
9 justment formula (including allowable costs).

10 (E) A description of the incentive fee
11 structure.

12 (F) An analysis of any change to the ele-
13 ments in subparagraphs (A) through (E) since
14 the previous quarter.

15 (6) A summary of Government actions to miti-
16 gate cost growth of covered construction projects.

17 (7) A review of conditions observed at the site
18 for performance of the covered construction project
19 contract during the previous quarter and how those
20 conditions may impact the cost of such contract and
21 subsequent contracts for covered construction
22 projects at such site.

23 (8) The most recent construction schedule, in-
24 cluding any anticipated delays and mitigation meas-
25 ures for each such delay, requests for equitable ad-

1 justment, and any changes to the schedule since the
2 previous quarter.

3 (9) An update on the estimated cost to com-
4 plete the covered construction project.

5 (10) A summary of any factors that may cause
6 delay to the completion of the covered construction
7 project or cost growth for such project, including
8 workforce shortages, regulatory review timelines, and
9 supply chain shortages.

10 (11) Any required changes to statute or regula-
11 tion, including any changes to the future-years de-
12 fense program submitted under section 221 of title
13 10, United States Code, relating to the covered con-
14 struction project.

15 (c) COVERED CONSTRUCTION PROJECT DEFINED.—
16 In this section, the term “covered construction project”
17 means a below-ground military construction project or
18 other infrastructure project in connection with the devel-
19 opment and fielding of the Sentinel intercontinental bal-
20 listic missile weapon system program.

1 **Subtitle G—Other Matters**

2 **SEC. 2881. INCREASE OF LIMITATION ON FEE FOR ARCHI-**
3 **TECTURAL AND ENGINEERING SERVICES**
4 **PROCURED BY MILITARY DEPARTMENTS.**

5 (a) ARMY.—Section 7540(b) of title 10, United
6 States Code, is amended by striking “6 percent” and in-
7 serting “10 percent”.

8 (b) NAVY.—Section 8612(b) of such title is amended
9 by striking “6 percent” and inserting “10 percent”.

10 (c) AIR FORCE.—Section 9540(b) of such title is
11 amended by striking “6 percent” and inserting “10 per-
12 cent”.

13 **SEC. 2882. DEVELOPMENT AND OPERATION OF MARINE**
14 **CORPS HERITAGE CENTER AND NATIONAL**
15 **MUSEUM OF THE MARINE CORPS.**

16 (a) IN GENERAL.—Chapter 861 of title 10, United
17 States Code, is amended by inserting after section 8617
18 the following new section:

19 **“§ 8618. Marine Corps Heritage Center and National**
20 **Museum of the Marine Corps at Marine**
21 **Corps Base, Quantico, Virginia**

22 “(a) JOINT VENTURE FOR DEVELOPMENT AND CON-
23 TINUED MAINTENANCE AND OPERATION.—The Secretary
24 of the Navy may enter into a joint venture with the Marine
25 Corps Heritage Foundation (in this section referred to as

1 the ‘Foundation’), a not-for-profit entity, for the design,
2 construction, and maintenance and operation of a multi-
3 purpose facility to be used for historical displays for public
4 viewing, curation, and storage of artifacts, research facili-
5 ties, classrooms, offices, and associated activities con-
6 sistent with the mission of the Marine Corps University.
7 The facility shall be known as the Marine Corps Heritage
8 Center and the National Museum of the Marine Corps.

9 “(b) DESIGN AND CONSTRUCTION.—For each phase
10 of development of the facility described in subsection (a),
11 the Secretary may—

12 “(1) permit the Foundation to contract for the
13 design, construction, or both of such phase of devel-
14 opment; or

15 “(2) accept funds from the Foundation for the
16 design, construction, or both of such phase of devel-
17 opment.

18 “(c) ACCEPTANCE AUTHORITY.—Upon completion of
19 construction of any phase of development of the facility
20 described in subsection (a) by the Foundation to the satis-
21 faction of the Secretary, and the satisfaction of any finan-
22 cial obligations incident thereto by the Foundation, the fa-
23 cility shall become the real property of the Department
24 of the Navy with all right, title, and interest in and to
25 facility being in the United States.

1 “(d) MAINTENANCE, OPERATION, AND SUPPORT.—

2 (1) The Secretary may, for the purpose of maintenance
3 and operation of the Marine Corps Heritage Center and
4 the National Museum of the Marine Corps—

5 “(A) enter into contracts or cooperative agree-
6 ments, on a sole-source basis, with the Foundation
7 for the procurement of property or services for the
8 direct benefit or use of the Marine Corps Heritage
9 Center and the National Museum of the Marine
10 Corps; and

11 “(B) notwithstanding the requirements of sub-
12 section (h) of section 2667 of this title and under
13 such terms and conditions as the Secretary considers
14 appropriate for the joint venture authorized by sub-
15 section (a), lease in accordance with such section
16 2667 portions of the facility developed under sub-
17 section (a) to the Foundation for use in generating
18 revenue for activities of the facility and for such ad-
19 ministrative purposes as may be necessary for sup-
20 port of the facility.

21 “(2) In making a determination of fair market value
22 under section 2667(b)(4) of this title for payment of con-
23 sideration pursuant to a lease described in paragraph
24 (1)(B), the Secretary may consider the entirety of the edu-
25 cational efforts of the Foundation, support to the Marine

1 Corps Heritage Center history division by the Foundation,
2 or the funding of museum programs and exhibits by the
3 Foundation, or other support related to the Marine Corps
4 Heritage Center and the National Museum of the Marine
5 Corps, in addition to the types of in-kind consideration
6 provided under section 2667(c) of this title.

7 “(3) The Secretary may authorize the Foundation to
8 use real or personal property within the Marine Corps
9 Heritage Center and National Museum of the Marine
10 Corps to conduct additional revenue-generating activities,
11 as the Secretary considers appropriate considering the
12 work of the Foundation and needs of the Marine Corps
13 Heritage Center and National Museum of the Marine
14 Corps. The Secretary shall only authorize the use of such
15 property for a revenue-generating activity if the Secretary
16 determines the activity will not interfere with military ac-
17 tivities and personnel or the activities of the Marine Corps
18 Heritage Center and National Museum of the Marine
19 Corps.

20 “(4) The Secretary shall retain lease payments re-
21 ceived under this section, other than in-kind consideration
22 authorized under paragraph (2) or under section 2667(c)
23 of this title, solely for use in support of the Marine Corps
24 Heritage Center and the National Museum of the Marine

1 Corps, and funds received as lease payments shall remain
2 available until expended.

3 “(e) AUTHORITY TO ACCEPT GIFTS.—(1) The Sec-
4 retary of the Navy may accept, hold, administer, and
5 spend any gift, devise, or bequest of real property, per-
6 sonal property, or money made on the condition that the
7 gift, devise, or bequest be used for the benefit, or in con-
8 nection with, the establishment, operation, or mainte-
9 nance, of the Marine Corps Heritage Center or the Na-
10 tional Museum of the Marine Corps. Section 2601 (other
11 than subsections (b), (c), and (e)) of this title shall apply
12 to gifts accepted under this subsection.

13 “(2) The Secretary may display at the Marine Corps
14 Heritage Center or the National Museum of the Marine
15 Corps recognition for an individual or organization that
16 contributes money to a partner organization, or an indi-
17 vidual or organization that contributes a gift directly to
18 the Navy, for the benefit of the Marine Corps Heritage
19 Center or the National Museum of the Marine Corps,
20 whether or not the contribution is subject to the condition
21 that the recognition be provided. The Secretary shall pre-
22 scribe regulations governing the circumstances under
23 which contributor recognition may be provided, appro-
24 priate forms of recognition, and suitable display stand-
25 ards.

1 “(3) The Secretary may authorize the sale of donated
2 property received under paragraph (1). A sale under this
3 paragraph need not be conducted in accordance with dis-
4 posal requirements that would otherwise apply, so long as
5 the sale is conducted at arms-length and includes an
6 auditable transaction record.

7 “(4) Any money received under paragraph (1) and
8 any proceeds from the sale of property under paragraph
9 (3) shall be deposited into a fund established in the Treas-
10 ury to support the Marine Corps Heritage Center and the
11 National Museum of the Marine Corps.

12 “(f) **ADDITIONAL TERMS AND CONDITIONS.**—The
13 Secretary may require such additional terms and condi-
14 tions in connection with the joint venture authorized by
15 subsection (a) as the Secretary considers appropriate to
16 protect the interests of the United States.”.

17 (b) **CONFORMING REPEAL.**—Section 2884 of the
18 Floyd D. Spence National Defense Authorization Act for
19 Fiscal Year 2001 (Public Law 106–398) is repealed.

20 **SEC. 2883. TECHNICAL CORRECTIONS.**

21 (a) **NUMU NEW SPECIAL MANAGEMENT AREA.**—
22 Section 2902(c) of the Military Construction Authoriza-
23 tion Act for Fiscal Year 2023 (16 U.S.C. 460gggg(c)) is
24 amended by striking “217,845” and inserting “209,181”.

1 (b) REDUCTION OF IMPACT OF FALLON RANGE
2 TRAINING COMPLEX MODERNIZATION.—Section
3 2995(a)(3)(A) of the Military Land Withdrawals Act of
4 2013 (title XXIX of Public Law 113–66) (as added by
5 section 2901 of the Military Construction Authorization
6 Act for Fiscal Year 2023 (division B of Public Law 117–
7 263; 136 Stat. 3016)) is amended by inserting “Gas”
8 after “Basin”.

9 **SEC. 2884. MODIFICATION OF AUTHORITY OF SECRETARY**
10 **OF THE ARMY TO ENTER INTO COOPERATIVE**
11 **AGREEMENTS RELATING TO ACCESS AND**
12 **MANAGEMENT OF AIR FORCE MEMORIAL.**

13 Section 2863(e) of the Military Construction Author-
14 ization Act for Fiscal Year 2002 (division B of Public Law
15 107–107; 115 Stat. 1332), is amended by striking “the
16 Foundation” and inserting “non-Federal Government en-
17 tities, the Secretary of the Air Force, or both,”.

18 **SEC. 2885. DESIGNATION OF NATIONAL MUSEUM OF THE**
19 **MIGHTY EIGHTH AIR FORCE.**

20 (a) DESIGNATION.—The National Museum of the
21 Mighty Eighth Air Force located at 175 Bourne Avenue,
22 Pooler, Georgia (or any successor location), is designated
23 as the official National Museum of the Mighty Eighth Air
24 Force of the United States (referred to in this section as
25 the “National Museum”).

1 (b) RELATION TO NATIONAL PARK SYSTEM.—The
2 National Museum shall not be included as a unit of the
3 National Park System.

4 (c) RULE OF CONSTRUCTION.—This section shall not
5 be construed to appropriate, or authorize the appropria-
6 tion of, Federal funds for any purpose related to the Na-
7 tional Museum.

8 **SEC. 2886. CONTINUING EDUCATION CURRICULUM ON USE**
9 **OF INNOVATIVE PRODUCTS FOR MILITARY**
10 **CONSTRUCTION PROJECTS.**

11 (a) CURRICULUM REQUIRED.—Not later than one
12 year after the date of the enactment of this Act, the Com-
13 mander of the Naval Facilities Systems Engineering Com-
14 mand and the Deputy Commanding General for Military
15 and International Operations for the Army Corps of Engi-
16 neers, shall establish a joint continuing education cur-
17 riculum for the following individuals responsible for man-
18 aging military construction projects and planning and de-
19 sign projects within the Department of Defense:

- 20 (1) Project managers.
- 21 (2) Program managers.
- 22 (3) Design professionals.
- 23 (4) Contracting officers.
- 24 (5) Representatives of such contracting officers.

1 (b) ELEMENTS.—The curriculum under subsection
2 (a) shall include training on—

3 (1) cost estimating and cost control mecha-
4 nisms, including analyses of contract types;

5 (2) standards relating to antiterrorism force
6 protection, lateral wind, seismic activity, and fire
7 performance;

8 (3) life-cycle sustainability and renewability;

9 (4) use of innovative building materials (includ-
10 ing sustainable materials) and innovative construc-
11 tion methods; and

12 (5) designs to improve the resilience of military
13 installations.

14 (c) PROVISION OF TRAINING; CURRICULUM UP-
15 DATES.—The Secretary of Defense shall ensure that—

16 (1) not later than 180 days after the date of
17 the completion of the curriculum under subsection
18 (a), such curriculum is made available to the con-
19 tracting officers and program managers described in
20 such subsection;

21 (2) by not later than January 1, 2025—

22 (A) not less than 75 percent of the individ-
23 uals described in paragraphs (1) through (5) of
24 such subsection have completed the continuing

1 education curriculum required under such sub-
2 section in effect as of such date; and

3 (B) such individuals are provided updated
4 information on innovative construction tech-
5 niques on a continuous basis; and

6 (3) such curriculum is updated each time an in-
7 novative product or construction method is included
8 in the Unified Facilities Criteria/DoD Building Code
9 (UFC 1–200–01).

10 (d) REPORT.—Not later than June 1, 2025, the Sec-
11 retary of Defense shall submit to Committees on Armed
12 Services of the House of Representatives and the Senate
13 a report that includes—

14 (1) an update on the status of the curriculum
15 under subsection (a); and

16 (2) a plan for administering such curriculum to
17 the individuals described in paragraphs (1) through
18 (5) of such subsection.

19 (e) DEFINITIONS.—In this section, the terms “mili-
20 tary construction project” and “military installation” have
21 the meanings given in section 2801 of title 10, United
22 States Code.

1 **SEC. 2887. GUIDANCE ON ENCROACHMENT THAT AFFECTS**
2 **COVERED SITES.**

3 (a) **GUIDANCE REQUIRED.**—Not later than 180 days
4 after the date of the enactment of this Act, each Secretary
5 of a military department shall issue guidance to estab-
6 lish—

7 (1) a process to identify encroachment with re-
8 spect to a covered site;

9 (2) a method to mitigate such encroachment;
10 and

11 (3) a procedure to certify that such encroach-
12 ment does not directly result in a national security
13 risk to the covered site.

14 (b) **CONSIDERATIONS.**—In developing the guidance
15 required by this section, each Secretary of a military de-
16 partment shall consider the following:

17 (1) The process by which a commander or head
18 of a covered site identifies and reports encroachment
19 with respect to such covered site.

20 (2) Methods to track data relating to processes,
21 methods, and procedures described in subsection (a).

22 (3) Coordination processes to track and miti-
23 gate encroachment—

24 (A) within each military department; and

1 (B) between the military departments and
2 the Assistant Secretaries of Defense for
3 Sustainment and Industrial Base Policy.

4 (c) FOREIGN INVESTMENT ENCROACHMENT.—Such
5 guidance shall include a requirement that if a Secretary
6 of a military department determines that encroachment
7 described in subsection (a) involves or may involve foreign
8 investment, such Secretary shall—

9 (1) report information about encroachment re-
10 lating to foreign investment to the Assistant Sec-
11 retary of Defense for Industrial Base Policy; and

12 (2) coordinate with the Assistant Secretary of
13 Defense for Industrial Base Policy on efforts to
14 mitigate such encroachment or potential encroach-
15 ment.

16 (d) REPORT.—Not later than 180 days after the date
17 on which the guidance required by subsection (a) is issued,
18 the Assistant Secretary of Defense for Sustainment, in co-
19 ordination with the Secretaries of the military depart-
20 ments, shall submit to the Committees on Armed Services
21 of the Senate and the House of Representatives a report
22 on the guidance required by this section, including—

23 (1) the extent to which such guidance has been
24 implemented within the Department of Defense;

1 (2) a description of methods to update any lists
2 of covered sites; and

3 (3) an assessment of the procedure described in
4 subsection (a)(3).

5 (e) DEFINITIONS.—In this section:

6 (1) The term “covered site” means a military
7 installation or another facility or property of the
8 United States Government.

9 (2) The term “encroachment” means an activ-
10 ity conducted within close proximity to a covered site
11 that—

12 (A) may pose a national security risk to a
13 covered site;

14 (B) may affect the operational mission of
15 a covered site; or

16 (C) is incompatible with an installation
17 master plan of a covered site.

18 (3) The term “military department” has the
19 meaning given such term in section 101 of title 10,
20 United States Code.

21 (4) The term “military installation” has the
22 meaning given such term in section 2801 of title 10,
23 United States Code.

1 **SEC. 2888. EXTENSION AND MODIFICATION OF ANNUAL UP-**
2 **DATES TO MASTER PLANS AND INVESTMENT**
3 **STRATEGIES FOR ARMY AMMUNITION**
4 **PLANTS.**

5 Section 2834(d) of the Military Construction Author-
6 ization Act for Fiscal Year 2022 (division B of Public Law
7 117–81; 135 Stat. 2201) is amended—

8 (1) in the matter preceding paragraph (1), by
9 striking “March 31, 2026” and inserting “March
10 31, 2030”; and

11 (2) by adding at the end the following new
12 paragraph:

13 “(5) A description of any changes to a master
14 plan for an ammunition production facility made in
15 response to global events, including pandemics and
16 armed conflicts.”.

17 **SEC. 2889. LIMITATION ON USE OF FUNDS FOR UNITED**
18 **STATES SPACE COMMAND HEADQUARTERS.**

19 None of the funds authorized to be appropriated by
20 this Act or otherwise made available for fiscal year 2024
21 for the Department of Defense may be obligated or ex-
22 pended to acquire, construct, plan, or design a new head-
23 quarters building for United States Space Command until
24 June 30, 2024, when the Inspector General of the Depart-
25 ment of Defense and the Comptroller General of the

1 United States shall complete reviews of the selection an-
2 nounced in July of 2023.

3 **SEC. 2890. PLAN FOR USE OF EXCESS CONSTRUCTION MA-**
4 **TERIALS ON SOUTHWEST BORDER.**

5 (a) PLAN.—Not later than 75 days after the date of
6 the enactment of this Act, the Secretary of Defense shall
7 submit to Congress a plan to use, transfer, or donate to
8 States on the southern border of the United States all cov-
9 ered materials, with prioritization given to the refurbish-
10 ment and or maintenance of ports of entry along the
11 southwest border and construction projects aimed at stop-
12 ping illicit human and vehicle traffic along the border of
13 the United States with Mexico.

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

16 (1) A detailed proposal for the disposition of
17 such covered materials, including a timeline for dis-
18 position and the authorities under which such dis-
19 position shall occur.

20 (2) An assessment of the condition of such ma-
21 terials being stored, including (if applicable) a de-
22 scription of materials that have depreciated in value,
23 become damaged, or been lost.

24 (c) REQUIREMENTS OF REQUESTING STATES.—Any
25 State requesting the covered materials made available

1 under this section must certify, in writing, that the mate-
2 rials it accepts will be exclusively used for the refurbish-
3 ment or maintenance of ports of entry along the southwest
4 border or construction projects aimed at stopping illicit
5 human and vehicle traffic along the border of the United
6 States with Mexico.

7 (d) EXECUTION OF PLAN.—Not later than 100 days
8 after the date of submission of the plan required by sub-
9 section (a), the Secretary of Defense shall commence exe-
10 cution of such plan until the date on which the Depart-
11 ment of Defense is no longer incurring any costs to main-
12 tain, store, or protect the covered materials.

13 (e) REPORT.—Not later than 90 days after the date
14 of the enactment of this Act, the Secretary of Defense
15 shall submit to Congress a report containing the following:

16 (1) A detailed description of the decision proc-
17 ess of the Secretary to forgo the excess property dis-
18 posal process of the Department of Defense and in-
19 stead pay to store the covered materials.

20 (2) A list of entities the Department is paying
21 for use of their privately owned land to store the
22 covered materials, with appropriate action taken to
23 protect personally identifiable information, such as
24 by making the list of entities available in an annex
25 that is labeled as controlled unclassified information.

1 (3) An explanation of the process through
2 which the Department contracted with private land-
3 owners to store the covered materials, including
4 whether there was a competitive contracting process
5 and whether the landowners have instituted an in-
6 ventory review system.

7 (4) A description of any investigations by the
8 Inspector General of the Department that have been
9 opened related to storing the covered materials.

10 (f) DEFINITIONS.—In this section, the term “covered
11 material” means all remaining construction materials cur-
12 rently possessed by the United States Government that
13 were purchased under section 2808 and 284 of title 10,
14 United States Code, from fiscal years 2017 through 2021,
15 including bollards and Nucor tubular square structural
16 tubes.

17 **DIVISION C—DEPARTMENT OF**
18 **ENERGY NATIONAL SECURITY**
19 **AUTHORIZATIONS AND**
20 **OTHER AUTHORIZATIONS**
21 **TITLE XXXI—DEPARTMENT OF**
22 **ENERGY NATIONAL SECURITY**
23 **PROGRAMS**

Subtitle A—National Security Programs and Authorizations

Sec. 3101. National Nuclear Security Administration.

Sec. 3102. Defense environmental cleanup.

Sec. 3103. Other defense activities.

Sec. 3104. Nuclear energy.

Subtitle B—Program Authorizations, Restrictions, and Limitations

- Sec. 3111. Transfer of cybersecurity responsibilities to Administrator for Nuclear Security.
- Sec. 3112. Redesignating duties related to departmental radiological and nuclear incident responses.
- Sec. 3113. Cybersecurity Risk Inventory, Assessment, and Mitigation Working Group.
- Sec. 3114. Modification of authority to establish certain contracting, program management, scientific, engineering, and technical positions.
- Sec. 3115. Criminal penalties for interference with the transport of special nuclear materials, nuclear weapons components, or restricted data.
- Sec. 3116. Prohibition on expansion of Advanced Recovery and Integrated Extraction System pending achievement of 30 pit-per-year base capability.
- Sec. 3117. Plutonium Modernization Program management.
- Sec. 3118. Modification of certain requirements and authorities relating to the removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.
- Sec. 3119. Extension of briefing and reporting requirements for certain National Nuclear Security Administration contracts.
- Sec. 3120. Modification of minor construction threshold for plant projects.
- Sec. 3121. Modifications relating to unfunded priorities of the National Nuclear Security Administration.
- Sec. 3122. Limitation on establishing an enduring bioassurance program within the National Nuclear Security Administration.
- Sec. 3123. Modification of reporting requirements for uranium capabilities replacement project.
- Sec. 3124. Prohibition on availability of funds for naval nuclear fuel systems based on low-enriched uranium.
- Sec. 3125. Prohibition on availability of funds to reconvert or retire W76-2 warheads.
- Sec. 3126. Limitation on availability of funds pending submittal of spend plan for development of sea-launched cruise missile warhead.
- Sec. 3127. Deadlines for commencement of operations of certain atomic energy replacement projects.
- Sec. 3128. Integrated schedule for future-years nuclear security program.

Subtitle C—Other Matters

- Sec. 3131. U.S. nuclear fuel security initiative.
- Sec. 3132. Updated financial integration policy.
- Sec. 3133. Plan for domestic enrichment capability to satisfy Department of Defense uranium requirements.
- Sec. 3134. Briefings on implementation of enhanced mission delivery initiative.

1 **Subtitle A—National Security**
2 **Programs and Authorizations**

3 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
4 **TION.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
6 are hereby authorized to be appropriated to the Depart-
7 ment of Energy for fiscal year 2024 for the activities of
8 the National Nuclear Security Administration in carrying
9 out programs as specified in the funding table in section
10 4701.

11 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
12 From funds referred to in subsection (a) that are available
13 for carrying out plant projects, the Secretary of Energy
14 may carry out new plant projects for the National Nuclear
15 Security Administration as follows:

16 Project 24–D–513, Z-Pinch Experimental Un-
17 derground System Test Bed Facilities Improvement,
18 Nevada National Security Site, Nye County, Ne-
19 vada, \$80,000,000.

20 Project 24–D–512, TA–46 Protective Force
21 Facility, Los Alamos National Laboratory, Los Ala-
22 mos, New Mexico, \$48,500,000.

23 Project 24–D–511, Plutonium Production
24 Building, Los Alamos National Laboratory, Los Ala-
25 mos, New Mexico, \$48,500,000.

1 Project 24–D–510, Analytic Gas Laboratory,
2 Pantex Plant, Panhandle, Texas, \$35,000,000.

3 Project 24–D–530, Naval Reactors Facility
4 Medical Science Complex, Idaho Falls, Idaho,
5 \$36,584,000.

6 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
8 are hereby authorized to be appropriated to the Depart-
9 ment of Energy for fiscal year 2024 for defense environ-
10 mental cleanup activities in carrying out programs as
11 specified in the funding table in section 4701.

12 (b) AUTHORIZATION OF NEW PLANT PROJECT.—
13 From funds referred to in subsection (a) that are available
14 for carrying out plant projects, the Secretary of Energy
15 may carry out, for defense environmental cleanup activi-
16 ties, the following new plant project:

17 Project 24–D–401, Environmental Restoration
18 Disposal Facility Super Cell 11 Expansion Project,
19 Hanford Site, Richland, Washington, \$1,000,000.

20 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

21 Funds are hereby authorized to be appropriated to
22 the Department of Energy for fiscal year 2024 for other
23 defense activities in carrying out programs as specified in
24 the funding table in section 4701.

1 **SEC. 3104. NUCLEAR ENERGY.**

2 Funds are hereby authorized to be appropriated to
3 the Department of Energy for fiscal year 2024 for nuclear
4 energy as specified in the funding table in section 4701.

5 **Subtitle B—Program Authoriza-**
6 **tions, Restrictions, and Limita-**
7 **tions**

8 **SEC. 3111. TRANSFER OF CYBERSECURITY RESPONSIBIL-**
9 **ITIES TO ADMINISTRATOR FOR NUCLEAR SE-**
10 **CURITY.**

11 The National Nuclear Security Administration Act
12 (50 U.S.C. 2401 et seq.) is amended—

13 (1) in section 3212(b) (50 U.S.C. 2402(b)), by
14 adding at the end the following new paragraph:

15 “(20) Information resources management, in-
16 cluding cybersecurity.”; and

17 (2) in section 3232(b)(3) (50 U.S.C.
18 2422(b)(3)), by striking “and cyber”.

19 **SEC. 3112. REDESIGNATING DUTIES RELATED TO DEPART-**
20 **MENTAL RADIOLOGICAL AND NUCLEAR INCI-**
21 **DENT RESPONSES.**

22 (a) DEPUTY ADMINISTRATOR FOR DEFENSE PRO-
23 GRAMS.—Section 3214(b) of the National Nuclear Secu-
24 rity Administration Act (50 U.S.C. 2404 (b)) is amended
25 by striking paragraph (3).

1 (b) ADMINISTRATOR FOR NUCLEAR SECURITY.—Sec-
2 tion 3212(b)(7) of the National Nuclear Security Adminis-
3 tration Act (50 U.S.C. 2402(b)(7)) is amended by insert-
4 ing “and Nuclear Emergency Support Team capabilities,
5 including all field-deployed and remote technical support
6 to public health and safety missions, countering weapons
7 of mass destruction operations, technical and operational
8 nuclear forensics, and responses to United States nuclear
9 weapon accidents” after “management”.

10 **SEC. 3113. CYBERSECURITY RISK INVENTORY, ASSESS-**
11 **MENT, AND MITIGATION WORKING GROUP.**

12 Subtitle A of the National Nuclear Security Adminis-
13 tration Act (50 U.S.C. 2401 et seq.) is amended by adding
14 at the end the following new section:

15 **“SEC. 3222. CYBERSECURITY RISK INVENTORY, ASSESS-**
16 **MENT, AND MITIGATION WORKING GROUP.**

17 “(a) ESTABLISHMENT.—There is in the Administra-
18 tion a working group, to be known as the ‘Cybersecurity
19 Risk Inventory, Assessment, and Mitigation Working
20 Group’ (referred to in this section as the ‘working group’).

21 “(b) MEMBERSHIP.—Members of the working group
22 shall include—

23 “(1) the Deputy Administrator for Defense
24 Programs;

1 “(2) the Associate Administrator for Informa-
2 tion Management and Chief Information Officer;
3 and

4 “(3) such other personnel of the Administration
5 as are determined appropriate for inclusion in the
6 working group by the Chairperson.

7 “(c) CHAIRPERSON.—The Deputy Administrator for
8 Defense Programs shall serve as the Chairperson of the
9 working group, except that the Administrator may des-
10 ignate another member of the working group to serve as
11 Chairperson in lieu of the Deputy Administrator if the Ad-
12 ministrator determines it is appropriate to do so.

13 “(d) COMPREHENSIVE STRATEGY.—The working
14 group shall prepare a comprehensive strategy for
15 inventorying the range of systems of the Administration
16 that are potentially at risk in the operational technology
17 and nuclear weapons information technology environ-
18 ments, assessing the systems at risk based on mission im-
19 pact, and implementing risk mitigation actions. Such
20 strategy shall incorporate key elements of effective cyber-
21 security risk management strategies, as identified by the
22 Government Accountability Office, including the specifica-
23 tion of—

24 “(1) goals, objectives, activities, and perform-
25 ance measures;

1 “(2) organizational roles, responsibilities, and
2 coordination;

3 “(3) resources needed to implement the strat-
4 egy through 2034; and

5 “(4) detailed milestones and schedules for com-
6 pletion of tasks.

7 “(e) SUBMISSION TO CONGRESS.—

8 “(1) INTERIM BRIEFING.—Not later than 120
9 days after the date of the enactment of this section,
10 the working group shall provide to the congressional
11 defense committees a briefing on the plan of the
12 working group to develop the strategy required
13 under subsection (d).

14 “(2) COMPLETED STRATEGY.—Not later than
15 April 1, 2025, the working group shall submit the
16 congressional defense committees a copy of the com-
17 pleted strategy.

18 “(f) TERMINATION.—The working group shall termi-
19 nate on a date determined by the Administrator that is
20 not earlier than the date that is five years after the date
21 of the enactment of this section.”.

1 **SEC. 3114. MODIFICATION OF AUTHORITY TO ESTABLISH**
2 **CERTAIN CONTRACTING, PROGRAM MANAGE-**
3 **MENT, SCIENTIFIC, ENGINEERING, AND**
4 **TECHNICAL POSITIONS.**

5 Section 3241 of the National Nuclear Security Ad-
6 ministration Act (50 U.S.C. 2441) is amended by striking
7 “800” and inserting “1,200”.

8 **SEC. 3115. CRIMINAL PENALTIES FOR INTERFERENCE**
9 **WITH THE TRANSPORT OF SPECIAL NUCLEAR**
10 **MATERIALS, NUCLEAR WEAPONS COMPO-**
11 **NENTS, OR RESTRICTED DATA.**

12 Section 92 of the Atomic Energy Act of 1954 (42
13 U.S.C. 2122) is amended—

14 (1) by redesignating subsection b. as subsection
15 c.;

16 (2) by inserting after subsection a. the following
17 new subsection:

18 “b. Whoever knowingly and willfully impedes the pas-
19 sage of a vehicle of a nuclear materials courier (as defined
20 in section 8331 of title 5, United States Code) engaged
21 in the transport of any atomic weapon, special nuclear ma-
22 terial, atomic weapon component, or Restricted Data shall
23 be subject to arrest and imposition of a criminal fine of
24 not more than \$1,000.”;

1 (3) in subsection c. (as so redesignated), by
2 striking “prohibited by subsection a.” and inserting
3 “prohibited by subsections a. or b.”; and

4 (4) by adding at the end the following new sub-
5 section:

6 “d. The Attorney General shall have primary inves-
7 tigative authority for any violation of this section.”.

8 **SEC. 3116. PROHIBITION ON EXPANSION OF ADVANCED RE-**
9 **COVERY AND INTEGRATED EXTRACTION SYS-**
10 **TEM PENDING ACHIEVEMENT OF 30 PIT-PER-**
11 **YEAR BASE CAPABILITY.**

12 Section 4219 of the Atomic Energy Defense Act (50
13 U.S.C. 2538a) is amended by—

14 (1) redesignating subsection (f) as subsection
15 (g); and

16 (2) inserting after subsection (e) the following
17 new subsection:

18 “(f) PROHIBITION ON ARIES EXPANSION BEFORE
19 ACHIEVEMENT OF 30 PIT-PER-YEAR BASE CAPABILITY.—

20 “(1) IN GENERAL.—Until the date on which the
21 Administrator certifies to the congressional defense
22 committees that the base capability to produce not
23 less than 30 war reserve plutonium pits per year has
24 been established at Los Alamos National Labora-
25 tory, the Administrator may not—

1 “(A) carry out a project to expand the pit
2 disassembly and processing capability of the
3 spaces at PF-4 occupied by ARIES as of the
4 date of the enactment of this Act; or

5 “(B) otherwise expand such spaces.

6 “(2) EXCEPTIONS.—Paragraph (1) shall not
7 apply with respect to—

8 “(A) ongoing or planned small projects to
9 sustain or improve the efficiency of plutonium
10 oxide production, provided that such projects do
11 not expand the spaces at PF-4 occupied by
12 ARIES as of the date of the enactment of this
13 Act;

14 “(B) the planning and design of an addi-
15 tional ARIES capability at a location other
16 than PF-4; or

17 “(C) the transfer of the ARIES capability
18 to a location other than PF-4.

19 “(3) DEFINITIONS.—In this subsection:

20 “(A) The term ‘ARIES’ means the Ad-
21 vanced Recovery and Integrated Extraction
22 System method, developed and piloted at Los
23 Alamos National Laboratory, Los Alamos, New
24 Mexico, for disassembling surplus defense pluto-

1 nium pits and converting the plutonium from
2 such pits into plutonium oxide.

3 “(B) The term ‘PF-4’ means the Pluto-
4 nium Facility at Technical Area 55 located at
5 Los Alamos National Laboratory, Los Alamos,
6 New Mexico.”.

7 **SEC. 3117. PLUTONIUM MODERNIZATION PROGRAM MAN-**
8 **AGEMENT.**

9 Section 4219 of the Atomic Energy Defense Act (50
10 U.S.C. 2538a), as amended by section 3116, is further
11 amended by adding at the end the following new sub-
12 section:

13 “(h) Not later than 570 days after the date of the
14 enactment of this subsection, the Administrator for Nu-
15 clear Security shall ensure that the plutonium moderniza-
16 tion program established by the Office of Defense Pro-
17 grams of the National Nuclear Security Administration,
18 or any subsequently developed program designed to meet
19 the requirements under subsection (a), is managed in ac-
20 cordance with the best practices for schedule development
21 and cost estimating of the Government Accountability Of-
22 fice.”.

1 **SEC. 3118. MODIFICATION OF CERTAIN REQUIREMENTS**
2 **AND AUTHORITIES RELATING TO THE RE-**
3 **MOVAL OR SECURITY OF FISSILE MATERIALS,**
4 **RADIOLOGICAL MATERIALS, AND RELATED**
5 **EQUIPMENT AT VULNERABLE SITES WORLD-**
6 **WIDE.**

7 (a) MODIFICATION OF REPORTING REQUIRE-
8 MENTS.—Section 4306B of the Atomic Energy Defense
9 Act (50 U.S.C. 2569) is amended—

10 (1) by striking subsection (d); and

11 (2) by redesignating subsections (e), (f), and
12 (g) as subsections (d), (e), and (f), respectively.

13 (b) EXTENSION OF AUTHORITY TO ACCEPT CERTAIN
14 CONTRIBUTIONS.—Subsection (e) of such section, as so
15 redesignated by subsection (a)(2) of this section, is
16 amended by striking paragraph (6).

17 (c) CONFORMING AMENDMENT.—Section 4309(c)(7)
18 of the Atomic Energy Defense Act (50 U.S.C. 2575(c)(7))
19 is amended by striking “section 3132(f) of the Ronald W.
20 Reagan National Defense Authorization Act for Fiscal
21 Year 2005 (50 U.S.C. 2569(f))” and inserting “with sec-
22 tion 4306B(e)”.

1 **SEC. 3119. EXTENSION OF BRIEFING AND REPORTING RE-**
2 **QUIREMENTS FOR CERTAIN NATIONAL NU-**
3 **CLEAR SECURITY ADMINISTRATION CON-**
4 **TRACTS.**

5 Section 4807(f)(1) of the Atomic Energy Defense Act
6 (50 U.S.C. 2787(f)(1)) is amended by striking “2022”
7 and inserting “2032”.

8 **SEC. 3120. MODIFICATION OF MINOR CONSTRUCTION**
9 **THRESHOLD FOR PLANT PROJECTS.**

10 Section 4701(2) of the Atomic Energy Defense Act
11 (50 U.S.C. 2741(2)) is amended—

12 (1) in subparagraph (A), by striking “subpara-

13 graphs (B) and (C)” and inserting “subparagraph

14 (B)”;

15 (2) in subparagraph (B), by striking “During

16 the period beginning on the date of the enactment

17 of the National Defense Authorization Act for Fiscal

18 Year 2023 and ending on November 30, 2025, the”

19 and inserting “The”; and

20 (3) by striking subparagraph (C).

21 **SEC. 3121. MODIFICATIONS RELATING TO UNFUNDED PRI-**
22 **ORITIES OF THE NATIONAL NUCLEAR SECU-**
23 **RITY ADMINISTRATION.**

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

26 (1) in subsection (b)(1)—

1 (A) in subparagraph (A), by inserting “or
2 the risk to be mitigated” after “objectives to be
3 achieved”; and

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

6 (2) in subsection (c)(2), by striking “fulfill”
7 and inserting “address”.

8 **SEC. 3122. LIMITATION ON ESTABLISHING AN ENDURING**
9 **BIOASSURANCE PROGRAM WITHIN THE NA-**
10 **TIONAL NUCLEAR SECURITY ADMINISTRA-**
11 **TION.**

12 (a) IN GENERAL.—Subtitle B of title XLVIII of the
13 Atomic Energy Defense Act (50 U.S.C. 2791 et seq.) is
14 amended by adding at the end the following new section:

15 **“SEC. 4815. LIMITATION ON ESTABLISHING AN ENDURING**
16 **BIOASSURANCE PROGRAM WITHIN THE AD-**
17 **MINISTRATION.**

18 “(a) IN GENERAL.—The Administrator may not es-
19 tablish, administer, manage, or facilitate a program within
20 the Administration for the purposes of executing an en-
21 during national security research and development effort
22 to broaden the role of the Department of Energy in na-
23 tional biodefense.

24 “(b) RULE OF CONSTRUCTION.—The limitation de-
25 scribed in subsection (a) shall not be interpreted—

1 “(1) to prohibit the establishment of a bioassur-
2 ance program for the purpose of executing enduring
3 national security research and development in any
4 component of the Department of Energy other than
5 the Administration or in any other Federal agency;
6 or

7 “(2) to impede the use of resources of the Ad-
8 ministration, including resources provided by a na-
9 tional security laboratory or a nuclear weapons pro-
10 duction facility site, to support the execution of a
11 bioassurance program, if such support is provided—

12 “(A) on a cost-reimbursable basis to an en-
13 tity that is not a component of the Department
14 of Energy; and

15 “(B) in a manner that does not interfere
16 with mission of such laboratory or facility.”.

17 (b) CLERICAL AMENDMENT.—The table of contents
18 for the Atomic Energy Defense Act is amended by insert-
19 ing after the item relating to section 4814 the following
20 new item:

 “Sec. 4815. Limitation on establishing an enduring bioassurance program with-
 in the Administration.”.

1 **SEC. 3123. MODIFICATION OF REPORTING REQUIREMENTS**
2 **FOR URANIUM CAPABILITIES REPLACEMENT**
3 **PROJECT.**

4 Section 3123 of the National Defense Authorization
5 Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat.
6 2177) is amended by striking subsection (g) and inserting
7 the following new subsection:

8 “(g) PROGRAM ACCOUNTABILITY MATRICES AND
9 GAO ASSESSMENTS.—

10 “(1) REQUIREMENT.—Concurrent with the sub-
11 mission of the budget of the President (as submitted
12 to Congress pursuant to section 1105(a) of title 31,
13 United States Code) for fiscal year 2025 and each
14 fiscal year thereafter until the termination date
15 specified in paragraph (4), the Administrator for
16 Nuclear Security shall submit to the congressional
17 defense committees and the Comptroller General of
18 the United States the matrices described in para-
19 graph (2) relating to the project referred to in sub-
20 section (a).

21 “(2) MATRICES DESCRIBED.—The matrices de-
22 scribed in this subsection are the following:

23 “(A) TECHNOLOGY MATURITY MATRIX.—A
24 matrix that identifies key milestones, develop-
25 ment events, and specific performance goals for

1 the development of critical technologies relating
2 to the project referred to in subsection (a).

3 “(B) SCOPE, COST, AND SCHEDULE MA-
4 TRIX.—A matrix that identifies—

5 “(i) causes of cost growth and sched-
6 ule slippage, if any, for the project referred
7 to in subsection (a), including challenges
8 relating to construction, procurement, and
9 supply chain issues;

10 “(ii) the impact of such cost and
11 schedule problems on current and planned
12 weapons modernization efforts; and

13 “(iii) the scope, cost, and schedule of
14 activities funded by the uranium mod-
15 ernization program for the period of fiscal
16 years 2024 through 2028 as set forth in
17 the corresponding future-years nuclear se-
18 curity program submitted to Congress pur-
19 suant to section 2453 of title 10, United
20 States Code.

21 “(3) GAO ASSESSMENT.—Not later than 180
22 days after receiving the matrices described in para-
23 graph (2), the Comptroller General of the United
24 States shall—

1 “(A) assess the progress made on the
2 project referred to in subsection (a); and

3 “(B) provide to the congressional defense
4 committees a briefing on the results of that as-
5 sessment.

6 “(4) TERMINATION.—The requirements of this
7 subsection shall terminate on the date that is one
8 year after the date on which the project referred to
9 in subsection (a) is completed.”.

10 **SEC. 3124. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
11 **NAVAL NUCLEAR FUEL SYSTEMS BASED ON**
12 **LOW-ENRICHED URANIUM.**

13 None of the funds authorized to be appropriated by
14 this Act or otherwise made available for the National Nu-
15 clear Security Administration may be obligated or ex-
16 pended to conduct research or development relating to an
17 advanced naval nuclear fuel system based on low-enriched
18 uranium.

19 **SEC. 3125. PROHIBITION ON AVAILABILITY OF FUNDS TO**
20 **RECONVERT OR RETIRE W76-2 WARHEADS.**

21 (a) PROHIBITION.—Except as provided in subsection
22 (b), none of the funds authorized to be appropriated by
23 this Act or otherwise made available for fiscal year 2024
24 for the National Nuclear Security Administration may be

1 obligated or expended to reconvert or retire a W76–2 war-
2 head.

3 (b) WAIVER.—The Administrator for Nuclear Secu-
4 rity may waive the prohibition under subsection (a) if the
5 Administrator, in consultation with the Secretary of De-
6 fense and the Chairman of the Joint Chiefs of Staff, cer-
7 tifies in writing to the congressional defense committees
8 that—

9 (1) Russia and China do not possess naval ca-
10 pabilities similar to the W76–2 warhead in the ac-
11 tive stockpiles of the respective countries; and

12 (2) the Department of Defense does not have a
13 valid military requirement for the W76–2 warhead.

14 **SEC. 3126. LIMITATION ON AVAILABILITY OF FUNDS PEND-**
15 **ING SUBMITTAL OF SPEND PLAN FOR DEVEL-**
16 **OPMENT OF SEA-LAUNCHED CRUISE MISSILE**
17 **WARHEAD.**

18 Of the funds authorized to be appropriated by this
19 Act or otherwise made available for fiscal year 2024 for
20 the Office of the Administrator for Nuclear Security, not
21 more than 50 percent may be obligated or expended until
22 the date on which the Administrator submits to the con-
23 gressional defense committees the spend plan for the war-
24 head associated with the sea-launched cruise missile re-
25 quired by section 1642(d) of the National Defense Author-

1 ization Act for Fiscal Year 2023 (Public Law 117–263;
2 136 Stat. 2946).

3 **SEC. 3127. DEADLINES FOR COMMENCEMENT OF OPER-**
4 **ATIONS OF CERTAIN ATOMIC ENERGY RE-**
5 **PLACEMENT PROJECTS.**

6 (a) HIGH EXPLOSIVE SYNTHESIS, FORMULATION,
7 AND PRODUCTION FACILITY.—

8 (1) DEADLINE FOR COMMENCEMENT OF OPER-
9 ATIONS.—Project 21-D-510, the High Explosive
10 Synthesis, Formulation, and Production facility,
11 shall commence operations by not later than Decem-
12 ber 31, 2034.

13 (2) ANNUAL REPORT.—

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

22 (B) TERMINATION DATE.—The termi-
23 nation date specified in this subparagraph is
24 the date on which the Administrator determines

1 that the facility referred to in paragraph (1)
2 has commenced operations.

3 (b) TRITIUM FINISHING FACILITY.—

4 (1) DEADLINE FOR COMMENCEMENT OF OPER-
5 ATIONS.—Project 18-D-650, the Tritium Finishing
6 Facility, shall commence operations by not later
7 than December 31, 2036.

8 (2) ANNUAL REPORT.—

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

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

22 **SEC. 3128. INTEGRATED SCHEDULE FOR FUTURE-YEARS**
23 **NUCLEAR SECURITY PROGRAM.**

24 (a) IN GENERAL.—The Administrator for Nuclear
25 Security shall—

1 (1) develop and maintain a high-level milestone
2 schedule document for all covered construction
3 projects that includes production infrastructure
4 modernization schedules with weapons modernization
5 programs; and

6 (2) for each covered construction project in-
7 cluded in the high-level milestone schedule document
8 under paragraph (1), include in such document an
9 identification and explanation of the status of any
10 associated integrated master schedule.

11 (b) INCLUSION IN FUTURE-YEARS NUCLEAR SECU-
12 RITY PROGRAM.—The milestone schedule document re-
13 quired under subsection (a) shall be included in the future-
14 years nuclear security program for fiscal year 2025 and
15 each subsequent fiscal year.

16 (c) COVERED CONSTRUCTION PROJECT.—In this sec-
17 tion, the term “covered construction project” means—

18 (1) a construction project that is subject to De-
19 partment of Energy Order 413.3B, or a successor
20 order; or

21 (2) a program designated as Enhanced Man-
22 agement A or B under the Program Execution In-
23 struction of the Office of Defense Programs of the
24 National Nuclear Security Administration.

1 **Subtitle C—Other Matters**

2 **SEC. 3131. U.S. NUCLEAR FUEL SECURITY INITIATIVE.**

3 (a) **SHORT TITLE.**—This section may be cited as the
4 “Nuclear Fuel Security Act of 2023”.

5 (b) **SENSE OF CONGRESS.**—It is the sense of Con-
6 gress that—

7 (1) the Department should—

8 (A) support increased domestic production
9 of low-enriched uranium; and

10 (B) accelerate efforts to establish a domes-
11 tic high-assay, low-enriched uranium enrich-
12 ment capability; and

13 (2) if domestic enrichment of high-assay, low-
14 enriched uranium will not be commercially available
15 at the scale needed in time to meet the needs of the
16 advanced nuclear reactor demonstration projects of
17 the Department, the Secretary shall consider and
18 implement, as necessary—

19 (A) all viable options to make high-assay,
20 low-enriched uranium produced from inven-
21 tories owned by the Department available in a
22 manner that is sufficient to maximize the po-
23 tential for the Department to meet the needs
24 and schedules of advanced nuclear reactor de-
25 velopers, without impacting existing Depart-

1 ment missions, until such time that commercial
2 enrichment and deconversion capability for
3 high-assay, low-enriched uranium exists at a
4 scale sufficient to meet future needs; and

5 (B) all viable options for partnering with
6 countries that are allies or partners of the
7 United States to meet those needs and sched-
8 ules until that time.

9 (c) OBJECTIVES.—The objectives of this section
10 are—

11 (1) to support domestic production of low-en-
12 riched uranium;

13 (2) to expeditiously increase domestic produc-
14 tion of high-assay, low-enriched uranium by an an-
15 nual quantity, and in such form, determined by the
16 Secretary to be sufficient to meet the needs of—

17 (A) advanced nuclear reactor developers;
18 and

19 (B) the consortium;

20 (3) to ensure the availability of domestically
21 produced, converted, enriched, deconverted, and re-
22 duced uranium in a quantity determined by the Sec-
23 retary, in consultation with U.S. nuclear energy
24 companies, to be sufficient to address a reasonably
25 anticipated supply disruption;

1 (4) to address gaps and deficiencies in the do-
2 mestic production, conversion, enrichment,
3 deconversion, and reduction of uranium by
4 partnering with countries that are allies or partners
5 of the United States if domestic options are not
6 practicable;

7 (5) to ensure that, in the event of a supply dis-
8 ruption in the nuclear fuel market, a reserve of nu-
9 clear fuels is available to serve as a backup supply
10 to support the nuclear nonproliferation and civil nu-
11 clear energy objectives of the Department, including
12 collaborative research and development activities
13 with other Federal agencies;

14 (6) to support enrichment, deconversion, and
15 reduction technology deployed in the United States;
16 and

17 (7) to ensure that, until such time that domes-
18 tic enrichment and deconversion of high-assay, low-
19 enriched uranium is commercially available at the
20 scale needed to meet the needs of advanced nuclear
21 reactor developers, the Secretary considers and im-
22 plements, as necessary—

23 (A) all viable options to make high-assay,
24 low-enriched uranium produced from inven-
25 tories owned by the Department available in a

1 manner that is sufficient to maximize the po-
2 tential for the Department to meet the needs
3 and schedules of advanced nuclear reactor de-
4 velopers; and

5 (B) all viable options for partnering with
6 countries that are allies or partners of the
7 United States to meet those needs and sched-
8 ules.

9 (d) DEFINITIONS.—In this section:

10 (1) ADVANCED NUCLEAR REACTOR.—The term
11 “advanced nuclear reactor” has the meaning given
12 the term in section 951(b) of the Energy Policy Act
13 of 2005 (42 U.S.C. 16271(b)).

14 (2) ASSOCIATED ENTITY.—The term “associ-
15 ated entity” means an entity that—

16 (A) is owned, controlled, or dominated
17 by—

18 (i) the government of a country that
19 is an ally or partner of the United States;

20 or

21 (ii) an associated individual; or

22 (B) is organized under the laws of, or oth-
23 erwise subject to the jurisdiction of, a country
24 that is an ally or partner of the United States,

1 including a corporation that is incorporated in
2 such a country.

3 (3) ASSOCIATED INDIVIDUAL.—The term “asso-
4 ciated individual” means an alien who is a national
5 of a country that is an ally or partner of the United
6 States.

7 (4) CONSORTIUM.—The term “consortium”
8 means the consortium established under section
9 2001(a)(2)(F) of the Energy Act of 2020 (42 U.S.C.
10 16281(a)(2)(F)).

11 (5) DEPARTMENT.—The term “Department”
12 means the Department of Energy.

13 (6) HIGH-ASSAY, LOW-ENRICHED URANIUM;
14 HALEU.—The term “high-assay, low-enriched ura-
15 nium” or “HALEU” means high-assay low-enriched
16 uranium (as defined in section 2001(d) of the En-
17 ergy Act of 2020 (42 U.S.C. 16281(d))).

18 (7) LOW-ENRICHED URANIUM; LEU.—The term
19 “low-enriched uranium” or “LEU” means each of—

20 (A) low-enriched uranium (as defined in
21 section 3102 of the USEC Privatization Act
22 (42 U.S.C. 2297h)); and

23 (B) low-enriched uranium (as defined in
24 section 3112A(a) of that Act (42 U.S.C.
25 2297h–10a(a))).

1 (8) PROGRAMS.—The term “Programs”
2 means—

3 (A) the Nuclear Fuel Security Program es-
4 tablished under subsection (e)(1);

5 (B) the American Assured Fuel Supply
6 Program of the Department; and

7 (C) the HALEU for Advanced Nuclear Re-
8 actor Demonstration Projects Program estab-
9 lished under subsection (e)(3).

10 (9) SECRETARY.—The term “Secretary” means
11 the Secretary of Energy.

12 (10) U.S. NUCLEAR ENERGY COMPANY.—The
13 term “U.S. nuclear energy company” means a com-
14 pany that—

15 (A) is organized under the laws of, or oth-
16 erwise subject to the jurisdiction of, the United
17 States; and

18 (B) is involved in the nuclear energy indus-
19 try.

20 (e) ESTABLISHMENT AND EXPANSION OF PRO-
21 GRAMS.—The Secretary, consistent with the objectives de-
22 scribed in subsection (c), shall—

23 (1) establish a program, to be known as the
24 “Nuclear Fuel Security Program”, to increase the
25 quantity of HALEU and, if determined to be nec-

1 essary after completion of a market evaluation, LEU
2 produced by U.S. nuclear energy companies;

3 (2) expand the American Assured Fuel Supply
4 Program of the Department to ensure the avail-
5 ability of domestically produced, converted, enriched,
6 deconverted, and reduced uranium in the event of a
7 supply disruption; and

8 (3) establish a program, to be known as the
9 “HALEU for Advanced Nuclear Reactor Dem-
10 onstration Projects Program”—

11 (A) to maximize the potential for the De-
12 partment to meet the needs and schedules of
13 advanced nuclear reactor developers until such
14 time that commercial enrichment and
15 deconversion capability for HALEU exists in
16 the United States at a scale sufficient to meet
17 future needs; and

18 (B) where practicable, to partner with
19 countries that are allies or partners of the
20 United States to meet those needs and sched-
21 ules until that time.

22 (f) NUCLEAR FUEL SECURITY PROGRAM.—

23 (1) IN GENERAL.—In carrying out the Nuclear
24 Fuel Security Program, the Secretary—

25 (A) shall—

1 (i) if determined to be necessary or
2 appropriate based on the completion of a
3 market evaluation, not later than 90 days
4 after the date of enactment of this Act,
5 take actions, including cost-shared finan-
6 cial agreements, milestone-based payments,
7 or other mechanisms, to support commer-
8 cial availability of LEU and to promote di-
9 versity of supply in domestic uranium min-
10 ing, conversion, enrichment, and
11 deconversion capacity and technologies, in-
12 cluding new capacity, among U.S. nuclear
13 energy companies;

14 (ii) not later than 180 days after the
15 date of enactment of this Act, enter into 2
16 or more contracts with members of the
17 consortium to begin acquiring not less than
18 20 metric tons per year of HALEU by De-
19 cember 31, 2027 (or the earliest operation-
20 ally feasible date thereafter), from U.S.
21 nuclear energy companies;

22 (iii) utilize only uranium produced,
23 converted, enriched, deconverted, and re-
24 duced in—

25 (I) the United States; or

1 (II) if domestic options are not
2 practicable, a country that is an ally
3 or partner of the United States; and
4 (iv) to the maximum extent prac-
5 ticable, ensure that the use of domestic
6 uranium utilized as a result of that pro-
7 gram does not negatively affect the eco-
8 nomic operation of nuclear reactors in the
9 United States; and

10 (B)(i) may not make commitments under
11 this subsection (including cooperative agree-
12 ments (used in accordance with section 6305 of
13 title 31, United States Code), purchase agree-
14 ments, guarantees, leases, service contracts, or
15 any other type of commitment) for the purchase
16 or other acquisition of HALEU or LEU un-
17 less—

18 (I) funds are specifically provided for
19 those purposes in advance in appropria-
20 tions Acts enacted after the date of enact-
21 ment of this Act; or

22 (II) the commitment is funded en-
23 tirely by funds made available to the Sec-
24 retary from the account described in sub-
25 section (j)(2)(B); and

1 (ii) may make a commitment described in
2 clause (i) only—

3 (I) if the full extent of the anticipated
4 costs stemming from the commitment is
5 recorded as an obligation at the time that
6 the commitment is made; and

7 (II) to the extent of that up-front ob-
8 ligation recorded in full at that time.

9 (2) CONSIDERATIONS.—In carrying out para-
10 graph (1)(A)(ii), the Secretary shall consider and, if
11 appropriate, implement—

12 (A) options to ensure the quickest avail-
13 ability of commercially enriched HALEU, in-
14 cluding—

15 (i) partnerships between 2 or more
16 commercial enrichers; and

17 (ii) utilization of up to 10-percent en-
18 riched uranium as feedstock in demonstra-
19 tion-scale or commercial HALEU enrich-
20 ment facilities;

21 (B) options to partner with countries that
22 are allies or partners of the United States to
23 provide LEU and HALEU for commercial pur-
24 poses;

1 (C) options that provide for an array of
2 HALEU—

3 (i) enrichment levels;

4 (ii) output levels to meet demand; and

5 (iii) fuel forms, including uranium
6 metal and oxide; and

7 (D) options—

8 (i) to replenish, as necessary, Depart-
9 ment stockpiles of uranium that were in-
10 tended to be downblended for other pur-
11 poses, but were instead used in carrying
12 out activities under the HALEU for Ad-
13 vanced Nuclear Reactor Demonstration
14 Projects Program;

15 (ii) to continue supplying HALEU to
16 meet the needs of the recipients of an
17 award made pursuant to the funding op-
18 portunity announcement of the Depart-
19 ment numbered DE-FOA-0002271 for
20 Pathway 1, Advanced Reactor Demonstra-
21 tions; and

22 (iii) to make HALEU available to
23 other advanced nuclear reactor developers
24 and other end-users.

1 (3) AVOIDANCE OF MARKET DISRUPTIONS.—In
2 carrying out the Nuclear Fuel Security Program, the
3 Secretary, to the extent practicable and consistent
4 with the purposes of that program, shall not disrupt
5 or replace market mechanisms by competing with
6 U.S. nuclear energy companies.

7 (g) EXPANSION OF THE AMERICAN ASSURED FUEL
8 SUPPLY PROGRAM.—The Secretary, in consultation with
9 U.S. nuclear energy companies, shall—

10 (1) expand the American Assured Fuel Supply
11 Program of the Department by merging the oper-
12 ations of the Uranium Reserve Program of the De-
13 partment with the American Assured Fuel Supply
14 Program; and

15 (2) in carrying out the American Assured Fuel
16 Supply Program of the Department, as expanded
17 under paragraph (1)—

18 (A) maintain, replenish, diversify, or in-
19 crease the quantity of uranium made available
20 by that program in a manner determined by the
21 Secretary to be consistent with the purposes of
22 that program and the objectives described in
23 subsection (c);

24 (B) utilize only uranium produced, con-
25 verted, enriched, deconverted, and reduced in—

1 (i) the United States; or

2 (ii) if domestic options are not prac-
3 ticable, a country that is an ally or partner
4 of the United States;

5 (C) make uranium available from the
6 American Assured Fuel Supply, subject to
7 terms and conditions determined by the Sec-
8 retary to be reasonable and appropriate;

9 (D) refill and expand the supply of ura-
10 nium in the American Assured Fuel Supply, in-
11 cluding by maintaining a limited reserve of ura-
12 nium to address a potential event in which a
13 domestic or foreign recipient of uranium experi-
14 ences a supply disruption for which uranium
15 cannot be obtained through normal market
16 mechanisms or under normal market conditions;
17 and

18 (E) take other actions that the Secretary
19 determines to be necessary or appropriate to
20 address the purposes of that program and the
21 objectives described in subsection (c).

22 (h) HALEU FOR ADVANCED NUCLEAR REACTOR
23 DEMONSTRATION PROJECTS PROGRAM.—

24 (1) ACTIVITIES.—On enactment of this Act, the
25 Secretary shall immediately accelerate and, as nec-

1 essary, initiate activities to make available from in-
2 ventories or stockpiles owned by the Department and
3 made available to the consortium, HALEU for use
4 in advanced nuclear reactors that cannot operate on
5 uranium with lower enrichment levels or on alternate
6 fuels, with priority given to the awards made pursu-
7 ant to the funding opportunity announcement of the
8 Department numbered DE-FOA-0002271 for Path-
9 way 1, Advanced Reactor Demonstrations, with ad-
10 ditional HALEU to be made available to other ad-
11 vanced nuclear reactor developers, as the Secretary
12 determines to be appropriate.

13 (2) QUANTITY.—In carrying out activities
14 under this subsection, the Secretary shall consider
15 and implement, as necessary, all viable options to
16 make HALEU available in quantities and forms suf-
17 ficient to maximize the potential for the Department
18 to meet the needs and schedules of advanced nuclear
19 reactor developers, including by seeking to make
20 available—

21 (A) by September 30, 2024, not less than
22 3 metric tons of HALEU;

23 (B) by December 31, 2025, not less than
24 an additional 8 metric tons of HALEU; and

1 (C) by June 30, 2026, not less than an ad-
2 ditional 10 metric tons of HALEU.

3 (3) FACTORS FOR CONSIDERATION.—In car-
4 rying out activities under this subsection, the Sec-
5 retary shall take into consideration—

6 (A) options for providing HALEU from a
7 stockpile of uranium owned by the Department,
8 including—

9 (i) uranium that has been declared ex-
10 cess to national security needs during or
11 prior to fiscal year 2023;

12 (ii) uranium that—

13 (I) directly meets the needs of
14 advanced nuclear reactor developers;
15 but

16 (II) has been previously used or
17 fabricated for another purpose;

18 (iii) uranium that can meet the needs
19 of advanced nuclear reactor developers
20 after removing radioactive or other con-
21 taminants that resulted from previous use
22 or fabrication of the fuel for research, de-
23 velopment, demonstration, or deployment
24 activities of the Department, including ac-
25 tivities that reduce the environmental li-

1 ability of the Department by accelerating
2 the processing of uranium from stockpiles
3 designated as waste;

4 (iv) uranium from a high-enriched
5 uranium stockpile (excluding stockpiles in-
6 tended for national security needs), which
7 can be blended with lower assay uranium
8 to become HALEU to meet the needs of
9 advanced nuclear reactor developers; and

10 (v) uranium from stockpiles intended
11 for other purposes (excluding stockpiles in-
12 tended for national security needs), but for
13 which uranium could be swapped or re-
14 placed in time in such a manner that
15 would not negatively impact the missions
16 of the Department;

17 (B) options for expanding, or establishing
18 new, capabilities or infrastructure to support
19 the processing of uranium from Department in-
20 ventories;

21 (C) options for accelerating the availability
22 of HALEU from HALEU enrichment dem-
23 onstration projects of the Department;

24 (D) options for providing HALEU from
25 domestically enriched HALEU procured by the

1 Department through a competitive process pur-
2 suant to the Nuclear Fuel Security Program es-
3 tablished under subsection (e)(1);

4 (E) options to replenish, as needed, De-
5 partment stockpiles of uranium made available
6 pursuant to subparagraph (A) with domestically
7 enriched HALEU procured by the Department
8 through a competitive process pursuant to the
9 Nuclear Fuel Security Program established
10 under subsection (e)(1); and

11 (F) options that combine 1 or more of the
12 approaches described in subparagraphs (A)
13 through (E) to meet the deadlines described in
14 paragraph (2).

15 (4) LIMITATIONS.—

16 (A) CERTAIN SERVICES.—The Secretary
17 shall not barter or otherwise sell or transfer
18 uranium in any form in exchange for services
19 relating to—

20 (i) the final disposition of radioactive
21 waste from uranium that is the subject of
22 a contract for sale, resale, transfer, or
23 lease under this subsection; or

24 (ii) environmental cleanup activities.

1 (B) CERTAIN COMMITMENTS.—In carrying
2 out activities under this subsection, the Sec-
3 retary—

4 (i) may not make commitments under
5 this subsection (including cooperative
6 agreements (used in accordance with sec-
7 tion 6305 of title 31, United States Code),
8 purchase agreements, guarantees, leases,
9 service contracts, or any other type of com-
10 mitment) for the purchase or other acquisi-
11 tion of HALEU or LEU unless—

12 (I) funds are specifically provided
13 for those purposes in advance in ap-
14 propriations Acts enacted after the
15 date of enactment of this Act; or

16 (II) the commitment is funded
17 entirely by funds made available to
18 the Secretary from the account de-
19 scribed in subsection (j)(2)(B); and

20 (ii) may make a commitment de-
21 scribed in clause (i) only—

22 (I) if the full extent of the antici-
23 pated costs stemming from the com-
24 mitment is recorded as an obligation

1 at the time that the commitment is
2 made; and

3 (II) to the extent of that up-front
4 obligation recorded in full at that
5 time.

6 (5) SUNSET.—The authority of the Secretary to
7 carry out activities under this subsection shall termi-
8 nate on the earlier of—

9 (A) the date on which the Secretary noti-
10 fies Congress that the HALEU needs of ad-
11 vanced nuclear reactor developers can be fully
12 met by commercial HALEU suppliers in the
13 United States, as determined by the Secretary,
14 in consultation with U.S. nuclear energy compa-
15 nies; and

16 (B) September 30, 2034.

17 (i) DOMESTIC SOURCING CONSIDERATIONS.—

18 (1) IN GENERAL.—Except as provided in para-
19 graph (2), the Secretary may only carry out an ac-
20 tivity in connection with 1 or more of the Programs
21 if—

22 (A) the activity promotes manufacturing in
23 the United States associated with uranium sup-
24 ply chains; or

1 (B) the activity relies on resources, mate-
2 rials, or equipment developed or produced—

3 (i) in the United States; or

4 (ii) in a country that is an ally or
5 partner of the United States by—

6 (I) the government of that coun-
7 try;

8 (II) an associated entity; or

9 (III) a U.S. nuclear energy com-
10 pany.

11 (2) WAIVER.—The Secretary may waive the re-
12 quirements of paragraph (1) with respect to an ac-
13 tivity if the Secretary determines a waiver to be nec-
14 essary to achieve 1 or more of the objectives de-
15 scribed in subsection (c).

16 (j) REASONABLE COMPENSATION.—

17 (1) IN GENERAL.—In carrying out activities
18 under this section, the Secretary shall ensure that
19 any LEU and HALEU made available by the Sec-
20 retary under 1 or more of the Programs is subject
21 to reasonable compensation, taking into account the
22 fair market value of the LEU or HALEU and the
23 purposes of this section.

24 (2) AVAILABILITY OF CERTAIN FUNDS.—

1 (A) IN GENERAL.—Notwithstanding sec-
2 tion 3302(b) of title 31, United States Code,
3 revenues received by the Secretary from the
4 sale or transfer of fuel feed material acquired
5 by the Secretary pursuant to a contract entered
6 into under clause (i) or (ii) of subsection
7 (f)(1)(A) shall—

8 (i) be deposited in the account de-
9 scribed in subparagraph (B);

10 (ii) be available to the Secretary for
11 carrying out the purposes of this section,
12 to reduce the need for further appropria-
13 tions for those purposes; and

14 (iii) remain available until expended.

15 (B) REVOLVING FUND.—There is estab-
16 lished in the Treasury an account into which
17 the revenues described in subparagraph (A)
18 shall be—

19 (i) deposited in accordance with clause
20 (i) of that subparagraph; and

21 (ii) made available in accordance with
22 clauses (ii) and (iii) of that subparagraph.

23 (k) NUCLEAR REGULATORY COMMISSION.—The Nu-
24 clear Regulatory Commission shall prioritize and expedite
25 consideration of any action related to the Programs to the

1 extent permitted under the Atomic Energy Act of 1954
2 (42 U.S.C. 2011 et seq.) and related statutes.

3 (l) USEC PRIVATIZATION ACT.—The requirements
4 of section 3112(d)(2) of the USEC Privatization Act (42
5 U.S.C. 2297h–10(d)(2)) shall not apply to activities re-
6 lated to the Programs.

7 (m) NATIONAL SECURITY NEEDS.—The Secretary
8 shall only make available to a member of the consortium
9 under this section for commercial use or use in a dem-
10 onstration project material that the President has deter-
11 mined is not necessary for national security needs during
12 or prior to fiscal year 2023, subject to the condition that
13 the material made available shall not include any material
14 that the Secretary determines to be necessary for the Na-
15 tional Nuclear Security Administration or any critical mis-
16 sion of the Department.

17 (n) INTERNATIONAL AGREEMENTS.—This section
18 shall be applied in a manner consistent with the obliga-
19 tions of the United States under international agreements.

20 (o) REPORT ON CIVIL NUCLEAR CREDIT PRO-
21 GRAM.—Not later than 180 days after the date of enact-
22 ment of this Act, the Secretary shall submit to the appro-
23 priate committees of Congress a report that identifies the
24 anticipated funding requirements for the civil nuclear
25 credit program described in section 40323 of the Infra-

1 structure Investment and Jobs Act (42 U.S.C. 18753),
2 taking into account—

3 (1) the zero-emission nuclear power production
4 credit authorized by section 45U of the Internal
5 Revenue Code of 1986; and

6 (2) any increased fuel costs associated with the
7 use of domestic fuel that may arise from the imple-
8 mentation of that program.

9 (p) SUPPLY CHAIN INFRASTRUCTURE AND WORK-
10 FORCE CAPACITY BUILDING.—

11 (1) SUPPLY CHAIN INFRASTRUCTURE.—Section
12 10781(b)(1) of Public Law 117–167 (commonly
13 known as the “CHIPS and Science Act of 2022”)
14 (42 U.S.C. 19351(b)(1)) is amended by striking
15 “and demonstration of advanced nuclear reactors”
16 and inserting “demonstration, and deployment of
17 advanced nuclear reactors and associated supply
18 chain infrastructure”.

19 (2) WORKFORCE CAPACITY BUILDING.—Section
20 954(b) of the Energy Policy Act of 2005 (42 U.S.C.
21 16274(b)) is amended—

22 (A) in the subsection heading, by striking
23 “Graduate”;

24 (B) by striking “graduate” each place it
25 appears;

1 (C) in paragraph (2)(A), by inserting
2 “community colleges, trade schools, registered
3 apprenticeship programs, pre-apprenticeship
4 programs,” after “universities,”;

5 (D) in paragraph (3), by striking “2021
6 through 2025” and inserting “2023 through
7 2027”;

8 (E) by redesignating paragraph (3) as
9 paragraph (4); and

10 (F) by inserting after paragraph (2) the
11 following:

12 “(A) FOCUS AREAS.—In carrying out the
13 subprogram under this subsection, the Sec-
14 retary may implement traineeships in focus
15 areas that, in the determination of the Sec-
16 retary, are necessary to support the nuclear en-
17 ergy sector in the United States, including—

18 “(i) research and development;

19 “(ii) construction and operation;

20 “(iii) associated supply chains; and

21 “(iv) workforce training and retrain-
22 ing to support transitioning workforces.”.

23 **SEC. 3132. UPDATED FINANCIAL INTEGRATION POLICY.**

24 Not later than 180 days after the date of the enact-
25 ment of this Act, the Administrator for Nuclear Security

1 shall issue an updated financial integration policy, which
2 shall include the following:

3 (1) Updated responsibilities for offices of the
4 National Nuclear Security Administration and re-
5 quirements for management and operating contrac-
6 tors, including contractors at sites that are not sites
7 of the Administration.

8 (2) Guidance for how offices of the Administra-
9 tion should use common financial data, including
10 guidance requiring that such data be used as the
11 primary source of financial data by program offices,
12 to the extent practicable.

13 (3) Processes recommended by the Government
14 Accountability Office to improve financial integra-
15 tion efforts of the Administration, including an in-
16 ternal process to verify how management and oper-
17 ating contractors crosswalk data from their systems
18 to the appropriate work breakdown structure of the
19 Administration and apply common cost element defi-
20 nitions.

21 (4) Any other matters the Administrator con-
22 siders appropriate.

1 **SEC. 3133. PLAN FOR DOMESTIC ENRICHMENT CAPABILITY**
2 **TO SATISFY DEPARTMENT OF DEFENSE URA-**
3 **NIUM REQUIREMENTS.**

4 (a) REPORT.—Not later than 120 days after the date
5 of the enactment of this Act, the Administrator of the Na-
6 tional Nuclear Security Administration shall submit to the
7 congressional defense committees a report that contains
8 a plan to establish a domestic enrichment capability suffi-
9 cient to meet defense requirements for enriched uranium.
10 Such plan shall include—

11 (1) a description of defense requirements for
12 enriched uranium expected to be necessary between
13 the date of the enactment of this Act and 2060 to
14 meet the requirements of the Department of De-
15 fense, including quantities, material assay, and the
16 dates by which new enrichment is required;

17 (2) key milestones, steps, and policy decisions
18 required to achieve the domestic uranium enrich-
19 ment capability;

20 (3) the dates by which such key milestones are
21 to be achieved;

22 (4) a funding profile, broken down by project
23 and sub-project, for obtaining such capability;

24 (5) a description of any changes in the require-
25 ment of the Department of Defense for highly en-
26 riched uranium due to AUKUS; and

1 (6) any other elements or information the Ad-
2 ministrator determines appropriate.

3 (b) ANNUAL CERTIFICATION REQUIREMENT.—

4 (1) IN GENERAL.—Not later than February 1
5 of each year after the year during which the report
6 required by subsection (a) is submitted until the
7 date specified in paragraph (2), the Administrator
8 shall submit to the congressional defense committees
9 a certification that—

10 (A) the Administration is in compliance
11 with the plan and milestones contained in the
12 report; or

13 (B) the Administration is not in compli-
14 ance with such plan or milestones, together
15 with—

16 (i) a description of the nature of the
17 non-compliance;

18 (ii) the reasons for the non-compli-
19 ance; and

20 (iii) a plan to achieve compliance.

21 (2) TERMINATION DATE.—No report shall be
22 required under paragraph (1) after the date on
23 which the Administrator certifies to the congres-
24 sional defense committees that the final key mile-
25 stone under the plan has been met.

1 (c) FORM OF REPORTS.—The report under sub-
2 section (a) and each annual certification under subsection
3 (b) shall be submitted in unclassified form, but may in-
4 clude a classified annex.

5 **SEC. 3134. BRIEFINGS ON IMPLEMENTATION OF ENHANCED**
6 **MISSION DELIVERY INITIATIVE.**

7 (a) BRIEFINGS REQUIRED.—Concurrent with the
8 submission of the budget of the President to Congress
9 under section 1105(a) of title 31, United States Code, for
10 each of fiscal years 2025 through 2029, the Administrator
11 for Nuclear Security, acting through the Director for Cost
12 Estimating and Program Evaluation, shall provide to the
13 congressional defense committees a briefing on the status
14 of the implementation of the 18 principal recommenda-
15 tions and associated subelements of such recommenda-
16 tions set forth in the report titled “Evolving the Nuclear
17 Security Enterprise: A Report of the Enhanced Mission
18 Delivery Initiative”, published by the National Nuclear Se-
19 curity Administration in September 2022.

20 (b) ELEMENTS.—Each briefing required by sub-
21 section (a) shall address—

22 (1) the status of the implementation of each
23 recommendation described in subsection (a);

1 (2) with respect to each recommendation that
2 has been implemented, whether the outcome of such
3 implementation is achieving the desired result;

4 (3) with respect to each recommendation that
5 has not been implemented, the reason for not imple-
6 menting such recommendation;

7 (4) whether additional legislation is required in
8 order to implement a recommendation; and

9 (5) such other matters as the Administrator
10 considers necessary.

11 **TITLE XXXII—DEFENSE NU-**
12 **CLEAR FACILITIES SAFETY**
13 **BOARD**

Sec. 3201. Authorization.

14 **SEC. 3201. AUTHORIZATION.**

15 There are authorized to be appropriated for fiscal
16 year 2024, \$47,230,000 for the operation of the Defense
17 Nuclear Facilities Safety Board under chapter 21 of the
18 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

19 **TITLE XXXIV—NAVAL**
20 **PETROLEUM RESERVES**

Sec. 3401. Authorization of appropriations.

21 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) AMOUNT.—There are hereby authorized to be ap-
23 propriated to the Secretary of Energy \$13,010,000 for fis-

1 cal year 2024 for the purpose of carrying out activities
2 under chapter 869 of title 10, United States Code, relating
3 to the naval petroleum reserves.

4 (b) PERIOD OF AVAILABILITY.—Funds appropriated
5 pursuant to the authorization of appropriations in sub-
6 section (a) shall remain available until expended.

7 **TITLE XXXV—MARITIME**
8 **ADMINISTRATION**

Subtitle A—Maritime Administration

Sec. 3501. Authorization of appropriations for Maritime Administration.

Subtitle B—Maritime Infrastructure

Sec. 3511. Port infrastructure development program eligible projects.

Sec. 3512. Assistance for small inland river and coastal ports and terminals.

Sec. 3513. Port infrastructure development program: eligibility of shore power projects; selection criteria.

Sec. 3514. Codification of existing language; technical amendments.

Subtitle C—Reports

Sec. 3521. Reports on maritime industry, policies, and programs.

Sec. 3522. Reports on availability of used sealift vessels and the scrapping and recycling of imported vessels.

Sec. 3523. Study on foreign ownership and control of marine terminals.

Sec. 3524. Reports to Congress.

Subtitle D—Other Matters

Sec. 3531. Cargoes procured, furnished, or financed by the United States Government.

Sec. 3532. Recapitalization of National Defense Reserve Fleet.

Sec. 3533. United States Merchant Marine Academy and Coast Guard Academy matters; Maritime Administration requirements.

Sec. 3534. Maritime workforce working group.

Sec. 3535. Consideration of life-cycle cost estimates for acquisition and procurement of vessels.

Sec. 3536. Loans for retrofitting to qualify as a vessel of the United States.

Sec. 3537. Accountability for National Maritime Strategy.

1 **Subtitle A—Maritime**
2 **Administration**

3 **SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR MAR-**
4 **ITIME ADMINISTRATION.**

5 (a) IN GENERAL.—There are authorized to be appro-
6 priated to the Department of Transportation for fiscal
7 year 2024, for programs associated with maintaining the
8 United States Merchant Marine, the following amounts:

9 (1) For expenses necessary to support the
10 United States Merchant Marine Academy,
11 \$198,500,000, of which—

12 (A) \$103,500,000 shall be for Academy
13 operations;

14 (B) \$70,000,000 shall be for United States
15 Merchant Marine Academy capital improvement
16 projects;

17 (C) \$22,000,000 shall be for facilities
18 maintenance and repair and equipment; and

19 (D) \$3,000,000 shall be for training, staff-
20 ing, retention, recruiting, and contract manage-
21 ment for United States Merchant Marine Acad-
22 emy capital improvement projects.

23 (2) For expenses necessary to support the State
24 maritime academies, \$66,580,000, of which—

1 (A) \$4,480,000 shall be for the Student
2 Incentive Payment Program;

3 (B) \$6,000,000 shall be for direct pay-
4 ments for State maritime academies;

5 (C) \$17,600,000 shall be for training ship
6 fuel assistance;

7 (D) \$8,000,000 shall be for offsetting the
8 costs of training ship sharing; and

9 (E) \$30,500,000 shall be for maintenance
10 and repair of State maritime academy training
11 vessels.

12 (3) For expenses necessary to support the Na-
13 tional Security Multi-Mission Vessel program, in-
14 cluding funds for construction and necessary ex-
15 penses to construct shoreside infrastructure to sup-
16 port such vessels, \$75,000,000.

17 (4) For expenses necessary to support Maritime
18 Administration operations and programs,
19 \$105,573,000, of which—

20 (A) \$15,000,000 shall be for the maritime
21 environmental and technical assistance under
22 section 50307 of title 46, United States Code;

23 (B) \$15,000,000 shall be for the United
24 States marine highways program, including to

1 make grants authorized under section 55601 of
2 title 46, United States Code;

3 (C) \$74,773,000 shall be for headquarters
4 operations expenses; and

5 (D) \$800,000 shall be for expenses nec-
6 essary to provide for National Defense Reserve
7 Fleet resiliency.

8 (5) For expenses necessary for the disposal of
9 obsolete vessels in the National Defense Reserve
10 Fleet of the Maritime Administration, \$6,021,000.

11 (6) For expenses necessary to maintain and
12 preserve a United States flag merchant marine to
13 serve the national security needs of the United
14 States under chapter 531 of title 46, United States
15 Code, \$318,000,000.

16 (7) For expenses necessary for the loan guar-
17 antee program authorized under chapter 537 of title
18 46, United States Code, \$43,020,000, of which—

19 (A) \$40,000,000 may be for the cost (as
20 such term is defined in section 502(5) of the
21 Federal Credit Reform Act of 1990 (2 U.S.C.
22 661a(5)) of loan guarantees under the program;
23 and

1 (B) \$3,020,000 may be used for adminis-
2 trative expenses relating to loan guarantee com-
3 mitments under the program.

4 (8) For expenses necessary to provide assist-
5 ance to small shipyards and for maritime training
6 programs authorized under section 54101 of title 46,
7 United States Code, \$30,000,000.

8 (9) For expenses necessary to implement the
9 port infrastructure development program, as author-
10 ized under section 54301 of title 46, United States
11 Code, \$500,000,000, to remain available until ex-
12 pended, except that no such funds authorized under
13 this title for this program may be used to provide
14 a grant to purchase fully automated cargo handling
15 equipment that is remotely operated or remotely
16 monitored with or without the exercise of human
17 intervention or control, if the Secretary of Transpor-
18 tation determines such equipment would result in a
19 net loss of jobs within a port or port terminal. If
20 such a determination is made, the data and analysis
21 for such determination shall be reported to the Com-
22 mittee on Commerce, Science, and Transportation of
23 the Senate and the Committee on Transportation
24 and Infrastructure of the House of Representatives

1 not later than 3 days after the date of the deter-
2 mination.

3 (10) For expenses necessary to implement the
4 development of a national maritime strategy, as re-
5 quired by section 3542 of the James M. Inhofe Na-
6 tional Defense Authorization Act for Fiscal Year
7 2023 (Public Law 117–263; 136 Stat. 3094),
8 \$2,000,000, to remain available until expended.

9 (11) For expenses necessary for the design of
10 a vessel for the National Defense Reserve Fleet, as
11 required by section 3546 of the James M. Inhofe
12 National Defense Authorization Act for Fiscal Year
13 2023 (Public Law 117–263; 46 U.S.C. 57100 note),
14 \$6,000,000, to remain available until expended.

15 (b) STUDENT INCENTIVE PAYMENT AGREEMENTS.—
16 Section 51509(b) of title 46, United States Code, is
17 amended—

18 (1) in paragraph (1), by striking “\$8,000” and
19 inserting “\$16,000”; and

20 (2) in paragraph (2), by striking “\$32,000”
21 and inserting “\$64,000”.

1 **Subtitle B—Maritime**
2 **Infrastructure**

3 **SEC. 3511. PORT INFRASTRUCTURE DEVELOPMENT PRO-**
4 **GRAM ELIGIBLE PROJECTS.**

5 Section 54301(a)(3)(A)(ii) of title 46, United States
6 Code, is amended—

7 (1) in subclause (III), by striking “or” at the
8 end;

9 (2) in subclause (IV)(ii), by striking the period
10 and inserting “; or”; and

11 (3) by adding at the end the following new sub-
12 clause:

13 “(V) port and port-related infra-
14 structure that supports seafood and
15 seafood-related businesses, including
16 the loading and unloading of commer-
17 cially harvested fish and fish products,
18 seafood processing, cold storage, and
19 other related infrastructure.”.

20 **SEC. 3512. ASSISTANCE FOR SMALL INLAND RIVER AND**
21 **COASTAL PORTS AND TERMINALS.**

22 (a) IN GENERAL.—Section 54301(b) of title 46,
23 United States Code, is amended—

24 (1) in paragraph (1), by striking “the findings
25 of which are acceptable to the Secretary”;

1 (2) by redesignating paragraphs (2) through
2 (5) as paragraphs (4) through (7), respectively; and
3 (3) by inserting after paragraph (1) the fol-
4 lowing new paragraph (2):

5 “(2) INDEPENDENT AUDIT.—

6 “(A) IN GENERAL.—If an eligible applicant
7 provides data by an independent audit for pur-
8 poses of paragraph (1), the Secretary shall use
9 such data to make a tonnage determination if
10 the Secretary determines that it is acceptable to
11 use such data instead of using Corps of Engi-
12 neers data.

13 “(B) ACCEPTABLE USE OF DATA.—For
14 purposes of subparagraph (A), an acceptable
15 use of data means that the Secretary has deter-
16 mined such data is a reasonable substitute for
17 Army Corps data.

18 “(C) JUSTIFICATION.—If the Secretary
19 makes a determination pursuant to subpara-
20 graph (A) that it is not acceptable to use inde-
21 pendent audit data provided by an eligible ap-
22 plicant, the Secretary shall provide the eligible
23 applicant with notification of, and justification
24 for, such determination.

1 “(3) TONNAGE DETERMINATION.—In making a
2 determination of the average annual tonnage of
3 cargo using Corps of Engineers data for purposes of
4 evaluating an application of an eligible applicant
5 pursuant to paragraph (1), the Secretary shall use
6 data that is specific to the eligible applicant.”.

7 (b) CONFORMING AMENDMENT.—Section
8 54301(a)(7)(C)(ii) of title 46, United States Code, is
9 amended by striking “subsection (b)(3)(A)(ii)(III)” and
10 inserting “subsection (b)(5)(A)(ii)(III)”.

11 **SEC. 3513. PORT INFRASTRUCTURE DEVELOPMENT PRO-**
12 **GRAM: ELIGIBILITY OF SHORE POWER**
13 **PROJECTS; SELECTION CRITERIA.**

14 (a) ELIGIBILITY OF SHORE POWER PROJECTS.—

15 (1) IN GENERAL.—In making port infrastruc-
16 ture development grants under section 54301 of title
17 46, United States Code, for fiscal year 2024, the
18 Secretary of Transportation shall treat a project de-
19 scribed in paragraph (2) as—

20 (A) having met the requirements of para-
21 graphs (1) and (6)(A)(i) of section 54301(a) of
22 such title; and

23 (B) being an eligible project under section
24 54301(a)(3) of such title.

1 (2) PROJECT DESCRIBED.—A project described
2 in this paragraph is a project to provide shore power
3 at a port that services both of the following:

4 (A) Passenger vessels described in section
5 3507(k) of title 46, United States Code.

6 (B) Vessels that move goods or freight.

7 (b) SELECTION CRITERIA.—Section 54301(a)(6) of
8 title 46, United States Code, is amended—

9 (1) in subparagraph (A)(ii), by inserting “(ex-
10 cept in the case of a project described under sub-
11 paragraph (C))” after “effective”;

12 (2) in subparagraph (B)(ii), by inserting “(ex-
13 cept in the case of a project described under sub-
14 paragraph (C))” after “as applicable”; and

15 (3) by adding at the end, the following:

16 “(C) NONCONTIGUOUS STATES AND TERRI-
17 TORIES.—The requirements under subpara-
18 graphs (A)(ii) and (B)(ii) shall not apply in the
19 case of a project described in paragraph (3) in
20 a noncontiguous State or territory.”.

21 **SEC. 3514. CODIFICATION OF EXISTING LANGUAGE; TECH-**
22 **NICAL AMENDMENTS.**

23 (a) PORT INFRASTRUCTURE DEVELOPMENT PRO-
24 GRAM.—

25 (1) STRATEGIC SEAPORTS.—

1 (A) IN GENERAL.—Section 3505(a)(1) of
2 the National Defense Authorization Act for Fis-
3 cal Year 2014 (Public Law 113–66; 46 U.S.C.
4 50302 note) is—

5 (i) transferred to appear after section
6 54301(a)(6)(B) of title 46, United States
7 Code;

8 (ii) redesignated as subparagraph (C);
9 and

10 (iii) amended by striking “Under the
11 port infrastructure development grant pro-
12 gram established under section 50302(e) of
13 title 46, United States Code” and inserting
14 “In selecting projects described in para-
15 graph (3)”.

16 (B) STRATEGIC SEAPORT DEFINED.—Sec-
17 tion 3505(a)(2) of such Act is transferred to
18 appear after section 54301(a)(12)(D) of title
19 46, United States Code, and redesignated as
20 subparagraph (E).

21 (C) REPEAL.—Section 3505(a) of such Act
22 is repealed.

23 (2) DETERMINATION OF EFFECTIVENESS.—
24 Section 54301(b)(5)(B) of title 46, United States

1 Code, is amended by striking “subsection (c)(6)(A)”
2 and inserting “subsection (a)(6)(A)”.

3 (b) TRANSFER OF IMPROVEMENTS TO PROCESS FOR
4 WAIVING NAVIGATION AND INSPECTION LAWS.—Section
5 3502(b) of the William M. (Mac) Thornberry National De-
6 fense Authorization Act for Fiscal Year 2021 is—

7 (1) amended—

8 (A) by striking “For fiscal year 2020 and
9 each subsequent fiscal year, the” and inserting
10 “The”; and

11 (B) by striking “section 56101 of title 46,
12 United States Code,” and inserting “this sec-
13 tion”;

14 (2) transferred to appear after section 56101(e)
15 of title 46, United States Code; and

16 (3) redesignated as subsection (f).

17 (c) CHAPTER ANALYSIS.—The analysis for chapter
18 503 of title 46, United States Code, is amended in the
19 item relating to section 50308 by striking “**Port devel-**
20 **opment; maritime transportation system**
21 **emergency relief program**” and inserting “**Mari-**
22 **time transportation system emergency relief**
23 **program**”.

24 (d) VESSEL OPERATIONS REVOLVING FUND.—Sec-
25 tion 50301(b) of title 46, United States Code, is amended

1 by striking “(50 App. U.S.C. 1291(a), (c), 1293(c),
2 1294)” and inserting “(50 U.S.C. 4701(a), (c), 4703(c),
3 4704)”.

4 (e) MARITIME TRANSPORTATION SYSTEM EMER-
5 GENCY RELIEF PROGRAM.—Section 50308 of title 46,
6 United States Code, is amended—

7 (1) in subsection (a)(2)(B), by striking “Fed-
8 eral Emergency Management Administration” and
9 inserting “Federal Emergency Management Agen-
10 cy”; and

11 (2) in subsection (j)(4)(A), by striking “Federal
12 Emergency Management Administration” and in-
13 serting “Federal Emergency Management Agency”.

14 (f) MARINE HIGHWAYS.—The analysis for subtitle V
15 of title 46, United States Code, is amended in the item
16 relating to chapter 556 by striking “**SHORT SEA**
17 **TRANSPORTATION**” and inserting “**MARINE**
18 **HIGHWAYS**”.

19 (g) CHAPTER 537.—The analysis for chapter 537 of
20 title 46, United States Code, is amended by striking the
21 item relating to section 53703 and inserting the following:
“53703. Application and administration.”.

22 (h) CHAPTER 541.—The analysis for chapter 541 of
23 title 46, United States Code, is amended to read as fol-
24 lows:

“CHAPTER 541—MISCELLANEOUS

“Sec.
“54101. Assistance for small shipyards.”.

1 (i) TECHNICAL AMENDMENT.—Section 11328(b) of
2 the James M. Inhofe National Defense Authorization Act
3 for Fiscal Year 2023 (Public Law 117–263) is amended
4 by striking “Maritime” and inserting “Marine”.

5 (j) NATIONAL DEFENSE RESERVE FLEET OBSOLETE
6 VESSEL.—

7 (1) DEFINITION OF OBSOLETE VESSELS.—
8 Chapter 571 of title 46, United States Code, is
9 amended—

10 (A) by redesignating section 57111 as sec-
11 tion 57110; and

12 (B) by adding at the end the following:

13 **“§ 57111. Definition of obsolete vessel**

14 “In this chapter, the term ‘obsolete vessel’ means a
15 vessel that—

16 “(1) is or will be in the custody and control of
17 the Maritime Administration for purposes of dis-
18 posing of the vessel; and

19 “(2) has been determined by the Secretary of
20 Transportation to be of insufficient value, with re-
21 spect to the programs of the Maritime Administra-
22 tion, to warrant—

23 “(A) preserving for future use or spare
24 parts harvesting; or

1 “(B) retaining in the National Defense Re-
2 serve Fleet.”.

3 (2) NATIONAL DEFENSE RESERVE FLEET VES-
4 SEL STATUS.—Section 57100(g) of title 46, United
5 States Code, is amended by striking “of insufficient
6 value to remain in the National Defense Reserve
7 Fleet” and inserting “an obsolete vessel”.

8 (3) PLACEMENT OF VESSELS IN NATIONAL DE-
9 FENSE RESERVE FLEET.—Section 57101(b) of title
10 46, United States Code, is amended by inserting “,
11 or section 308704 of title 54” before the period at
12 the end.

13 (4) DISPOSITION OF VESSELS.—Section 57102
14 of title 46, United States Code, is amended—

15 (A) in the heading, by striking “**not**
16 **worth preserving**”;

17 (B) in subsection (a), by striking “owned
18 by the Maritime Administration” and all that
19 follows through the period at the end and in-
20 serting “is an obsolete vessel, the Secretary
21 may dispose of such vessel (by sale or by pur-
22 chase of disposal services).”; and

23 (C) in subsection (b), by striking “on the
24 basis of competitive sealed bids, after an ap-

1 praisal and due advertisement” and inserting
2 “on a best value basis”.

3 (5) DONATION OF VESSELS IN THE NATIONAL
4 DEFENSE RESERVE FLEET.—Section 57103 of title
5 46, United States Code, is amended—

6 (A) in the heading, by striking “**non-**
7 **retention**”; and

8 (B) in subsection (a), by striking “of insuf-
9 ficient value to warrant its further preserva-
10 tion”.

11 (6) TECHNICAL AND CONFORMING AMEND-
12 MENTS.—The analysis for chapter 571 of title 46,
13 United States Code, is amended—

14 (A) by striking the item relating to section
15 57102 and inserting the following:

“Disposition of vessels.”;

16 (B) by striking the item relating to section
17 57103 and inserting the following:

“Donation of vessels in the National Defense Reserve Fleet.”;

18 (C) by redesignating the item relating to
19 section 57111 as the item relating to section
20 57110; and

21 (D) by adding at the end the following:

“57111. Definition of obsolete vessel.”.

22 (k) DEEPWATER PORTS.—

1 (1) DECLARATION OF POLICY.—Section 2 of
2 the Deepwater Port Act of 1974 (33 U.S.C. 1501)
3 is amended—

4 (A) in subsection (a)—

5 (i) in the matter preceding paragraph
6 (1), by striking “(a) It” and all that fol-
7 lows through “to—” and inserting the fol-
8 lowing:

9 “(a) PURPOSES.—The purposes of this Act are—”;

10 (ii) in each of paragraphs (1) through
11 (6)—

12 (I) by inserting “to” after the
13 paragraph designation; and

14 (II) by indenting the paragraphs
15 appropriately;

16 (iii) in paragraph (2), by striking
17 “such ports” and inserting “deepwater
18 ports”;

19 (iv) in paragraph (5)—

20 (I) by striking “continental
21 shelf” and inserting “Continental
22 Shelf”; and

23 (II) by striking “attendant there-
24 to” and inserting “associated with
25 that traffic”; and

1 (v) in paragraph (6), by striking “con-
2 tinental shelf” each place it appears and
3 inserting “Continental Shelf”; and

4 (B) in subsection (b), by striking the sub-
5 section designation and all that follows through
6 “to affect” and inserting the following:

7 “(b) EFFECT OF ACT.—Nothing in this Act affects”.

8 (2) DEFINITIONS.—Section 3 of the Deepwater
9 Port Act of 1974 (33 U.S.C. 1502) is amended—

10 (A) by striking the section designation and
11 heading and all that follows through “the
12 term—” in the matter preceding paragraph (1)
13 and inserting the following:

14 **“SEC. 3. DEFINITIONS.**

15 “In this Act:”;

16 (B) in each of paragraphs (1) through
17 (17)—

18 (i) by inserting “The term” after the
19 paragraph designation;

20 (ii) by inserting a paragraph heading,
21 the text of which comprises the term de-
22 fined in that paragraph; and

23 (iii) by striking the semicolon at the
24 end of the paragraph and inserting a pe-
25 riod;

1 (C) in paragraph (2), by striking “section
2 5(c)(2)(A) or (B)” and inserting “subparagraph
3 (A) or (B) of section 5(c)(2)”;

4 (D) in each of paragraphs (18) and (19)—

5 (i) by inserting “The term” after the
6 paragraph designation; and

7 (ii) by inserting a paragraph heading,
8 the text of which comprises the term de-
9 fined in that paragraph; and

10 (E) in paragraph (18), by striking “; and”
11 at the end and inserting a period.

12 (3) LICENSES FOR OWNERSHIP, CONSTRUC-
13 TION, AND OPERATION OF DEEPWATER PORTS.—
14 Section 4 of the Deepwater Port Act of 1974 (33
15 U.S.C. 1503) is amended—

16 (A) in subsection (c)—

17 (i) in each of paragraphs (1) through
18 (7), by striking “he” after the paragraph
19 designation and inserting “the Secretary”;

20 (ii) in paragraph (1), by adding a
21 semicolon at the end; and

22 (iii) in paragraph (8)—

23 (I) by striking “the adjacent”
24 and inserting “each adjacent”;

1 (II) by striking “of States, pur-
2 suant to section 9 of this Act,”;

3 (III) by inserting “the” before
4 “issuance”; and

5 (IV) by inserting “pursuant to
6 section 9(b)(1), if applicable” before
7 “; and”;

8 (B) in subsection (e)—

9 (i) in paragraph (1), in the second
10 sentence—

11 (I) by striking “requirements of
12 this title” and inserting “requirements
13 of this Act”;

14 (II) by striking “section 10(a) of
15 this title” and inserting “section
16 10(a)”;

17 (III) by striking the semicolon
18 and inserting a comma;

19 (ii) in paragraph (2)(B), by striking
20 “he will comply” and inserting “the li-
21 censee or transferee will comply”; and

22 (iii) in paragraph (3)—

23 (I) in the first sentence, by strik-
24 ing “he deems necessary to assure”

1 and inserting “the Secretary deter-
2 mines to be necessary to ensure”;

3 (II) in the second sentence, by
4 striking “he finds” and inserting “the
5 Secretary finds”; and

6 (III) in the third sentence—

7 (aa) by striking “he deter-
8 mines” and inserting “the Sec-
9 retary determines”;

10 (bb) by striking “(67 Stat.
11 462)” and inserting “(43 U.S.C.
12 1331 et seq.)”; and

13 (cc) by striking “terms” and
14 all that follows through the pe-
15 riod at the end and inserting
16 “terms of that Act.”; and

17 (C) in subsection (f), by striking “this
18 title” and inserting “this Act”.

19 (4) PROCEDURE.—Section 5 of the Deepwater
20 Port Act of 1974 (33 U.S.C. 1504) is amended—

21 (A) in subsection (c)—

22 (i) by striking the subsection designa-
23 tion and all that follows through the end of
24 paragraph (1) and inserting the following:

25 “(c) APPLICATIONS.—

1 “(1) REQUIREMENTS.—

2 “(A) IN GENERAL.—Each person that sub-
3 mits to the Secretary an application shall in-
4 clude in the application a detailed plan that
5 contains all information required under para-
6 graph (2).

7 “(B) ACTION BY SECRETARY.—Not later
8 than 21 days after the date of receipt of an ap-
9 plication, the Secretary shall—

10 “(i) determine whether the application
11 contains all information required under
12 paragraph (2); and

13 “(ii)(I) if the Secretary determines
14 that such information is contained in the
15 application, not later than 5 days after
16 making the determination, publish in the
17 Federal Register—

18 “(aa) a notice of the application;

19 and

20 “(bb) a summary of the plans; or

21 “(II) if the Secretary determines that
22 all required information is not contained in
23 the application—

24 “(aa) notify the applicant of the
25 applicable deficiencies; and

1 “(bb) take no further action with
2 respect to the application until those
3 deficiencies have been remedied.

4 “(C) APPLICABILITY.—On publication of a
5 notice relating to an application under subpara-
6 graph (B)(ii)(I), the Secretary shall be subject
7 to subsection (f).”; and

8 (ii) in paragraph (2)—

9 (I) by striking “of this para-
10 graph” each place it appears;

11 (II) by striking the paragraph
12 designation and all that follows
13 through “to—” in the matter pre-
14 ceding subparagraph (A) and insert-
15 ing the following:

16 “(2) INCLUSIONS.—Each application shall in-
17 clude such financial, technical, and other informa-
18 tion as the Secretary determines to be necessary or
19 appropriate, including—”; and

20 (III) by indenting subparagraphs

21 (A) through (M) appropriately;

22 (B) in subsection (g), in the last sentence,
23 by striking “section 5(e) of this Act” and in-
24 serting “subsection (e)”;
25 (C) in subsection (h)—

1 (i) by striking “(h)(1) Each” and in-
2 serting the following:

3 “(h) FEES.—

4 “(1) REQUIREMENT.—

5 “(A) IN GENERAL.—Each”;

6 (ii) in subparagraph (A) of paragraph
7 (1) (as so designated), in the second sen-
8 tence, by striking “In addition” and insert-
9 ing the following:

10 “(B) REIMBURSEMENT.—In addition to a
11 fee under subparagraph (A)”;

12 (iii) in paragraph (2)—

13 (I) by striking the last sentence;

14 (II) by striking “(2) Notwith-
15 standing” and inserting the following:

16 “(2) USAGE FEES.—

17 “(A) DEFINITION OF DIRECTLY RELATED
18 LAND-BASED FACILITY.—In this paragraph, the
19 term ‘directly related land-based facility’, with
20 respect to a deepwater port facility, means an
21 onshore tank farm and any pipelines connecting
22 the tank farm to the deepwater port facility.

23 “(B) AUTHORIZATION.—Notwithstanding”;

24 and

1 (III) in subparagraph (B) (as so
2 designated)—

3 (aa) in the fourth sentence,
4 by striking “Such fees” and in-
5 serting the following:

6 “(E) APPROVAL.—A fee established under
7 this paragraph”;

8 (bb) in the third sentence—

9 (AA) by striking
10 “such” each place it appears
11 and inserting “the applica-
12 ble”; and

13 (BB) by striking “Fees
14 under” and inserting the fol-
15 lowing:

16 “(D) AMOUNT.—The amount of a fee es-
17 tablished under”; and

18 (cc) in the second sen-
19 tence—

20 (AA) by striking
21 “such” each place it appears
22 and inserting “the applica-
23 ble”; and

24 (BB) by striking “Fees
25 may be fixed under author-

1 ity of this paragraph” and
2 inserting the following:

3 “(C) TREATMENT.—A fee may be estab-
4 lished pursuant to this paragraph”; and

5 (iv) in paragraph (3)—

6 (I) by striking “Outer” and in-
7 serting “outer”; and

8 (II) by striking “(3) A licensee”
9 and inserting the following:

10 “(3) RENTAL PAYMENT.—A licensee”;

11 (D) in subsection (i)—

12 (i) in paragraph (2)—

13 (I) in subparagraph (A)—

14 (aa) by inserting “First,”
15 after the subparagraph designa-
16 tion; and

17 (bb) by striking the semi-
18 colon at the end and inserting a
19 period;

20 (II) in subparagraph (B)—

21 (aa) by inserting “Second,”
22 after the subparagraph designa-
23 tion; and

1 (bb) by striking the semi-
2 colon at the end and inserting a
3 period; and

4 (III) in subparagraph (C), by in-
5 serting “Third,” after the subpara-
6 graph designation;

7 (ii) in paragraph (3)—

8 (I) in subparagraph (C), by strik-
9 ing “(C) any” and inserting the fol-
10 lowing:

11 “(D) Any”;

12 (II) in subparagraph (B)—

13 (aa) by striking “; and” at
14 the end and inserting a period;
15 and

16 (bb) by striking “(B) any”
17 and inserting the following:

18 “(C) Any”;

19 (III) in subparagraph (A)—

20 (aa) by striking “section 6
21 of this Act;” and inserting “sec-
22 tion 6.”; and

23 (bb) by striking “(A) the de-
24 gree” and inserting the following:

25 “(A) The degree”; and

1 (IV) by inserting after subpara-
2 graph (A) the following:

3 “(B) National security, including an as-
4 sessment of the implications for the national se-
5 curity of the United States or an allied country
6 (as that term is defined in section 2350f(d)(1)
7 of title 10, United States Code) of the United
8 States.”; and

9 (iii) in paragraph (4)—

10 (I) by striking the second sen-
11 tence and inserting the following:

12 “(B) EFFECT OF FAILURE TO DETER-
13 MINE.—If the Secretary fails to approve or
14 deny an application for a deepwater port for
15 natural gas by the applicable deadline under
16 subparagraph (A), the reporting requirements
17 under paragraphs (1), (2), and (3) shall not
18 apply to the application.”; and

19 (II) in the matter preceding sub-
20 paragraph (B) (as so added), by strik-
21 ing “(4) The Secretary” and inserting
22 the following:

23 “(4) APPLICATIONS FOR DEEPWATER PORTS
24 FOR NATURAL GAS.—

1 “(A) DEADLINE FOR DETERMINATION.—
2 The Secretary”;

3 (E) in subsection (j)(1), by striking “of
4 Transportation”; and

5 (F) by adding at the end the following:

6 “(k) TRANSPARENCY IN ISSUANCE OF LICENSES AND
7 PERMITS.—

8 “(1) DEFINITION OF APPLICABLE DEADLINE.—

9 In this subsection, the term ‘applicable deadline’,
10 with respect to an applicant, means the deadline or
11 date applicable to the applicant under any of the fol-
12 lowing:

13 “(A) Section 4(c)(6).

14 “(B) Section 4(d)(3).

15 “(C) Subsection (c)(1)(B) (including clause
16 (ii)(I) of that subsection).

17 “(D) Subsection (d)(3).

18 “(E) Paragraph (1) or (2) of subsection
19 (e).

20 “(F) Subsection (g).

21 “(G) Paragraph (1) or (4)(A) of subsection
22 (i).

23 “(2) SUSPENSIONS AND DELAYS.—If the Sec-
24 retary suspends or delays an applicable deadline, the

1 Secretary shall submit to the applicant, and publish
2 in the Federal Register, a written statement—

3 “(A) describing the reasons for the suspen-
4 sion or delay;

5 “(B) describing and requesting any infor-
6 mation necessary to issue the applicable license
7 or permit and the status of applicable license or
8 permit application at the lead agency and any
9 cooperating agencies; and

10 “(C) identifying the applicable deadline
11 with respect to the statement.

12 “(3) APPLICANT RIGHTS TO TECHNICAL ASSIST-
13 ANCE.—

14 “(A) IN GENERAL.—An applicant that re-
15 ceives a statement under paragraph (2) may
16 submit to the Secretary a request for a meeting
17 with appropriate personnel of the Department
18 of Transportation and representatives of each
19 cooperating Federal agency, as appropriate, de-
20 termined by the Secretary to be relevant with
21 respect to the application, including such offi-
22 cials as are appropriate, who shall provide tech-
23 nical assistance, status, process, and timeline
24 updates and additional information as nec-
25 essary.

1 “(B) TIMING.—A meeting requested under
2 clause (i) shall be held not later than 30 days
3 after the date on which the Secretary receives
4 the request under that clause.

5 “(4) REQUIREMENTS.—On receipt of a request
6 under paragraph (3)(A), and not less frequently
7 than once every 30 days thereafter until the date on
8 which the application process is no longer suspended
9 or delayed, the Secretary shall submit a notice of the
10 delay, including a description of the time elapsed
11 since the applicable deadline and the nature and cir-
12 cumstances of the applicable suspension or delay,
13 to—

14 “(A) the Committee on Commerce,
15 Science, and Transportation of the Senate; and

16 “(B) the Committee on Transportation
17 and Infrastructure of the House of Representa-
18 tives.

19 “(5) BRIEFING.—If the Secretary suspends or
20 delays an applicable deadline, not later than 120
21 days after that applicable deadline, and not less fre-
22 quently than once every 120 days thereafter until
23 the date on which the application process is no
24 longer suspended or delayed, the Secretary (or a
25 designee of the Secretary) shall provide a briefing

1 regarding the time elapsed since the applicable dead-
2 line and the nature and circumstances of the appli-
3 cable suspension or delay to—

4 “(A) the Committee on Commerce,
5 Science, and Transportation of the Senate; and

6 “(B) the Committee on Transportation
7 and Infrastructure of the House of Representa-
8 tives.”.

9 (5) REVIEW CRITERIA.—Section 6 of the Deep-
10 water Port Act of 1974 (33 U.S.C. 1505) is amend-
11 ed—

12 (A) in subsection (a), by striking “(a) The
13 Secretary” and inserting the following:

14 “(a) ESTABLISHMENT.—The Secretary”;

15 (B) in subsection (b)—

16 (i) by striking “of this section”; and

17 (ii) by striking “(b) The Secretary”

18 and inserting the following:

19 “(b) REVIEW AND REVISION.—The Secretary”; and

20 (C) in subsection (c)—

21 (i) by striking “concurrently with the
22 regulations in section 5(a) of this Act and
23 in accordance with the provisions of that
24 subsection” and inserting “concurrently
25 with the regulations promulgated pursuant

1 to section 5(a) and in accordance with that
2 section”; and

3 (ii) by striking “(c) Criteria” and in-
4 sserting the following:

5 “(c) REQUIREMENT.—The criteria”.

6 (6) ADJACENT COASTAL STATES.—Section 9 of
7 the Deepwater Port Act of 1974 (33 U.S.C. 1508)
8 is amended—

9 (A) by striking subsection (a) and insert-
10 ing the following:

11 “(a) DESIGNATION.—In issuing a notice relating to
12 an application for a deepwater port under section
13 5(c)(1)(B)(ii)(I), the Secretary shall designate as an adja-
14 cent coastal State, with respect to the deepwater port, any
15 coastal State that would be—

16 “(1) directly connected by pipeline to that deep-
17 water port; or

18 “(2) located within 15 miles of that deepwater
19 port.”; and

20 (B) in subsection (b)—

21 (i) by striking “(b)(1) Not later than
22 10 days after the designation of adjacent
23 coastal States pursuant to this Act” and
24 inserting the following:

1 “(b) INPUT FROM ADJACENT COASTAL STATES AND
2 OTHER INTERESTED STATES.—

3 “(1) SUBMISSION OF APPLICATIONS TO GOV-
4 ERNORS FOR APPROVAL.—

5 “(A) IN GENERAL.—Not later than 10
6 days after the date on which the Secretary des-
7 ignates adjacent coastal States under sub-
8 section (a) with respect to a deepwater port
9 proposed in an application”;

10 (ii) in paragraph (1)(A) (as so des-
11 ignated)—

12 (I) in the fourth sentence, by
13 striking “If the Governor” and insert-
14 ing the following:

15 “(D) INCONSISTENCY WITH CERTAIN
16 STATE PROGRAMS.—If the Governor of an adja-
17 cent coastal State”;

18 (II) in the third sentence, by
19 striking “If the Governor fails to
20 transmit his” and inserting the fol-
21 lowing:

22 “(C) PRESUMED APPROVAL.—If the Gov-
23 ernor of an adjacent coastal State fails to
24 transmit a required”; and

1 (III) in the second sentence, by
2 striking “The Secretary” and insert-
3 ing the following:

4 “(B) PROHIBITION.—The Secretary”; and
5 (iii) in paragraph (2)—

6 (I) by striking “(2) Any other in-
7 terested State” and inserting the fol-
8 lowing:

9 “(2) OTHER INTERESTED STATES.—Any other
10 State with an interest relating to a deepwater port
11 proposed in an application”; and

12 (II) by striking “a deepwater
13 port” and inserting “the deepwater
14 port”.

15 **Subtitle C—Reports**

16 **SEC. 3521. REPORTS ON MARITIME INDUSTRY, POLICIES, 17 AND PROGRAMS.**

18 (a) REPORT ON ADMINISTRATION OF PROGRAMS.—

19 (1) IN GENERAL.—Chapter 553 of title 46,
20 United States Code, is amended by inserting before
21 section 55302 the following:

1 **“§ 55301. Report on administration of programs by**
2 **other Federal departments and agencies**

3 “(a) IN GENERAL.—The Administrator of the Mari-
4 time Administration shall annually submit to Congress a
5 report on the administration by—

6 “(1) the Department of Defense of section
7 2631 of title 10; and

8 “(2) other Federal departments and agencies of
9 programs the Administrator determines are subject
10 to section 55305 of this title.

11 “(b) CONTENTS.—Each annual report required
12 under subsection (a) shall include, for each Federal de-
13 partment or agency that administers a program covered
14 by the report—

15 “(1) the gross tonnage of cargo (equipment,
16 materials, or agricultural products), expressed by
17 type of cargo, transported on United States flag ves-
18 sels as compared to on foreign vessels; and

19 “(2) the total number of United States flag ves-
20 sels and total number of foreign vessels contracted
21 by each department or agency.

22 “(c) AGENCY REPORTING REQUIREMENTS.—Not
23 later than January 31 of each year, the head of each Fed-
24 eral department or agency that administers a program
25 covered by a report required under subsection (a) shall
26 submit to the Administrator of the Maritime Administra-

1 tion the information described in subsection (b) for that
2 department or agency.”.

3 (2) CLERICAL AMENDMENT.—The analysis for
4 chapter 553 of title 46, United States Code, is
5 amended by inserting before the item relating to sec-
6 tion 55302 the following new item:

“55301. Report on administration of programs by other Federal departments
and agencies.”.

7 (b) REPORT ON SURVEY OF UNITED STATES SHIP-
8 BUILDING AND REPAIR FACILITIES.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of enactment of this Act, and annually
11 thereafter for each of the subsequent four fiscal
12 years, the Secretary of Transportation, in consulta-
13 tion with the Secretary of Defense, the Adminis-
14 trator of the Maritime Administration, and the Com-
15 mandant of the Coast Guard, shall submit to the ap-
16 propriate committees of Congress a report that in-
17 cludes a survey of United States shipbuilding and
18 repair facilities.

19 (2) CONTENTS.—Each report required under
20 paragraph (1) shall include an identification of all
21 requirements for a survey of United States ship-
22 building and repair facilities in accordance with sec-
23 tions 50102 and 50103 of title 46, United States

1 Code, and section 502(f) of the Merchant Marine
2 Act of 1936 (46 U.S.C. 53101 note).

3 (3) PUBLIC AVAILABILITY.—At the time the
4 Secretary of Transportation submits to the appro-
5 priate congressional committees a report under para-
6 graph (1), the Secretary shall make the report, and
7 all report data, publicly available on an appropriate
8 website.

9 (4) DEFINITION.—In this subsection, the term
10 “appropriate congressional committees” means—

11 (A) the Committee on Commerce, Science,
12 and Transportation of the Senate; and

13 (B) the Committee on Transportation and
14 Infrastructure and the Committee on Armed
15 Services of the House of Representatives.

16 (c) REPORT ON PORT PREFERENCES FOR US-FLAG
17 VESSELS.—Not later than one year after the date of the
18 enactment of this Act, the Administrator of the Maritime
19 Administration shall submit to Congress a report on the
20 preference, if any, afforded by each port authority or ma-
21 rine terminal operator, as applicable, to vessels docu-
22 mented under the laws of the United States, including
23 such vessels—

1 (1) operated by an armed force (as such term
2 is defined in section 101(4) of title 10, United
3 States Code);

4 (2) participating in the Maritime Security Pro-
5 gram or the Emergency Preparedness Program
6 under chapter 531 of title 46, United States Code,
7 the Cable Security Fleet under chapter 532 of such
8 title, the Tanker Security Fleet under chapter 534
9 of such title, or the National Defense Reserve Fleet
10 under section 57100 of such title; or

11 (3) with a coastwise endorsement under chapter
12 121 of title 46, United States Code.

13 (d) REPORT ON INCREASING EFFECTIVENESS OF
14 MARINE HIGHWAYS.—

15 (1) IN GENERAL.—Not later than one year
16 after the date of the enactment of this Act, the Ad-
17 ministrators of the Maritime Administration shall
18 complete and make publicly available on an appro-
19 priate website a study that identifies opportunities
20 for, and barriers to, increasing the effectiveness of
21 marine highways designated under section 55601 of
22 title 46, United States Code, in addressing two or
23 more of the components described in clauses (i), (ii),
24 and (iv) of subparagraphs (A) and subparagraph

1 (B) of section 50307(a)(2) of title 46, United States
2 Code.

3 (2) PILOT PROGRAM.—Beginning on the date
4 that is 120 days after the date of the completion of
5 the study required under paragraph (1), the Admin-
6 istrator shall carry out a one-year pilot program
7 under which the Administrator shall select one ma-
8 rine highway project and implement the findings of
9 the study with respect to that project.

10 (3) FINAL REPORT.—Not later than 90 days
11 after the completion of the pilot program under
12 paragraph (3), the Administrator shall provide to
13 the Committee on Commerce, Science, and Trans-
14 portation of the Senate and the Committee on
15 Transportation and Infrastructure of the House of
16 Representatives, a briefing on the lessons learned
17 from the pilot program, any recommendations based
18 on feedback from maritime stakeholders, States, In-
19 dian Tribes, nonprofit organizations, and other
20 stakeholders, and recommendations for establishing
21 future marine highways in the United States.

22 (e) STUDY ON AVAILABILITY OF FEDERAL STUDENT
23 AID FOR MARINER TRAINING.—

24 (1) IN GENERAL.—The Comptroller General of
25 the United States shall conduct a study of the avail-

1 ability of Federal financial assistance for licensed
2 and unlicensed mariners, as applicable, for mariner
3 training and the effectiveness of coordination with
4 respect to such assistance of—

5 (A) Federal agencies;

6 (B) Federal agencies and States; and

7 (C) Federal agencies and Indian Tribes.

8 (2) MATTERS EVALUATED.—The study con-
9 ducted under paragraph (1) shall include an evalua-
10 tion of the following:

11 (A) The availability of Federal financial
12 assistance for mariner training provided by the
13 Department of Education, the Department of
14 Veterans Affairs, the Department of Labor, the
15 Maritime Administration, or other agencies to
16 the full range of prospective mariners, and an
17 identification of any gaps in financial assist-
18 ance.

19 (B) The extent to which the Maritime Ad-
20 ministration has effectively coordinated with the
21 Department of Education, the Department of
22 Veterans Affairs, the Department of Labor, or
23 other relevant Federal agencies to align Federal
24 financial assistance with the education and
25 training needs of mariners.

1 (C) The extent to which the Maritime Ad-
2 ministration has effectively communicated with
3 prospective and current mariners about the
4 availability of Federal financial assistance to fa-
5 cilitate their training and education needs.

6 (3) SCOPE.—The study conducted under para-
7 graph (1) shall include an examination of the avail-
8 ability of Federal financial assistance, and the serv-
9 ice obligations related to such financial assistance, if
10 applicable, at mariner training institutions within
11 the United States, including for students attending,
12 or participating in—

13 (A) the United States Merchant Marine
14 Academy;

15 (B) a State maritime academy;

16 (C) an institution described in subpara-
17 graphs (B) and (C) of section 51706(e)(1) of
18 title 46, United States Code;

19 (D) an Indian Tribe apprenticeship or
20 other training program; or

21 (E) an educational program carried out by
22 a Federal agency.

23 (4) REPORT.—Not later than two years after
24 the date of the enactment of this Act, the Comp-
25 troller General shall submit to the Committee on

1 Commerce, Science, and Transportation of the Sen-
2 ate and the Committee on Transportation and Infra-
3 structure and the Committee on Armed Services of
4 the House of Representatives a report containing the
5 findings of the Comptroller General with respect to
6 the study conducted under paragraph (1).

7 **SEC. 3522. REPORTS ON AVAILABILITY OF USED SEALIFT**
8 **VESSELS AND THE SCRAPPING AND RECY-**
9 **CLING OF IMPORTED VESSELS.**

10 (a) REPORT ON AVAILABILITY OF USED SEALIFT
11 VESSELS.—

12 (1) IN GENERAL.—The Commander of the
13 United States Transportation Command, in con-
14 sultation with the Administrator of the Maritime
15 Administration, shall conduct a market analysis to
16 determine the availability of used sealift vessels
17 that—

18 (A) meet military requirements; and

19 (B) may be purchased using the authority
20 provided under section 2218 of title 10, United
21 States Code, within the period of five years fol-
22 lowing the date of the enactment of this Act.

23 (2) REPORT.—Not later than 180 days after
24 the date of the enactment of this Act, the Com-
25 mander of the United States Transportation Com-

1 mand shall submit to the congressional defense com-
2 mittees and the Committee on Commerce, Science,
3 and Transportation of the Senate a report on the re-
4 sults of the market analysis conducted under para-
5 graph (1).

6 (b) STUDY ON THE SCRAPPING AND RECYCLING OF
7 IMPORTED VESSELS.—

8 (1) IN GENERAL.—The Administrator of the
9 Maritime Administration and the Deputy Under
10 Secretary for International Affairs of the Depart-
11 ment of Labor shall jointly conduct a study to re-
12 view domestic United States ship scrapping capacity
13 and capability.

14 (2) ELEMENTS.—The study required under
15 paragraph (1) shall include the following:

16 (A) An assessment of—

17 (i) the capabilities of United States
18 shipyards to recycle and dispose of domes-
19 tic and foreign vessels and their component
20 parts;

21 (ii) the capacity of United States ship-
22 yards to complete ship recycling and dis-
23 posal of domestic and foreign vessels and
24 their component parts and related activi-
25 ties; and

1 (iii) the infrastructure, regulatory,
2 economic, or other barriers to domestic
3 ship recycling and disposal of vessels of the
4 United States (as defined in section 116 of
5 title 46, United States Code) and foreign
6 vessels and their component parts.

7 (B) An identification of—

8 (i) the estimated number of vessels
9 over 1,000 tons that were recycled or
10 scrapped globally each year for the ten-
11 year period preceding the date of the en-
12 actment of this Act;

13 (ii) the country in which such vessels
14 were scrapped or recycled;

15 (iii) the component parts of a vessel
16 that require additional processing after
17 ship recycling;

18 (iv) best practices and methods used
19 globally, including in the United States, at
20 the time of the study, to recycle or dispose
21 of the components described in clause (iii);
22 and

23 (v) for the 15 foreign countries with
24 the highest global market share for ship
25 recycling and disposal, and for any coun-

1 tries with documented labor exploitation or
2 environmental concerns (as determined by
3 the Administrator and the Deputy Under
4 Secretary)—

5 (I) the practices used at the time
6 of the study for ship recycling and
7 disposal, including for the component
8 parts described in clause (iii); and

9 (II) to the extent such informa-
10 tion is available, environmental and
11 labor practices used in such recycling
12 and disposal.

13 (3) REPORT.—Not later than one year after the
14 date of the enactment of this Act, the Administrator
15 shall submit to the Committee on Commerce,
16 Science, and Transportation of the Senate and the
17 Committee on Transportation and Infrastructure of
18 the House of Representatives a report containing the
19 findings of the study required under paragraph (1).

20 (4) DEFINITIONS OF COMPONENT PARTS.—In
21 this subsection, the term “component parts” means
22 an item or items on a ship that require additional
23 processing after removal from the ship, such as cable
24 insulation, rubber and felt gaskets, electronic equip-
25 ment, caulking, or paint.

1 **SEC. 3523. STUDY ON FOREIGN OWNERSHIP AND CONTROL**
2 **OF MARINE TERMINALS.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of the enactment of this Act, the Secretary of Trans-
5 portation, in consultation with the Secretary of Commerce,
6 shall seek to enter into an agreement with a federally
7 funded research and development center under which the
8 center shall evaluate how foreign state-owned enterprises
9 with leases, long term concessions, partial ownership, or
10 ownership of marine terminals (including marine terminal
11 operators) at the 15 largest United States container ports
12 affect, or could affect, United States national and eco-
13 nomic security.

14 (b) CONTENTS.—An agreement entered into pursu-
15 ant to subsection (a) shall provide that the center shall—

16 (1) consider—

17 (A) foreign ownership or state-owned en-
18 terprises with leases, long-term concessions,
19 partial ownership, or ownership of marine ter-
20 minals (including marine terminal operators) at
21 15 largest United States container ports over
22 the 30-year period preceding the date of enact-
23 ment of this Act;

24 (B) instances of ownership in individual
25 marine terminals and cumulative ownership by

1 Chinese or Russian entities, state-owned enter-
2 prises, or nationals;

3 (C) instances of ownership in individual
4 marine terminals and partial or complete own-
5 ership by any foreign entity;

6 (D) the amount of Federal funds that have
7 been distributed to ports and marine terminals
8 that are wholly or partially foreign-owned, in-
9 cluding Chinese and Russian state-owned enter-
10 prises;

11 (E) where any stake in foreign ownership,
12 or other vectors of control, exists (including any
13 level of equity stake in joint ventures with
14 United States or foreign marine terminal opera-
15 tors), including Chinese or Russian state-owned
16 enterprises, a detailed description of foreign
17 operational control, including both affirmative
18 and negative control; and

19 (F) the degree to which transactions for
20 leases, long-term concessions, partial ownership,
21 or ownership of marine terminals referred to in
22 subparagraph (A) were considered covered
23 transactions by the Committee on Foreign In-
24 vestment in the United States and subsequently
25 subject to review during the 30-year period pre-

1 ceding the date of the enactment of this Act;

2 and

3 (2) offer recommendations on—

4 (A) policies by ports and marine terminal
5 operators with respect to foreign ownership or
6 control to prevent any degree of threats to
7 United States national security and economic
8 security;

9 (B) whether foreign ownership, a positional
10 relationship, or state-owned enterprises with
11 leases, long term concessions, partial ownership,
12 or ownership of marine terminals (including
13 marine terminal operators) affords the foreign
14 entity access to operational technology and in-
15 formation unique to the United States and oth-
16 erwise unavailable;

17 (C) whether foreign ownership or state-
18 owned enterprises with leases, long term conces-
19 sions, partial ownership, or ownership of marine
20 terminals (including marine terminal operators)
21 has or could affect the supply chain and policies
22 related to the prioritization of certain cargoes;
23 and

24 (D) legislative or other policy changes
25 needed to secure and advance United States na-

1 tional and economic security of the United
2 States.

3 (c) REPORT.—Not later than one year after the initi-
4 ation of an evaluation carried out pursuant to an agree-
5 ment entered into under subsection (a), the Secretary of
6 Transportation shall submit to the Committee on Com-
7 merce, Science, and Transportation of the Senate and the
8 Committee on Transportation and Infrastructure of the
9 House of Representatives a report containing the results
10 of such evaluation.

11 (d) FORM.—The report required under subsection (c)
12 shall be submitted in unclassified form, but may include
13 a classified annex.

14 **SEC. 3524. REPORTS TO CONGRESS.**

15 Not later than 180 days after the date of the enact-
16 ment of this Act, the Secretary of Defense shall submit
17 to Congress a report on the implementation by the De-
18 partment of Defense of the amendments to section 2631
19 of title 10, United States Code, made by section 1024 of
20 the William M. (Mac) Thornberry National Defense Au-
21 thorization Act for Fiscal Year 2021 (Public Law 116–
22 283).

1 **Subtitle D—Other Matters**

2 **SEC. 3531. CARGOES PROCURED, FURNISHED, OR FI-**
3 **NANCED BY THE UNITED STATES GOVERN-**
4 **MENT.**

5 (a) **IN GENERAL.**—Section 55305 of title 46, United
6 States Code, is amended—

7 (1) by striking subsection (a);

8 (2) by redesignating—

9 (A) subsection (b) as subsection (a); and

10 (B) subsections (c), (d), and (e), as sub-
11 sections (d), (e), and (f), respectively;

12 (3) in subsection (a), as so redesignated, by
13 striking “privately-owned commercial vessels of the
14 United States,” and inserting “privately-owned com-
15 mercial vessels of the United States, as provided
16 under subsection (b),”;

17 (4) by inserting after subsection (a), as so re-
18 designated, the following:

19 “(b) **ELIGIBLE VESSELS.**—To be eligible to carry
20 cargo as provided under subsection (a), a privately-owned
21 commercial vessel shall be documented under the laws of
22 the United States—

23 “(1) for not less than three years; or

1 “(2) after January 1, 2030, for less than three
2 years, if the vessel owner signs an agreement with
3 the Secretary providing that—

4 “(A) the vessel shall remain documented
5 under the laws of the United States for not less
6 than three years; and

7 “(B) the vessel owner shall, upon request
8 of the Secretary, agree to enroll the vessel in an
9 emergency preparedness agreement or voluntary
10 agreement authorized under section 708 of the
11 Defense Production Act of 1950 (50 U.S.C.
12 4558) and shall ensure the vessel remains so
13 enrolled until the vessel ceases to be docu-
14 mented under the laws of the United States.

15 “(c) VIOLATION OF AGREEMENT.—A vessel under an
16 agreement executed pursuant to subsection (b)(2) may be
17 seized by, and forfeited to, the United States if, in viola-
18 tion of that agreement—

19 “(1) the vessel owner places the vessel under
20 foreign registry; or

21 “(2) a person operates the vessel under the au-
22 thority of a foreign country.”; and

23 (5) by striking subsection (d), as so redesign-
24 nated, and inserting the following:

1 “(d) WAIVERS.—(1) Notwithstanding any other pro-
2 vision of law, when the President, the Secretary of De-
3 fense, or the Secretary of Transportation declares the ex-
4 istence of an emergency justifying a temporary waiver of
5 this section or section 55314 of this title, the President,
6 the Secretary of Defense, or the Secretary of Transpor-
7 tation, following a determination by the Maritime Admin-
8 istrator, acting in the Administrator’s capacity as Direc-
9 tor, National Shipping Authority, of the non-availability
10 of qualified United States flag capacity at fair and reason-
11 able rates for commercial vessels of the United States to
12 meet the requirements of this section or section 55314 of
13 this title, may waive compliance with such section to the
14 extent, in the manner, and on the terms the Maritime Ad-
15 ministrator, acting in such capacity, prescribes, and no
16 other waivers of the requirements of this section or section
17 55314 of this title shall be authorized.

18 “(2)(A) Subject to subparagraphs (B) and (C), a
19 waiver issued under this subsection shall be for a period
20 of not more than 60 days.

21 “(B) Upon termination of the period of a waiver
22 issued under this subsection, the Maritime Administrator
23 may extend the waiver for an additional period of not more
24 than 30 days, if the Maritime Administrator makes the
25 determinations described in paragraph (1).

1 “(C) The aggregate duration of the period of all waiv-
2 ers and extensions of waivers under this subsection with
3 respect to any one set of events shall not exceed three
4 months in a fiscal year.

5 “(3) The Maritime Administrator shall—

6 “(A) for each determination referred to in para-
7 graph (1), identify any actions that could be taken
8 to enable qualified United States flag capacity to
9 meet the requirements of this section or section
10 55314 at fair and reasonable rates for commercial
11 vessels of the United States;

12 “(B) provide notice of each determination re-
13 ferred to in paragraph (1) to the Secretary of
14 Transportation and, as applicable, the President or
15 the Secretary of Defense; and

16 “(C) publish each determination referred to in
17 paragraph (1)—

18 “(i) on the website of the Maritime Admin-
19 istration not later than 24 hours after notice of
20 the determination is provided to the Secretary
21 of Transportation; and

22 “(ii) in the Federal Register.

23 “(4) The Maritime Administrator shall notify—

24 “(A) the Committee on Commerce, Science, and
25 Transportation of the Senate and the Committee on

1 Transportation and Infrastructure of the House of
2 Representatives of—

3 “(i) any request for a waiver (or an exten-
4 sion thereof) made by the Secretary of Trans-
5 portation of this section or section 55314(a) of
6 this title by not later than 72 hours after re-
7 ceiving such a request; and

8 “(ii) the issuance of any such waiver (or
9 an extension thereof), and why such waiver or
10 extension was necessary, by not later than 72
11 hours after such issuance; and

12 “(B) the Committee on Commerce, Science, and
13 Transportation and the Committee on Armed Serv-
14 ices of the Senate and the Committee on Transpor-
15 tation and Infrastructure and the Committee on
16 Armed Services of the House of Representatives
17 of—

18 “(i) any request for a waiver (or an exten-
19 sion thereof) made by the Secretary of Defense
20 of this section or section 55314(a) of this title
21 by not later than 72 hours after receiving such
22 a request; and

23 “(ii) the issuance of any such waiver (or
24 an extension thereof), and why such waiver or

1 extension was necessary, by not later than 72
2 hours after such issuance.”.

3 (b) SMALL PASSENGER VESSELS WITH OVERNIGHT
4 ACCOMMODATIONS.—

5 (1) EXTENSION AUTHORITY.—

6 (A) IN GENERAL.—The Commandant of
7 the Coast Guard shall not enforce the require-
8 ments of section 3306(n)(3)(A)(v) of title 46,
9 United States Code, against an operator of an
10 overnight fishing charter before April 1, 2024.

11 (B) PLAN REQUIRED.—Not later than
12 April 1, 2024, an operator of an overnight fish-
13 ing charter not in compliance with such section
14 3306(n)(3)(A)(v) shall submit to the Com-
15 mandant a plan for complying with such re-
16 quirements.

17 (C) EXTENSION.—On and after April 1,
18 2024, with respect to an operator of an over-
19 night fishing charter which has submitted a
20 plan for compliance in accordance with sub-
21 paragraph (B), a captain of the port may ex-
22 tend the period described under subparagraph
23 (A) until a date not later than January 1,
24 2026.

1 (2) LIMITATION.—Without further Congres-
2 sional action, a captain of the port may not extend
3 the period of nonenforcement of the requirements of
4 section 3306(n)(3)(A)(v) of title 46, United States
5 Code, with respect to an overnight fishing charter,
6 to a date later than January 1, 2026.

7 (3) NOTICE TO PASSENGERS.—Beginning on
8 the date on which the requirements under section
9 3306(n)(3)(A)(v) of title 46, United States Code,
10 take effect, the owner or operator of a vessel for
11 which an extension is granted under paragraph
12 (1)(C) shall provide on the website of such owner or
13 operator of the vessel, the vessel, and each ticket for
14 a passenger a prominently displayed notice that the
15 vessel is exempt from meeting the Coast Guard safe-
16 ty compliance standards concerning egress as de-
17 scribed in such section.

18 (4) OVERNIGHT FISHING CHARTER DEFINED.—
19 In this section, the term “overnight fishing charter”
20 means a vessel that—

21 (A) is engaged in “charter fishing” as such
22 term is defined in section 3 of the Magnuson-
23 Stevens Fishery Conservation and Management
24 Act (16 U.S.C. 1802); and

1 (B) has overnight accommodations for pas-
2 sengers.

3 **SEC. 3532. RECAPITALIZATION OF NATIONAL DEFENSE RE-**
4 **SERVE FLEET.**

5 Section 3546 of the James M. Inhofe National De-
6 fense Authorization Act for Fiscal Year 2023 (Public Law
7 117–263; 46 U.S.C. 57100 note) is amended—

8 (1) in subsection (a)—

9 (A) in the matter preceding paragraph
10 (1)—

11 (i) by striking “Subject to the avail-
12 ability of appropriations” and inserting
13 “Subject to the availability of appropria-
14 tions made specifically available for reim-
15 bursements to the Ready Reserve Force,
16 Maritime Administration account of the
17 Department of Transportation for pro-
18 grams, projects, activities, and expenses re-
19 lated to the National Defense Reserve
20 Fleet”; and

21 (ii) by striking “of Transportation”
22 and inserting “of the Navy”; and

23 (B) in paragraph (1)—

24 (i) by striking “roll-on, roll-off cargo”
25 and inserting “sealift”; and

1 (ii) by striking “2024” and inserting
2 “2025”;

3 (2) in subsection (d), by striking “The Sec-
4 retary of Transportation shall consult and coordi-
5 nate with the Secretary of the Navy” and inserting
6 “The Secretary of the Navy shall consult and coordi-
7 nate with the Secretary of Transportation”; and

8 (3) by adding at the end the following new sub-
9 section:

10 “(f) LIMITATION.—Of the amounts authorized to be
11 appropriated by this Act or otherwise made available for
12 fiscal year 2024 for the Secretary of the Navy for travel
13 expenses, not more than 50 percent may be obligated or
14 expended until the Secretary of the Navy submits to the
15 congressional defense committees a report that includes
16 a detailed description of the acquisition strategy for the
17 execution of the authority under subsection (a).”.

18 **SEC. 3533. UNITED STATES MERCHANT MARINE ACADEMY**
19 **AND COAST GUARD ACADEMY MATTERS;**
20 **MARITIME ADMINISTRATION REQUIRE-**
21 **MENTS.**

22 (a) TRAINING COURSE ON WORKINGS OF CON-
23 GRESS.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date of the enactment of this section, the

1 Secretary of Transportation, in consultation with the
2 Maritime Administrator, the Superintendent of the
3 United States Merchant Marine Academy, and such
4 other individuals and organizations as the Secretary
5 of Transportation considers appropriate, shall de-
6 velop a training course on the workings of Congress
7 and offer that training course at least once each
8 year. This course shall be similar in design to the
9 training course required under section 315 of title
10 14, United States Code, as practicable.

11 (2) COURSE SUBJECT MATTER.—The training
12 course required by paragraph (1) shall provide an
13 overview and introduction to Congress and the Fed-
14 eral legislative process, including—

15 (A) the history and structure of Congress
16 and the committee systems of the Senate and
17 the House of Representatives, including the
18 functions and responsibilities of the Committee
19 on Commerce, Science, and Transportation of
20 the Senate and the Committee on Transpor-
21 tation and Infrastructure and the Committee on
22 Armed Services of the House of Representa-
23 tives;

24 (B) the documents produced by Congress,
25 including bills, resolutions, committee reports,

1 and conference reports, and the purposes and
2 functions of those documents;

3 (C) the legislative processes and rules of
4 the Senate and the House of Representatives,
5 including similarities and differences between
6 the processes and rules of each chamber, in-
7 cluding—

8 (i) the congressional budget process;

9 (ii) the congressional authorization
10 and appropriations processes;

11 (iii) the Senate advice and consent
12 process for Presidential nominees; and

13 (iv) the Senate advice and consent
14 process for treaty ratification;

15 (D) the roles of Members of Congress and
16 congressional staff in the legislative process;
17 and

18 (E) the concept and underlying purposes of
19 congressional oversight within the governance
20 framework of separation of powers of the
21 United States.

22 (3) LECTURERS AND PANELISTS.—

23 (A) OUTSIDE EXPERTS.—The Secretary of
24 Transportation shall ensure that not less than
25 60 percent of the lecturers, panelists, and other

1 individuals providing education and instruction
2 as part of the training course required by this
3 subsection are bipartisan subject matter experts
4 on Congress and the Federal legislative process
5 who are not employed by the executive branch
6 of the Federal Government.

7 (B) AUTHORITY TO ACCEPT PRO BONO
8 SERVICES.—In satisfying the requirement under
9 subparagraph (A), the Secretary of Transpor-
10 tation shall seek, and may accept, educational
11 and instructional services of lecturers, panelists,
12 and other individuals and organizations pro-
13 vided to the Department of Transportation on
14 a pro bono basis.

15 (4) COMPLETION OF REQUIRED TRAINING.—

16 (A) IN GENERAL.—Not later than 60 days
17 after the date on which the Secretary of Trans-
18 portation completes the development of the
19 training course described in this section, and
20 annually thereafter while serving in applicable
21 positions, the covered individuals described in
22 subparagraph (B) shall complete the training
23 course described in this subsection.

24 (B) COVERED INDIVIDUALS.—The covered
25 individuals in this subsection are the following:

1 (i) The Administrator of the Maritime
2 Administration and the Deputy Adminis-
3 trator of the Maritime Administration.

4 (ii) Any official of the Maritime Ad-
5 ministration whose appointment is subject
6 to the advice and consent of the Senate
7 and Maritime Administration employees
8 that are serving in a Senior Executive
9 Service position (as defined in section
10 3132(a) of title 5, United States Code).

11 (iii) Any Maritime Administration em-
12 ployees whose duties consist of engagement
13 with congressional, governmental, or public
14 affairs, who are appointed or assigned to a
15 billet in the National Capital Region on
16 the date on which the Secretary of Trans-
17 portation completes the development of the
18 training course described in this section.

19 (iv) The Superintendent, Deputy Su-
20 perintendent, Provost, Commandant of
21 Midshipmen, Counsel, and Director of
22 Public Affairs of the United States Mer-
23 chant Marine Academy.

24 (C) NEW OFFICIALS AND EMPLOYEES.—
25 Any Maritime Administration official or em-

1 ployee or United States Merchant Marine Acad-
2 emy official or employee who is a covered indi-
3 vidual described in subparagraph (B) who is
4 newly appointed, newly employed in the Na-
5 tional Capital Region, or newly employed by the
6 United States Merchant Marine Academy after
7 the date on which the Secretary of Transpor-
8 tation completes the development of the train-
9 ing course described in this subsection, shall
10 complete a training course that meets the re-
11 quirements of this subsection not later than 60
12 days after reporting for duty, and annually
13 thereafter, while serving in applicable positions.

14 (b) GOVERNMENT ACCOUNTABILITY OFFICE REPORT
15 ON MARITIME ADMINISTRATION STAFFING REQUIRE-
16 MENTS.—

17 (1) IN GENERAL.—Not later than six months
18 after the date of the enactment of this Act, the
19 Comptroller General of the United States shall sub-
20 mit to the Committee on Commerce, Science, and
21 Transportation of the Senate and the Committee on
22 Transportation and Infrastructure of the House of
23 Representatives, a report that includes an analysis
24 of the staffing requirements for effectively executing
25 the mission of the Maritime Administration and an

1 identification of any existing gaps that could impede
2 its operations.

3 (2) CONTENTS.—The report under paragraph
4 (1) shall include—

5 (A) an evaluation of the personnel require-
6 ments for the successful execution of the mis-
7 sion of the Maritime Administration, including
8 such requirements for—

9 (i) those offices that deal with infra-
10 structure, shipbuilding, or student safety;

11 (ii) those offices that have significant
12 delays in meeting constituent needs, in-
13 cluding offices involved in the processing of
14 permits and grants, or which perform a
15 communication or outreach function to the
16 public, constituents, or Congress (including
17 the Office of Public Affairs of the Mari-
18 time Administration);

19 (iii) the United States Merchant Ma-
20 rine Academy; and

21 (iv) other activities carried out by the
22 Maritime Administration;

23 (B) a thorough analysis of any deficiencies
24 or inadequacies in staffing levels, at the time
25 the report is submitted, that could hinder the

1 efficient functioning of the Maritime Adminis-
2 tration; and

3 (C) recommendations for integrating the
4 findings of the report into the policies and plan-
5 ning processes of the Maritime Administration,
6 with the aim of addressing the identified gaps
7 and enhancing the overall effectiveness of the
8 Maritime Administration.

9 (e) COAST GUARD ACADEMY IMPROVEMENT BRIEF-
10 ING.—Not later than 30 days after the date of the enact-
11 ment of this Act, the Commandant of the Coast Guard
12 shall provide to the Committee on Transportation and In-
13 frastructure of the House of Representatives and the Com-
14 mittee on Commerce, Science, and Transportation of the
15 Senate a briefing on—

16 (1) a plan, which shall include timelines and
17 cost estimates, to—

18 (A) remediate asbestos, lead, and mold
19 from the Chase Hall of the Coast Guard Acad-
20 emy;

21 (B) house not more than two students to
22 a room in Chase Hall; and

23 (C) upgrade electric outlet availability and
24 storage space in student rooms at Chase Hall;
25 and

1 (2) the increased student housing capacity nec-
2 essary to allow the Coast Guard to put through suf-
3 ficient officers to eliminate the current portion of
4 the officer shortfall due to space constraints at the
5 Coast Guard Academy, including the Officer Can-
6 didate School and direct Commission Officer Pro-
7 gram housed at the Academy.

8 **SEC. 3534. MARITIME WORKFORCE WORKING GROUP.**

9 (a) IN GENERAL.—Not later than 120 days after the
10 date of the enactment of this Act, the Maritime Adminis-
11 trator, in consultation with the National Merchant Marine
12 Personnel Advisory Committee, the National Offshore
13 Safety Advisory Committee, the National Towing Safety
14 Advisory Committee, and the Committee on the Marine
15 Transportation System, shall convene a working group to
16 examine and assess the size of the pool of mariners with
17 covered credentials necessary to support the United States
18 flag fleet.

19 (b) MEMBERSHIP.—The Maritime Administrator
20 shall designate individuals to serve as members of the
21 working group convened under subsection (a). The work-
22 ing group shall consist of—

23 (1) the Maritime Administrator, who shall serve
24 as chairperson of the working group;

- 1 (2) the Superintendent of the United States
- 2 Merchant Marine Academy;
- 3 (3) the Commandant of the Coast Guard;
- 4 (4) the Commander of the United States Trans-
- 5 portation Command;
- 6 (5) the Secretary of the Navy; and
- 7 (6) at least one representative from each of—
- 8 (A) the State maritime academies;
- 9 (B) the owners and operators of United
- 10 States-flagged vessels engaged in offshore oil
- 11 and gas exploration, development, and produc-
- 12 tion;
- 13 (C) the owners and operators of United
- 14 States-flagged vessels engaged in inland river
- 15 transportation;
- 16 (D) the owners and operators of United
- 17 States-flagged vessels engaged in inland river
- 18 transportation;
- 19 (E) a nonprofit labor organization rep-
- 20 resenting a class of licensed or unlicensed en-
- 21 gine department mariners who are employed on
- 22 vessels operating in the United States flag fleet;
- 23 (F) a nonprofit labor organization rep-
- 24 resenting a class of licensed or unlicensed mari-

1 ners who are employed on vessels operating in
2 the United States flag fleet;

3 (G) the owners of vessels operating in the
4 United States flag fleet, or their private con-
5 tracting parties, that are primarily operating in
6 international transportation;

7 (H) Centers of Excellence for Maritime
8 Training designated under section 51706 of
9 title 46, United States Code; and

10 (I) private maritime training providers.

11 (c) NO QUORUM REQUIREMENT.—The Maritime Ad-
12 ministrators may convene the working group virtually and
13 without all members present.

14 (d) RESPONSIBILITIES.—The working group shall
15 carry out the following responsibilities:

16 (1) Reviewing the report required by section
17 3525(b), and the study required by section 3545(a),
18 of the James Inhofe National Defense Authorization
19 Act for Fiscal Year 2023 (Public Law 117–263), if
20 available.

21 (2) Identifying the number of mariners with
22 covered credentials in each of the following cat-
23 egories:

24 (A) All such mariners.

1 (B) Such mariners who have a valid Coast
2 Guard merchant mariner credential with the
3 necessary endorsements for service on unlimited
4 tonnage vessels that are subject to the Inter-
5 national Convention on Standards of Training,
6 Certification and Watchkeeping for Seafarers,
7 1978, as amended.

8 (C) Such mariners who are participating in
9 a Federal program that supports the United
10 States merchant marine and the United States
11 flag fleet.

12 (D) Such mariners who are available to
13 crew the United States flag fleet and the surge
14 sealift fleet in times of a national emergency.

15 (E) Such mariners who are full-time.

16 (F) Such mariners who are merchant mar-
17 iner credentialed officers in the United States
18 Navy Reserve.

19 (G) Such licensed and unlicensed mari-
20 ners—

21 (i) required to maintain, mobilize, and
22 operate the entire Ready Reserve Force for
23 periods of 30 days, 90 days, 180 days, and
24 one year including separate totals for mer-
25 chant mariners employed to maintain the

1 Ready Reserve Force in a reduced oper-
2 ating status; and

3 (ii) required to submit documentation
4 of sea service to the National Maritime
5 Center, including such mariners that have
6 acquired sea service during the prior year
7 and such mariners that have not acquired
8 sea service during the prior year.

9 (3) Evaluating potential gaps or surpluses of
10 credentialed merchant mariners, by rating and quali-
11 fication, required to maintain, mobilize, and operate
12 the Ready Reserve Force for periods of 30 days, 90
13 days, 180 days, and one year and the potential im-
14 pacts such mobilization and operation will have on
15 the commercial maritime industry's capability to op-
16 erate during such periods.

17 (4) Identifying a list of all actively operating
18 documented vessels of at least 500 gross registered
19 tons, as measured under section 14502 of title 46,
20 United States Code, or an alternate tonnage meas-
21 ured under section 14302 of such title as prescribed
22 by the Secretary under section 14104, of such title,
23 with the tonnage of each such vessel.

24 (5) Assessing the effect on the United States
25 merchant marine and United States Merchant Ma-

1 rine Academy if graduates from State maritime
2 academies and the United States Merchant Marine
3 Academy were assigned to, or required to fulfill, cer-
4 tain maritime positions based on the overall needs of
5 the United States merchant marine.

6 (6) Assessing the effectiveness of marketing
7 and outreach efforts, including recruitment and re-
8 tention strategy and methods of publicizing opportu-
9 nities, for new mariner accession into the maritime
10 industry.

11 (7) Assessing the accessibility of Coast Guard
12 Merchant Mariner Licensing and Documentation
13 System data for mariners with covered credentials,
14 the maritime industry, and the Maritime Adminis-
15 tration for the purposes of evaluating the pool of
16 mariners with covered credentials.

17 (8) Assessing the impediments to the
18 credentialing of United States merchant mariners,
19 including training capacity, credentialing system
20 delays, costs to merchant mariners, statutory or reg-
21 ulatory requirements, and other factors.

22 (9) Making recommendations to—

23 (A) enhance the availability and quality of
24 interagency data, including data from the
25 United States Transportation Command, the

1 Coast Guard, the Navy, and the Bureau of
2 Transportation Statistics, for use by the Mari-
3 time Administration in evaluating the pool of
4 mariners with covered credentials;

5 (B) close any gaps identified in the evalua-
6 tion described in paragraph (3), including spe-
7 cific policy, legislative change proposals, and
8 funding requests; and

9 (C) improve United States merchant mar-
10 iner recruitment and retention.

11 (e) PROVISION OF INFORMATION.—All members of
12 the working group convened under subsection (a) shall
13 provide to the Maritime Administrator, in a timely manner
14 and in a suitable format agreed to by members, any infor-
15 mation that is needed to carry out the responsibilities
16 under subsection (d).

17 (f) REPORT.—Not later than one year after the date
18 of the enactment of this Act, the Secretary of Transpor-
19 tation shall submit to the Committee on Commerce,
20 Science, and Transportation of the Senate, the Committee
21 on Armed Services of the House of Representatives, and
22 the Committee on Transportation and Infrastructure of
23 the House of Representatives a report that contains the
24 findings and conclusions of the working group gathered

1 in the course of performing the responsibilities under sub-
2 section (d). Such report shall include each of the following:

3 (1) The number of mariners with covered cre-
4 dentials identified for each category described in
5 subparagraphs (A) through (G) of subsection (d)(2).

6 (2) The results of the evaluation under sub-
7 section (d)(3).

8 (3) The list identified under subsection (d)(4).

9 (4) The results of the assessments conducted
10 under paragraphs (5) and (8) of subsection (d).

11 (5) The recommendations made under para-
12 graphs (5) and (9) of subsection (d).

13 (6) Such other information as the working
14 group determines appropriate.

15 (g) CLASSIFIED ANNEX.—The report required under
16 this section shall be submitted in unclassified form, but
17 shall include a classified annex including the results from
18 subsection (d)(2)(G) and subsection (d)(3).

19 (h) DEFINITIONS.—In this section:

20 (1) The term “covered credential” means any
21 credential issued under part E of subtitle II of title
22 46, United States Code.

23 (2) The term “documented vessel” has the
24 meaning given the term in section 106 of title 46,
25 United States Code.

1 (3) The term “Ready Reserve Force” has the
2 meaning given the term in chapter 571 of title 46,
3 United States Code.

4 (i) SUNSET.—The Maritime Administrator shall dis-
5 band the working group upon the submission of the report
6 required under subsection (f).

7 (j) TEMPORARY REDUCTION OF LENGTHS OF CER-
8 TAIN PERIODS OF SERVICE.—For the 3-year period begin-
9 ning on the date of enactment of this Act—

10 (1) section 7307 of title 46, United States
11 Code, shall be applied by substituting “18 months”
12 for “3 years”;

13 (2) section 7308 of such title shall be applied
14 by substituting “12 months” for “18 months”; and

15 (3) section 7309 of such title shall be applied
16 by substituting “6 months” for “12 months”.

17 (k) CENTERS OF EXCELLENCE FOR DOMESTIC MARI-
18 TIME WORKFORCE TRAINING AND EDUCATION.—Section
19 51706 of title 46, United States Code, is amended—

20 (1) in subsection (a)—

21 (A) by striking “The Secretary” and in-
22 serting the following:

23 “(1) IN GENERAL.—The Secretary”;

24 (B) by inserting “, after consultation with
25 the Coast Guard,” after “Transportation”;

1 (C) by inserting “, for a 5-year period,”
2 after “designate”; and

3 (D) by adding at the end the following:

4 “(2) WITHDRAWAL OF DESIGNATION.—The
5 Secretary of Transportation may withdraw a des-
6 igation as a center of excellence for domestic mari-
7 time workforce training and education of a covered
8 training entity upon discovery of adverse informa-
9 tion, including discovery of information that the cov-
10 ered training entity has engaged in fraudulent or
11 unlawful activities, or has been subjected to discipli-
12 nary or adverse administrative action by Federal,
13 State, or other regulatory bodies.”;

14 (2) in subsection (b), by adding at the end the
15 following:

16 “(5) ELIGIBLE USES OF GRANT FUNDS.—A
17 center of excellence receiving a grant under this sub-
18 section shall—

19 “(A) carry out activities that are identified
20 as priorities for the purpose of developing, of-
21 fering, or improving educational or career train-
22 ing programs for the United States maritime
23 industry workforce; and

24 “(B) provide training to upgrade the skills
25 of the United States maritime industry work-

1 force, including training to acquire covered re-
2 quirements as well as technical skills training
3 for jobs in the United States maritime indus-
4 try.”; and

5 (3) in subsection (c)(1)—

6 (A) in subparagraph (B)(v), by striking
7 “and” after the semicolon;

8 (B) in subparagraph (C), by striking the
9 period at the end and inserting “; and”; and

10 (C) by adding at the end the following:

11 “(D) has—

12 “(i) not been subject to a disciplinary
13 or adverse administrative action by Fed-
14 eral, State, or other regulatory bodies;

15 “(ii) no unresolved nonconformities
16 from administrative audits by regulatory
17 bodies; and

18 “(iii) not been subject to any adverse
19 criminal action by a Federal, State, or
20 local law enforcement authority.”.

21 **SEC. 3535. CONSIDERATION OF LIFE-CYCLE COST ESTI-**
22 **MATES FOR ACQUISITION AND PROCURE-**
23 **MENT OF VESSELS.**

24 In carrying out the acquisition and procurement of
25 vessels in the National Defense Reserve Fleet, the Sec-

1 retary of Transportation, acting through the Adminis-
2 trator of the Maritime Administration, shall consider the
3 life-cycle cost estimates of vessels during the design and
4 evaluation processes to the maximum extent practicable.

5 **SEC. 3536. LOANS FOR RETROFITTING TO QUALIFY AS A**
6 **VESSEL OF THE UNITED STATES.**

7 (a) IN GENERAL.—Section 53706(a) of title 46,
8 United States Code, is amended by adding at the end the
9 following:

10 “(8) Financing (including reimbursement of an
11 obligor for expenditures previously made for) the re-
12 construction, reconditioning, retrofitting, repair, re-
13 configuration, or similar work in a shipyard located
14 in the United States.”.

15 (b) PROHIBITION ON USE OF APPROPRIATED
16 FUNDS.—Amounts appropriated to the Maritime Admin-
17 istration before the date of enactment of this Act shall
18 not be available to be used for the cost of loan guarantees
19 for projects receiving financing support or credit enhance-
20 ments under section 53706(a)(8) of title 46, United States
21 Code, as added by this section.

22 **SEC. 3537. ACCOUNTABILITY FOR NATIONAL MARITIME**
23 **STRATEGY.**

24 (a) BIENNIAL BRIEFING.—

1 (1) REQUIREMENT.—Not less than twice annu-
2 ally, the Administrator of the Maritime Administra-
3 tion, in consultation with the National Security
4 Council, the Secretary of State, the Secretary of
5 Transportation, and the Secretary of Homeland Se-
6 curity, shall provide to the appropriate congressional
7 committees briefings on the status of establishing
8 the type of national maritime strategy required
9 under section 50114 of title 46, United States Code.
10 The Chief of Naval Operations, the Commandant of
11 the Marine Corps, and the Commandant of the
12 Coast Guard shall participate in each briefing re-
13 quired under this paragraph.

14 (2) USE.—The Administrator shall use the
15 briefings required under paragraph (1) to augment
16 and influence the national maritime strategy discus-
17 sion with national security focused stakeholders
18 across the administration, until an updated strategy
19 is published and endorsed by the President of the
20 United States.

21 (b) ELEMENTS.—As the national maritime strategy
22 relates to national security, each briefing under subsection
23 (a) shall include the following:

24 (1) Recommendations for a whole-of-Govern-
25 ment approach to orchestrating national instruments

1 of power to shape all elements of the maritime enter-
2 prise of the United States, domestic and inter-
3 national, on the high seas or domestic waterways.

4 (2) An assessment of great power competition
5 in the maritime domain, to include opportunities for
6 increased cooperation with allied and partner global
7 maritime industry leaders to improve national ship-
8 building and shipping, while promoting the inter-
9 national rules-based maritime order.

10 (3) An analysis of existing shipyards to build
11 and capitalize on the virtuous cycle between commer-
12 cial and military shipbuilding and repair, including
13 areas of improvement.

14 (4) An analysis of opportunities for private or
15 public financing to increase the capacity, efficiency,
16 and effectiveness of United States shipyards, includ-
17 ing infrastructure, labor force, technology, and glob-
18 al competitiveness.

19 (5) An analysis of potential improvements to
20 national or cooperative arrangements for sealift ca-
21 pacity and shipping, including for contested logistics.

22 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—

23 In this section, the term “appropriate congressional com-
24 mittees” means—

25 (1) the congressional defense committees;

1 tables in this division may be transferred or repro-
 2 grammed under a transfer or reprogramming authority
 3 provided by another provision of this Act or by other law.
 4 The transfer or reprogramming of an amount specified in
 5 such funding tables shall not count against a ceiling on
 6 such transfers or reprogrammings under section 1001 of
 7 this Act or any other provision of law, unless such transfer
 8 or reprogramming would move funds between appropria-
 9 tion accounts.

10 (d) **APPLICABILITY TO CLASSIFIED ANNEX.**—This
 11 section applies to any classified annex that accompanies
 12 this Act.

13 (e) **ORAL OR WRITTEN COMMUNICATIONS.**—No oral
 14 or written communication concerning any amount speci-
 15 fied in the funding tables in this division shall supersede
 16 the requirements of this section.

17 **TITLE XLI—PROCUREMENT**

18 **SEC. 4101. PROCUREMENT.**

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
003	FUTURE UAS FAMILY	53,453	53,453
005	SMALL UNMANNED AIRCRAFT SYSTEMS	20,769	20,769
ROTARY			
006	AH-64 APACHE BLOCK IIIA REMAN	718,578	718,578
007	AH-64 APACHE BLOCK IIIA REMAN AP	110,360	110,360
008	UH-60 BLACKHAWK M MODEL (MYP)	668,258	668,258
009	UH-60 BLACKHAWK M MODEL (MYP) AP	92,494	92,494
010	UH-60 BLACK HAWK L AND V MODELS	153,196	153,196
011	CH-47 HELICOPTER	202,487	379,987
	Four Additional Aircraft		[177,500]
012	CH-47 HELICOPTER AP	18,936	41,436
	CH-47F Block II—Adv Procurement		[22,500]
012A	UH-72B LAKOTA HELICOPTER		20,000
	Two aircraft		[20,000]
MODIFICATION OF AIRCRAFT			
013	MQ-1 PAYLOAD	13,650	13,650
014	GRAY EAGLE MODS2	14,959	82,959
	Program increase		[68,000]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
016	AH-64 MODS	113,127	113,127
017	CH-47 CARGO HELICOPTER MODS (MYP)	20,689	20,689
022	UTILITY HELICOPTER MODS	35,879	53,879
	Black Hawk Mods—60kVA Generators		[15,000]
	Litter Basket Stabilization Systems		[3,000]
023	NETWORK AND MISSION PLAN	32,418	32,418
024	COMMS, NAV SURVEILLANCE	74,912	74,912
025	DEGRADED VISUAL ENVIRONMENT	16,838	16,838
026	AVIATION ASSURED PNT	67,383	67,383
027	GATM ROLLUP	8,924	8,924
029	UAS MODS	2,258	2,258
	GROUND SUPPORT AVIONICS		
030	AIRCRAFT SURVIVABILITY EQUIPMENT	161,731	156,501
	B-Kit unit cost adjustment		[-5,230]
031	SURVIVABILITY CM	6,526	6,526
032	CMWS	72,041	72,041
033	COMMON INFRARED COUNTERMEASURES (CIRCM)	261,384	261,384
	OTHER SUPPORT		
034	COMMON GROUND EQUIPMENT	25,752	25,752
035	AIRCREW INTEGRATED SYSTEMS	22,097	22,097
036	AIR TRAFFIC CONTROL	21,216	21,216
037	LAUNCHER, 2.75 ROCKET	2,125	2,125
	TOTAL AIRCRAFT PROCUREMENT, ARMY	3,012,440	3,313,210
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
001	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN	6,625	6,625
003	M-SHORAD—PROCUREMENT	400,697	390,197
	Excess fielding growth		[-10,500]
004	MSE MISSILE	1,212,832	1,212,832
006	PRECISION STRIKE MISSILE (PRSM)	384,071	377,821
	Unjustified growth: Software maintenance		[-6,250]
007	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	313,189	313,189
008	MID-RANGE CAPABILITY (MRC)	169,519	169,519
	AIR-TO-SURFACE MISSILE SYSTEM		
009	HELLFIRE SYS SUMMARY	21,976	21,976
010	JOINT AIR-TO-GROUND MSLS (JAGM)	303,409	303,409
012	LONG-RANGE HYPERSONIC WEAPON	156,821	156,821
	ANTI-TANK/ASSAULT MISSILE SYS		
013	JAVELIN (AAWS-M) SYSTEM SUMMARY	199,509	199,509
014	TOW 2 SYSTEM SUMMARY	120,475	120,475
015	GUIDED MLRS ROCKET (GMLRS)	886,367	886,367
016	GUIDED MLRS ROCKET (GMLRS)	55,913	55,913
017	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	10,334	10,334
018	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	179,230	179,230
019	ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM	7,307	7,307
	MODIFICATIONS		
021	PATRIOT MODS	212,247	212,247
022	STINGER MODS	36,484	36,484
023	AVENGER MODS	22,274	22,274
025	MLRS MODS	168,198	168,198
026	HIMARS MODIFICATIONS	76,266	76,266
	SPARES AND REPAIR PARTS		
027	SPARES AND REPAIR PARTS	6,573	6,573
	SUPPORT EQUIPMENT & FACILITIES		
028	AIR DEFENSE TARGETS	11,701	11,701
	TOTAL MISSILE PROCUREMENT, ARMY	4,962,017	4,945,267
	PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY		
	TRACKED COMBAT VEHICLES		
001	ARMORED MULTI PURPOSE VEHICLE (AMPV)	554,777	552,277
	Program decrease		[-2,500]
003	MOBILE PROTECTED FIREPOWER	394,635	386,635
	Excessive growth—systems technical support		[-8,000]
	MODIFICATION OF TRACKED COMBAT VEHICLES		
004	STRYKER UPGRADE	614,282	749,682
	Excessive growth—fleet modifications		[-4,600]
	Program increase		[140,000]
005	BRADLEY FIRE SUPPORT TEAM (BFIST) VEHICLE	5,232	5,232
006	BRADLEY PROGRAM (MOD)	158,274	217,070
	Program increase		[65,000]
	Unjustified growth: modification 7 installation		[-6,204]
007	M109 FOV MODIFICATIONS	90,986	90,986
008	PALADIN INTEGRATED MANAGEMENT (PIM)	469,152	674,152
	Program increase		[205,000]
009	IMPROVED RECOVERY VEHICLE (M88 HERCULES)	41,058	41,058
012	JOINT ASSAULT BRIDGE	159,804	159,804

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
013	ABRAMS UPGRADE PROGRAM	697,883	1,240,283
	Abrams Upgrade Predictive Maintenance (PPMX)		[10,000]
	Program increase		[532,400]
014	ABRAMS UPGRADE PROGRAM AP	102,440	102,440
WEAPONS & OTHER COMBAT VEHICLES			
016	PERSONAL DEFENSE WEAPON (ROLL)	510	510
017	M240 MEDIUM MACHINE GUN (7.62MM)	425	425
019	MACHINE GUN, CAL .50 M2 ROLL	3,420	3,420
020	MORTAR SYSTEMS	8,013	8,013
021	LOCATION & AZIMUTH DETERMINATION SYSTEM (LADS)	3,174	3,174
022	XM320 GRENADE LAUNCHER MODULE (GLM)	14,143	14,143
023	PRECISION SNIPER RIFLE	5,248	5,248
024	CARBINE	571	8,571
	Program Increase—M4 carbine upper receivers		[8,000]
025	NEXT GENERATION SQUAD WEAPON	292,850	292,850
026	HANDGUN	32	32
MOD OF WEAPONS AND OTHER COMBAT VEH			
028	M777 MODS	18,920	18,920
031	M119 MODIFICATIONS	13,097	13,097
032	MORTAR MODIFICATION	423	423
SUPPORT EQUIPMENT & FACILITIES			
033	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	1,148	1,148
034	PRODUCTION BASE SUPPORT (WOCV-WTCV)	115,024	115,024
TOTAL PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY.		3,765,521	4,704,617
PROCUREMENT OF AMMUNITION, ARMY			
SMALL/MEDIUM CAL AMMUNITION			
001	CTG, 5.56MM, ALL TYPES	90,853	90,853
002	CTG, 7.62MM, ALL TYPES	65,370	80,370
	Program increase		[15,000]
003	NEXT GENERATION SQUAD WEAPON AMMUNITION	191,244	191,244
004	CTG, HANDGUN, ALL TYPES	6,597	6,597
005	CTG, .50 CAL, ALL TYPES	41,534	64,402
	Program increase		[22,868]
006	CTG, 20MM, ALL TYPES	7,925	7,925
007	CTG, 25MM, ALL TYPES	38,760	31,503
	Excess to need		[-7,257]
008	CTG, 30MM, ALL TYPES	107,805	107,805
009	CTG, 40MM, ALL TYPES	148,970	148,970
010	CTG, 50MM, ALL TYPES	28,000	28,000
MORTAR AMMUNITION			
011	60MM MORTAR, ALL TYPES	35,160	35,160
012	81MM MORTAR, ALL TYPES	40,562	40,562
013	120MM MORTAR, ALL TYPES	106,784	106,784
TANK AMMUNITION			
014	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	300,368	300,368
ARTILLERY AMMUNITION			
015	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	21,298	21,298
016	ARTILLERY PROJECTILE, 155MM, ALL TYPES	150,839	150,839
018	PRECISION ARTILLERY MUNITIONS	96,406	96,406
019	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	172,947	172,947
MINES			
020	MINES & CLEARING CHARGES, ALL TYPES	71,182	71,182
021	CLOSE TERRAIN SHAPING OBSTACLE	55,374	55,374
ROCKETS			
022	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	18,630	18,630
023	ROCKET, HYDRA 70, ALL TYPES	87,293	87,293
OTHER AMMUNITION			
024	CAD/PAD, ALL TYPES	6,564	6,564
025	DEMOLITION MUNITIONS, ALL TYPES	24,238	24,238
026	GRENADES, ALL TYPES	48,374	48,374
027	SIGNALS, ALL TYPES	23,252	23,252
028	SIMULATORS, ALL TYPES	11,309	11,309
MISCELLANEOUS			
030	AMMO COMPONENTS, ALL TYPES	3,976	3,976
031	NON-LETHAL AMMUNITION, ALL TYPES	3,281	3,281
032	ITEMS LESS THAN \$5 MILLION (AMMO)	17,436	17,436
033	AMMUNITION PECULIAR EQUIPMENT	13,133	13,133
034	FIRST DESTINATION TRANSPORTATION (AMMO)	18,068	18,068
035	CLOSEOUT LIABILITIES	102	102
PRODUCTION BASE SUPPORT			
036	INDUSTRIAL FACILITIES	726,135	726,135
037	CONVENTIONAL MUNITIONS DEMILITARIZATION	183,752	183,752
038	ARMS INITIATIVE	4,057	4,057
TOTAL PROCUREMENT OF AMMUNITION, ARMY		2,967,578	2,998,189
OTHER PROCUREMENT, ARMY			

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
TACTICAL VEHICLES			
001	SEMITRAILERS, FLATBED:	22,751	22,751
002	SEMITRAILERS, TANKERS	40,359	40,359
003	HI MOB MULTI-PURP WHLD VEH (HMMWV)	25,904	25,904
004	GROUND MOBILITY VEHICLES (GMV)	36,223	36,223
006	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	839,413	837,318
	Unit cost increases		[-2,095]
007	TRUCK, DUMP, 20T (CCE)	20,075	35,075
	Program increase		[15,000]
008	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	110,734	110,734
009	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE	28,745	28,745
010	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	55,340	55,340
011	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	66,428	166,428
	Program increase		[100,000]
012	PLS ESP	51,868	51,868
014	TACTICAL WHEELED VEHICLE PROTECTION KITS	3,792	3,792
015	MODIFICATION OF IN SVC EQUIP	80,326	137,826
	HMMWV ABS/ESC		[57,500]
NON-TACTICAL VEHICLES			
016	PASSENGER CARRYING VEHICLES	2,203	2,203
017	NONTACTICAL VEHICLES, OTHER	8,246	8,246
COMM—JOINT COMMUNICATIONS			
018	SIGNAL MODERNIZATION PROGRAM	161,585	151,185
	Program decrease		[-10,400]
019	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	358,646	356,143
	On-the-Move Satellite Communications Terminals		[9,500]
	SATCOM obsolescence previously funded		[-12,003]
020	DISASTER INCIDENT RESPONSE COMMS TERMINAL (DI	254	254
021	JCSE EQUIPMENT (USRDECOM)	5,097	5,097
COMM—SATELLITE COMMUNICATIONS			
024	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	101,181	101,181
025	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	54,849	54,849
026	SHF TERM	41,634	41,634
027	ASSURED POSITIONING, NAVIGATION AND TIMING	202,370	202,370
028	EHF SATELLITE COMMUNICATION	19,122	19,122
030	GLOBAL BRDCST SVC—GBS	531	531
COMM—C3 SYSTEM			
031	COE TACTICAL SERVER INFRASTRUCTURE (TSD)	77,999	77,999
COMM—COMBAT COMMUNICATIONS			
032	HANDHELD MANPACK SMALL FORM FIT (HMS)	765,109	760,066
	Excess to need		[-5,043]
033	ARMY LINK 16 SYSTEMS	60,767	60,767
035	UNIFIED COMMAND SUITE	18,999	18,999
036	COTS COMMUNICATIONS EQUIPMENT	492,001	484,901
	Program decrease		[-7,100]
037	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	1,374	1,374
038	ARMY COMMUNICATIONS & ELECTRONICS	52,485	52,485
COMM—INTELLIGENCE COMM			
039	CI AUTOMATION ARCHITECTURE-INTEL	16,767	16,767
041	MULTI-DOMAIN INTELLIGENCE	119,989	119,989
INFORMATION SECURITY			
042	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	701	701
043	COMMUNICATIONS SECURITY (COMSEC)	159,712	159,712
044	DEFENSIVE CYBER OPERATIONS	13,848	13,848
045	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	1,502	1,502
047	BIOMETRIC ENABLING CAPABILITY (BEC)	453	453
COMM—LONG HAUL COMMUNICATIONS			
049	BASE SUPPORT COMMUNICATIONS	23,278	23,278
COMM—BASE COMMUNICATIONS			
050	INFORMATION SYSTEMS	32,608	32,608
051	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,949	4,949
052	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	243,011	243,011
ELECT EQUIP—TACT INT REL ACT (TIARA)			
055	JTT/CIBS-M	8,543	8,543
056	TERRESTRIAL LAYER SYSTEMS (TLS)	85,486	85,486
058	DCGS-A-INTEL	2,980	2,980
060	TROJAN	30,649	30,649
061	MOD OF IN-SVC EQUIP (INTEL SPT)	4,169	4,169
062	BIOMETRIC TACTICAL COLLECTION DEVICES	932	932
ELECT EQUIP—ELECTRONIC WARFARE (EW)			
063	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	21,278	21,278
064	AIR VIGILANCE (AV)	6,641	6,641
065	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	15,941	15,941
067	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	22,833	22,833
068	CI MODERNIZATION	434	434
ELECT EQUIP—TACTICAL SURV. (TAC SURV)			
069	SENTINEL MODS	161,886	161,886
070	NIGHT VISION DEVICES	141,143	98,722

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Conference Authorized
	Rephrase to RDT&E for IVAS 1.2 Development		[-39,137]
	Restore acquisition accountability: Government program management costs		[-3,284]
071	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	15,484	15,484
073	FAMILY OF WEAPON SIGHTS (FWS)	185,634	185,634
074	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	3,652	3,652
075	FORWARD LOOKING INFRARED (IFLIR)	20,438	20,438
076	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS)	365,376	305,376
	Execution delays		[-60,000]
077	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	215,290	210,066
	Unjustified Cost Growth—Fielding and Systems Engineering		[-5,224]
078	JOINT EFFECTS TARGETING SYSTEM (JETS)	8,932	8,932
079	COMPUTER BALLISTICS: LHMC XM32	2,965	2,965
080	MORTAR FIRE CONTROL SYSTEM	8,024	8,024
081	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	7,399	7,399
082	COUNTERFIRE RADARS	99,782	99,782
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
083	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE	78,512	78,512
084	FIRE SUPPORT C2 FAMILY	10,052	10,052
085	AIR & MSL DEFENSE PLANNING & CONTROL SYS	68,892	68,892
086	LAMD BATTLE COMMAND SYSTEM	412,556	395,456
	Excess Interim Contractor Support		[-17,100]
087	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,270	4,270
088	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	37,194	37,194
089	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	1,987	1,987
090	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)	5,318	5,318
091	MOD OF IN-SVC EQUIPMENT (ENFIRE)	4,997	4,997
	ELECT EQUIP—AUTOMATION		
092	ARMY TRAINING MODERNIZATION	10,130	10,130
093	AUTOMATED DATA PROCESSING EQUIP	61,489	61,489
094	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	4,198	4,198
096	HIGH PERF COMPUTING MOD PGM (HPCMP)	76,053	76,053
097	CONTRACT WRITING SYSTEM	6,061	6,061
098	CSS COMMUNICATIONS	56,804	56,804
	CLASSIFIED PROGRAMS		
151A	CLASSIFIED PROGRAMS	1,781	1,781
	CHEMICAL DEFENSIVE EQUIPMENT		
102	BASE DEFENSE SYSTEMS (BDS)	70,781	70,781
103	CBRN DEFENSE	63,198	63,198
	BRIDGING EQUIPMENT		
104	TACTICAL BRIDGING	1,157	1,157
105	TACTICAL BRIDGE, FLOAT-RIBBON	82,228	82,228
106	BRIDGE SUPPLEMENTAL SET	4,414	4,414
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
110	ROBOTICS AND APPLIQUE SYSTEMS	68,893	68,893
112	FAMILY OF BOATS AND MOTORS	4,785	4,785
	COMBAT SERVICE SUPPORT EQUIPMENT		
113	HEATERS AND ECUS	7,617	7,617
115	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	5,356	5,356
116	GROUND SOLDIER SYSTEM	167,129	154,262
	Excess to need		[-12,867]
117	MOBILE SOLDIER POWER	15,967	15,967
118	FORCE PROVIDER	34,200	34,200
120	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	45,792	45,792
121	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	12,118	12,118
	PETROLEUM EQUIPMENT		
123	QUALITY SURVEILLANCE EQUIPMENT	2,507	2,507
124	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	40,989	40,989
	MEDICAL EQUIPMENT		
125	COMBAT SUPPORT MEDICAL	86,829	86,829
	MAINTENANCE EQUIPMENT		
126	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	17,287	17,287
	CONSTRUCTION EQUIPMENT		
128	TRACTOR, FULL TRACKED	29,878	29,878
129	ALL TERRAIN CRANES	27,725	30,725
	FOATC Type I Cranes		[3,000]
131	FAMILY OF DIVER SUPPORT EQUIPMENT	1,811	1,811
132	CONST EQUIP ESP	8,898	8,898
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
133	ARMY WATERCRAFT ESP	30,592	30,592
134	MANEUVER SUPPORT VESSEL (MSV)	149,449	191,476
	One additional vessel		[42,027]
	GENERATORS		
136	GENERATORS AND ASSOCIATED EQUIP	78,364	78,364
137	TACTICAL ELECTRIC POWER RECAPITALIZATION	11,088	11,088
	MATERIAL HANDLING EQUIPMENT		
138	FAMILY OF FORKLIFTS	12,982	12,982
	TRAINING EQUIPMENT		
139	COMBAT TRAINING CENTERS SUPPORT	56,619	56,619

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
140	TRAINING DEVICES, NONSYSTEM	226,379	226,379
141	SYNTHETIC TRAINING ENVIRONMENT (STE)	234,965	234,965
142	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,698	9,698
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
143	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	36,149	36,149
144	TEST EQUIPMENT MODERNIZATION (TEMOD)	32,623	32,623
	OTHER SUPPORT EQUIPMENT		
145	PHYSICAL SECURITY SYSTEMS (OPA3)	132,739	132,739
146	BASE LEVEL COMMON EQUIPMENT	34,460	34,460
147	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	35,239	35,239
148	BUILDING, PRE-FAB, RELOCATABLE	31,011	31,011
149	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	52,481	52,481
	OPA2		
151	INITIAL SPARES—C&E	9,169	9,169
	TOTAL OTHER PROCUREMENT, ARMY	8,672,979	8,725,753
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	F/A-18E/F (FIGHTER) HORNET	41,329	41,329
002	JOINT STRIKE FIGHTER CV	2,410,569	2,382,069
	Flyaway unit cost growth		[-28,500]
003	JOINT STRIKE FIGHTER CV AP	189,425	189,425
004	JSF STOVL	2,126,317	2,083,651
	Flyaway unit cost growth		[-42,666]
005	JSF STOVL AP	193,125	193,125
006	CH-53K (HEAVY LIFT)	1,698,050	1,698,050
007	CH-53K (HEAVY LIFT) AP	456,567	456,567
008	V-22 (MEDIUM LIFT)	27,216	162,216
	Program increase—one additional CMV-22 aircraft		[135,000]
009	H-1 UPGRADES (UH-1Y/AH-1Z)	4,292	4,292
010	P-8A POSEIDON	31,257	391,257
	Two additional aircraft		[360,000]
011	E-2D ADV HAWKEYE	182,817	620,817
	Two additional aircraft		[438,000]
	TRAINER AIRCRAFT		
013	MULTI-ENGINE TRAINING SYSTEM (METS)	289,141	289,141
	OTHER AIRCRAFT		
015	KC-130J	241,291	241,291
017	MQ-4 TRITON	416,010	416,010
019	MQ-8 UAV	1,546	1,546
021	MQ-25	545,697	346,697
	Scheduling delays		[-199,000]
022	MQ-25 AP	50,576	37,976
	Scheduling delays		[-12,600]
023	MARINE GROUP 5 UAS	89,563	86,063
	Ancillary Equipment carryover		[-3,500]
023A	UC-12W		45,000
	USMC UPL—2 additional aircraft		[45,000]
	MODIFICATION OF AIRCRAFT		
024	F-18 A-D UNIQUE	116,551	116,551
025	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM	605,416	605,416
026	MARINE GROUP 5 UAS SERIES	98,063	98,063
027	AEA SYSTEMS	24,110	24,110
028	AV-8 SERIES	22,829	22,829
029	INFRARED SEARCH AND TRACK (IRST)	179,193	179,193
030	ADVERSARY	69,336	69,336
031	F-18 SERIES	640,236	634,424
	F/A-18 C/D/E/F and EA-18G training equipment previously funded		[-5,812]
032	H-53 SERIES	41,414	41,414
033	MH-60 SERIES	106,495	106,495
034	H-1 SERIES	114,284	124,284
	UH-1Y—SIEPU Upgrades		[10,000]
035	EP-3 SERIES	8,548	8,548
036	E-2 SERIES	183,246	183,246
037	TRAINER A/C SERIES	16,376	16,376
039	C-130 SERIES	198,220	194,193
	Technical insertion (OSIP 019-14) Block 7 GPE unjustified growth		[-4,027]
040	FEWSG	651	651
041	CARGO/TRANSPORT A/C SERIES	13,930	13,930
042	E-6 SERIES	164,571	164,571
043	EXECUTIVE HELICOPTERS SERIES	60,498	60,498
044	T-45 SERIES	170,357	170,357
045	POWER PLANT CHANGES	21,079	21,079
046	JPATS SERIES	28,005	28,005
048	COMMON ECM EQUIPMENT	53,614	53,614
049	COMMON AVIONICS CHANGES	136,199	136,199
050	COMMON DEFENSIVE WEAPON SYSTEM	6,585	6,585
051	ID SYSTEMS	13,085	13,085

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
052	P-8 SERIES	316,168	316,168
053	MAGTF EW FOR AVIATION	24,901	24,901
054	MQ-8 SERIES	14,700	14,700
055	V-22 (TILT/ROTOR ACFT) OSPREY	215,997	226,887
	V-22 Nacelle Improvement		[10,890]
056	NEXT GENERATION JAMMER (NGJ)	426,396	423,876
	Contract savings		[-2,520]
057	F-35 STOVL SERIES	311,921	311,921
058	F-35 CV SERIES	166,909	166,909
059	QRC	28,206	28,206
060	MQ-4 SERIES	93,951	90,163
	OSIP (003-23) previously funded		[-3,788]
	AIRCRAFT SPARES AND REPAIR PARTS		
062	SPARES AND REPAIR PARTS	2,451,244	2,451,244
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
063	COMMON GROUND EQUIPMENT	566,156	561,156
	Program decrease		[-5,000]
064	AIRCRAFT INDUSTRIAL FACILITIES	133,815	133,815
065	WAR CONSUMABLES	44,632	44,632
066	OTHER PRODUCTION CHARGES	49,907	49,907
067	SPECIAL SUPPORT EQUIPMENT	404,178	384,850
	Flyaway unit cost growth		[-19,328]
	TOTAL AIRCRAFT PROCUREMENT, NAVY	17,336,760	18,008,909
	WEAPONS PROCUREMENT, NAVY		
	BALLISTIC MISSILES		
001	CONVENTIONAL PROMPT STRIKE	341,434	256,076
	Early to need		[-85,358]
	MODIFICATION OF MISSILES		
002	TRIDENT II MODS	1,284,705	1,284,705
	SUPPORT EQUIPMENT & FACILITIES		
003	MISSILE INDUSTRIAL FACILITIES	7,954	7,954
	STRATEGIC MISSILES		
004	TOMAHAWK	72,908	72,908
	TACTICAL MISSILES		
005	AMRAAM	439,153	439,153
006	SIDEWINDER	78,165	75,306
	AUR Block II unit cost increase		[-2,859]
007	STANDARD MISSILE	969,525	969,525
008	STANDARD MISSILE AP	227,320	227,320
009	SMALL DIAMETER BOMB II	65,863	64,497
	AUR unit cost growth		[-1,366]
010	RAM	114,896	114,896
011	JOINT AIR GROUND MISSILE (JAGM)	79,292	79,292
012	HELLFIRE	6,923	6,923
013	AERIAL TARGETS	176,588	176,588
014	OTHER MISSILE SUPPORT	3,687	3,687
015	LRASM	639,636	639,636
016	NAVAL STRIKE MISSILE (NSM)	29,925	29,925
017	NAVAL STRIKE MISSILE (NSM) AP	5,755	5,755
	MODIFICATION OF MISSILES		
018	TOMAHAWK MODS	540,944	508,455
	Contract award delays		[-32,489]
019	ESSM	290,129	290,129
020	AARGM-ER	162,429	162,429
021	AARGM-ER AP	33,273	33,273
022	STANDARD MISSILES MODS	89,255	89,255
	SUPPORT EQUIPMENT & FACILITIES		
023	WEAPONS INDUSTRIAL FACILITIES	2,037	2,037
	ORDNANCE SUPPORT EQUIPMENT		
025	ORDNANCE SUPPORT EQUIPMENT	208,154	208,154
	TORPEDOES AND RELATED EQUIP		
026	SSTD	4,830	4,830
027	MK-48 TORPEDO	308,497	308,497
028	ASW TARGETS	14,817	14,817
	MOD OF TORPEDOES AND RELATED EQUIP		
029	MK-54 TORPEDO MODS	104,086	104,086
030	MK-48 TORPEDO ADCAP MODS	20,714	20,714
031	MARITIME MINES	58,800	58,800
	SUPPORT EQUIPMENT		
032	TORPEDO SUPPORT EQUIPMENT	133,187	133,187
033	ASW RANGE SUPPORT	4,146	4,146
	DESTINATION TRANSPORTATION		
034	FIRST DESTINATION TRANSPORTATION	5,811	5,811
	GUNS AND GUN MOUNTS		
035	SMALL ARMS AND WEAPONS	14,165	14,165
	MODIFICATION OF GUNS AND GUN MOUNTS		
036	CIWS MODS	4,088	4,088

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
037	COAST GUARD WEAPONS	55,172	55,172
038	GUN MOUNT MODS	82,682	82,682
039	LCS MODULE WEAPONS	3,264	3,264
040	AIRBORNE MINE NEUTRALIZATION SYSTEMS	14,357	14,357
	SPARES AND REPAIR PARTS		
042	SPARES AND REPAIR PARTS	177,819	177,819
	TOTAL WEAPONS PROCUREMENT, NAVY	6,876,385	6,754,313
	PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	43,519	38,893
	O2181 laser guided bombs contract award delay		[-4,626]
002	JDAM	73,689	73,689
003	AIRBORNE ROCKETS, ALL TYPES	67,423	62,228
	MK 66 rocket motor unit cost growth		[-5,195]
004	MACHINE GUN AMMUNITION	11,862	11,862
005	PRACTICE BOMBS	52,481	46,325
	01050 BLU-109 contract award delay		[-6,156]
006	CARTRIDGES & CART ACTUATED DEVICES	72,426	72,426
007	AIR EXPENDABLE COUNTERMEASURES	104,529	104,529
008	JATOS	7,433	7,433
009	5 INCH/54 GUN AMMUNITION	30,871	25,841
	Insufficient justification		[-5,030]
010	INTERMEDIATE CALIBER GUN AMMUNITION	41,261	41,261
011	OTHER SHIP GUN AMMUNITION	44,044	44,044
012	SMALL ARMS & LANDING PARTY AMMO	48,478	48,478
013	PYROTECHNIC AND DEMOLITION	9,521	9,521
014	AMMUNITION LESS THAN \$5 MILLION	1,679	1,679
015	EXPEDITIONARY LOITERING MUNITIONS	249,575	299,575
	Goalkeeper		[50,000]
	MARINE CORPS AMMUNITION		
016	MORTARS	61,274	61,274
017	DIRECT SUPPORT MUNITIONS	73,338	73,338
018	INFANTRY WEAPONS AMMUNITION	178,240	176,255
	AB39, CTG. 7.62 millimeter MK 316 mod contract award delay		[-602]
	Excess to need: Cartridge, caliber 50 4 API MS/1 API-T M20 linked		[-157]
	Excess to need: Cartridge, Caliber 50 Linked MK322 Mod 1/Ball (1000m cap)		[-1,226]
019	COMBAT SUPPORT MUNITIONS	15,897	15,897
020	AMMO MODERNIZATION	17,941	17,941
021	ARTILLERY MUNITIONS	82,452	82,452
022	ITEMS LESS THAN \$5 MILLION	5,340	5,340
	TOTAL PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS.	1,293,273	1,320,281
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
001	OHIO REPLACEMENT SUBMARINE	2,443,598	2,443,598
002	OHIO REPLACEMENT SUBMARINE AP	3,390,734	3,390,734
	OTHER WARSHIPS		
003	CARRIER REPLACEMENT PROGRAM	1,115,296	1,115,296
004	CVN-81	800,492	800,492
005	VIRGINIA CLASS SUBMARINE	7,129,965	7,129,965
006	VIRGINIA CLASS SUBMARINE AP	3,215,539	3,215,539
008	CVN REFUELING OVERHAULS AP	817,646	802,988
	Excess growth		[-14,658]
009	DDG 1000	410,400	410,400
010	DDG-51	4,199,179	4,199,179
011	DDG-51 AP	284,035	784,035
	Program increase		[500,000]
013	FFG-FRIGATE	2,173,698	2,163,698
	Insufficient justification		[-10,000]
	AMPHIBIOUS SHIPS		
014	LPD FLIGHT II		1,000,000
	Program increase for LPD-33—USMC UFR		[1,000,000]
018	LHA REPLACEMENT	1,830,149	1,830,149
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
021	AS SUBMARINE TENDER	1,733,234	248,000
	Late contract award		[-1,485,234]
022	TAO FLEET OILER	815,420	815,420
025	LCU 1700	62,532	62,532
026	OUTFITTING	557,365	539,681
	Outfitting early to need		[-17,684]
028	SERVICE CRAFT	63,815	93,815
	Yard, Repair, Berthing, and Messing Barge		[30,000]
029	AUXILIARY PERSONNEL LIGHTER		72,000
	Additional APL-67 class berthing barge		[72,000]
030	LCAC SLEP	15,286	15,286
031	AUXILIARY VESSELS (USED SEALIFT)	142,008	142,008

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
032	COMPLETION OF PY SHIPBUILDING PROGRAMS	1,648,559	1,648,559
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	32,848,950	32,923,374
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	SURFACE POWER EQUIPMENT	14,003	14,003
	GENERATORS		
002	SURFACE COMBATANT HM&E	105,441	100,100
	DDG 51 ship control system cost growth		[-5,341]
	NAVIGATION EQUIPMENT		
003	OTHER NAVIGATION EQUIPMENT	110,286	110,286
	OTHER SHIPBOARD EQUIPMENT		
004	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	262,951	262,951
005	DDG MOD	628,532	637,532
	Navy Common Actuator		[9,000]
006	FIREFIGHTING EQUIPMENT	34,782	34,782
007	COMMAND AND CONTROL SWITCHBOARD	2,458	2,458
008	LHA/LHD MIDLIFE	104,369	104,369
009	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	10,529	10,529
010	POLLUTION CONTROL EQUIPMENT	23,272	23,272
011	SUBMARINE SUPPORT EQUIPMENT	112,526	112,526
012	VIRGINIA CLASS SUPPORT EQUIPMENT	32,076	32,076
013	LCS CLASS SUPPORT EQUIPMENT	18,832	18,832
014	SUBMARINE BATTERIES	28,221	28,221
015	LPD CLASS SUPPORT EQUIPMENT	91,890	85,274
	HWISW obsolescence installation cost growth		[-6,616]
016	DDG 1000 CLASS SUPPORT EQUIPMENT	232,124	294,024
	Navy UPL		[61,900]
017	STRATEGIC PLATFORM SUPPORT EQUIP	25,058	25,058
018	DSSP EQUIPMENT	4,623	4,623
020	LCAC	10,794	10,794
021	UNDERWATER EOD EQUIPMENT	19,549	19,549
022	ITEMS LESS THAN \$5 MILLION	86,001	86,001
023	CHEMICAL WARFARE DETECTORS	3,288	3,288
	REACTOR PLANT EQUIPMENT		
024	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	2,746,313	2,746,313
025	REACTOR POWER UNITS	2,016	2,016
026	REACTOR COMPONENTS	390,148	390,148
	OCEAN ENGINEERING		
027	DIVING AND SALVAGE EQUIPMENT	18,086	18,086
	SMALL BOATS		
028	STANDARD BOATS	74,963	83,963
	40-foot Patrol Boats		[9,000]
	PRODUCTION FACILITIES EQUIPMENT		
029	OPERATING FORCES IPE	187,495	187,495
	OTHER SHIP SUPPORT		
030	LCS COMMON MISSION MODULES EQUIPMENT	49,060	49,060
031	LCS MCM MISSION MODULES	93,961	79,670
	Excess to need		[-14,291]
033	LCS SUW MISSION MODULES	12,102	12,102
034	LCS IN-SERVICE MODERNIZATION	171,704	154,674
	Excessive cost growth		[-17,030]
035	SMALL & MEDIUM UUV	61,951	61,951
	LOGISTIC SUPPORT		
036	LSD MIDLIFE & MODERNIZATION	7,594	7,594
	SHIP SONARS		
037	SPQ-9B RADAR	7,267	7,267
038	AN/SQQ-89 SURF ASW COMBAT SYSTEM	138,065	138,065
039	SSN ACOUSTIC EQUIPMENT	463,577	463,577
040	UNDERSEA WARFARE SUPPORT EQUIPMENT	23,452	23,452
	ASW ELECTRONIC EQUIPMENT		
041	SUBMARINE ACOUSTIC WARFARE SYSTEM	46,726	46,726
042	SSTD	14,560	14,560
043	FIXED SURVEILLANCE SYSTEM	420,069	420,069
044	SURTASS	33,910	33,910
	ELECTRONIC WARFARE EQUIPMENT		
045	AN/SLQ-32	329,513	329,513
	RECONNAISSANCE EQUIPMENT		
046	SHIPBOARD IW EXPLOIT	379,230	362,305
	Excessive cost growth		[-16,925]
047	AUTOMATED IDENTIFICATION SYSTEM (AIS)	4,082	4,082
	OTHER SHIP ELECTRONIC EQUIPMENT		
048	COOPERATIVE ENGAGEMENT CAPABILITY	37,677	37,677
049	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	15,374	15,374
050	ATDLS	50,148	50,148
051	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,918	3,918
052	MINESWEEPING SYSTEM REPLACEMENT	16,814	16,814
054	NAVSTAR GPS RECEIVERS (SPACE)	37,319	37,319

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
055	AMERICAN FORCES RADIO AND TV SERVICE	2,750	2,750
056	STRATEGIC PLATFORM SUPPORT EQUIP	6,437	6,437
	AVIATION ELECTRONIC EQUIPMENT		
057	ASHORE ATC EQUIPMENT	89,237	89,237
058	AFLOAT ATC EQUIPMENT	90,487	88,369
	Excessive cost growth		[-2,118]
059	ID SYSTEMS	59,234	59,234
060	JOINT PRECISION APPROACH AND LANDING SYSTEM	3,343	3,343
061	NAVAL MISSION PLANNING SYSTEMS	39,180	39,180
	OTHER SHORE ELECTRONIC EQUIPMENT		
062	MARITIME INTEGRATED BROADCAST SYSTEM	6,994	6,994
063	TACTICAL/MOBILE C4I SYSTEMS	52,026	52,026
064	DCGS-N	16,579	16,579
065	CANES	467,587	467,587
066	RADLAC	16,475	16,475
067	CANES-INTELL	48,207	48,207
068	GPETE	25,761	25,761
069	MASF	16,475	16,475
070	INTEG COMBAT SYSTEM TEST FACILITY	6,345	6,345
071	EMI CONTROL INSTRUMENTATION	4,282	4,282
073	IN-SERVICE RADARS AND SENSORS	255,256	240,256
	Insufficient justification		[-15,000]
	SHIPBOARD COMMUNICATIONS		
074	BATTLE FORCE TACTICAL NETWORK	74,180	74,180
075	SHIPBOARD TACTICAL COMMUNICATIONS	29,776	29,776
076	SHIP COMMUNICATIONS AUTOMATION	96,916	96,916
077	COMMUNICATIONS ITEMS UNDER \$5M	14,107	14,107
	SUBMARINE COMMUNICATIONS		
078	SUBMARINE BROADCAST SUPPORT	73,791	73,791
079	SUBMARINE COMMUNICATION EQUIPMENT	83,178	83,178
	SATELLITE COMMUNICATIONS		
080	SATELLITE COMMUNICATIONS SYSTEMS	72,871	72,871
081	NAVY MULTIBAND TERMINAL (NMT)	37,921	37,921
	SHORE COMMUNICATIONS		
082	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,065	5,065
	CRYPTOGRAPHIC EQUIPMENT		
083	INFO SYSTEMS SECURITY PROGRAM (ISSP)	154,890	154,890
084	MIO INTEL EXPLOITATION TEAM	1,079	1,079
	CRYPTOLOGIC EQUIPMENT		
085	CRYPTOLOGIC COMMUNICATIONS EQUIP	17,483	17,483
	OTHER ELECTRONIC SUPPORT		
086	COAST GUARD EQUIPMENT	77,458	77,458
	SONOBUOYS		
088	SONOBUOYS—ALL TYPES	311,177	311,177
	AIRCRAFT SUPPORT EQUIPMENT		
089	MINOTAUR	5,396	5,396
090	WEAPONS RANGE SUPPORT EQUIPMENT	147,556	147,556
091	AIRCRAFT SUPPORT EQUIPMENT	162,273	162,273
092	ADVANCED ARRESTING GEAR (AAG)	11,930	11,930
093	ELECTROMAGNETIC AIRCRAFT LAUNCH SYSTEM (EMALS)	17,836	17,836
094	METEOROLOGICAL EQUIPMENT	19,703	19,703
095	LEGACY AIRBORNE MCM	12,202	12,202
097	AVIATION SUPPORT EQUIPMENT	82,115	82,115
098	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	152,687	152,687
099	ARCHITECT & CAP FOR AUTONOMY IN NAV ENTER	1,612	1,612
	SHIP GUN SYSTEM EQUIPMENT		
100	SHIP GUN SYSTEMS EQUIPMENT	6,404	6,404
	SHIP MISSILE SYSTEMS EQUIPMENT		
101	HARPOON SUPPORT EQUIPMENT	227	227
102	SHIP MISSILE SUPPORT EQUIPMENT	294,511	294,511
103	TOMAHAWK SUPPORT EQUIPMENT	92,432	92,432
	FBM SUPPORT EQUIPMENT		
104	STRATEGIC MISSILE SYSTEMS EQUIP	325,318	325,318
	ASW SUPPORT EQUIPMENT		
105	SSN COMBAT CONTROL SYSTEMS	133,063	133,063
106	ASW SUPPORT EQUIPMENT	27,469	27,469
	OTHER ORDNANCE SUPPORT EQUIPMENT		
107	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	27,864	27,864
108	ITEMS LESS THAN \$5 MILLION	6,171	6,171
	OTHER EXPENDABLE ORDNANCE		
109	ANTI-SHIP MISSILE DECOY SYSTEM	56,630	56,630
110	SUBMARINE TRAINING DEVICE MODS	76,954	76,954
111	SURFACE TRAINING EQUIPMENT	209,487	209,487
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
112	PASSENGER CARRYING VEHICLES	3,827	3,827
113	GENERAL PURPOSE TRUCKS	4,570	4,570
114	CONSTRUCTION & MAINTENANCE EQUIP	56,829	56,829
115	FIRE FIGHTING EQUIPMENT	16,583	16,583

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SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
116	TACTICAL VEHICLES	24,236	24,236
117	AMPHIBIOUS EQUIPMENT	4,504	4,504
118	POLLUTION CONTROL EQUIPMENT	3,898	3,898
119	ITEMS LESS THAN \$5 MILLION	67,286	67,286
120	PHYSICAL SECURITY VEHICLES	1,286	1,286
	SUPPLY SUPPORT EQUIPMENT		
121	SUPPLY EQUIPMENT	33,258	33,258
122	FIRST DESTINATION TRANSPORTATION	6,977	6,977
123	SPECIAL PURPOSE SUPPLY SYSTEMS	659,529	659,529
	TRAINING DEVICES		
124	TRAINING SUPPORT EQUIPMENT	2,083	2,083
125	TRAINING AND EDUCATION EQUIPMENT	106,542	106,542
	COMMAND SUPPORT EQUIPMENT		
126	COMMAND SUPPORT EQUIPMENT	44,448	44,448
127	MEDICAL SUPPORT EQUIPMENT	12,529	12,529
129	NAVAL MIP SUPPORT EQUIPMENT	5,408	5,408
130	OPERATING FORCES SUPPORT EQUIPMENT	12,105	12,105
131	C4ISR EQUIPMENT	7,670	7,670
132	ENVIRONMENTAL SUPPORT EQUIPMENT	52,597	52,597
133	PHYSICAL SECURITY EQUIPMENT	108,901	108,901
134	ENTERPRISE INFORMATION TECHNOLOGY	42,154	42,154
	OTHER		
139	NEXT GENERATION ENTERPRISE SERVICE	177,585	177,585
140	CYBERSPACE ACTIVITIES	23,176	23,176
	CLASSIFIED PROGRAMS		
143A	CLASSIFIED PROGRAMS	16,290	17,990
	Program increase		[1,700]
	SPARES AND REPAIR PARTS		
142	SPARES AND REPAIR PARTS	645,900	645,900
143	VIRGINIA CLASS (VA CL) SPARES AND REPAIR PARTS	470,000	470,000
	TOTAL OTHER PROCUREMENT, NAVY	14,535,257	14,539,536
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	3,353	3,353
002	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	557,564	554,064
	Unjustified growth—Program Management		[-3,500]
003	LAV PIP	42,052	42,052
	ARTILLERY AND OTHER WEAPONS		
004	155MM LIGHTWEIGHT TOWED HOWITZER	489	489
005	ARTILLERY WEAPONS SYSTEM	165,268	165,268
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	14,004	14,004
	GUIDED MISSILES		
007	TOMAHAWK	105,192	105,192
008	NAVAL STRIKE MISSILE (NSM)	169,726	169,726
009	NAVAL STRIKE MISSILE (NSM) AP	39,244	39,244
010	GROUND BASED AIR DEFENSE	249,103	253,603
	Program increase		[4,500]
011	ANTI-ARMOR MISSILE-JAVELIN	54,883	54,883
012	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	23,627	23,627
013	ANTI-ARMOR MISSILE-TOW	2,007	2,007
014	GUIDED MLRS ROCKET (GMLRS)	8,867	8,867
	COMMAND AND CONTROL SYSTEMS		
015	COMMON AVIATION COMMAND AND CONTROL SYSTEM	75,382	72,908
	Unjustified fielding growth		[-2,474]
	REPAIR AND TEST EQUIPMENT		
016	REPAIR AND TEST EQUIPMENT	53,590	53,590
	OTHER SUPPORT (TEL)		
017	MODIFICATION KITS	1,782	1,782
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
018	ITEMS UNDER \$5 MILLION (COMM & ELEC)	122,917	118,038
	SBNVG unit cost growth		[-4,879]
019	AIR OPERATIONS C2 SYSTEMS	23,744	23,744
	RADAR + EQUIPMENT (NON-TEL)		
020	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	66,291	66,291
	INTELL/COMM EQUIPMENT (NON-TEL)		
021	ELECTRO MAGNETIC SPECTRUM OPERATIONS (EMSO)	177,270	177,270
022	GCSS-MC	4,144	4,144
023	FIRE SUPPORT SYSTEM	58,483	58,483
024	INTELLIGENCE SUPPORT EQUIPMENT	148,062	148,062
026	UNMANNED AIR SYSTEMS (INTEL)	52,273	48,909
	Unit cost growth		[-3,364]
027	DCGS-MC	68,289	73,389
	USMC UPL #5		[5,100]
028	UAS PAYLOADS	19,088	19,088
	OTHER SUPPORT (NON-TEL)		
031	EXPEDITIONARY SUPPORT EQUIPMENT	2,010	2,010
032	MARINE CORPS ENTERPRISE NETWORK (MCEN)	259,044	244,479

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
	Network transport excess growth		[-14,565]
033	COMMON COMPUTER RESOURCES	27,966	27,966
034	COMMAND POST SYSTEMS	71,109	69,151
	Unit cost growth		[-1,958]
035	RADIO SYSTEMS	544,059	504,327
	Unexecutable growth		[-39,732]
036	COMM SWITCHING & CONTROL SYSTEMS	46,276	46,276
037	COMM & ELEC INFRASTRUCTURE SUPPORT	27,111	27,111
038	CYBERSPACE ACTIVITIES	27,583	27,583
040	UNMANNED EXPEDITIONARY SYSTEMS	13,564	13,564
	CLASSIFIED PROGRAMS		
057A	CLASSIFIED PROGRAMS	2,799	2,799
	ADMINISTRATIVE VEHICLES		
043	COMMERCIAL CARGO VEHICLES	34,169	34,169
	TACTICAL VEHICLES		
044	MOTOR TRANSPORT MODIFICATIONS	17,299	17,299
045	JOINT LIGHT TACTICAL VEHICLE	232,501	232,501
046	TRAILERS	2,034	2,034
	ENGINEER AND OTHER EQUIPMENT		
047	TACTICAL FUEL SYSTEMS	12,956	12,956
048	POWER EQUIPMENT ASSORTED	28,899	28,899
049	AMPHIBIOUS SUPPORT EQUIPMENT	15,691	15,691
050	EOD SYSTEMS	41,200	41,200
	MATERIALS HANDLING EQUIPMENT		
051	PHYSICAL SECURITY EQUIPMENT	53,949	53,949
	GENERAL PROPERTY		
052	FIELD MEDICAL EQUIPMENT	5,457	5,457
053	TRAINING DEVICES	96,577	96,577
054	FAMILY OF CONSTRUCTION EQUIPMENT	29,883	29,883
055	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	17,034	17,034
	OTHER SUPPORT		
056	ITEMS LESS THAN \$5 MILLION	27,691	27,691
	SPARES AND REPAIR PARTS		
057	SPARES AND REPAIR PARTS	35,657	35,657
	TOTAL PROCUREMENT, MARINE CORPS	3,979,212	3,918,340
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC OFFENSIVE		
001	B-21 RAIDER	1,617,093	1,617,093
002	B-21 RAIDER AP	708,000	708,000
	TACTICAL FORCES		
003	F-35	4,877,121	4,773,381
	Flyaway unit cost growth		[-103,740]
004	F-35 AP	402,000	402,000
005	F-15EX	2,670,039	2,442,861
	Other support costs unjustified growth		[-26,730]
	Technical realignment		[-200,448]
006	F-15EX AP	228,000	228,000
	TACTICAL AIRLIFT		
007	KC-46A MDAP	2,882,590	2,835,019
	Commodities activation excess to need		[-41,000]
	Cost overestimation: Other government costs		[-6,571]
	OTHER AIRLIFT		
008	C-130J	34,921	34,921
	HELICOPTERS		
011	MH-139A	228,807	228,807
012	COMBAT RESCUE HELICOPTER	282,533	379,749
	Obsolescence ahead of need		[-22,784]
	Program increase—two aircraft		[120,000]
	MISSION SUPPORT AIRCRAFT		
013	CIVIL AIR PATROL A/C	3,013	11,900
	Program increase		[8,887]
	OTHER AIRCRAFT		
015	TARGET DRONES	42,226	42,226
017	E-11 BACN/HAG	67,367	67,367
	STRATEGIC AIRCRAFT		
019	B-2A	107,980	104,380
	Excess to need: IFF transponder		[-3,600]
020	B-1B	12,757	9,782
	Technical realignment		[-2,975]
021	B-52	65,815	48,599
	Cost overestimation: Tactical data links program support		[-3,199]
	Technical realignment		[-14,017]
022	LARGE AIRCRAFT INFRARED COUNTERMEASURES	21,723	21,723
	TACTICAL AIRCRAFT		
024	E-11 BACN/HAG	58,923	58,923
025	F-15	34,830	155,278
	Technical realignment		[120,448]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
026	F-16	297,342	360,743
	Comms suite upgrade installation delays		[-5,454]
	Comms suite upgrade kits previously funded		[-5,705]
	IVEWS restoration		[100,000]
	SLEP costs previously funded		[-25,440]
027	F-22A	794,676	359,679
	Sensor enhancement delays		[-434,997]
028	F-35 MODIFICATIONS	451,798	451,798
029	F-15 EPAW	280,658	264,977
	SEPM unjustified growth		[-15,681]
	AIRLIFT AIRCRAFT		
031	C-5	24,377	24,377
032	C-17A	140,560	140,560
033	C-32A	19,060	19,060
034	C-37A	13,454	13,454
	TRAINER AIRCRAFT		
035	GLIDER MODS	5,270	5,270
036	T-6	2,942	2,942
037	T-1	10,950	10,950
038	T-38	125,340	125,340
	OTHER AIRCRAFT		
040	U-2 MODS	54,727	54,727
042	C-12	446	446
044	VC-25A MOD	29,707	29,707
045	C-40	8,921	8,921
046	C-130	71,177	91,177
	iMAFFS		[20,000]
047	C-130J MODS	121,258	121,258
048	C-135	153,595	153,595
049	COMPASS CALL	144,686	194,686
	SABER integration on EC-37B aircraft		[50,000]
050	COMBAT FLIGHT INSPECTION—CFIN	446	446
051	RC-135	220,138	220,138
052	E-3	1,350	1,350
053	E-4	13,055	13,055
056	H-1	816	816
057	H-60	4,207	4,207
060	HC/MC-130 MODIFICATIONS	101,055	101,055
061	OTHER AIRCRAFT	54,134	73,403
	Technical realignment		[11,619]
	Technical realignment—Sentinel Aircraft Procurement		[7,650]
062	MQ-9 MODS	98,063	98,063
064	SENIOR LEADER C3 SYSTEM—AIRCRAFT	24,847	24,847
065	CV-22 MODS	153,006	153,006
	AIRCRAFT SPARES AND REPAIR PARTS		
066	INITIAL SPARES/REPAIR PARTS	781,521	772,877
	Technical realignment		[-8,644]
	COMMON SUPPORT EQUIPMENT		
067	AIRCRAFT REPLACEMENT SUPPORT EQUIP	157,664	157,664
	POST PRODUCTION SUPPORT		
068	B-2A	1,838	1,838
069	B-2B	15,207	15,207
072	MC-130J	10,117	10,117
074	F-16	1,075	1,075
075	F-22A	38,418	38,418
	INDUSTRIAL PREPAREDNESS		
079	INDUSTRIAL RESPONSIVENESS	18,874	18,874
	WAR CONSUMABLES		
080	WAR CONSUMABLES	27,482	27,482
	OTHER PRODUCTION CHARGES		
081	OTHER PRODUCTION CHARGES	1,478,044	1,295,035
	DAF requested realignment of funds		[80,000]
	Excess to need		[-229,400]
	T-7A depot activation ahead of need		[-33,609]
	CLASSIFIED PROGRAMS		
083A	CLASSIFIED PROGRAMS	17,165	17,165
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	20,315,204	19,649,814
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	69,319	69,319
	BALLISTIC MISSILES		
003	GROUND BASED STRATEGIC DETERRENT AP	539,300	539,300
	STRATEGIC		
004	LONG RANGE STAND-OFF WEAPON	66,816	66,816
	TACTICAL		
005	REPLAC EQUIP & WAR CONSUMABLES	37,318	37,318
006	JOINT AIR-SURFACE STANDOFF MISSILE	915,996	915,996

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
007	JOINT AIR-SURFACE STANDOFF MISSILE AP	769,672	769,672
008	JOINT STRIKE MISSILE	161,011	161,011
009	LRASMO	87,796	87,796
010	LRASMO AP	99,871	99,871
011	SIDEWINDER (AIM-9X)	95,643	95,643
012	AMRAAM	489,049	489,049
013	AMRAAM AP	212,410	212,410
014	PREDATOR HELLFIRE MISSILE	1,049	1,049
015	SMALL DIAMETER BOMB	48,734	48,734
016	SMALL DIAMETER BOMB II	291,553	291,553
017	STAND-IN ATTACK WEAPON (SIAW)	41,947	41,947
	INDUSTRIAL FACILITIES		
018	INDUSTRIAL PREPAREDNESS/POL PREVENTION	793	793
	CLASS IV		
019	ICBM FUZE MOD	115,745	115,745
020	ICBM FUZE MOD AP	43,044	43,044
021	MM III MODIFICATIONS	48,639	48,639
022	AIR LAUNCH CRUISE MISSILE (ALCM)	41,494	41,494
	MISSILE SPARES AND REPAIR PARTS		
023	MSL SPRS/REPAIR PARTS (INITIAL)	6,840	6,840
024	MSL SPRS/REPAIR PARTS (REPLEN)	75,191	75,191
	SPECIAL PROGRAMS		
029	SPECIAL UPDATE PROGRAMS	419,498	419,498
	CLASSIFIED PROGRAMS		
029A	CLASSIFIED PROGRAMS	851,718	851,718
	TOTAL MISSILE PROCUREMENT, AIR FORCE	5,530,446	5,530,446
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	18,483	18,483
	CARTRIDGES		
002	CARTRIDGES	101,104	100,604
	Small cal/ground munitions—(A143) 7.62MM ball linked unit cost adjustment		[-500]
	BOMBS		
004	GENERAL PURPOSE BOMBS	142,118	127,263
	Previously funded items		[-14,855]
005	MASSIVE ORDNANCE PENETRATOR (MOP)	14,074	1,250
	Unjustified request		[-12,824]
006	JOINT DIRECT ATTACK MUNITION	132,364	128,487
	PSC other government costs unjustified growth		[-3,877]
007	B-61	68	68
008	B61-12 TRAINER	10,100	10,100
	OTHER ITEMS		
009	CAD/PAD	51,487	51,487
010	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,707	6,707
011	SPARES AND REPAIR PARTS	585	585
013	FIRST DESTINATION TRANSPORTATION	2,299	2,299
014	ITEMS LESS THAN \$5,000,000	5,115	5,115
	FLARES		
015	EXPENDABLE COUNTERMEASURES	79,786	79,786
	FUZES		
016	FUZES	109,562	109,562
	SMALL ARMS		
017	SMALL ARMS	29,306	29,306
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	703,158	671,102
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
001	AF SATELLITE COMM SYSTEM	64,345	64,345
003	COUNTERSPACE SYSTEMS	52,665	52,665
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	25,057	25,057
005	FABT FORCE ELEMENT TERMINAL	121,634	121,634
007	GENERAL INFORMATION TECH—SPACE	3,451	3,451
008	GPSIII FOLLOW ON	119,700	70,400
	Request for Equitable Adjustment		[-49,300]
009	GPS III SPACE SEGMENT	121,770	103,670
	Unjustified growth SV 03-10 production		[-18,100]
010	GLOBAL POSITIONING (SPACE)	893	893
011	HERITAGE TRANSITION	6,110	6,110
012	JOINT TACTICAL GROUND STATIONS	580	580
013	SPACEBORNE EQUIP (COMSEC)	83,168	83,168
014	MILSATCOM	44,672	44,672
015	SBIR HIGH (SPACE)	39,438	39,438
016	SPECIAL SPACE ACTIVITIES	840,913	380,213
	Space Force realignment of funds		[-497,000]
	Space Force Unfunded Priorities List Classified Program A		[36,300]
017	MOBILE USER OBJECTIVE SYSTEM	101,147	101,147
018	NATIONAL SECURITY SPACE LAUNCH	2,142,846	2,142,846

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
020	PTES HUB	56,482	56,482
021	ROCKET SYSTEMS LAUNCH PROGRAM	74,848	74,848
022	SPACE DEVELOPMENT AGENCY LAUNCH	529,468	529,468
023	SPACE MODS	166,596	166,596
024	SPACELIFT RANGE SYSTEM SPACE	114,505	114,505
	SPARES		
025	SPARES AND REPAIR PARTS	906	906
	SUPPORT EQUIPMENT		
026	POWER CONDITIONING EQUIPMENT	3,100	3,100
	TOTAL PROCUREMENT, SPACE FORCE	4,714,294	4,186,194
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	6,123	6,123
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	3,961	3,961
003	CAP VEHICLES	1,027	1,027
004	CARGO AND UTILITY VEHICLES	45,036	47,338
	Technical realignment		[2,302]
	SPECIAL PURPOSE VEHICLES		
005	JOINT LIGHT TACTICAL VEHICLE	57,780	51,721
	Utility unjustified unit cost growth		[-6,059]
006	SECURITY AND TACTICAL VEHICLES	390	390
007	SPECIAL PURPOSE VEHICLES	79,023	82,803
	Technical realignment		[3,780]
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	70,252	70,252
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	73,805	75,895
	Technical realignment		[2,090]
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	22,030	22,030
011	BASE MAINTENANCE SUPPORT VEHICLES	223,354	240,634
	Technical realignment		[17,280]
	COMM SECURITY EQUIPMENT(COMSEC)		
013	COMSEC EQUIPMENT	98,600	98,600
	INTELLIGENCE PROGRAMS		
015	INTERNATIONAL INTEL TECH & ARCHITECTURES	5,393	5,393
016	INTELLIGENCE TRAINING EQUIPMENT	5,012	5,012
017	INTELLIGENCE COMM EQUIPMENT	40,042	40,042
	ELECTRONICS PROGRAMS		
018	AIR TRAFFIC CONTROL & LANDING SYS	67,581	67,581
019	NATIONAL AIRSPACE SYSTEM	3,841	3,841
020	BATTLE CONTROL SYSTEM—FIXED	1,867	1,867
022	3D EXPEDITIONARY LONG-RANGE RADAR	83,735	83,735
023	WEATHER OBSERVATION FORECAST	28,530	28,530
024	STRATEGIC COMMAND AND CONTROL	73,593	73,593
025	CHEYENNE MOUNTAIN COMPLEX	8,221	8,221
026	MISSION PLANNING SYSTEMS	17,078	17,078
029	STRATEGIC MISSION PLANNING & EXECUTION SYSTEM	3,861	3,861
	SPCL COMM-ELECTRONICS PROJECTS		
030	GENERAL INFORMATION TECHNOLOGY	206,142	212,093
	Insufficient justification		[-25,000]
	Technical realignment		[30,951]
031	AF GLOBAL COMMAND & CONTROL SYS	2,582	2,582
032	BATTLEFIELD AIRBORNE CONTROL NODE (BACN)	30	30
033	MOBILITY COMMAND AND CONTROL	3,768	3,768
034	AIR FORCE PHYSICAL SECURITY SYSTEM	208,704	208,704
035	COMBAT TRAINING RANGES	346,340	343,290
	Unit cost growth: P6CTS		[-3,050]
036	MINIMUM ESSENTIAL EMERGENCY COMM N	84,102	84,102
037	WIDE AREA SURVEILLANCE (WAS)	11,594	11,594
038	C3 COUNTERMEASURES	148,818	148,818
044	AIR & SPACE OPERATIONS CENTER (AOC)	5,032	5,032
	AIR FORCE COMMUNICATIONS		
046	BASE INFORMATION TRANSPT INFRAST (BITI) WIRED	108,532	322,704
	Technical realignment		[214,172]
047	AFNET	154,911	152,618
	Insufficient justification		[-2,293]
048	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,381	5,381
049	USCENTCOM	18,025	18,025
050	USSTRATCOM	4,436	4,436
051	USSPACECOM	27,073	27,073
	ORGANIZATION AND BASE		
052	TACTICAL C-E EQUIPMENT	226,819	226,819
053	RADIO EQUIPMENT	30,407	30,407
054	BASE COMM INFRASTRUCTURE	113,563	113,563
	MODIFICATIONS		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
055	COMM ELECT MODS	98,224	115,224
	NORTHCOM UPL—Over the Horizon Radar Acceleration		[17,000]
	PERSONAL SAFETY & RESCUE EQUIP		
056	PERSONAL SAFETY AND RESCUE EQUIPMENT	60,473	60,473
	DEPOT PLANT+MTRLS HANDLING EQ		
057	POWER CONDITIONING EQUIPMENT	9,235	9,235
058	MECHANIZED MATERIAL HANDLING EQUIP	15,662	15,662
	BASE SUPPORT EQUIPMENT		
059	BASE PROCURED EQUIPMENT	77,875	77,875
060	ENGINEERING AND EOD EQUIPMENT	280,734	293,968
	DAF requested realignment of funds from OMAF SAG 11R		[5,950]
	Recovery of Air Bases Denied by Ordnance Program		[5,000]
	Technical realignment		[2,284]
061	MOBILITY EQUIPMENT	207,071	232,271
	Technical realignment		[25,200]
062	FUELS SUPPORT EQUIPMENT (FSE)	218,790	208,336
	All Terrain Berm Storage System schedule discrepancies		[-7,215]
	Fuel storage bladder unjustified unit cost growth		[-3,239]
063	BASE MAINTENANCE AND SUPPORT EQUIPMENT	51,914	51,914
	SPECIAL SUPPORT PROJECTS		
065	DARP RC135	28,882	28,882
066	DCGS-AF	129,655	129,655
070	SPECIAL UPDATE PROGRAM	1,042,833	1,042,833
	CLASSIFIED PROGRAMS		
072A	CLASSIFIED PROGRAMS	25,456,490	25,456,490
	SPARES AND REPAIR PARTS		
071	SPARES AND REPAIR PARTS (CYBER)	1,032	1,032
072	SPARES AND REPAIR PARTS	12,628	12,628
	TOTAL OTHER PROCUREMENT, AIR FORCE	30,417,892	30,697,045
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, SDA		
001	MAJOR EQUIPMENT, DPAA	516	516
002	MAJOR EQUIPMENT, OSD	186,006	186,006
	MAJOR EQUIPMENT, DISA		
011	INFORMATION SYSTEMS SECURITY	12,275	12,275
012	TELEPORT PROGRAM	42,399	42,399
014	ITEMS LESS THAN \$5 MILLION	47,538	47,538
015	DEFENSE INFORMATION SYSTEM NETWORK	39,472	39,472
016	WHITE HOUSE COMMUNICATION AGENCY	118,523	118,523
017	SENIOR LEADERSHIP ENTERPRISE	94,591	94,591
018	JOINT REGIONAL SECURITY STACKS (JRSS)	22,714	22,714
019	JOINT SERVICE PROVIDER	107,637	97,637
	Insufficient justification		[-10,000]
020	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	33,047	33,047
	MAJOR EQUIPMENT, DLA		
028	MAJOR EQUIPMENT	30,355	30,355
	MAJOR EQUIPMENT, DCSA		
029	MAJOR EQUIPMENT	2,135	2,135
	MAJOR EQUIPMENT, TJS		
030	MAJOR EQUIPMENT, TJS	3,747	3,747
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
031	THAAD	216,782	316,782
	6 additional THAAD Interceptors		[100,000]
033	AEGIS BMD	374,756	374,756
035	BMDS AN/TPY-2 RADARS	29,108	29,108
036	SM-3 IILAS	432,824	432,824
037	ARROW 3 UPPER TIER SYSTEMS	80,000	80,000
038	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	40,000	40,000
039	DEFENSE OF GUAM PROCUREMENT	169,627	169,627
040	AEGIS ASHORE PHASE III	2,390	2,390
041	IRON DOME	80,000	80,000
042	AEGIS BMD HARDWARE AND SOFTWARE	27,825	27,825
	MAJOR EQUIPMENT, DHRA		
043	PERSONNEL ADMINISTRATION	3,704	3,704
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
046	VEHICLES	366	366
047	OTHER MAJOR EQUIPMENT	12,787	12,787
048	DTRA CYBER ACTIVITIES	21,413	21,413
	MAJOR EQUIPMENT, DODEA		
049	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,358	1,358
	MAJOR EQUIPMENT, DMAC		
050	MAJOR EQUIPMENT	13,012	13,012
	MAJOR EQUIPMENT, USCYBERCOM		
051	CYBERSPACE OPERATIONS	129,082	129,082
	CLASSIFIED PROGRAMS		
	UNDISTRIBUTED		
073A	CLASSIFIED PROGRAMS	658,529	658,529

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
AVIATION PROGRAMS			
053	ARMED OVERWATCH/TARGETING	266,846	266,846
054	MANNED ISR	7,000	7,000
055	MC-12	600	600
057	ROTARY WING UPGRADES AND SUSTAINMENT	261,012	256,012
	Underexecution		[-5,000]
058	UNMANNED ISR	26,997	26,997
059	NON-STANDARD AVIATION	25,782	21,782
	Theater Basing Initiatives excess to need		[-4,000]
060	U-28	7,198	7,198
061	MH-47 CHINOOK	149,883	149,883
062	CV-22 MODIFICATION	75,981	75,981
063	MQ-9 UNMANNED AERIAL VEHICLE	17,684	17,684
064	PRECISION STRIKE PACKAGE	108,497	108,497
065	AC/MC-130J	319,754	319,754
066	C-130 MODIFICATIONS	18,796	18,796
SHIPBUILDING			
067	UNDERWATER SYSTEMS	66,111	73,111
	Deep Submergence Collective Propulsion		[7,000]
AMMUNITION PROGRAMS			
068	ORDNANCE ITEMS <\$5M	147,831	147,831
OTHER PROCUREMENT PROGRAMS			
069	INTELLIGENCE SYSTEMS	203,400	203,400
070	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,718	5,718
071	OTHER ITEMS <\$5M	108,816	106,316
	Program decrease		[-2,500]
072	COMBATANT CRAFT SYSTEMS	55,064	55,064
073	SPECIAL PROGRAMS	20,412	20,412
074	TACTICAL VEHICLES	56,561	56,561
075	WARRIOR SYSTEMS <\$5M	329,837	370,437
	USSOCOM UPL—Counter Uncrewed Aerial Systems (CUAS) Group 3 Defeat Acceleration.		[40,600]
076	COMBAT MISSION REQUIREMENTS	4,987	4,987
077	OPERATIONAL ENHANCEMENTS INTELLIGENCE	23,639	23,639
078	OPERATIONAL ENHANCEMENTS	322,341	322,341
CBDP			
079	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	159,884	159,884
080	CB PROTECTION & HAZARD MITIGATION	231,826	231,826
	TOTAL PROCUREMENT, DEFENSE-WIDE	6,056,975	6,183,075
NATIONAL GUARD AND RESERVE EQUIPMENT			
UNDISTRIBUTED			
006	UNDISTRIBUTED		100,000
	Program increase		[100,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		100,000
	TOTAL PROCUREMENT	167,988,341	169,169,465

1 **TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

2 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2024 Request	Conference Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
BASIC RESEARCH				
001	0601102A	DEFENSE RESEARCH SCIENCES	296,670	301,670
		AI-Enhanced Quantum Computing		[5,000]
002	0601103A	UNIVERSITY RESEARCH INITIATIVES	75,672	75,672
003	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	108,946	110,946
		Hypervelocity research and testing		[2,000]
004	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,459	5,459

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Conference Authorized
005	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH.	10,708	10,708
		SUBTOTAL BASIC RESEARCH	497,455	504,455
		APPLIED RESEARCH		
006	0602002A	ARMY AGILE INNOVATION AND DEVELOPMENT-APPLIED RESEARCH.	5,613	5,613
008	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	6,242	6,242
009	0602141A	LETHALITY TECHNOLOGY	85,578	95,578
		Armaments technology for unmanned systems		[2,500]
		Convergent Advanced Manufacturing for Extreme Environments		[2,500]
		Critical energetic materials chemistries		[2,500]
		Universal Nanocrystalline Alloys Lethality		[2,500]
010	0602142A	ARMY APPLIED RESEARCH	34,572	34,572
011	0602143A	SOLDIER LETHALITY TECHNOLOGY	104,470	124,970
		Airborne Pathfinder		[8,000]
		Body armor research		[2,500]
		Digital night vision technology		[5,000]
		Pathfinder program		[2,500]
		Wafer-Level Vacuum Packaging (WLVP) of Microbolometers		[2,500]
012	0602144A	GROUND TECHNOLOGY	60,005	85,505
		Cold weather research		[2,500]
		Critical hybrid advanced materials processing		[5,000]
		Engineered repair materials for roadways		[3,000]
		Polar proving ground and training program		[5,000]
		Titanium metal powder production technology		[10,000]
013	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	166,500	180,500
		Fuel cells for next generation combat vehicles		[3,500]
		High Mobility Multipurpose Wheeled Vehicle (HMMWD – Humvee) Gunner Restraint System (GRS).		[500]
		Hydrogen fuel source research and development		[10,000]
014	0602146A	NETWORK C3I TECHNOLOGY	81,618	86,618
		Intelligent Resilience of Communications Signals		[2,500]
		Secure Microelectronic Interposer Technology		[2,500]
015	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	34,683	37,183
		Additive manufacturing for low-cost missile applications		[2,500]
016	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	73,844	76,344
		eVTOL power source development		[2,500]
017	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	33,301	60,801
		Counter-Unmanned Aircraft Systems technology		[5,000]
		High energy laser enabling and support technology		[2,500]
		High energy Laser in a Box		[20,000]
018	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES.	24,142	24,142
019	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH	14,297	14,297
020	0602182A	C3I APPLIED RESEARCH	30,659	30,659
021	0602183A	AIR PLATFORM APPLIED RESEARCH	48,163	49,663
		Unmanned aerial and ground sensor network		[1,500]
022	0602184A	SOLDIER APPLIED RESEARCH	18,986	18,986
023	0602213A	C3I APPLIED CYBER	22,714	22,714
024	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH	16,736	16,736
025	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	19,969	19,969
026	0602787A	MEDICAL TECHNOLOGY	66,266	76,166
		Precision Medicine for Bone Injuries		[4,900]
		Preventing trauma-related stress disorder		[5,000]
		SUBTOTAL APPLIED RESEARCH	948,358	1,067,258
		ADVANCED TECHNOLOGY DEVELOPMENT		
027	0603002A	MEDICAL ADVANCED TECHNOLOGY	4,147	12,147
		Hearing Protections Communications		[8,000]
028	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	16,316	16,316
029	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION	23,156	23,156
030	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES.	13,187	18,187
		Tactical artificial intelligence and machine learning		[5,000]
031	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY	33,332	33,332
032	0603042A	C3I ADVANCED TECHNOLOGY	19,225	19,225
033	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY	14,165	14,165
034	0603044A	SOLDIER ADVANCED TECHNOLOGY	1,214	1,214
036	0603116A	LETHALITY ADVANCED TECHNOLOGY	20,582	17,755
		Program decrease		[-2,827]
037	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	136,280	136,280
038	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	102,778	105,278
		Autonomous Long Range Resupply		[2,500]
039	0603119A	GROUND ADVANCED TECHNOLOGY	40,597	48,097
		Advanced composites and multi-material protective systems		[5,000]
		Research supporting rapid entry in Arctic conditions		[2,500]

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Line	Program Element	Item	FY 2024 Request	Conference Authorized
040	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	21,672	21,672
041	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH.	59,871	59,871
042	0603457A	C3I CYBER ADVANCED DEVELOPMENT	28,847	28,847
043	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	255,772	255,772
044	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY.	217,394	234,894
		Advanced Manufacturing Center of Excellence		[12,500]
		Next Generation Combat Vehicle Advanced Technology (Silent Watch Hydrogen Fuel Cell).		[5,000]
045	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	105,549	105,549
046	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	153,024	188,024
		Aluminum-Lithium Alloy Solid Rocket Motor		[5,000]
		Maneuvering Submunitions for Precision Strike Missile		[5,000]
		Missile Virtual Interactive Testbeds And Labs		[5,000]
		XM1155 Glide Flight Projectile		[20,000]
047	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	158,795	173,795
		Additive manufacturing		[10,000]
		Next Generation Vertical Takeoff and Landing Concepts for Unmanned Aircraft.		[5,000]
048	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	21,015	23,515
		SHORAD S&T Engineering and Integration (SSEI) Lab		[2,500]
049	0603920A	HUMANITARIAN DEMINING	9,068	23,000
		Program increase		[13,932]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	1,455,986	1,560,091
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
051	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	12,904	32,904
		Artificial Intelligence Decision Aids for All Domain Operations		[5,000]
		Capability for Advanced Protective Technologies Assessment and Integration (CAPTAIN).		[8,000]
		Integrated Environmental Control and Power		[5,000]
		Resilient Position, Navigation, and Timing Development (PNT)		[2,000]
052	0603308A	ARMY SPACE SYSTEMS INTEGRATION	19,120	24,120
		Essential Multi-Function Multi-Mission Payload Development		[5,000]
054	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	47,537	47,537
055	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	91,323	91,323
056	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	43,026	43,026
057	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	3,550	3,550
058	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV.	65,567	65,567
059	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	73,675	73,675
060	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	31,720	34,220
		Program decrease		[-2,500]
		Underwater Cut and Capture Demonstration		[5,000]
061	0603790A	NATO RESEARCH AND DEVELOPMENT	4,143	4,143
062	0603801A	AVIATION—ADV DEV	1,502,160	1,500,804
		FARA—Excess to need		[-13,356]
		Modular Communication, Command, and Control Suite (MC3—Suite)		[12,000]
063	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	7,604	7,604
064	0603807A	MEDICAL SYSTEMS—ADV DEV	1,602	1,602
065	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	27,681	25,825
		Excessive growth—Program management		[-1,333]
		Slow expenditure rate—Advance Development		[-523]
066	0604017A	ROBOTICS DEVELOPMENT	3,024	3,024
067	0604019A	EXPANDED MISSION AREA MISSILE (EMAM)	97,018	97,018
068	0604020A	CROSS FUNCTIONAL TEAM (CFT) ADVANCED DEVELOPMENT & PROTOTYPING.	117,557	117,557
069	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	38,851	38,851
070	0604036A	MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV	191,394	191,394
071	0604037A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV.	10,626	10,626
072	0604100A	ANALYSIS OF ALTERNATIVES	11,095	11,095
073	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	5,144	5,144
074	0604103A	ELECTRONIC WARFARE PLANNING AND MANAGEMENT TOOL (EWPMT).	2,260	2,260
075	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS).	53,143	53,143
076	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	816,663	816,663
077	0604115A	TECHNOLOGY MATURATION INITIATIVES	281,314	281,314
078	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	281,239	273,994
		Delayed expenditure—contract award delay		[-7,245]
079	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING.	204,914	204,914
080	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT) ..	40,930	40,930

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081	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING.	109,714	109,714
082	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	16,426	16,426
083	0604135A	STRATEGIC MID-RANGE FIRES	31,559	31,559
084	0604182A	HYPERSONICS	43,435	43,435
085	0604403A	FUTURE INTERCEPTOR	8,040	8,040
086	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT.	64,242	64,242
087	0604541A	UNIFIED NETWORK TRANSPORT	40,915	40,915
9999	9999999999	CLASSIFIED PROGRAMS	19,200	19,200
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	4,420,315	4,437,358
SYSTEM DEVELOPMENT & DEMONSTRATION				
091	0604201A	AIRCRAFT AVIONICS	13,673	13,673
092	0604270A	ELECTRONIC WARFARE DEVELOPMENT	12,789	12,789
093	0604601A	INFANTRY SUPPORT WEAPONS	64,076	64,076
094	0604604A	MEDIUM TACTICAL VEHICLES	28,226	3,226
		Program decrease		[-25,000]
095	0604611A	JAVELIN	7,827	7,827
096	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	44,197	44,197
097	0604633A	AIR TRAFFIC CONTROL	1,134	1,134
		Integrated Mission Planning & Airspace Control Tools (IMPACT)		[10,000]
098	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	142,125	142,125
099	0604642A	LIGHT TACTICAL WHEELED VEHICLES	53,564	9,671
		Incomplete development goals		[-43,893]
100	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	102,201	102,201
101	0604710A	NIGHT VISION SYSTEMS—ENG DEV	48,720	82,829
		Rephase from Procurement for IVAS 1.2 development		[39,137]
		Slow expenditure—Joint Effects Targetting System (JETS)		[-5,028]
102	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,223	2,223
103	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	21,441	21,441
104	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	74,738	84,738
		Software Integration Digital Eco-system		[10,000]
105	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	30,985	30,985
106	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	13,626	13,626
107	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV.	8,802	8,802
108	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	20,828	20,828
109	0604802A	WEAPONS AND MUNITIONS—ENG DEV	243,851	253,851
		Long Range Precision Guidance Kit		[10,000]
110	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	37,420	42,420
		Ultra-Lightweight Camouflage Net System		[5,000]
111	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV.	34,214	34,214
112	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	6,496	6,496
113	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	13,581	13,581
114	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	168,574	168,574
115	0604820A	RADAR DEVELOPMENT	94,944	94,944
116	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GPEBS)	2,965	2,965
117	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	11,333	11,333
118	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD.	79,250	78,050
		Maintain program management level of effort		[-1,200]
119	0604854A	ARTILLERY SYSTEMS—EMD	42,490	42,490
120	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	104,024	104,024
121	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A).	102,084	102,084
123	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	18,662	18,662
124	0605031A	JOINT TACTICAL NETWORK (JTN)	30,328	30,328
125	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	11,509	11,509
126	0605036A	COMBATING WEAPONS OF MASS DESTRUCTION (CWMD)	1,050	1,050
128	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	27,714	27,714
129	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	4,318	4,318
130	0605047A	CONTRACT WRITING SYSTEM	16,355	16,355
131	0605049A	MISSILE WARNING SYSTEM MODERNIZATION (MWSM)	27,571	27,571
132	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	24,900	24,900
133	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1.	196,248	196,248
134	0605053A	GROUND ROBOTICS	35,319	35,319
135	0605054A	EMERGING TECHNOLOGY INITIATIVES	201,274	149,834
		Program decrease		[-51,440]
137	0605144A	NEXT GENERATION LOAD DEVICE—MEDIUM	36,970	36,970
139	0605148A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) EMD	132,136	132,136

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140	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	81,657	81,657
141	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	31,284	27,361
		Unjustified growth		[-3,923]
142	0605206A	CI AND HUMINT EQUIPMENT PROGRAM-ARMY (CIHEP-A) ..	2,170	2,170
143	0605216A	JOINT TARGETING INTEGRATED COMMAND AND COORDI- NATION SUITE (JTIC2S).	9,290	9,290
144	0605224A	MULTI-DOMAIN INTELLIGENCE	41,003	41,003
146	0605231A	PRECISION STRIKE MISSILE (PRSM)	272,786	272,786
147	0605232A	HYPERSONICS EMD	900,920	900,920
148	0605233A	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	27,361	27,361
149	0605235A	STRATEGIC MID-RANGE CAPABILITY	348,855	348,855
150	0605236A	INTEGRATED TACTICAL COMMUNICATIONS	22,901	22,901
151	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	3,014	3,014
152	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	284,095	284,095
153	0605531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS SYS DEV & DEMONSTRATION.	36,016	36,016
154	0605625A	MANNED GROUND VEHICLE	996,653	875,753
		OMFV slow expenditure		[-120,900]
155	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	15,129	15,129
156	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH. Slow expenditure	27,243	26,143
				[-1,100]
157	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,167	1,167
158	0303032A	TROJAN—RH12	3,879	3,879
159	0304270A	ELECTRONIC WARFARE DEVELOPMENT	137,186	137,186
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	5,639,364	5,461,017
		MANAGEMENT SUPPORT		
160	0604256A	THREAT SIMULATOR DEVELOPMENT	38,492	38,492
161	0604258A	TARGET SYSTEMS DEVELOPMENT	11,873	21,873
		Program increase		[5,000]
		U.S. Replacement for Foreign Engines for Aerial Targets		[5,000]
162	0604759A	MAJOR T&E INVESTMENT	76,167	76,167
163	0605103A	RAND ARROYO CENTER	37,078	37,078
164	0605301A	ARMY KWAJALEIN ATOLL	314,872	314,872
165	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	95,551	95,551
167	0605601A	ARMY TEST RANGES AND FACILITIES	439,118	439,118
168	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TAR- GETS. Rapid Assurance Modernization Program	42,220	47,220
				[5,000]
169	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	37,518	37,518
170	0605606A	AIRCRAFT CERTIFICATION	2,718	2,718
172	0605706A	MATERIEL SYSTEMS ANALYSIS	26,902	26,902
173	0605709A	EXPLOITATION OF FOREIGN ITEMS	7,805	7,805
174	0605712A	SUPPORT OF OPERATIONAL TESTING	75,133	75,133
175	0605716A	ARMY EVALUATION CENTER	71,118	71,118
176	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	11,204	11,204
177	0605801A	PROGRAMWIDE ACTIVITIES	93,895	93,895
178	0605803A	TECHNICAL INFORMATION ACTIVITIES	31,327	31,327
179	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY.	50,409	50,409
180	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUP- PORT	1,629	1,629
181	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	55,843	55,843
182	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE.	91,340	91,340
183	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	6,348	6,348
185	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	6,025	6,025
		SUBTOTAL MANAGEMENT SUPPORT	1,624,585	1,639,585
		OPERATIONAL SYSTEMS DEVELOPMENT		
187	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	14,465	14,465
188	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	7,472	7,472
189	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS.	8,425	8,425
190	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	1,507	23,007
		Program increase		[21,500]
191	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	9,265	21,765
		714C Engine Enhancement		[7,500]
		Program increase		[5,000]
192	0607139A	IMPROVED TURBINE ENGINE PROGRAM	201,247	191,062
		Excessive growth—Government Planning		[-1,721]
		Slow expenditure rate		[-8,464]
193	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT.	3,014	3,014
194	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	25,393	25,393

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195	0607145A	APACHE FUTURE DEVELOPMENT	10,547	18,047
		Apache future development program increase		[7,500]
196	0607148A	AN/TPQ-53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM.	54,167	54,167
197	0607150A	INTEL CYBER DEVELOPMENT	4,345	4,345
198	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	19,000	19,000
199	0607313A	ELECTRONIC WARFARE DEVELOPMENT	6,389	6,389
200	0607315A	ENDURING TURBINE ENGINES AND POWER SYSTEMS	2,411	2,411
201	0607665A	FAMILY OF BIOMETRICS	797	797
202	0607865A	PATRIOT PRODUCT IMPROVEMENT	177,197	177,197
203	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs).	42,177	42,177
204	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	146,635	224,490
		Abrams Modernization Program		[88,300]
		Slow expenditure—Stryker Combat Vehicle Improvement Program		[-10,445]
205	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	122,902	110,802
		Excess growth—ERCA range prototype build		[-5,900]
		Slow expenditure—Extended Range Cannon Artillery		[-6,200]
207	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.	146	146
208	0203758A	DIGITIZATION	1,515	1,515
209	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM.	4,520	4,520
210	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	10,044	10,044
211	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	281	281
212	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	75,952	75,952
213	0208053A	JOINT TACTICAL GROUND SYSTEM	203	203
216	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	301	301
217	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	15,323	15,323
218	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	13,082	13,082
219	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	26,838	26,838
222	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	9,456	9,456
225	0305219A	MQ-1C GRAY EAGLE UAS	6,629	6,629
227	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	75,317	85,317
		Additive manufacturing expansion		[10,000]
9999	9999999999	CLASSIFIED PROGRAMS	8,786	8,786
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	1,105,748	1,212,818
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
228	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT.	83,570	83,570
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	83,570	83,570
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	15,775,381	15,966,152
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	96,355	106,355
		Defense University Research Instrumentation Program (DURIP)		[10,000]
002	0601153N	DEFENSE RESEARCH SCIENCES	540,908	543,908
		Hypersonic research initiatives		[3,000]
		SUBTOTAL BASIC RESEARCH	637,263	650,263
		APPLIED RESEARCH		
003	0602114N	POWER PROJECTION APPLIED RESEARCH	23,982	23,982
004	0602123N	FORCE PROTECTION APPLIED RESEARCH	142,148	144,648
		Cavitation erosion research		[2,500]
005	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	59,208	68,708
		Unmanned logistics solutions		[9,500]
006	0602235N	COMMON PICTURE APPLIED RESEARCH	52,090	52,090
007	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	74,722	77,722
		Research on foreign malign influence operations		[3,000]
008	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	92,473	92,473
009	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH.	80,806	89,806
		Continuous distributed sensing systems		[4,000]
		Intelligent Autonomous Systems for Seabed Warfare		[5,000]
010	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	7,419	7,419
011	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	61,503	74,003
		Academic Partnerships for Submarine & Undersea Vehicle Research & Manufacturing.		[10,000]
		Undersea Sensing and Communications		[2,500]
012	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	182,662	182,662

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013	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH.	30,435	30,435
014	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH.	133,828	133,828
015	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	85,063	85,063
		SUBTOTAL APPLIED RESEARCH	1,026,339	1,062,839
		ADVANCED TECHNOLOGY DEVELOPMENT		
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	29,512	29,512
017	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,418	8,418
018	0603273N	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS.	112,329	112,329
019	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) .. Adaptive Future Force	308,217	331,217
		Hardware In the Loop capabilities		[5,000]
		Long Range Maneuvering Projectile		[8,000]
				[10,000]
020	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	15,556	15,556
021	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	264,700	267,200
		Automated acoustic signal classifier		[2,500]
022	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	61,843	61,843
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	5,100	6,600
		Balloon catheter hemorrhage control device		[1,500]
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.	75,898	75,898
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	2,048	2,048
026	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	132,931	134,431
		HEL weapon system		[1,500]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	1,016,552	1,045,052
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603128N	UNMANNED AERIAL SYSTEM	108,225	105,053
		ILS support previously funded		[-3,172]
028	0603178N	LARGE UNMANNED SURFACE VEHICLES (LUSV)	117,400	117,400
029	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	40,653	43,653
		Autonomous surface and underwater dual-modality vehicles		[3,000]
030	0603216N	AVIATION SURVIVABILITY	20,874	20,874
031	0603239N	NAVAL CONSTRUCTION FORCES	7,821	7,821
032	0603254N	ASW SYSTEMS DEVELOPMENT	17,090	17,090
033	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,721	3,721
034	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	6,216	9,216
		Tier 2.5 LO Inspection Technology		[3,000]
035	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.	34,690	34,690
036	0603506N	SURFACE SHIP TORPEDO DEFENSE	730	730
037	0603512N	CARRIER SYSTEMS DEVELOPMENT	6,095	6,095
038	0603525N	PILOT FISH	916,208	916,208
039	0603527N	RETRACT LARCH	7,545	7,545
040	0603536N	RETRACT JUNIPER	271,109	271,109
041	0603542N	RADIOLOGICAL CONTROL	811	811
042	0603553N	SURFACE ASW	1,189	1,189
043	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	88,415	88,415
044	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	15,119	15,119
045	0603563N	SHIP CONCEPT ADVANCED DESIGN	89,939	96,939
		Support for Additive Manufacturing		[7,000]
046	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	121,402	126,402
		Ship Concept Advanced Design		[5,000]
047	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	319,656	319,656
048	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	133,911	138,911
		Support Shipboard Distribution of High-Power Energy		[5,000]
049	0603576N	CHALK EAGLE	116,078	116,078
050	0603581N	LITTORAL COMBAT SHIP (LCS)	32,615	32,615
051	0603582N	COMBAT SYSTEM INTEGRATION	18,610	18,610
052	0603595N	OHIO REPLACEMENT	257,076	267,076
		Rapid composites		[10,000]
053	0603596N	LCS MISSION MODULES	31,464	31,464
054	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	10,809	10,809
055	0603599N	FRIGATE DEVELOPMENT	112,972	110,172
		Live fire test and evaluation early to need		[-2,800]
056	0603609N	CONVENTIONAL MUNITIONS	9,030	9,030
057	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	128,782	119,189
		Slow expenditure		[-9,593]

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058	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT ...	44,766	44,766
059	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	10,751	10,751
060	0603721N	ENVIRONMENTAL PROTECTION	24,457	24,457
061	0603724N	NAVY ENERGY PROGRAM	72,214	77,214
		Marine Energy Systems for Sensors and Microgrids		[5,000]
062	0603725N	FACILITIES IMPROVEMENT	10,149	10,149
063	0603734N	CHALK CORAL	687,841	522,841
		Program decrease		[-165,000]
064	0603739N	NAVY LOGISTIC PRODUCTIVITY	4,712	4,712
065	0603746N	RETRACT MAPLE	420,455	420,455
066	0603748N	LINK PLUMERIA	2,100,474	2,050,474
		Project 2937: Unjustified requirements		[-50,000]
067	0603751N	RETRACT ELM	88,036	88,036
068	0603764M	LINK EVERGREEN	547,005	547,005
069	0603790N	NATO RESEARCH AND DEVELOPMENT	6,265	6,265
070	0603795N	LAND ATTACK TECHNOLOGY	1,624	1,624
071	0603851M	JOINT NON-LETHAL WEAPONS TESTING	31,058	31,058
072	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS— DEM/VAL	22,590	22,590
073	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	52,129	52,129
074	0604014N	F/A -18 INFRARED SEARCH AND TRACK (IRST)	32,127	32,127
075	0604027N	DIGITAL WARFARE OFFICE	181,001	181,001
076	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES ..	110,506	93,991
		Medusa unexecutable contract award date		[-16,515]
077	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES ..	71,156	71,156
078	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEM- ONSTRATION.	214,100	214,100
079	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	6,900	6,900
080	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	118,182	118,182
082	0604127N	SURFACE MINE COUNTERMEASURES	16,127	16,127
083	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTER- MEASURES (TADIRCM).	34,684	34,684
084	0604289M	NEXT GENERATION LOGISTICS	5,991	5,991
085	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	2,100	2,100
086	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	131,763	131,763
087	0604454N	LX (R)	21,319	21,319
088	0604536N	ADVANCED UNDERSEA PROTOTYPING	104,328	82,603
		Program delays		[-21,725]
089	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	11,567	11,567
090	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM ..	5,976	195,976
		SLCM-N		[190,000]
091	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITEC- TURE/ENGINEERING SUPPORT.	9,993	9,993
092	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOP- MENT.	237,655	237,655
093	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVS))	85,800	74,248
		Program delays		[-11,552]
094	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES Prior year underexecution	176,261	171,980
				[-4,281]
095	0605514M	GROUND BASED ANTI-SHIP MISSILE	36,383	36,383
096	0605516M	LONG RANGE FIRES	36,763	36,763
097	0605518N	CONVENTIONAL PROMPT STRIKE (CPS)	901,064	901,064
098	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	10,167	10,167
099	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	539	9,439
		KAMAN KARGO		[8,900]
100	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	1,250	1,250
		SUBTOTAL ADVANCED COMPONENT DEVELOP- MENT & PROTOTYPES.	9,734,483	9,686,745
		SYSTEM DEVELOPMENT & DEMONSTRATION		
101	0603208N	TRAINING SYSTEM AIRCRAFT	44,120	44,120
102	0604038N	MARITIME TARGETING CELL	30,922	30,922
103	0604212M	OTHER HELO DEVELOPMENT	101,209	83,614
		Project 3406 insufficient justification		[-17,595]
104	0604212N	OTHER HELO DEVELOPMENT	2,604	2,604
105	0604214M	AV-8B AIRCRAFT—ENG DEV	8,263	8,263
106	0604215N	STANDARDS DEVELOPMENT	4,039	4,039
107	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT ...	62,350	62,350
108	0604221N	P-3 MODERNIZATION PROGRAM	771	771
109	0604230N	WARFARE SUPPORT SYSTEM	109,485	109,485
110	0604231N	COMMAND AND CONTROL SYSTEMS	87,457	87,457
111	0604234N	ADVANCED HAWKEYE	399,919	419,919
		Navy UPL—E-2D Theater Combat ID and HECTR		[20,000]
112	0604245M	H-1 UPGRADES	29,766	29,766
113	0604261N	ACOUSTIC SEARCH SENSORS	51,531	51,531
114	0604262N	V-22A	137,597	137,597
115	0604264N	AIR CREW SYSTEMS DEVELOPMENT	42,155	42,155

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116	0604269N	EA-18	172,507	172,507
117	0604270N	ELECTRONIC WARFARE DEVELOPMENT	171,384	168,350
		Prior year underexecution		[-3,034]
118	0604273M	EXECUTIVE HELO DEVELOPMENT	35,376	35,376
119	0604274N	NEXT GENERATION JAMMER (NGJ)	40,477	40,477
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	451,397	461,397
		Navy Multiband Terminal		[5,000]
		Satellite Terminal (transportable) Non-Geostationary		[5,000]
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	250,577	199,645
		Next Generation Jammer—Low Band		[-50,932]
122	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING ...	453,311	438,061
		Aegis capability package 2024 delays		[-5,500]
		Software SW factory insufficient justification		[-9,750]
124	0604329N	SMALL DIAMETER BOMB (SDB)	52,211	52,211
125	0604366N	STANDARD MISSILE IMPROVEMENTS	418,187	388,811
		Prior year underexecution		[-29,376]
126	0604373N	AIRBORNE MCM	11,368	11,368
127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.	66,445	68,945
		Stratospheric Balloon Research		[2,500]
128	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP)		10,000
		Program increase		[10,000]
129	0604501N	ADVANCED ABOVE WATER SENSORS	115,396	115,396
130	0604503N	SSN-688 AND TRIDENT MODERNIZATION	93,435	93,435
131	0604504N	AIR CONTROL	42,656	42,656
132	0604512N	SHIPBOARD AVIATION SYSTEMS	10,442	10,442
133	0604518N	COMBAT INFORMATION CENTER CONVERSION	11,359	11,359
134	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	90,307	90,307
135	0604530N	ADVANCED ARRESTING GEAR (AAG)	10,658	10,658
136	0604558N	NEW DESIGN SSN	234,356	241,356
		Precision Maneuvering Unit		[7,000]
137	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	71,516	71,516
138	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	22,462	22,462
139	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,279	4,279
140	0604601N	MINE DEVELOPMENT	104,731	104,731
141	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	229,668	221,168
		Project 3418 testing ahead of need		[-8,500]
142	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT ...	9,064	9,064
143	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV.	62,329	42,148
		OPF-M termination		[-20,181]
144	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS.	9,319	9,319
145	0604727N	JOINT STANDOFF WEAPON SYSTEMS	1,964	1,964
146	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	158,426	158,426
147	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	47,492	47,492
148	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	125,206	125,206
149	0604761N	INTELLIGENCE ENGINEERING	19,969	19,969
150	0604771N	MEDICAL DEVELOPMENT	6,061	6,061
151	0604777N	NAVIGATION/ID SYSTEM	45,262	45,262
154	0604850N	SSN(X)	361,582	321,828
		Unjustified growth—management and support costs		[-7,950]
		Unjustified growth—NSWC studies		[-13,804]
		Unjustified growth—shipbuilder studies		[-18,000]
155	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	22,663	22,663
156	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	282,138	283,138
		Cyber supply chain risk management		[1,000]
157	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	8,340	8,340
158	0605180N	TACAMO MODERNIZATION	213,743	213,743
159	0605212M	CH-53K RDTE	222,288	222,288
160	0605215N	MISSION PLANNING	86,448	86,448
161	0605217N	COMMON AVIONICS	81,076	81,076
162	0605220N	SHIP TO SHORE CONNECTOR (SSC)	1,343	1,343
163	0605327N	T-AO 205 CLASS	71	71
164	0605414N	UNMANNED CARRIER AVIATION (UCA)	220,404	200,001
		Test excess to need due to EDM delays		[-20,403]
165	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	384	384
166	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	36,027	36,027
167	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	132,449	132,449
168	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION.	103,236	103,236
169	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,609	2,609
170	0204202N	DDG-1000	231,778	223,444
		Prior year underexecution		[-8,334]
171	0301377N	COUNTERING ADVANCED CONVENTIONAL WEAPONS (CACW).	17,531	17,531
172	0304785N	ISR & INFO OPERATIONS	174,271	174,271

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173	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	2,068	2,068
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,962,234	6,799,375
		MANAGEMENT SUPPORT		
174	0604256N	THREAT SIMULATOR DEVELOPMENT	22,918	22,918
175	0604258N	TARGET SYSTEMS DEVELOPMENT	18,623	18,623
176	0604759N	MAJOR T&E INVESTMENT	74,221	74,221
177	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,229	3,229
178	0605154N	CENTER FOR NAVAL ANALYSES	45,672	45,672
180	0605804N	TECHNICAL INFORMATION SERVICES	1,000	1,000
181	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	124,328	124,328
182	0605856N	STRATEGIC TECHNICAL SUPPORT	4,053	4,053
183	0605863N	RD&E SHIP AND AIRCRAFT SUPPORT	203,447	203,447
184	0605864N	TEST AND EVALUATION SUPPORT	481,975	481,975
185	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	29,399	29,399
186	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	27,504	27,504
187	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	9,183	9,183
188	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	34,976	34,976
189	0605898N	MANAGEMENT HQ—R&D	41,331	41,331
190	0606355N	WARFARE INNOVATION MANAGEMENT	37,340	37,340
191	0305327N	INSIDER THREAT	2,246	2,246
192	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES).	2,168	2,168
		SUBTOTAL MANAGEMENT SUPPORT	1,163,613	1,163,613
		OPERATIONAL SYSTEMS DEVELOPMENT		
196	0604840M	F-35 C2D2	544,625	509,122
		TR-3/B4 Unplanned cost growth		[-35,503]
197	0604840N	F-35 C2D2	543,834	512,266
		TR-3/B4 Unplanned cost growth		[-31,568]
198	0605520M	MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS	99,860	89,360
		Slow expenditure		[-10,500]
199	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	153,440	153,440
200	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	321,648	321,648
201	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	62,694	62,694
202	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	92,869	92,869
203	0101402N	NAVY STRATEGIC COMMUNICATIONS	51,919	51,919
204	0204136N	F/A-18 SQUADRONS	333,783	321,783
		Next generation naval mission planning system insufficient justification.		[-12,000]
205	0204228N	SURFACE SUPPORT	8,619	8,619
206	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPIC).	122,834	122,834
207	0204311N	INTEGRATED SURVEILLANCE SYSTEM	76,279	76,279
208	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	1,103	1,103
209	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	1,991	1,991
210	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	92,674	84,074
		Slow expenditure		[-8,600]
211	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	115,894	115,894
212	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	61,677	61,677
213	0205601N	ANTI-RADIATION MISSILE IMPROVEMENT	59,555	59,555
214	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	29,973	29,973
215	0205632N	MK-48 ADCAP	213,165	213,165
216	0205633N	AVIATION IMPROVEMENTS	143,277	143,277
217	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	152,546	152,546
218	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	192,625	183,725
		Marine Electromagnetic Warfare Ground Family of Systems		[-7,200]
		Tactical Communication Modernization		[-1,700]
219	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S).	12,565	12,565
220	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	83,900	83,900
221	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	27,794	27,794
222	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP).	47,762	47,762
223	0206629M	AMPHIBIOUS ASSAULT VEHICLE	373	373
224	0207161N	TACTICAL AIM MISSILES	36,439	36,439
225	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	29,198	29,198
226	0208043N	PLANNING AND DECISION AID SYSTEM (PDAS)	3,565	3,565
230	0303138N	AFLOAT NETWORKS	49,995	49,995
231	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	33,390	33,390
232	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	7,304	7,304
233	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	11,235	11,235
234	0305205N	UAS INTEGRATION AND INTEROPERABILITY	16,409	16,409
235	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	51,192	51,192

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236	0305220N	MQ-4C TRITON	12,094	12,094
237	0305231N	MQ-8 UAV	29,700	29,700
238	0305232M	RQ-11 UAV	2,107	2,107
239	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLo)	2,999	2,999
240	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	49,460	49,460
241	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	13,005	13,005
242	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	2,000	2,000
243	0305421N	RQ-4 MODERNIZATION	300,378	300,378
244	0307577N	INTELLIGENCE MISSION DATA (IMD)	788	788
245	0308601N	MODELING AND SIMULATION SUPPORT	10,994	10,994
246	0702207N	DEPOT MAINTENANCE (NON-IF)	23,248	23,248
247	0708730N	MARITIME TECHNOLOGY (MARITECH)	3,284	3,284
9999	9999999999	CLASSIFIED PROGRAMS	2,021,376	2,061,376
		INDOPACOM UPL		[40,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	6,359,438	6,292,367
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
249	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM.	11,748	11,748
250	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM.	10,555	10,555
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	22,303	22,303
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	26,922,225	26,722,557
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	401,486	401,486
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	182,372	182,372
		SUBTOTAL BASIC RESEARCH	583,858	583,858
		APPLIED RESEARCH		
003	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	90,713	90,713
004	0602022F	UNIVERSITY AFFILIATED RESEARCH CENTER (UARC)—TACTICAL AUTONOMY.	8,018	8,018
005	0602102F	MATERIALS	142,325	162,825
		Advanced materials science for manufacturing research		[9,000]
		High energy synchrotron x-ray research		[9,000]
		Materials development for high mach capabilities		[2,500]
006	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	161,268	163,768
		Aerospace engineering systems security integration		[2,500]
007	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	146,921	146,921
008	0602203F	AEROSPACE PROPULSION	184,867	189,867
		High mach turbine engine		[5,000]
009	0602204F	AEROSPACE SENSORS	216,269	216,269
011	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES.	10,303	10,303
012	0602602F	CONVENTIONAL MUNITIONS	160,599	160,599
013	0602605F	DIRECTED ENERGY TECHNOLOGY	129,961	118,452
		DAF requested realignment of funds to 6601SF		[-11,509]
014	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	182,076	230,076
		Distributed quantum information sciences networking testbed		[5,000]
		Future Flag experimentation testbed		[25,000]
		Ion trapped quantum information sciences computer		[8,000]
		Multi-domain radio frequency spectrum testing environment		[5,000]
		Secure interference-avoiding connectivity of autonomous artificially intelligent machines.		[5,000]
		SUBTOTAL APPLIED RESEARCH	1,433,320	1,497,811
		ADVANCED TECHNOLOGY DEVELOPMENT		
015	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	255,855	213,655
		Program reduction		[-42,200]
016	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	30,372	30,372
017	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	10,478	10,478
018	0603203F	ADVANCED AEROSPACE SENSORS	48,046	45,846
		Multi-spectrum sensing demonstration excess to need		[-2,200]
019	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	51,896	71,896
		Hybrid Electric Propulsion		[7,500]
		Semiautonomous adversary air platform		[12,500]
020	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	56,789	56,789
021	0603270F	ELECTRONIC COMBAT TECHNOLOGY	32,510	32,510
022	0603273F	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS.	70,321	70,321
023	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	2	2

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024	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT.	15,593	15,593
025	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	132,311	132,311
026	0603605F	ADVANCED WEAPONS TECHNOLOGY	102,997	92,997
		Excessive cost growth		[-10,000]
027	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	44,422	51,922
		Additive manufacturing for aerospace parts		[5,000]
		High accuracy robotics		[2,500]
028	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	37,779	40,279
		Modeling and simulation conversion software		[2,500]
029	0207412F	CONTROL AND REPORTING CENTER (CRC)	2,005	2,005
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	891,376	866,976
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
030	0603036F	MODULAR ADVANCED MISSILE	105,238	0
		Program decrease		[-105,238]
031	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	6,237	6,237
032	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,298	21,298
033	0603790F	NATO RESEARCH AND DEVELOPMENT	2,208	2,208
034	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	45,319	45,319
035	0604001F	NC3 ADVANCED CONCEPTS	10,011	10,011
037	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	500,575	500,575
038	0604004F	ADVANCED ENGINE DEVELOPMENT	595,352	595,352
039	0604005F	NC3 COMMERCIAL DEVELOPMENT & PROTOTYPING	78,799	78,799
040	0604006F	DEPT OF THE AIR FORCE TECH ARCHITECTURE	2,620	0
		DAF requested realignment of funds to 64858F		[-2,620]
041	0604007F	E-7	681,039	681,039
042	0604009F	AFWERX PRIME	83,336	88,336
		Agility Prime		[5,000]
043	0604015F	LONG RANGE STRIKE—BOMBER	2,984,143	2,984,143
044	0604025F	RAPID DEFENSE EXPERIMENTATION RESERVE (RDER)	154,300	154,300
045	0604032F	DIRECTED ENERGY PROTOTYPING	1,246	1,246
046	0604033F	HYPERSONICS PROTOTYPING	150,340	0
		Air-Launched Rapid Response Weapon (ARRW)		[-150,340]
047	0604183F	HYPERSONICS PROTOTYPING—HYPERSONIC ATTACK CRUISE MISSILE (HACM).	381,528	381,528
048	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	18,041	18,041
049	0604257F	ADVANCED TECHNOLOGY AND SENSORS	27,650	25,180
		Imaging and targeting support excess growth		[-2,470]
050	0604288F	SURVIVABLE AIRBORNE OPERATIONS CENTER (SAOC)	888,829	790,537
		EMO excess to need		[-69,716]
		Management services overestimation		[-15,919]
		Test and evaluation excess to need		[-12,657]
051	0604317F	TECHNOLOGY TRANSFER	26,638	26,638
052	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	19,266	19,266
053	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	37,121	37,121
054	0604534F	ADAPTIVE ENGINE TRANSITION PROGRAM (AETP)		280,000
		Technology Maturation and Risk Reduction		[280,000]
055	0604668F	JOINT TRANSPORTATION MANAGEMENT SYSTEM (JTMS) ..	37,026	37,026
056	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	31,833	31,833
057	0604858F	TECH TRANSITION PROGRAM	210,806	235,476
		DAF requested realignment of funds from OMAF SAG 11R		[17,550]
		DAF requested realignment of funds from OMAF SAG 11Z		[4,500]
		DAF requested realignment of funds from RDAF 64006F		[2,620]
058	0604860F	OPERATIONAL ENERGY AND INSTALLATION RESILIENCE	46,305	35,903
		Excess growth		[-10,402]
059	0605164F	AIR REFUELING CAPABILITY MODERNIZATION	19,400	19,400
061	0207110F	NEXT GENERATION AIR DOMINANCE	2,326,128	2,326,128
062	0207179F	AUTONOMOUS COLLABORATIVE PLATFORMS	118,826	101,013
		DAF requested realignment of funds		[-17,813]
063	0207420F	COMBAT IDENTIFICATION	1,902	1,902
064	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	19,763	19,763
065	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	78,867	78,867
066	0208030F	WAR RESERVE MATERIEL—AMMUNITION	8,175	8,175
068	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	25,157	25,157
069	0305601F	MISSION PARTNER ENVIRONMENTS	17,727	17,727
072	0708051F	RAPID SUSTAINMENT MODERNIZATION (RSM)	43,431	43,431
073	0808737F	INTEGRATED PRIMARY PREVENTION	9,364	9,364
074	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	28,294	28,294
075	1206415F	U.S. SPACE COMMAND RESEARCH AND DEVELOPMENT SUPPORT.	14,892	14,892
075A	0605057F	NEXT GENERATION AIR-REFUELING SYSTEM		7,928
		Technical realignment		[7,928]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	9,859,030	9,789,453

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SYSTEM DEVELOPMENT & DEMONSTRATION				
076	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	9,757	17,757
		RAACM		[5,000]
		Stand-Off Attack Weapon Technology		[3,000]
077	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	163,156	163,156
078	0604222F	NUCLEAR WEAPONS SUPPORT	45,884	45,884
079	0604270F	ELECTRONIC WARFARE DEVELOPMENT	13,804	13,804
080	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	74,023	79,023
		DAF requested realignment of funds		[5,000]
081	0604287F	PHYSICAL SECURITY EQUIPMENT	10,605	10,605
082	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	5,918	5,918
083	0604604F	SUBMUNITIONS	3,345	3,345
084	0604617F	AGILE COMBAT SUPPORT	21,967	21,967
085	0604706F	LIFE SUPPORT SYSTEMS	39,301	39,301
086	0604735F	COMBAT TRAINING RANGES	152,569	152,569
087	0604932F	LONG RANGE STANDOFF WEAPON	911,406	891,406
		DAF realignment of funds		[-20,000]
088	0604933F	ICBM FUZE MODERNIZATION	71,732	71,732
089	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	2,256	2,256
090	0605031F	JOINT TACTICAL NETWORK (JTN)	452	452
091	0605056F	OPEN ARCHITECTURE MANAGEMENT	36,582	36,582
092	0605057F	NEXT GENERATION AIR-REFUELING SYSTEM	7,928	0
		Technical realignment		[-7,928]
093	0605223F	ADVANCED PILOT TRAINING	77,252	74,980
		Program delay		[-2,272]
094	0605229F	HH-60W	48,268	47,376
		Support costs excess to need		[-892]
095	0605238F	GROUND BASED STRATEGIC DETERRENT EMD	3,746,935	3,739,285
		DAF requested realignment of funds		[-7,650]
096	0207171F	F-15 EPAWSS	13,982	13,982
097	0207279F	ISOLATED PERSONNEL SURVIVABILITY AND RECOVERY ...	56,225	56,225
098	0207328F	STAND IN ATTACK WEAPON	298,585	285,585
		Aircraft integration delays		[-13,000]
099	0207701F	FULL COMBAT MISSION TRAINING	7,597	17,597
		Airborne Augmented Reality for Pilot Training		[10,000]
100	0208036F	MEDICAL C-CBRNE PROGRAMS	2,006	2,006
102	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	30,000	30,000
103	0401221F	KC-46A TANKER SQUADRONS	124,662	87,455
		Aircrew training system previously funded		[-9,864]
		Direct mission support excess to need		[-7,168]
		Test and evaluation previously funded		[-20,175]
104	0401319F	VC-25B	490,701	433,701
		Excess to need		[-57,000]
105	0701212F	AUTOMATED TEST SYSTEMS	12,911	12,911
106	0804772F	TRAINING DEVELOPMENTS	1,922	1,922
106A	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR		428,754
		Technical realignment		[428,754]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,481,731	6,787,536
MANAGEMENT SUPPORT				
107	0604256F	THREAT SIMULATOR DEVELOPMENT	16,626	16,626
108	0604759F	MAJOR T&E INVESTMENT	31,143	31,143
109	0605101F	RAND PROJECT AIR FORCE	38,398	38,398
110	0605502F	SMALL BUSINESS INNOVATION RESEARCH	1,466	1,466
111	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,736	13,736
112	0605807F	TEST AND EVALUATION SUPPORT	913,213	946,026
		DAF requested realignment of funds		[32,813]
113	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	317,901	317,901
114	0605828F	ACQ WORKFORCE- GLOBAL REACH	541,677	541,677
115	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	551,213	536,513
		DAF requested realignment of funds		[-14,700]
117	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	243,780	273,780
		DAF requested realignment of funds		[30,000]
118	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	109,030	77,030
		DAF requested realignment of funds		[-32,000]
119	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	336,788	336,788
120	0605898F	MANAGEMENT HQ—R&D	5,005	6,705
		DAF requested realignment of funds		[1,700]
121	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	87,889	87,889
122	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	35,065	35,065
123	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	89,956	89,956
124	0606398F	MANAGEMENT HQ—T&E	7,453	7,453
126	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM.	20,871	45,871

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		NC3 network sensor demonstration		[15,000]
		NC3 Rapid Engineering Architecture Collaboration Hub (REACH) ...		[10,000]
127	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	100,357	100,357
128	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	20,478	20,478
129	0804731F	GENERAL SKILL TRAINING	796	796
132	1001004F	INTERNATIONAL ACTIVITIES	3,917	3,917
		SUBTOTAL MANAGEMENT SUPPORT	3,486,758	3,529,571
OPERATIONAL SYSTEMS DEVELOPMENT				
134	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	41,464	40,282
		T-6 avionics replacement program delay		[-1,182]
135	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	40,000	40,000
136	0604445F	WIDE AREA SURVEILLANCE	8,018	8,018
137	0604617F	AGILE COMBAT SUPPORT	5,645	5,645
139	0604840F	F-35 C2D2	1,275,268	1,268,275
		DAF requested realignment of funds		[-5,000]
		Program decrease		[-1,993]
140	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	40,203	40,203
141	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	49,613	49,613
142	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION ...	93,881	93,881
143	0605278F	HC/MC-130 RECAP RDT&E	36,536	11,536
		Excess to need		[-5,000]
		Program decrease		[-20,000]
144	0606018F	NC3 INTEGRATION	22,910	22,910
145	0101113F	B-52 SQUADRONS	950,815	944,193
		DAF requested realignment of funds		[14,017]
		Scheduling delays		[-20,639]
146	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	290	290
147	0101126F	B-1B SQUADRONS	12,619	12,619
148	0101127F	B-2 SQUADRONS	87,623	87,623
149	0101213F	MINUTEMAN SQUADRONS	33,237	43,237
		Legacy Weapons Software Translation/Modernization		[5,000]
		Multi-Domain Command and Control Tool		[5,000]
150	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	24,653	24,653
151	0101318F	SERVICE SUPPORT TO STRATCOM—GLOBAL STRIKE	7,562	7,562
153	0101328F	ICBM REENTRY VEHICLES	475,415	475,415
155	0102110F	MH-139A	25,737	25,737
156	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MOD-ERNIZATION PROGRAM.	831	831
157	0102412F	NORTH WARNING SYSTEM (NWS)	102	102
158	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR	428,754	35,000
		NORTHCOM UPL—Over the Horizon Radar Acceleration		[35,000]
		Technical realignment		[-428,754]
159	0202834F	VEHICLES AND SUPPORT EQUIPMENT—GENERAL	15,498	19,498
		DAF requested realignment of funds		[4,000]
160	0205219F	MQ-9 UAV	81,123	81,123
161	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	2,303	2,303
162	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT ...	7,312	7,312
164	0207133F	F-16 SQUADRONS	98,633	139,233
		IVEWS restoration		[40,600]
165	0207134F	F-15E SQUADRONS	50,965	50,965
166	0207136F	MANNED DESTRUCTIVE SUPPRESSION	16,543	16,543
167	0207138F	F-22A SQUADRONS	725,889	740,889
		Cyber Resiliency		[15,000]
168	0207142F	F-35 SQUADRONS	97,231	97,231
169	0207146F	F-15EX	100,006	100,006
170	0207161F	TACTICAL AIM MISSILES	41,958	41,958
171	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	53,679	53,679
172	0207227F	COMBAT RESCUE—PARARESCUE	726	726
173	0207238F	E-11A	64,888	64,888
174	0207247F	AF TENCAP	25,749	25,749
175	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	11,872	11,872
176	0207253F	COMPASS CALL	66,932	66,932
177	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PRO-GRAM.	55,223	60,223
		Additive manufacturing expansion		[5,000]
178	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	132,937	132,937
179	0207327F	SMALL DIAMETER BOMB (SDB)	37,518	40,518
		GLSDB Maritime Seeker		[3,000]
180	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	72,059	72,059
181	0207412F	CONTROL AND REPORTING CENTER (CRC)	17,498	17,498
183	0207418F	AFSPECWAR—TACP	2,106	2,106
185	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	72,010	72,010
186	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	6,467	6,467
187	0207439F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR).	10,388	10,388
188	0207444F	TACTICAL AIR CONTROL PARTY-MOD	10,060	10,060

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189	0207452F	DCAPES	8,233	8,233
190	0207521F	AIR FORCE CALIBRATION PROGRAMS	2,172	2,172
192	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	2,049	2,049
193	0207590F	SEEK EAGLE	33,478	33,478
195	0207605F	WARGAMING AND SIMULATION CENTERS	11,894	11,894
197	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,811	3,811
198	0208006F	MISSION PLANNING SYSTEMS	96,272	96,272
199	0208007F	TACTICAL DECEPTION	26,533	26,533
201	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	50,122	50,122
202	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	113,064	113,064
208	0208288F	INTEL DATA APPLICATIONS	967	967
209	0301025F	GEOBASE	1,514	1,514
211	0301113F	CYBER SECURITY INTELLIGENCE SUPPORT	8,476	8,476
218	0301401F	AF MULTI-DOMAIN NON-TRADITIONAL ISR BATTLESPACE AWARENESS.	2,890	2,890
219	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	39,868	39,868
220	0303004F	EIT CONNECT	32,900	32,900
221	0303089F	CYBERSPACE OPERATIONS SYSTEMS	4,881	4,881
222	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	33,567	33,567
223	0303133F	HIGH FREQUENCY RADIO SYSTEMS	40,000	35,000
		Program support costs unjustified request		[-5,000]
224	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	95,523	95,523
226	0303248F	ALL DOMAIN COMMON PLATFORM	71,296	71,296
227	0303260F	JOINT MILITARY DECEPTION INITIATIVE	4,682	4,682
228	0304100F	STRATEGIC MISSION PLANNING & EXECUTION SYSTEM (SMPEX).	64,944	64,944
230	0304260F	AIRBORNE SIGINT ENTERPRISE	108,947	106,745
		Underexecution		[-2,202]
231	0304310F	COMMERCIAL ECONOMIC ANALYSIS	4,635	4,635
234	0305015F	C2 AIR OPERATIONS SUITE—C2 INFO SERVICES	13,751	13,751
235	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,660	1,660
236	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	18,680	13,570
		Unjustified growth		[-5,110]
237	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	5,031	5,031
238	0305103F	CYBER SECURITY INITIATIVE	301	301
239	0305111F	WEATHER SERVICE	26,329	35,329
		Weather service data migration		[9,000]
240	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYS- TEM (ATCALS).	8,751	8,751
241	0305116F	AERIAL TARGETS	6,915	6,915
244	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	352	352
245	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	6,930	6,930
246	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	21,588	21,588
247	0305202F	DRAGON U-2	16,842	16,842
248	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	43,158	43,158
249	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,330	14,330
250	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	88,854	88,854
251	0305220F	RQ-4 UAV	1,242	1,242
252	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	12,496	12,496
253	0305238F	NATO AGS	2	2
254	0305240F	SUPPORT TO DCGS ENTERPRISE	31,589	31,589
255	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND AR- CHITECTURES.	15,322	15,322
256	0305881F	RAPID CYBER ACQUISITION	8,830	8,830
257	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,764	2,764
258	0307577F	INTELLIGENCE MISSION DATA (IMD)	7,090	7,090
259	0401115F	C-130 AIRLIFT SQUADRON	5,427	5,427
260	0401119F	C-5 AIRLIFT SQUADRONS (IF)	29,502	28,286
		SIL early to need		[-1,216]
261	0401130F	C-17 AIRCRAFT (IF)	2,753	2,753
262	0401132F	C-130J PROGRAM	19,100	19,100
263	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,982	5,982
264	0401218F	KC-135S	51,105	49,522
		Comm 2 early to need		[-1,583]
265	0401318F	CV-22	18,127	18,127
266	0408011F	SPECIAL TACTICS / COMBAT CONTROL	9,198	9,198
268	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	17,520	17,520
269	0801380F	AF LVC OPERATIONAL TRAINING (LVC-OT)	25,144	25,144
270	0804743F	OTHER FLIGHT TRAINING	2,265	2,265
272	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,266	2,266
273	0901218F	CIVILIAN COMPENSATION PROGRAM	4,006	4,006
274	0901220F	PERSONNEL ADMINISTRATION	3,078	3,078
275	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	5,309	2,309
		Modeling and simulation development excess growth		[-3,000]
276	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DE- VELOPMENT.	4,279	4,279
277	0901554F	DEFENSE ENTERPRISE ACNTNG AND MGT SYS (DEAMS) ...	45,925	45,925

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278	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	9,778	9,778
9999	9999999999	CLASSIFIED PROGRAMS	16,814,245	16,587,427
		Classified adjustment		[-212,081]
		Program justification review		[-14,737]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	23,829,283	23,237,403
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	46,565,356	46,292,608
		RESEARCH, DEVELOPMENT, TEST & EVAL, SF APPLIED RESEARCH		
004	1206601SF	SPACE TECHNOLOGY	206,196	292,584
		Advanced analog microelectronics		[3,000]
		Advanced isotope power systems		[3,000]
		DAF requested realignment of funds		[72,888]
		Space modeling, simulation, and analysis hub		[7,500]
		SUBTOTAL APPLIED RESEARCH	206,196	292,584
		ADVANCED TECHNOLOGY DEVELOPMENT		
005	1206310SF	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	472,493	465,022
		Defense In Depth as Mission Assurance Spacecraft—Multilevel Security.		[3,000]
		Prior year carryover		[-21,980]
		Technical realignment		[11,509]
006	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO	110,033	158,033
		DAF requested realignment of funds		[40,000]
		Modular multi-mode propulsion system		[8,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	582,526	623,055
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
007	0604002SF	SPACE FORCE WEATHER SERVICES RESEARCH	849	849
008	1203010SF	SPACE FORCE IT, DATA ANALYTICS, DIGITAL SOLUTIONS	61,723	51,723
		Program decrease		[-10,000]
009	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	353,807	353,807
010	1203622SF	SPACE WARFIGHTING ANALYSIS	95,541	95,541
011	1203710SF	EO/IR WEATHER SYSTEMS	95,615	95,615
013	1206410SF	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING	2,081,307	2,056,307
		Inadequate justification—other activities		[-25,000]
016	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	145,948	96,475
		DAF requested realignment of funds to 6616SF		[-40,000]
		Underexecution		[-9,473]
017	1206438SF	SPACE CONTROL TECHNOLOGY	58,374	58,374
018	1206458SF	TECH TRANSITION (SPACE)	164,649	164,649
019	1206730SF	SPACE SECURITY AND DEFENSE PROGRAM	59,784	59,784
020	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	76,554	76,554
021	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	360,126	355,826
		Unjustified request—management services		[-4,300]
022	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	632,833	632,833
023	1206857SF	SPACE RAPID CAPABILITIES OFFICE	12,036	12,036
024	1206862SF	TACTICALLY RESPONSE SPACE	30,000	50,000
		Program increase		[20,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	4,229,146	4,160,373
		SYSTEM DEVELOPMENT & DEMONSTRATION		
025	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	308,999	308,999
027	1206421SF	COUNTERSPACE SYSTEMS	36,537	36,537
028	1206422SF	WEATHER SYSTEM FOLLOW-ON	79,727	78,127
		Unjustified increase—management services		[-1,600]
029	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	372,827	372,827
030	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	4,068	4,068
031	1206432SF	POLAR MILSATCOM (SPACE)	73,757	73,757
032	1206433SF	WIDEBAND GLOBAL SATCOM (SPACE)	49,445	47,245
		Underexecution		[-2,200]
033	1206440SF	NEXT-GEN OPIR—GROUND	661,367	638,267
		Underexecution		[-23,100]
034	1206442SF	NEXT GENERATION OPIR	222,178	217,178
		Underexecution		[-5,000]
035	1206443SF	NEXT-GEN OPIR—GEO	719,731	715,466
		Unjustified increase—management services		[-4,265]
036	1206444SF	NEXT-GEN OPIR—POLAR	1,013,478	1,010,213
		Unjustified increase—management services		[-3,265]
037	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION	73,501	73,501

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038	1206446SF	RESILIENT MISSILE WARNING MISSILE TRACKING—LOW EARTH ORBIT (LEO).	1,266,437	1,519,222
		DAF requested realignment of funds		[252,785]
039	1206447SF	RESILIENT MISSILE WARNING MISSILE TRACKING—MEDIUM EARTH ORBIT (MEO).	538,208	790,992
		DAF requested realignment of funds		[252,784]
040	1206448SF	RESILIENT MISSILE WARNING MISSILE TRACKING—INTEGRATED GROUND SEGMENT.	505,569	0
		DAF requested realignment of funds to 6446SF		[-252,785]
		DAF requested realignment of funds to 6447SF		[-252,784]
041	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD.	82,188	92,188
		Launch capability development		[10,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,008,017	5,978,587
		MANAGEMENT SUPPORT		
043	1203622SF	SPACE WARFIGHTING ANALYSIS	3,568	3,568
046	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	258,969	276,500
		DAF requested realignment of funds		[17,531]
047	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	13,694	15,053
		DAF requested realignment of funds		[1,359]
048	1206601SF	SPACE TECHNOLOGY	91,778	0
		DAF requested realignment of funds		[-91,778]
049	1206759SF	MAJOR T&E INVESTMENT—SPACE	146,797	146,797
050	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	18,023	18,023
052	1206864SF	SPACE TEST PROGRAM (STP)	30,192	30,192
		SUBTOTAL MANAGEMENT SUPPORT	563,021	490,133
		OPERATIONAL SYSTEMS DEVELOPMENT		
055	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	91,369	91,369
056	1203040SF	DCO-SPACE	76,003	76,003
057	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS	230,785	221,335
		Inadequate justification—management services		[-9,450]
058	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	86,465	84,365
		Underexecution		[-2,100]
059	1203154SF	LONG RANGE KILL CHAINS	243,036	243,036
061	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	22,039	22,039
062	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	41,483	43,483
		Accelerating Space Operators Education and Experiential Learning ..		[2,000]
063	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,175	11,175
065	1203330SF	SPACE SUPERIORITY ISR	28,730	28,730
067	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	20,752	28,752
		Perimeter Acquisition Radar Attack Characterization System (PARCS) radar.		[8,000]
068	1203906SF	NCMC—TW/AA SYSTEM	25,545	25,545
069	1203913SF	NUDET DETECTION SYSTEM (SPACE)	93,391	93,391
070	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	264,966	264,966
071	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	317,309	271,909
		Excess to need		[-45,400]
075	1206770SF	ENTERPRISE GROUND SERVICES	155,825	155,825
076	1208053SF	JOINT TACTICAL GROUND SYSTEM	14,568	14,568
9999	9999999999	CLASSIFIED PROGRAMS	5,764,667	6,358,367
		DCO-S		[43,000]
		Space Force realignment of funds for classified program		[270,000]
		Space Force Unfunded Priorities List Classified Program B		[83,000]
		Space Force Unfunded Priorities List Classified Program C		[53,000]
		Space Force Unfunded Priorities List Classified Program D		[54,700]
		USSF UPL—Classified program F		[90,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	7,488,108	8,034,858
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
078	1208248SF	SPACE COMMAND & CONTROL—SOFTWARE PILOT PROGRAM.	122,326	122,326
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	122,326	122,326
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, SF.	19,199,340	19,701,916
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH	14,761	14,761
002	0601101E	DEFENSE RESEARCH SCIENCES	311,531	311,531

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003	0601108D8Z	HIGH ENERGY LASER RESEARCH INITIATIVES	16,329	16,329
004	0601110D8Z	BASIC RESEARCH INITIATIVES	71,783	91,783
		Defense Established Program to Stimulate Competitive Research (DEPSCoR).....		[20,000]
005	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	50,430	50,430
006	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	159,549	162,549
		Program increase		[3,000]
007	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.....	100,467	150,000
		Program increase		[49,533]
008	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	36,235	36,235
		SUBTOTAL BASIC RESEARCH	761,085	833,618
APPLIED RESEARCH				
009	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,157	19,157
010	0602115E	BIOMEDICAL TECHNOLOGY	141,081	131,081
		Program decrease		[-10,000]
011	0602128D8Z	PROMOTION AND PROTECTION STRATEGIES	3,219	3,219
012	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	55,160	40,160
		Realignment		[-15,000]
013	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	46,858	46,858
014	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.....	66,866	66,866
015	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	333,029	333,029
017	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	240,610	240,610
018	0602668D8Z	CYBER SECURITY RESEARCH	17,437	25,437
		Pacific Intelligence and Innovation Initiative		[5,000]
		Semiconductor industry cybersecurity research		[3,000]
019	0602675D8Z	SOCIAL SCIENCES FOR ENVIRONMENTAL SECURITY	4,718	4,718
020	0602702E	TACTICAL TECHNOLOGY	234,549	214,549
		Program decrease		[-20,000]
021	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	344,986	344,986
022	0602716E	ELECTRONICS TECHNOLOGY	572,662	572,662
023	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.....	208,870	208,870
024	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.....	11,168	11,168
025	0602890D8Z	HIGH ENERGY LASER RESEARCH	48,804	48,804
026	0602891D8Z	FSRM MODELLING	2,000	2,000
027	1160401BB	SOF TECHNOLOGY DEVELOPMENT	52,287	52,287
		SUBTOTAL APPLIED RESEARCH	2,403,461	2,366,461
ADVANCED TECHNOLOGY DEVELOPMENT				
028	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	37,706	42,706
		Advanced Process Technology for Energetics		[5,000]
029	0603021D8Z	NATIONAL SECURITY INNOVATION CAPITAL	15,085	15,085
030	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	30,102	30,102
031	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	75,593	123,093
		Joint R&D with Israel		[47,500]
032	0603133D8Z	FOREIGN COMPARATIVE TESTING	27,078	27,078
033	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.....	400,947	409,447
		Advanced manufacturing of energetic materials		[8,500]
034	0603176BR	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	7,990	7,990
035	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	17,825	17,825
036	0603180C	ADVANCED RESEARCH	21,461	28,461
		Radiation Hardened Microelectronics—Facility and Workforce Development.....		[5,000]
		Testbed for Advanced Digital Low Latency Networks		[2,000]
037	0603183D8Z	JOINT HYPERSONIC TECHNOLOGY DEVELOPMENT &TRANSITION.....	52,292	54,292
		Common Hypersonic Glide Body Development		[2,000]
038	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT.....	19,567	19,567
039	0603260BR	INTELLIGENCE ADVANCED DEVELOPMENT	10,000	10,000
040	0603286E	ADVANCED AEROSPACE SYSTEMS	331,753	321,753
		Program decrease		[-10,000]
041	0603287E	SPACE PROGRAMS AND TECHNOLOGY	134,809	122,309
		Excess growth		[-12,500]
042	0603288D8Z	ANALYTIC ASSESSMENTS	24,328	24,328
043	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	55,626	55,626
044	060330D8Z	QUANTUM APPLICATION	75,000	75,000
046	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	104,729	109,729
		Nuclear Advanced Propulsion and power		[2,500]
		Program increase		[2,500]
047	0603375D8Z	TECHNOLOGY INNOVATION	123,837	123,837
048	0603379D8Z	ADVANCED TECHNICAL INTEGRATION	11,000	11,000
049	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.....	267,073	234,654

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		Generative Unconstrained Intelligent Drug Engineering-Enhanced Biodefense.		[3,000]
		Program decrease		[-35,419]
050	0603527D8Z	RETRACT LARCH	57,401	57,401
051	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	19,793	19,793
053	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	11,197	11,197
054	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	252,965	365,465
		Additive manufacturing at scale		[5,000]
		Bioindustrial Manufacturing Infrastructure		[100,000]
		Digital manufacturing modernization		[5,000]
		Hypersonic Advanced Composites Manufacturing		[2,500]
055	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	46,404	51,404
		Program increase		[5,000]
056	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS.	16,580	16,580
057	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	60,387	60,387
058	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	144,707	144,707
059	0603727D8Z	JOINT WARFIGHTING PROGRAM	2,749	2,749
060	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	254,033	244,033
		Reduce carryover—next generation microelectronics manufacturing ...		[-10,000]
061	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS ...	321,591	321,591
062	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	885,425	885,425
063	0603767E	SENSOR TECHNOLOGY	358,580	353,330
		Program decrease		[-5,250]
065	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	16,699	16,699
066	0603838D8Z	DEFENSE INNOVATION ACCELERATION (DIA)	257,110	257,110
067	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM.	111,799	111,799
068	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	345,384	345,384
069	0603945D8Z	AUKUS INNOVATION INITIATIVES	25,000	25,000
070	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK	21,575	28,575
		National Security Innovation Network		[7,000]
071	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	171,668	186,033
		Excess growth		[-5,635]
		HELCAP Thermal Energy Storage		[10,000]
		Increase for tristructural-isotropic fuel		[10,000]
072	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	156,097	156,097
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	5,380,945	5,524,641
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
074	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	76,764	76,764
075	0603600D8Z	WALKOFF	143,486	143,486
076	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	117,196	89,596
		Program decrease		[-30,600]
		Sustainable Technology Evaluation and Demonstration program increase.		[3,000]
077	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	220,311	310,311
		INDOPACOM UPL—Enhanced THAAD Mission Support Element Integration (eTMI).		[90,000]
078	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	903,633	903,633
079	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEVAL.	316,853	292,006
		Excess growth		[-24,847]
080	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	239,159	239,159
081	0603890C	BMD ENABLING PROGRAMS	597,720	596,913
		Poor justification		[-807]
082	0603891C	SPECIAL PROGRAMS—MDA	552,888	635,280
		MDA UPL—Classified increase		[22,892]
		MDA UPL—Electronic Warfare for Missile Defense		[27,300]
		MDA UPL—Left Through Right of Launch Integration		[32,200]
083	0603892C	AEGIS BMD	693,727	689,727
		Program decrease		[-4,000]
084	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	554,201	554,201
085	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT.	48,248	48,248
086	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	50,549	50,549
087	0603906C	REGARDING TRENCH	12,564	27,564
		MDA UPL—Classified increase		[15,000]

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088	0603907C	SEA BASED X-BAND RADAR (SBX)	177,868	177,868
089	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
090	0603914C	BALLISTIC MISSILE DEFENSE TEST	360,455	360,455
091	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	570,258	597,258
		Advanced Reactive Target Simulation		[10,000]
		Hypersonic Maneuvering Extended Range (HMER) Target System ...		[2,000]
		Hypersonic Target for MDA Advanced Target Front End Configura- tion 3 (ATFE C3)		[5,000]
		Hypersonic Targets and Countermeasures Program		[10,000]
092	0603923D8Z	COALITION WARFARE	12,103	12,103
093	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G)	179,278	179,278
094	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,185	3,185
095	0604102C	GUAM DEFENSE DEVELOPMENT	397,578	544,578
		INDOPACOM UPL—Guam Defense System, INDOPACOM		[147,000]
096	0604115C	TECHNOLOGY MATURATION INITIATIVES		6,000
		Diode-Pumped Alkali Laser (DPAL) for Missile Defense		[6,000]
097	0604124D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFI- CER (CDAO)—MIP	34,350	34,350
098	0604181C	HYPERSONIC DEFENSE	208,997	433,997
		MDA UPL—Glide Phase Interceptor		[225,000]
099	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	1,085,826	1,062,226
		Classified adjustment		[-28,600]
		Mobile micronuclear reactors		[5,000]
100	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	810,839	752,540
		Radiation-Hardened Fully-Depleted Silicon-on-Insulator Microelec- tronics		[2,500]
		Strategic Rad Hard Chiplet Design Acceleration		[2,500]
		Unjustified growth		[-63,299]
101	0604331D8Z	RAPID PROTOTYPING PROGRAM	110,291	110,291
102	0604331J	RAPID PROTOTYPING PROGRAM	9,880	9,880
104	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT	2,643	2,643
105	0604551BR	CATAPULT INFORMATION SYSTEM	8,328	8,328
106	0604555D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT— NON S&T	53,726	60,726
		High Energy Laser Power Beaming		[7,000]
108	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA)	3,206	3,206
109	0604790D8Z	RAPID DEFENSE EXPERIMENTATION RESERVE (RDER)	79,773	79,773
110	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS	28,517	28,517
111	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	103,517	103,517
112	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	2,130,838	2,130,838
113	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEG- MENT TEST	47,577	47,577
114	0604878C	AEGIS BMD TEST	193,484	188,435
		Excess growth		[-5,049]
115	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	111,049	111,049
116	0604880C	LAND-BASED SM-3 (LBSM3)	22,163	22,163
117	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	41,824	41,824
118	0202057C	SAFETY PROGRAM MANAGEMENT	2,484	2,484
119	0208059JCY	CYBERCOM ACTIVITIES	65,484	65,484
120	0208085JCY	ROBUST INFRASTRUCTURE AND ACCESS	170,182	135,535
		Unjustified growth		[-34,647]
121	0208086JCY	CYBER TRAINING ENVIRONMENT (CTE)	114,980	114,980
122	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,156	2,156
123	0305103C	CYBER SECURITY INITIATIVE	2,760	2,760
124	0305245D8Z	INTELLIGENCE CAPABILITIES AND INNOVATION INVEST- MENTS	3,000	3,000
125	0305251JCY	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	2,669	2,669
126	0901579D8Z	OFFICE OF STRATEGIC CAPITAL (OSC)	99,000	99,000
129	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	109,483	109,483
		SUBTOTAL ADVANCED COMPONENT DEVELOP- MENT & PROTOTYPES	12,187,050	12,607,593
		SYSTEM DEVELOPMENT & DEMONSTRATION		
130	0604123D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFI- CER (CDAO)—DEM/VAL ACTIVITIES	615,246	582,346
		Insufficient justification		[-32,900]
130A	999999	JADC2		174,000
		Program increase—Joint Fires Network (JFN)		[174,000]
131	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	6,229	6,229
132	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD ..	382,977	362,380
		Execution risk		[-20,597]
133	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	9,775	9,775

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Conference Authorized
134	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	14,414	14,414
135	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	6,953	6,953
136	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	9,292	9,292
137	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	18,981	18,981
138	0605027D8Z	OUS(D) IT DEVELOPMENT INITIATIVES	5,456	5,456
140	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM.	32,629	32,629
141	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS).	9,316	9,316
142	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	6,899	6,899
143	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	297,586	276,586
		Program decrease		[-21,000]
145	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	4,110	4,110
146	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM).	8,159	8,159
147	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	14,471	14,471
148	0505167D8Z	DOMESTIC PREPAREDNESS AGAINST WEAPONS OF MASS DESTRUCTION.	3,770	3,770
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	1,446,263	1,545,766
		MANAGEMENT SUPPORT		
149	0603829J	JOINT CAPABILITY EXPERIMENTATION	12,402	12,402
150	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	12,746	12,746
151	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	8,426	8,426
152	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	833,792	836,292
		Reusable Hypersonic Testbed		[2,500]
153	0604942D8Z	ASSESSMENTS AND EVALUATIONS	5,810	5,810
154	0605001E	MISSION SUPPORT	99,090	99,090
155	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC).	187,421	187,421
156	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	61,477	61,477
158	0605142D8Z	SYSTEMS ENGINEERING	39,949	39,949
159	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	6,292	6,292
160	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	21,043	21,043
161	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.	10,504	10,504
162	0605200D8Z	GENERAL SUPPORT TO OUSD(INTELLIGENCE AND SECURITY).	2,980	2,980
163	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	74,382	74,382
170	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,831	3,831
171	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	38,923	38,923
172	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	60,404	60,404
173	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	65,715	65,715
174	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	26,037	26,037
175	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	37,353	37,353
176	0605898E	MANAGEMENT HQ—R&D	14,833	14,833
177	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	3,752	3,752
178	0606005D8Z	SPECIAL ACTIVITIES	18,088	18,088
179	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	14,427	14,427
180	0606114D8Z	ANALYSIS WORKING GROUP (AWG) SUPPORT	4,200	4,200
181	0606135D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO) ACTIVITIES.	17,247	17,247
182	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	3,386	3,386
183	0606300D8Z	DEFENSE SCIENCE BOARD	2,352	2,352
184	0606301D8Z	AVIATION SAFETY TECHNOLOGIES	213	213
186	0606771D8Z	CYBER RESILIENCY AND CYBERSECURITY POLICY	45,194	45,194
187	0606853BR	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	11,919	11,919
188	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	3,112	3,112
189	0204571J	JOINT STAFF ANALYTICAL SUPPORT	4,916	4,916
190	0208045K	C4 INTEROPERABILITY	66,152	66,152
195	0305172K	COMBINED ADVANCED APPLICATIONS	5,366	5,366
197	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,069	3,069
199	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	101,319	95,019
		No JLVC acquisition strategy		[-6,300]
200	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI).	740	740
201	0901598C	MANAGEMENT HQ—MDA	28,363	28,363
202	0903235K	JOINT SERVICE PROVIDER (JSP)	5,177	5,177

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2024 Request	Conference Authorized
9999	9999999999	CLASSIFIED PROGRAMS	36,315	36,315
		SUBTOTAL MANAGEMENT SUPPORT	1,998,717	1,994,917
OPERATIONAL SYSTEMS DEVELOPMENT				
203	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	42,482	42,482
205	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUP- PORT. Domestic advanced microelectronics packaging	1,017,141	1,025,141
		Shipbuilding and ship repair workforce development		[5,000]
206	0607310D8Z	COUNTERPROLIFERATION SPECIAL PROJECTS: OPER- ATIONAL SYSTEMS DEVELOPMENT.	12,713	12,713
207	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGE- MENT INFORMATION SYSTEMS (G-TSCMIS).	8,503	8,503
208	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	80,495	80,495
209	0208097JCY	CYBER COMMAND AND CONTROL (CYBER C2)	95,733	95,733
210	0208099JCY	DATA AND UNIFIED PLATFORM (D&UP)	138,558	138,558
214	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND IN- TEGRATION.	19,299	19,299
215	0303126K	LONG-HAUL COMMUNICATIONS—DCS	37,726	37,726
216	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	5,037	5,037
218	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	97,171	91,171
		Program decrease		[-6,000]
220	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	8,351	8,351
222	0303153K	DEFENSE SPECTRUM ORGANIZATION	35,995	35,995
223	0303171K	JOINT PLANNING AND EXECUTION SERVICES	5,677	5,677
224	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	3,196	3,196
228	0305104D8Z	DEFENSE INDUSTRIAL BASE (DIB) CYBER SECURITY INI- TIATIVE.	25,655	25,655
232	0305133V	INDUSTRIAL SECURITY ACTIVITIES	2,134	2,134
235	0305146V	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	2,295	2,295
236	0305172D8Z	COMBINED ADVANCED APPLICATIONS	52,736	52,736
239	0305186D8Z	POLICY R&D PROGRAMS	6,263	6,263
240	0305199D8Z	NET CENTRICITY	23,275	21,963
		Prior year underexecution		[-1,312]
242	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,214	6,214
249	0305327V	INSIDER THREAT	2,971	2,971
250	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PRO- GRAM.	1,879	1,879
257	0306250JCY	CYBER OPERATIONS TECHNOLOGY SUPPORT	469,385	476,385
		Modernization of Department of Defense Internet Gateway Cyber De- fense.		[7,000]
261	0505167D8Z	DOMESTIC PREPAREDNESS AGAINST WEAPONS OF MASS DESTRUCTION.	1,760	1,760
262	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,420	1,420
263	0708012S	PACIFIC DISASTER CENTERS	1,905	1,905
264	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	3,249	3,249
265	1105219BB	MQ-9 UAV	37,188	67,188
		Adaptive Airborne Enterprise (A2E)		[30,000]
267	1160403BB	AVIATION SYSTEMS	216,174	222,174
		Alternative Domestic Source AC-130J IRSS		[6,000]
268	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	86,737	86,737
269	1160408BB	OPERATIONAL ENHANCEMENTS	216,135	216,135
270	1160431BB	WARRIOR SYSTEMS	263,374	268,374
		Counter Uncrewed Aerial Systems (CUAS) Group 3 Defeat Accelera- tion.		[5,000]
271	1160432BB	SPECIAL PROGRAMS	529	529
272	1160434BB	UNMANNED ISR	6,727	6,727
273	1160480BB	SOF TACTICAL VEHICLES	9,335	9,335
274	1160483BB	MARITIME SYSTEMS	158,231	158,231
275	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	15,749	15,749
9999	9999999999	CLASSIFIED PROGRAMS	8,463,742	8,463,742
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOP- MENT.	11,683,139	11,731,827
SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS				
278	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	21,355	21,355
279	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	33,166	33,166
9999	9999999999	CLASSIFIED PROGRAMS	270,653	270,653
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	325,174	325,174
TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.			36,185,834	36,929,997
OPERATIONAL TEST & EVAL, DEFENSE				

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2024 Request	Conference Authorized
MANAGEMENT SUPPORT				
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	169,544	169,544
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	103,252	103,252
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	58,693	58,693
SUBTOTAL MANAGEMENT SUPPORT			331,489	331,489
TOTAL OPERATIONAL TEST & EVAL, DEFENSE			331,489	331,489
TOTAL RDT&E			144,979,625	145,944,719

1 **TITLE XLIII—OPERATION AND**
 2 **MAINTENANCE**
 3 **SEC. 4301. OPERATION AND MAINTENANCE.**

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)				
Line		Item	FY 2024 Request	Conference Authorized
OPERATION AND MAINTENANCE, ARMY				
OPERATING FORCES				
010	MANEUVER UNITS		3,943,409	4,203,409
	Program increase: Expanding INDOPACOM campaigning activities			[360,000]
	Unjustified growth			[-100,000]
020	MODULAR SUPPORT BRIGADES		225,238	225,238
030	ECHELONS ABOVE BRIGADE		947,395	933,395
	Underexecution			[-14,000]
040	THEATER LEVEL ASSETS		2,449,141	2,439,141
	Underexecution			[-10,000]
050	LAND FORCES OPERATIONS SUPPORT		1,233,070	1,219,070
	Underexecution			[-14,000]
060	AVIATION ASSETS		2,046,144	2,006,144
	Unjustified growth			[-40,000]
070	FORCE READINESS OPERATIONS SUPPORT		7,149,427	7,095,427
	Unjustified growth			[-54,000]
080	LAND FORCES SYSTEMS READINESS		475,435	475,435
090	LAND FORCES DEPOT MAINTENANCE		1,423,560	1,423,560
100	MEDICAL READINESS		951,499	951,499
110	BASE OPERATIONS SUPPORT		9,943,031	9,930,362
	Fire and Emergency Services			[15,000]
	Unjustified growth			[-27,669]
120	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		5,381,757	5,705,353
	Program increase			[323,596]
130	MANAGEMENT AND OPERATIONAL HEADQUARTERS		313,612	313,612
140	ADDITIONAL ACTIVITIES		454,565	454,565
150	RESET		447,987	447,987
160	US AFRICA COMMAND		414,680	564,680
	AFRICOM UPL—High-risk ISR			[150,000]
170	US EUROPEAN COMMAND		408,529	408,529
180	US SOUTHERN COMMAND		285,692	285,692
190	US FORCES KOREA		88,463	88,463
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS		507,845	507,845
210	CYBERSPACE ACTIVITIES—CYBERSECURITY		704,667	704,667
SUBTOTAL OPERATING FORCES			39,795,146	40,384,073
MOBILIZATION				
230	STRATEGIC MOBILITY		470,143	470,143
240	ARMY PREPOSITIONED STOCKS		433,909	433,909
250	INDUSTRIAL PREPAREDNESS		4,244	4,244
SUBTOTAL MOBILIZATION			908,296	908,296
TRAINING AND RECRUITING				
260	OFFICER ACQUISITION		178,428	178,428
270	RECRUIT TRAINING		78,235	78,235

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SEC. 4301. OPERATION AND MAINTENANCE			
(In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
280	ONE STATION UNIT TRAINING	114,777	114,777
290	SENIOR RESERVE OFFICERS TRAINING CORPS	551,462	551,462
300	SPECIALIZED SKILL TRAINING	1,147,431	1,132,431
	Unjustified growth		[-15,000]
310	FLIGHT TRAINING	1,398,415	1,398,415
320	PROFESSIONAL DEVELOPMENT EDUCATION	200,779	200,779
330	TRAINING SUPPORT	682,896	682,896
340	RECRUITING AND ADVERTISING	690,280	780,280
	Recruiting and advertising increase		[90,000]
350	EXAMINING	195,009	195,009
360	OFF-DUTY AND VOLUNTARY EDUCATION	260,235	260,235
370	CIVILIAN EDUCATION AND TRAINING	250,252	250,252
380	JUNIOR RESERVE OFFICER TRAINING CORPS	204,895	204,895
	SUBTOTAL TRAINING AND RECRUITING	5,953,094	6,028,094
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
400	SERVICEWIDE TRANSPORTATION	718,323	718,323
410	CENTRAL SUPPLY ACTIVITIES	900,624	875,624
	Unjustified growth		[-25,000]
420	LOGISTIC SUPPORT ACTIVITIES	828,059	828,059
430	AMMUNITION MANAGEMENT	464,029	464,029
440	ADMINISTRATION	537,837	537,837
450	SERVICEWIDE COMMUNICATIONS	1,962,059	1,937,059
	Insufficient justification		[-25,000]
460	MANPOWER MANAGEMENT	361,553	358,553
	Unjustified growth		[-3,000]
470	OTHER PERSONNEL SUPPORT	829,248	829,248
480	OTHER SERVICE SUPPORT	2,370,107	2,365,107
	Unjustified growth		[-5,000]
490	ARMY CLAIMS ACTIVITIES	203,323	203,323
500	REAL ESTATE MANAGEMENT	286,682	286,682
510	FINANCIAL MANAGEMENT AND AUDIT READINESS	455,928	455,928
520	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	39,867	39,867
530	INTERNATIONAL MILITARY HEADQUARTERS	610,201	610,201
540	MISC. SUPPORT OF OTHER NATIONS	38,948	38,948
590A	CLASSIFIED PROGRAMS	2,291,229	2,291,229
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	12,898,017	12,840,017
	UNDISTRIBUTED		
600	UNDISTRIBUTED		-337,600
	Foreign currency fluctuations		[-208,000]
	Unobligated balances		[-129,600]
	SUBTOTAL UNDISTRIBUTED		-337,600
	TOTAL OPERATION AND MAINTENANCE, ARMY	59,554,553	59,822,880
	OPERATION AND MAINTENANCE, ARMY RESERVE OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	15,208	15,208
020	ECHELONS ABOVE BRIGADE	720,802	720,802
030	THEATER LEVEL ASSETS	143,400	143,400
040	LAND FORCES OPERATIONS SUPPORT	707,654	707,654
050	AVIATION ASSETS	134,346	134,346
060	FORCE READINESS OPERATIONS SUPPORT	451,178	451,178
070	LAND FORCES SYSTEMS READINESS	97,564	97,564
080	LAND FORCES DEPOT MAINTENANCE	45,711	45,711
090	BASE OPERATIONS SUPPORT	608,079	606,079
	Unjustified growth		[-2,000]
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	495,435	495,435
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	28,783	28,783
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	3,153	3,153
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	19,591	19,591
	SUBTOTAL OPERATING FORCES	3,470,904	3,468,904
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	19,155	19,155
150	ADMINISTRATION	21,668	21,668

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
160	SERVICEWIDE COMMUNICATIONS	44,118	44,118
170	MANPOWER MANAGEMENT	7,127	7,127
180	RECRUITING AND ADVERTISING	67,976	67,976
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	160,044	160,044
	UNDISTRIBUTED		
210	UNDISTRIBUTED		-14,300
	Foreign currency fluctuations		[-10,900]
	Unobligated balances		[-3,400]
	SUBTOTAL UNDISTRIBUTED		-14,300
	TOTAL OPERATION AND MAINTENANCE, ARMY RESERVE	3,630,948	3,614,648
	OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD		
	OPERATING FORCES		
010	MANEUVER UNITS	925,071	925,071
020	MODULAR SUPPORT BRIGADES	201,781	201,781
030	ECHELONS ABOVE BRIGADE	840,373	833,373
	Unjustified growth		[-7,000]
040	THEATER LEVEL ASSETS	107,392	105,392
	Unjustified growth		[-2,000]
050	LAND FORCES OPERATIONS SUPPORT	62,908	62,908
060	AVIATION ASSETS	1,113,908	1,102,908
	Unjustified growth		[-11,000]
070	FORCE READINESS OPERATIONS SUPPORT	832,946	831,446
	Training Exercise Support		[3,500]
	Unjustified growth		[-5,000]
080	LAND FORCES SYSTEMS READINESS	50,696	50,696
090	LAND FORCES DEPOT MAINTENANCE	231,784	231,784
100	BASE OPERATIONS SUPPORT	1,249,066	1,249,066
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	1,081,561	1,081,561
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,468,857	1,468,857
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	9,566	9,566
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	15,710	15,710
	SUBTOTAL OPERATING FORCES	8,191,619	8,170,119
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	7,251	7,251
160	ADMINISTRATION	66,025	66,025
170	SERVICEWIDE COMMUNICATIONS	113,366	113,366
180	MANPOWER MANAGEMENT	8,663	8,663
190	OTHER PERSONNEL SUPPORT	292,426	292,426
200	REAL ESTATE MANAGEMENT	3,754	3,754
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	491,485	491,485
	UNDISTRIBUTED		
230	UNDISTRIBUTED		-49,000
	Foreign currency fluctuations		[-29,000]
	Unobligated balances		[-20,000]
	SUBTOTAL UNDISTRIBUTED		-49,000
	TOTAL OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD	8,683,104	8,612,604
	COUNTER-ISLAMIC STATE OF IRAQ AND SYRIA TRAIN AND EQUIP		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	241,950	241,950
020	SYRIA	156,000	156,000
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	397,950	397,950
	TOTAL COUNTER-ISLAMIC STATE OF IRAQ AND SYRIA TRAIN AND EQUIP	397,950	397,950

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
OPERATION AND MAINTENANCE, NAVY			
OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	7,882,504	7,882,504
020	FLEET AIR TRAINING	2,773,957	2,773,957
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	73,047	73,047
040	AIR OPERATIONS AND SAFETY SUPPORT	213,862	213,862
050	AIR SYSTEMS SUPPORT	1,155,463	1,155,463
060	AIRCRAFT DEPOT MAINTENANCE	1,857,021	1,857,021
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	66,822	66,822
080	AVIATION LOGISTICS	1,871,670	1,871,670
090	MISSION AND OTHER SHIP OPERATIONS	7,015,796	7,005,796
	Underexecution		[-10,000]
100	SHIP OPERATIONS SUPPORT & TRAINING	1,301,108	1,301,108
110	SHIP DEPOT MAINTENANCE	11,164,249	11,164,249
120	SHIP DEPOT OPERATIONS SUPPORT	2,728,712	2,728,712
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE ..	1,776,881	1,803,381
	AFRICOM UPL—Somalia Persistent Presence		[26,500]
140	SPACE SYSTEMS AND SURVEILLANCE	389,915	389,915
150	WARFARE TACTICS	1,005,998	1,005,998
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	455,330	455,330
170	COMBAT SUPPORT FORCES	2,350,089	2,336,089
	Naval Small Craft Instruction and Technical Training School		[6,000]
	Unjustified growth		[-20,000]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	189,044	189,044
200	COMBATANT COMMANDERS CORE OPERATIONS	92,504	92,504
210	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	352,980	416,980
	INDOPACOM campaigning		[36,000]
	Joint Training Team		[28,000]
230	CYBERSPACE ACTIVITIES	522,180	522,180
240	FLEET BALLISTIC MISSILE	1,763,238	1,763,238
250	WEAPONS MAINTENANCE	1,640,642	1,615,642
	Underexecution		[-25,000]
260	OTHER WEAPON SYSTEMS SUPPORT	696,653	696,653
270	ENTERPRISE INFORMATION	1,780,645	1,762,645
	Insufficient justification		[-18,000]
280	SUSTAINMENT, RESTORATION AND MODERNIZATION	4,406,192	4,714,316
	Dry Dock Repairs at PSNS Investment Restoration and Mod- ernization		[200,000]
	Hangar resilience and repair		[20,000]
	Program increase		[88,124]
290	BASE OPERATING SUPPORT	6,223,827	6,221,627
	Navy divestment of electrical utility operations at former Naval Air Station Barbers Point		[18,000]
	Unjustified growth		[-20,200]
	SUBTOTAL OPERATING FORCES	61,750,329	62,079,753
MOBILIZATION			
300	SHIP PREPOSITIONING AND SURGE	475,255	475,255
310	READY RESERVE FORCE	701,060	701,060
320	SHIP ACTIVATIONS/INACTIVATIONS	302,930	302,930
330	EXPEDITIONARY HEALTH SERVICES SYSTEMS	151,966	151,966
340	COAST GUARD SUPPORT	21,464	21,464
	SUBTOTAL MOBILIZATION	1,652,675	1,652,675
TRAINING AND RECRUITING			
350	OFFICER ACQUISITION	201,555	201,555
360	RECRUIT TRAINING	16,521	16,521
370	RESERVE OFFICERS TRAINING CORPS	175,171	175,171
380	SPECIALIZED SKILL TRAINING	1,238,894	1,233,894
	Unjustified growth		[-5,000]
390	PROFESSIONAL DEVELOPMENT EDUCATION	335,603	335,603
400	TRAINING SUPPORT	390,931	390,931
410	RECRUITING AND ADVERTISING	269,483	269,483
420	OFF-DUTY AND VOLUNTARY EDUCATION	90,452	90,452
430	CIVILIAN EDUCATION AND TRAINING	73,406	73,406
440	JUNIOR ROTC	58,970	58,970
	SUBTOTAL TRAINING AND RECRUITING	2,850,986	2,845,986
ADMINISTRATION AND SERVICE-WIDE ACTIVITIES			

SEC. 4301. OPERATION AND MAINTENANCE			
(In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
450	ADMINISTRATION	1,350,449	1,338,449
	Program decrease		[-12,000]
460	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	242,760	242,760
470	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	745,666	745,666
490	MEDICAL ACTIVITIES	323,978	323,978
500	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	67,357	67,357
510	SERVICEWIDE TRANSPORTATION	248,822	248,822
530	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	616,816	616,816
540	ACQUISITION, LOGISTICS, AND OVERSIGHT	850,906	850,906
550	INVESTIGATIVE AND SECURITY SERVICES	888,508	888,508
730A	CLASSIFIED PROGRAMS	655,281	655,281
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	5,990,543	5,978,543
	UNDISTRIBUTED		
740	UNDISTRIBUTED		-462,300
	Foreign currency fluctuations		[-236,300]
	Unobligated balances		[-226,000]
	SUBTOTAL UNDISTRIBUTED		-462,300
	TOTAL OPERATION AND MAINTENANCE, NAVY	72,244,533	72,094,657
	OPERATION AND MAINTENANCE, MARINE CORPS OPERATING FORCES		
010	OPERATIONAL FORCES	1,799,964	1,793,964
	INDOPACOM campaigning		[8,000]
	Unjustified growth		[-14,000]
020	FIELD LOGISTICS	1,878,228	1,853,228
	Unjustified growth		[-25,000]
030	DEPOT MAINTENANCE	211,460	211,460
040	MARITIME PREPOSITIONING	137,831	137,831
060	CYBERSPACE ACTIVITIES	205,449	205,449
070	SUSTAINMENT, RESTORATION & MODERNIZATION	1,211,183	1,235,407
	Program increase		[24,224]
080	BASE OPERATING SUPPORT	3,124,551	3,084,801
	Unjustified growth		[-42,750]
	USMC Nucleated Foam Engine Wash		[3,000]
	SUBTOTAL OPERATING FORCES	8,568,666	8,522,140
	TRAINING AND RECRUITING		
090	RECRUIT TRAINING	26,284	26,284
100	OFFICER ACQUISITION	1,316	1,316
110	SPECIALIZED SKILL TRAINING	133,176	133,176
120	PROFESSIONAL DEVELOPMENT EDUCATION	66,213	66,213
130	TRAINING SUPPORT	570,152	570,152
140	RECRUITING AND ADVERTISING	246,586	300,903
	Marine Corps Enlisted Training Corps		[5,000]
	Recruiting and advertising increase		[49,317]
150	OFF-DUTY AND VOLUNTARY EDUCATION	55,230	55,230
160	JUNIOR ROTC	29,616	29,616
	SUBTOTAL TRAINING AND RECRUITING	1,128,573	1,182,890
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
180	SERVICEWIDE TRANSPORTATION	90,366	90,366
190	ADMINISTRATION	428,650	428,650
220A	CLASSIFIED PROGRAMS	65,658	65,658
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	584,674	584,674
	UNDISTRIBUTED		
230	UNDISTRIBUTED		-65,800
	Foreign currency fluctuations		[-33,800]
	Unobligated balances		[-32,000]
	SUBTOTAL UNDISTRIBUTED		-65,800
	TOTAL OPERATION AND MAINTENANCE, MARINE CORPS	10,281,913	10,223,904
	OPERATION AND MAINTENANCE, NAVY RESERVE OPERATING FORCES		

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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
010	MISSION AND OTHER FLIGHT OPERATIONS	731,113	731,113
020	INTERMEDIATE MAINTENANCE	10,122	10,122
030	AIRCRAFT DEPOT MAINTENANCE	167,811	167,811
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	103	103
050	AVIATION LOGISTICS	29,185	29,185
060	COMBAT COMMUNICATIONS	20,806	20,806
070	COMBAT SUPPORT FORCES	186,590	186,590
080	CYBERSPACE ACTIVITIES	296	296
090	ENTERPRISE INFORMATION	32,467	32,467
100	SUSTAINMENT, RESTORATION AND MODERNIZATION	63,726	63,726
110	BASE OPERATING SUPPORT	121,064	121,064
	SUBTOTAL OPERATING FORCES	1,363,283	1,363,283
ADMINISTRATION AND SERVICE-WIDE ACTIVITIES			
120	ADMINISTRATION	2,025	2,025
130	MILITARY MANPOWER AND PERSONNEL MANAGEMENT ...	13,401	13,401
140	ACQUISITION AND PROGRAM MANAGEMENT	2,101	2,101
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	17,527	17,527
UNDISTRIBUTED			
170	UNDISTRIBUTED		-8,100
	Foreign currency fluctuations		[-3,900]
	Unobligated balances		[-4,200]
	SUBTOTAL UNDISTRIBUTED		-8,100
	TOTAL OPERATION AND MAINTENANCE, NAVY RESERVE	1,380,810	1,372,710
OPERATION AND MAINTENANCE, MARINE CORPS RESERVE			
OPERATING FORCES			
010	OPERATING FORCES	128,468	128,468
020	DEPOT MAINTENANCE	20,967	20,967
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	46,589	46,589
040	BASE OPERATING SUPPORT	120,808	120,808
	SUBTOTAL OPERATING FORCES	316,832	316,832
ADMINISTRATION AND SERVICE-WIDE ACTIVITIES			
050	ADMINISTRATION	12,563	12,563
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	12,563	12,563
UNDISTRIBUTED			
060	UNDISTRIBUTED		-4,900
	Foreign currency fluctuations		[-3,900]
	Unobligated balances		[-1,000]
	SUBTOTAL UNDISTRIBUTED		-4,900
	TOTAL OPERATION AND MAINTENANCE, MA- RINE CORPS RESERVE	329,395	324,495
OPERATION AND MAINTENANCE, AIR FORCE			
OPERATING FORCES			
010	PRIMARY COMBAT FORCES	980,768	936,068
	Technical realignment		[-14,700]
	Unjustified growth		[-30,000]
020	COMBAT ENHANCEMENT FORCES	2,665,924	2,733,924
	INDOPACOM Campaigning		[104,000]
	Unjustified growth		[-36,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,630,552	1,611,552
	Unjustified growth		[-19,000]
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	4,632,693	4,644,043
	F-22 Block 20 buy-back costs		[11,350]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	4,252,815	4,279,719
	DAF requested realignment of funds		[-58,152]
	Program increase		[85,056]
060	CYBERSPACE SUSTAINMENT	229,440	229,440
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	9,537,192	9,679,142

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
	F-22 Block 20 buy-back costs		[181,950]
	Underexecution		[-40,000]
080	FLYING HOUR PROGRAM	6,697,549	6,600,149
	F-22 Block 20 buy-back costs		[17,600]
	Underexecution		[-115,000]
090	BASE SUPPORT	11,633,510	11,310,018
	DAF requested realignment of funds		[-223,192]
	DAF requested realignment of funds from SAG 11A		[14,700]
	Underexecution		[-115,000]
100	GLOBAL C3I AND EARLY WARNING	1,350,827	1,301,476
	Technical realignment		[-30,951]
	Unjustified request		[-18,400]
110	OTHER COMBAT OPS SPT PROGRAMS	1,817,941	1,804,941
	Unjustified growth		[-13,000]
120	CYBERSPACE ACTIVITIES	807,966	807,966
130	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	267,615	267,615
160	US NORTHCOM/NORAD	245,263	245,263
170	US STRATCOM	541,720	541,720
190	US CENTCOM	335,220	329,220
	Office of Security Cooperation-Iraq reduction		[-6,000]
200	US SOCOM	27,511	27,511
210	US TRANSCOM	607	607
220	CENTCOM CYBERSPACE SUSTAINMENT	1,415	1,415
230	USSPACECOM	373,989	373,989
240	MEDICAL READINESS	564,880	562,596
	Technical realignment		[-2,284]
480A	CLASSIFIED PROGRAMS	1,465,926	1,465,926
	SUBTOTAL OPERATING FORCES	50,061,323	49,754,300
MOBILIZATION			
260	AIRLIFT OPERATIONS	3,012,287	3,012,287
270	MOBILIZATION PREPAREDNESS	241,918	241,918
	SUBTOTAL MOBILIZATION	3,254,205	3,254,205
TRAINING AND RECRUITING			
280	OFFICER ACQUISITION	202,769	202,769
290	RECRUIT TRAINING	28,892	28,892
300	RESERVE OFFICERS TRAINING CORPS (ROTC)	137,647	137,647
310	SPECIALIZED SKILL TRAINING	588,131	588,131
320	FLIGHT TRAINING	875,230	862,989
	Underexecution		[-12,241]
330	PROFESSIONAL DEVELOPMENT EDUCATION	301,262	303,262
	Program increase		[2,000]
340	TRAINING SUPPORT	194,609	194,609
350	RECRUITING AND ADVERTISING	204,318	204,318
360	EXAMINING	7,775	7,775
370	OFF-DUTY AND VOLUNTARY EDUCATION	263,421	263,421
380	CIVILIAN EDUCATION AND TRAINING	343,039	343,039
390	JUNIOR ROTC	75,666	75,666
	SUBTOTAL TRAINING AND RECRUITING	3,222,759	3,212,518
ADMINISTRATION AND SERVICE-WIDE ACTIVITIES			
400	LOGISTICS OPERATIONS	1,062,199	1,062,199
410	TECHNICAL SUPPORT ACTIVITIES	162,919	162,919
420	ADMINISTRATION	1,409,015	1,408,515
	Program decrease—contract support		[-500]
430	SERVICEWIDE COMMUNICATIONS	30,268	30,268
440	OTHER SERVICEWIDE ACTIVITIES	1,851,856	1,811,376
	Technical realignment		[4,520]
	Underexecution		[-45,000]
450	CIVIL AIR PATROL	30,901	30,901
460	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	42,759	42,759
480	INTERNATIONAL SUPPORT	115,267	115,267
490A	CLASSIFIED PROGRAMS	1,506,624	1,506,624
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	6,211,808	6,170,828
UNDISTRIBUTED			
500	UNDISTRIBUTED		-408,500
	Foreign currency fluctuations		[-208,500]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
	Unobligated balances		[-200,000]
	SUBTOTAL UNDISTRIBUTED		-408,500
	TOTAL OPERATION AND MAINTENANCE, AIR FORCE	62,750,095	61,983,351
	OPERATION AND MAINTENANCE, SPACE FORCE OPERATING FORCES		
010	GLOBAL C3I & EARLY WARNING	642,201	617,201
	Unjustified growth		[-25,000]
020	SPACE LAUNCH OPERATIONS	356,162	356,162
030	SPACE OPERATIONS	866,547	864,047
	Unjustified growth		[-2,500]
040	EDUCATION & TRAINING	199,181	212,353
	Technical realignment		[18,172]
	Unjustified growth		[-5,000]
050	SPECIAL PROGRAMS	383,233	383,233
060	DEPOT MAINTENANCE	67,757	67,757
070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	678,648	692,221
	Program increase		[13,573]
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT	1,380,350	1,378,350
	Unjustified growth		[-2,000]
090	SPACE OPERATIONS -BOS	188,760	188,760
110A	CLASSIFIED PROGRAMS	71,475	71,475
	SUBTOTAL OPERATING FORCES	4,834,314	4,831,559
	UNDISTRIBUTED		
120	UNDISTRIBUTED		-33,100
	Foreign currency fluctuations		[-14,100]
	Unobligated balances		[-19,000]
	SUBTOTAL UNDISTRIBUTED		-33,100
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
100	LOGISTICS OPERATIONS	34,046	34,046
110	ADMINISTRATION	149,108	130,936
	Technical realignment		[-18,172]
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	183,154	164,982
	TOTAL OPERATION AND MAINTENANCE, SPACE FORCE	5,017,468	4,963,441
	OPERATION AND MAINTENANCE, AIR FORCE RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	2,088,949	2,058,949
	Unjustified growth		[-30,000]
020	MISSION SUPPORT OPERATIONS	198,213	198,213
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	647,758	647,758
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	122,314	122,314
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	374,442	374,442
060	BASE SUPPORT	543,962	543,962
070	CYBERSPACE ACTIVITIES	1,742	1,742
	SUBTOTAL OPERATING FORCES	3,977,380	3,947,380
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
080	ADMINISTRATION	107,281	107,281
090	RECRUITING AND ADVERTISING	9,373	9,373
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	15,563	15,563
110	OTHER PERS SUPPORT (DISABILITY COMP)	6,174	6,174
120	AUDIOVISUAL	485	485
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	138,876	138,876
	UNDISTRIBUTED		
130	UNDISTRIBUTED		-40,500
	Foreign currency fluctuations		[-12,500]
	Unobligated balances		[-28,000]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
	SUBTOTAL UNDISTRIBUTED		-40,500
	TOTAL OPERATION AND MAINTENANCE, AIR FORCE RESERVE	4,116,256	4,045,756
	OPERATION AND MAINTENANCE, AIR NATIONAL GUARD		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,498,675	2,478,675
	Unjustified growth		[-20,000]
020	MISSION SUPPORT OPERATIONS	656,714	656,714
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,171,901	1,171,901
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	370,188	370,188
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	1,280,003	1,262,003
	Unjustified growth		[-18,000]
060	BASE SUPPORT	1,089,579	1,089,579
070	CYBERSPACE SUSTAINMENT	19,708	19,708
080	CYBERSPACE ACTIVITIES	49,476	49,476
	SUBTOTAL OPERATING FORCES	7,136,244	7,098,244
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
090	ADMINISTRATION	68,417	68,417
100	RECRUITING AND ADVERTISING	49,033	49,033
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	117,450	117,450
	UNDISTRIBUTED		
110	UNDISTRIBUTED		-46,200
	Foreign currency fluctuations		[-24,300]
	Unobligated balances		[-21,900]
	SUBTOTAL UNDISTRIBUTED		-46,200
	TOTAL OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	7,253,694	7,169,494
	OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	461,370	467,770
	Combatant Commander's Initiative Fund (CCIF)—AFRICOM and SOUTHCOM		[10,000]
	Unobligated balances		[-3,600]
020	JOINT CHIEFS OF STAFF—JTEEP	701,081	698,081
	Unjustified growth		[-3,000]
030	JOINT CHIEFS OF STAFF—CYBER	8,210	8,210
040	OFFICE OF THE SECRETARY OF DEFENSE—MISO	252,480	252,480
060	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	2,012,953	2,012,953
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	1,210,930	1,182,630
	MQ-9 Unmanned Aerial Vehicle unjustified increase		[-4,000]
	Program decrease		[-24,300]
080	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS	202,574	199,968
	Program decrease		[-2,606]
090	SPECIAL OPERATIONS COMMAND THEATER FORCES	3,346,004	3,337,278
	Program decrease		[-8,726]
100	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES	49,757	49,757
110	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,391,402	1,405,402
	Program decrease		[-6,000]
	Special Operations Command Intelligence increase in Non-Traditional ISR (SOF Digital Ecosystem POR)		[20,000]
120	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	1,438,967	1,419,975
	Program decrease		[-18,992]
130	CYBERSPACE OPERATIONS	1,318,614	1,323,614
	Internet Operations Management		[5,000]
140	USCYBERCOM HEADQUARTERS	332,690	332,690
	SUBTOTAL OPERATING FORCES	12,727,032	12,690,808
	TRAINING AND RECRUITING		

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
150	DEFENSE ACQUISITION UNIVERSITY	183,342	183,342
160	JOINT CHIEFS OF STAFF	118,172	118,172
170	SPECIAL OPERATIONS COMMAND/PROFESSIONAL DEVELOPMENT EDUCATION	33,855	33,855
	SUBTOTAL TRAINING AND RECRUITING	335,369	335,369
ADMINISTRATION AND SERVICE-WIDE ACTIVITIES			
180	CIVIL MILITARY PROGRAMS	142,240	275,740
	National Guard Youth Challenge		[83,500]
	STARBASE		[50,000]
190	DEFENSE CONTRACT AUDIT AGENCY—CYBER	4,870	4,870
200	DEFENSE CONTRACT AUDIT AGENCY	667,943	667,943
210	DEFENSE CONTRACT MANAGEMENT AGENCY	1,567,119	1,564,119
	Unobligated balances		[-3,000]
220	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	30,279	30,279
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	1,062,123	1,027,123
	Unjustified growth		[-35,000]
250	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	9,835	9,835
260	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	27,517	27,517
270	DEFENSE HUMAN RESOURCES ACTIVITY	1,033,789	988,789
	Underexecution		[-45,000]
300	DEFENSE INFORMATION SYSTEMS AGENCY	2,567,698	2,532,798
	Program decrease		[-25,000]
	Unobligated balances		[-9,900]
310	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	526,893	526,893
320	DEFENSE LEGAL SERVICES AGENCY	241,779	239,779
	Historical unobligated balances		[-2,000]
330	DEFENSE LOGISTICS AGENCY	446,731	446,731
340	DEFENSE MEDIA ACTIVITY	246,840	246,840
360	DEFENSE POW/MIA OFFICE	195,959	195,959
370	DEFENSE SECURITY COOPERATION AGENCY	2,379,100	2,259,100
	Program decrease—Border Security		[-120,000]
380	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	41,722	41,722
390	DEFENSE THREAT REDUCTION AGENCY	984,272	974,272
	Program decrease		[-10,000]
410	DEFENSE THREAT REDUCTION AGENCY—CYBER	70,548	70,548
420	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	3,451,625	3,514,625
	Historical unobligated balances		[-7,000]
	Impact Aid		[50,000]
	Impact Aid Students with Disabilities		[20,000]
430	MISSILE DEFENSE AGENCY	564,078	564,078
440	OFFICE OF THE LOCAL DEFENSE COMMUNITY COOPERATION	118,216	118,216
480	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	92,176	92,176
490	OFFICE OF THE SECRETARY OF DEFENSE	2,676,416	2,628,173
	Bien Hoa dioxin cleanup		[15,000]
	Centers for Disease Control and Prevention Nation-wide human health assessment		[5,000]
	Legacy Resource Management Program		[2,000]
	Program decrease		[-91,443]
	Readiness and Environmental Protection Integration program		[20,200]
	United States Telecommunications Training Institute		[1,000]
530	WASHINGTON HEADQUARTERS SERVICES	440,947	430,947
	Program decrease		[-10,000]
530A	CLASSIFIED PROGRAMS	20,114,447	20,043,479
	Classified adjustment		[-70,968]
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	39,705,162	39,522,551
UNDISTRIBUTED			
540	UNDISTRIBUTED		-15,000
	Historical unobligated balances		[-15,000]
	SUBTOTAL UNDISTRIBUTED		-15,000
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	52,767,563	52,533,728

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
	UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES		
	ADMINISTRATION AND ASSOCIATED ACTIVITIES		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	16,620	16,620
	SUBTOTAL ADMINISTRATION AND ASSOCIATED ACTIVITIES	16,620	16,620
	TOTAL UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES	16,620	16,620
	DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	54,977	54,977
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	54,977	54,977
	TOTAL DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND	54,977	54,977
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
	HUMANITARIAN ASSISTANCE		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	114,900	114,900
	SUBTOTAL HUMANITARIAN ASSISTANCE	114,900	114,900
	TOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	114,900	114,900
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	COOPERATIVE THREAT REDUCTION	350,999	350,999
	SUBTOTAL COOPERATIVE THREAT REDUCTION	350,999	350,999
	TOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	350,999	350,999
	ENVIRONMENTAL RESTORATION, ARMY		
	DEPARTMENT OF THE ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	198,760	198,760
	SUBTOTAL DEPARTMENT OF THE ARMY	198,760	198,760
	TOTAL ENVIRONMENTAL RESTORATION, ARMY	198,760	198,760
	ENVIRONMENTAL RESTORATION, NAVY		
	DEPARTMENT OF THE NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	335,240	335,240
	SUBTOTAL DEPARTMENT OF THE NAVY	335,240	335,240
	TOTAL ENVIRONMENTAL RESTORATION, NAVY	335,240	335,240
	ENVIRONMENTAL RESTORATION, AIR FORCE		
	DEPARTMENT OF THE AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	349,744	349,744
	SUBTOTAL DEPARTMENT OF THE AIR FORCE	349,744	349,744
	TOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	349,744	349,744
	ENVIRONMENTAL RESTORATION, DEFENSE		
	DEFENSE-WIDE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,965	8,965
	SUBTOTAL DEFENSE-WIDE	8,965	8,965
	TOTAL ENVIRONMENTAL RESTORATION, DEFENSE	8,965	8,965

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Conference Authorized
ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES			
DEFENSE-WIDE			
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	232,806	232,806
	SUBTOTAL DEFENSE-WIDE	232,806	232,806
TOTAL ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES			
		232,806	232,806
TOTAL OPERATION & MAINTENANCE		290,071,293	288,822,629

1 **TITLE XLIV—MILITARY**
 2 **PERSONNEL**
 3 **SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)			
Item	FY 2024 Request	Conference Authorized	
Military Personnel Appropriations	168,320,510	166,211,649	
Air Force end strength underexecution		[-564,000]	
Air National Guard AGF end strength underexecution		[-33,000]	
Army, Underexecution of strength		[-787,901]	
Marine Corps Reserve, Underexecution of strength		[-24,315]	
Navy end strength underexecution		[-600,000]	
Navy Reserve, Projected underexecution		[-10,000]	
Unobligated balances		[-89,645]	
Medicare-Eligible Retiree Health Care Fund Contributions	10,553,456	10,553,456	
TOTAL, Military Personnel	178,873,966	176,765,105	

4 **TITLE XLV—OTHER**
 5 **AUTHORIZATIONS**
 6 **SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Program Title	FY 2024 Request	Conference Authorized	
NATIONAL DEFENSE STOCKPILE TRANSACTION FUND			
DEFENSE STOCKPILE	7,629	7,629	
TOTAL NATIONAL DEFENSE STOCKPILE TRANSACTION FUND	7,629	7,629	
WORKING CAPITAL FUND, ARMY			
ARMY ARSENALS INITIATIVE	27,551	27,551	
ARMY SUPPLY MANAGEMENT	1,662	1,662	
TOTAL WORKING CAPITAL FUND, ARMY	29,213	29,213	
WORKING CAPITAL FUND, AIR FORCE			
TRANSPORTATION			
SUPPLIES AND MATERIALS	83,587	83,587	
TOTAL WORKING CAPITAL FUND, AIR FORCE	83,587	83,587	
WORKING CAPITAL FUND, DEFENSE-WIDE			
DEFENSE AUTOMATION & PRODUCTION SERVICES	4	4	
ENERGY MANAGEMENT—DEFENSE	114,663	114,663	

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SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)		
Program Title	FY 2024 Request	Conference Authorized
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	114,667	114,667
WORKING CAPITAL FUND, DEFENSE COMMISSARY AGENCY		
WORKING CAPITAL FUND—DECA	1,447,612	1,447,612
TOTAL WORKING CAPITAL FUND, DEFENSE COMMISSARY AGENCY	1,447,612	1,447,612
CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE		
OPERATION AND MAINTENANCE	89,284	89,284
RESEARCH, DEVELOPMENT, TEST, AND EVALUATION	1,002,560	1,002,560
TOTAL CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE	1,091,844	1,091,844
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE		
COUNTER-NARCOTICS SUPPORT	643,848	648,848
Global Trader in the Office of Naval Intelligence Maritime Intelligence Support		[5,000]
DRUG DEMAND REDUCTION PROGRAM	134,313	136,813
Young Marines Program		[2,500]
NATIONAL GUARD COUNTER-DRUG PROGRAM	102,272	122,272
Program increase		[20,000]
NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,993	10,993
Program increase		[5,000]
TOTAL DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	886,426	918,926
OFFICE OF THE INSPECTOR GENERAL		
OFFICE OF THE INSPECTOR GENERAL—O&M	518,919	518,919
OFFICE OF THE INSPECTOR GENERAL—CYBER	1,948	1,948
OFFICE OF THE INSPECTOR GENERAL—RDT&E	3,400	3,400
OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT	1,098	1,098
TOTAL OFFICE OF THE INSPECTOR GENERAL	525,365	525,365
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	10,044,342	9,950,353
Baseline adjustment		[-93,989]
PRIVATE SECTOR CARE	19,893,028	19,867,877
Unjustified growth		[-25,151]
CONSOLIDATED HEALTH SUPPORT	2,007,012	2,000,994
Historical underexecution		[-6,018]
INFORMATION MANAGEMENT	2,327,816	2,327,816
MANAGEMENT ACTIVITIES	347,446	347,446
EDUCATION AND TRAINING	336,111	343,111
TriService Nursing Research Program		[7,000]
BASE OPERATIONS/COMMUNICATIONS	2,144,551	2,142,051
Historical underexecution		[-2,500]
R&D RESEARCH	40,311	50,311
Clinical study on treatment with psychedelic substances		[10,000]
R&D EXPLORATORY DEVELOPMENT	178,892	178,892
R&D ADVANCED DEVELOPMENT	327,040	327,040
R&D DEMONSTRATION/VALIDATION	172,351	172,351
R&D ENGINEERING DEVELOPMENT	107,753	107,753
R&D MANAGEMENT AND SUPPORT	87,096	87,096
R&D CAPABILITIES ENHANCEMENT	18,330	18,330
PROC INITIAL OUTFITTING	22,344	22,344
PROC REPLACEMENT & MODERNIZATION	238,435	238,435
PROC JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM	29,537	29,537
PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	74,055	74,055
PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	17,510	17,510
TOTAL DEFENSE HEALTH PROGRAM	38,413,960	38,303,302
TOTAL OTHER AUTHORIZATIONS	42,600,303	42,522,145

1 **TITLE XLVI—MILITARY**
 2 **CONSTRUCTION**
 3 **SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Conference Authorized
MILITARY CONSTRUCTION				
ARMY				
	Alabama			
Army	Anniston Army Depot	ACCESS CONTROL POINT (P&D)	0	5,500
Army	Anniston Army Depot	COMPONENT REBUILD SHOP (P&D)	0	8,100
Army	Anniston Army Depot	OPEN STORAGE (P&D)	0	270
Army	Anniston Army Depot	VEHICLE PAINT SHOP (P&D)	0	2,900
Army	Fort Novosel	COST TO COMPLETE: ADV INDIVIDUAL TRAINING BARRACKS COMPLEX.	0	41,200
Army	Redstone Arsenal	SUBSTATION	50,000	50,000
	Alaska			
Army	Fort Wainwright	COST TO COMPLETE: ENLISTED UNACCOMPANIED PERS HSG.	34,000	34,000
Army	Fort Wainwright	SOLDIER PERFORMANCE READINESS CENTER (P&D).	0	7,900
	Florida			
Army	Camp Bull Simons	CHILD DEVELOPMENT CENTER	0	0
	Georgia			
Army	Fort Eisenhower	CYBER INSTRUCTIONAL FACILITY (CLASSROOMS).	163,000	73,000
Army	Fort Moore	CAMP MERRILL AST BARRACKS (P&D)	0	1,320
Army	Fort Stewart/Hunter Army Airfield	COMBAT AVIATION BRIGADE GSAB HANGAR (P&D).	0	6,400
Army	Fort Stewart/Hunter Army Airfield	MILITARY INTELLIGENCE BATTALION HANGAR (P&D).	0	2,220
	Germany			
Army	Grafenwoehr	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE.	10,400	10,400
Army	Hohenfels	SIMULATIONS CENTER	56,000	56,000
	Hawaii			
Army	Aliamamu Military Reservation	WATER STORAGE TANK	20,000	20,000
Army	Fort Shafter	CLEARWELL AND BOOSTER PUMP	0	23,000
Army	Helemano Military Reservation	WELLS AND STORAGE TANKS	0	33,000
Army	Schofield Barracks	ELEVATED TANK AND DISTRIBUTION LINES.	0	16,000
Army	Schofield Barracks	WATER STORAGE TANK	0	21,000
Army	Wheeler Army Airfield	AIR TRAFFIC CONTROL TOWER (P&D)	0	5,400
	Indiana			
Army	Crane Army Ammunition Plant	EARTH COVERED MAGAZINES (P&D)	0	1,195
	Kansas			
Army	Fort Riley	AIR TRAFFIC CONTROL TOWER (P&D)	0	1,600
Army	Fort Riley	AIRCRAFT MAINTENANCE HANGER	105,000	105,000
Army	Fort Riley	BOB DOLE INTERMODAL RAILYARD IMPROVEMENTS (P&D).	0	1,110
	Kentucky			
Army	Blue Grass Army Depot	SMALL ARMS MODERNIZATION (P&D)	0	3,300
Army	Fort Campbell	AIR TRAFFIC CONTROL TOWER (P&D)	0	2,500
Army	Fort Campbell	MULTIPURPOSE TRAINING RANGE	38,000	39,000
	Kwajalein			
Army	Kwajalein Atoll	COST TO COMPLETE: PIER	0	0
	Louisiana			
Army	Fort Johnson	MULTIPURPOSE ATHLETIC FIELD	0	13,400
	Massachusetts			
Army	Soldier Systems Center Natick	BARRACKS ADDITION	18,500	18,500
	Michigan			
Army	Detroit Arsenal	GROUND TRANSPORT EQUIPMENT BUILDING.	72,000	72,000
Army	Detroit Arsenal	MANNED/UNMANNED TACTICAL VEHICLE LAB (P&D).	0	2,400
	New Mexico			
Army	White Sands Missile Range	J-DETC DIRECTED ENERGY FACILITY (P&D).	0	5,500
	New York			
Army	Watervliet Arsenal	TANK FARM (P&D)	0	160

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Conference Authorized
	North Carolina			
Army	Fort Liberty	AIRCRAFT MAINTENANCE HANGAR	0	61,000
Army	Fort Liberty	AUTOMATED RECORD FIRE RANGE	19,500	21,000
Army	Fort Liberty	BARRACKS	50,000	50,000
Army	Fort Liberty	BARRACKS (FACILITY PROTOTYPING)	85,000	85,000
Army	Fort Liberty	CHILD DEVELOPMENT CENTER	0	36,000
	Oklahoma			
Army	McAlester Army Ammunition Plant	WATER TREATMENT PLANT (P&D)	0	1,194
	Pennsylvania			
Army	Letterkenny Army Depot	ANECHOIC CHAMBER (P&D)	0	275
Army	Letterkenny Army Depot	GUIDED MISSILE MAINTENANCE BUILDING	89,000	89,000
Army	Tobyhanna Army Depot	HELIPAD (P&D)	0	311
Army	Tobyhanna Army Depot	RADAR MAINTENANCE SHOP (P&D)	0	259
	Poland			
Army	Various Locations	PLANNING & DESIGN	0	25,710
	South Carolina			
Army	Fort Jackson	COST TO COMPLETE: RECEPTION BARRACKS COMPLEX, PHASE 2.	0	66,000
	Texas			
Army	Fort Bliss	COLLECTIVE TRAINING BARRACKS (P&D) ...	0	8,000
Army	Fort Bliss	RAIL YARD	74,000	74,000
Army	Fort Cavazos	BARRACKS (P&D)	0	20,000
Army	Fort Cavazos	TACTICAL EQUIPMENT MAINTENANCE FACILITIES (P&D).	0	5,800
Army	Red River Army Depot	COMPONENT REBUILD SHOP	113,000	46,400
Army	Red River Army Depot	NON-DESTRUCTIVE TESTING FACILITY (P&D).	0	280
Army	Red River Army Depot	STANDBY GENERATOR (P&D)	0	270
	Virginia			
Army	Fort Belvoir	EQUINE TRAINING FACILITY (P&D)	0	4,000
	Washington			
Army	Joint Base Lewis-McChord	BARRACKS	100,000	100,000
Army	Joint Base Lewis-McChord	BARRACKS (P&D)	0	7,900
Army	Joint Base Lewis-McChord	VEHICLE MAINTENANCE SHOP (P&D)	0	7,500
Army	Yakima Training Center	AUTOMATED INFANTRY PLATOON BATTLE COURSE (P&D).	0	960
	Worldwide Unspecified Locations			
Army	Unspecified Worldwide Locations	BARRACKS REPLACEMENT FUND (P&D)	0	65,000
Army	Unspecified Worldwide Locations	CHILD DEVELOPMENT CENTER PLANNING & DESIGN.	0	20,000
Army	Unspecified Worldwide Locations	COST TO COMPLETE ARMY	0	0
Army	Unspecified Worldwide Locations	HOST NATION SUPPORT	26,000	26,000
Army	Unspecified Worldwide Locations	LAB INFRASTRUCTURE PLANNING & DESIGN.	0	30,000
Army	Unspecified Worldwide Locations	ORGANIC INDUSTRIAL BASE PLANNING & DESIGN.	0	5,000
Army	Unspecified Worldwide Locations	PLANNING & DESIGN	270,875	270,875
Army	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION.	76,280	86,280
Army	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION DEMOLITION.	0	15,000
Subtotal Military Construction, Army			1,470,555	1,912,289
NAVY				
	Arizona			
Navy	Marine Corps Air Station Yuma	WATER TREATMENT PLANT (P&D)	0	8,900
	Australia			
Navy	Royal Australian Air Force Base Darwin	PDI: AIRCRAFT PARKING APRON (INC)	134,624	134,624
	California			
Navy	Marine Corps Air Ground Combat Center Twentynine Palms	COMMUNICATIONS TOWERS	42,100	42,100

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2024 Request	Conference Authorized
Navy	Marine Corps Base Camp Pendleton	FIRE/EMERGENCY RESPONSE STATION (53 AREA) REPLACEMENT (P&D).	0	2,683
Navy	Naval Base Coronado	CHILD DEVELOPMENT CENTER (P&D)	0	6,200
Navy	Naval Base San Diego	CHILD DEVELOPMENT CENTER (P&D)	0	5,600
Navy	Port Huenehene	LABORATORY COMPOUND FACILITIES IMPROVEMENTS.	110,000	70,000
	Connecticut			
Navy	Naval Submarine Base New London	SUBMARINE PIER 31 EXTENSION	112,518	36,718
Navy	Naval Submarine Base New London	WEAPONS MAGAZINE & ORDNANCE OPERATIONS FAC..	219,200	19,200
	District of Columbia			
Navy	Marine Barracks Washington (8th Street and I)	BACHELOR ENLISTED QUARTERS & SUPPORT FACILITY.	131,800	16,800
Navy	Naval Support Activity	ELECTROMAGNETIC & CYBER COUNTERMEASURES LAB (P&D).	0	40,000
	Djibouti			
Navy	Camp Lemonnier	ELECTRICAL POWER PLANT	0	25,000
	Florida			
Navy	Naval Air Station Whiting Field	ADVANCED HELICOPTER TRAINING SYSTEM HANGAR.	0	50,000
	Georgia			
Navy	Marine Corps Logistics Base Albany	CONSOLIDATED COMMUNICATION FACILITY.	0	64,000
	Guam			
Navy	Andersen Air Force Base	PDI: CHILD DEVELOPMENT CENTER	105,220	55,220
Navy	Andersen Air Force Base	PDI: JOINT CONSOL. COMM. CENTER (INC)	107,000	107,000
Navy	Joint Region Marianas	PDI: JOINT COMMUNICATION UPGRADE (INC).	292,830	31,330
Navy	Joint Region Marianas	PDI: MISSILE INTEGRATION TEST FACILITY.	174,540	56,140
Navy	Naval Base Guam	PDI: 9TH ESB TRAINING COMPLEX	23,380	27,536
Navy	Naval Base Guam	PDI: ARTILLERY BATTERY FACILITIES	137,550	137,550
Navy	Naval Base Guam	PDI: CONSOLIDATED MEB HQ/NCIS PHH	19,740	19,740
Navy	Naval Base Guam	PDI: RECREATION CENTER	34,740	34,740
Navy	Naval Base Guam	PDI: RELIGIOUS MINISTRY SERVICES FACILITY.	46,350	46,350
Navy	Naval Base Guam	PDI: SATELLITE COMMUNICATIONS FACILITY (INC).	166,159	56,159
Navy	Naval Base Guam	PDI: TRAINING CENTER	89,640	89,640
	Hawaii			
Navy	Joint Base Pearl Harbor-Hickam	DRY DOCK 3 REPLACEMENT (INC)	1,318,711	1,318,711
Navy	Joint Base Pearl Harbor-Hickam	WASTEWATER TREATMENT PLANT	0	15,000
Navy	Joint Base Pearl Harbor-Hickam	WATERFRONT PRODUCTION FACILITY (P&D).	0	60,000
Navy	Marine Corps Base Kaneohe Bay	WATER RECLAMATION FACILITY COMPLIANCE UPGRADE.	0	134,505
	Italy			
Navy	Naval Air Station Sigonella	EDI: ORDNANCE MAGAZINES	77,072	77,072
	Maine			
Navy	Portsmouth Naval Shipyard	MULTI-MISSION DRYDOCK #1 EXTENSION (INC).	544,808	544,808
	Maryland			
Navy	Fort Meade	CYBERSECURITY OPERATIONS FACILITY	186,480	60,580
Navy	Naval Air Station Patuxent River	AIRCRAFT DEVELOPMENT AND MAINTENANCE FACILITIES.	141,700	58,000
Navy	Naval Support Activity Bethesda	CONSTRUCT JOINT NAVY/DHA FIRE STATION (P&D).	0	3,000
	North Carolina			
Navy	Marine Corps Air Station Cherry Point	2D LAAD MAINTENANCE AND OPERATIONS FACILITIES.	0	45,000
Navy	Marine Corps Air Station Cherry Point	AIRCRAFT MAINTENANCE HANGAR (INC)	19,529	19,529
Navy	Marine Corps Air Station Cherry Point	MAINTENANCE FACILITY & MARINE AIR GROUP HQS.	125,150	35,150
Navy	Marine Corps Base Camp Lejeune	10TH MARINES MAINTENANCE & OPERATIONS COMPLEX.	0	66,270
Navy	Marine Corps Base Camp Lejeune	AMPHIBIOUS COMBAT VEHICLE SHELTERS	0	32,890
Navy	Marine Corps Base Camp Lejeune	CORROSION REPAIR FACILITY REPLACEMENT.	0	45,000
	Pennsylvania			

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Conference Authorized
Navy	Naval Surface Warfare Center Philadelphia	AI MACHINERY CONTROL DEVELOPMENT CENTER.	0	65,200
Navy	Virginia Dam Neck Annex	MARITIME SURVEILLANCE SYSTEM FACILITY.	109,680	23,680
Navy	Joint Expeditionary Base Little Creek—Fort Story	CHILD DEVELOPMENT CENTER	35,000	57,000
Navy	Marine Corps Base Quantico	WATER TREATMENT PLANT	127,120	37,120
Navy	Naval Station Norfolk	CHILD DEVELOPMENT CENTER	43,600	47,200
Navy	Naval Station Norfolk	MQ-25 AIRCRAFT LAYDOWN FACILITIES	114,495	11,495
Navy	Naval Station Norfolk	SUBMARINE PIER 3 (INC)	99,077	99,077
Navy	Naval Weapons Station Yorktown	WEAPONS MAGAZINES	221,920	46,920
Navy	Norfolk Naval Shipyard	DRY DOCK SALTWATER SYSTEM FOR CVN-78 (INC).	81,082	81,082
Navy	Washington Naval Air Station	E/A-18G AIRCRAFT REGIONAL SERVICE FACILITY (P&D).	0	11,100
Navy	Naval Base Kitsap	ALTERNATE POWER TRANSMISSION LINE	0	19,000
Navy	Naval Base Kitsap	ARMORED FIGHTING VEHICLE SUPPORT FACILITY.	0	31,000
Navy	Naval Base Kitsap	SHIPYARD ELECTRICAL BACKBONE	195,000	15,000
Navy	Worldwide Unspecified Locations	BARRACKS REPLACEMENT FUND (P&D)	0	75,000
Navy	Unspecified Worldwide Locations	INDOPACOM PLANNING & DESIGN	0	69,000
Navy	Unspecified Worldwide Locations	SIOP (P&D)	0	50,000
Navy	Unspecified Worldwide Locations	CHILD DEVELOPMENT CENTER PLANNING & DESIGN.	0	20,000
Navy	Unspecified Worldwide Locations	LAB INFRASTRUCTURE PLANNING & DESIGN.	0	30,000
Navy	Unspecified Worldwide Locations	NAVY SHORE UTILITY INFRASTRUCTURE (P&D).	0	85,000
Navy	Unspecified Worldwide Locations	PLANNING & DESIGN	599,942	599,942
Navy	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION.	34,430	44,430
Navy	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION DEMOLITION.	0	15,000
Navy	Unspecified Worldwide Locations	USMC MILITARY CONSTRUCTION PLANNING & DESIGN.	0	48,749
Navy	Unspecified Worldwide Locations	USMC UNSPECIFIED MINOR MILITARY CONSTRUCTION.	0	30,000
Subtotal Military Construction, Navy			6,022,187	5,310,740
AIR FORCE				
Alaska				
Air Force	Eielson Air Force Base	COAL THAW SHED ADDITION (P&D)	0	1,500
Air Force	Eielson Air Force Base	CONSOLIDATED MUNITIONS COMPLEX (P&D).	0	1,200
Air Force	Eielson Air Force Base	FIRE STATION (P&D)	0	1,700
Air Force	Eielson Air Force Base	JOINT MOBILITY CENTER EXPANSION (P&D).	0	3,000
Air Force	Eielson Air Force Base	JOINT PACIFIC ALASKA RANGE COMPLEX (JPARC) OPS FACILITY (P&D).	0	1,400
Air Force	Eielson Air Force Base	PERMANENT PARTY DORM (P&D)	0	9,500
Air Force	Joint Base Elmendorf-Richardson	COMBAT ALERT CELL (P&D)	0	18,100
Air Force	Joint Base Elmendorf-Richardson	EXTEND RUNWAY 16/34 (INC 3)	107,500	107,500
Air Force	Joint Base Elmendorf-Richardson	PRECISION GUIDED MISSILE COMPLEX (P&D).	0	6,100
Arizona				
Air Force	Luke Air Force Base	CHILD DEVELOPMENT CENTER (P&D)	0	2,700
Air Force	Luke Air Force Base	GILA BEND (P&D)	0	2,600
Australia				
Air Force	Royal Australian Air Force Base Darwin	PDI: SQUADRON OPERATIONS FACILITY	26,000	26,000
Air Force	Royal Australian Air Force Base Tindal	PDI: AIRCRAFT MAINTENANCE SUPPORT FACILITY.	17,500	17,500
Air Force	Royal Australian Air Force Base Tindal	PDI: SQUADRON OPERATIONS FACILITY	20,000	20,000
Air Force	Royal Australian Air Force Base Tindal	PDI: BOMBER APRON	93,000	93,000

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Conference Authorized
	Florida			
Air Force	Eglin Air Force Base	LRSO HARDWARE SOFTWARE DEVELOPMENT & TEST FACILITY.	0	15,500
Air Force	MacDill Air Force Base	KC-46A ADAL AIRCRAFT CORROSION CONTROL.	25,000	25,000
Air Force	MacDill Air Force Base	KC-46A ADAL AIRCRAFT MAINTENANCE HANGAR.	27,000	27,000
Air Force	MacDill Air Force Base	KC-46A ADAL APRON & HYDRANT FUELING PITS.	61,000	61,000
Air Force	MacDill Air Force Base	KC-46A ADAL FUEL SYSTEM MAINTENANCE DOCK.	18,000	18,000
Air Force	Patrick Space Force Base	COMMERCIAL VEHICLE INSPECTION	15,000	15,000
Air Force	Patrick Space Force Base	COST TO COMPLETE: CONSOLIDATED COMMUNICATIONS CENTER.	15,000	15,000
Air Force	Patrick Space Force Base	FINAL DENIAL BARRIERS, SOUTH GATE	12,000	12,000
Air Force	Tyndall Air Force Base	NATURAL DISASTER RECOVERY	0	252,000
	Georgia			
Air Force	Robins Air Force Base	BATTLE MANAGEMENT COMBINED OPERATIONS COMPLEX.	115,000	35,000
	Guam			
Air Force	Joint Region Marianas	PDI: NORTH AIRCRAFT PARKING RAMP (INC).	109,000	109,000
	Japan			
Air Force	Kadena Air Base	PDI: HELO RESCUE OPS MAINTENANCE HANGAR (INC 3).	46,000	46,000
Air Force	Kadena Air Base	PDI: THEATER A/C CORROSION CONTROL CTR (INC).	42,000	42,000
	Louisiana			
Air Force	Barksdale Air Force Base	CHILD DEVELOPMENT CENTER (P&D)	0	2,000
Air Force	Barksdale Air Force Base	DORMITORY (P&D)	0	7,000
Air Force	Barksdale Air Force Base	WEAPONS GENERATION FACILITY (INC 3) ..	112,000	112,000
	Mariana Islands			
Air Force	Timian	PDI: AIRFIELD DEVELOPMENT, PHASE 1 (INC 3).	26,000	26,000
Air Force	Timian	PDI: FUEL TANKS W/PIPELINE & HYDRANT (INC 3).	20,000	21,000
Air Force	Timian	PDI: PARKING APRON (INC 3)	32,000	32,000
	Massachusetts			
Air Force	Hanscom Air Force Base	CHILD DEVELOPMENT CENTER	37,000	37,000
Air Force	Hanscom Air Force Base	MIT-LINCOLN LAB (WEST LAB CSL/MIF) (INC 4).	70,000	70,000
	Mississippi			
Air Force	Columbus Air Force Base	T-7A GROUND BASED TRAINING SYSTEM FACILITY.	30,000	30,000
Air Force	Columbus Air Force Base	T-7A UNIT MAINTENANCE TRAINING FACILITY.	9,500	9,500
Air Force	Keesler Air Force Base	AIR TRAFFIC CONTROL TOWER (P&D)	0	2,000
	Montana			
Air Force	Malmstrom Air Force Base	FIRE STATION BAY/STORAGE AREA	0	10,300
	Nebraska			
Air Force	Offutt Air Force Base	55 CES MAINTENANCE/WAREHOUSE (P&D)	0	4,500
Air Force	Offutt Air Force Base	BASE OPERATIONS/MOBILITY CENTER (P&D).	0	5,000
Air Force	Offutt Air Force Base	LOGISTICS READINESS SQUADRON TRANSPORTATION FACILITY (P&D).	0	3,500
	Nevada			
Air Force	Nellis Air Force Base	DORMITORY (P&D)	0	7,500
Air Force	Nellis Air Force Base	F-35 COALITION HANGAR (P&D)	0	5,500
Air Force	Nellis Air Force Base	F-35 DATA LAB SUPPORT FACILITY (P&D) ..	0	700
	New Mexico			
Air Force	Cannon Air Force Base	SATELLITE FIRE STATION (P&D)	0	5,000
Air Force	Kirtland Air Force Base	COST TO COMPLETE: WYOMING GATE UPGRADE FOR ANTITERRORISM COMPLIANCE.	0	0
	Norway			
Air Force	Rygge Air Station	EDI: DABS-FEV STORAGE	88,000	96,000
Air Force	Rygge Air Station	EDI: MUNITIONS STORAGE AREA	31,000	40,000
	Ohio			
Air Force	Wright-Patterson Air Force Base	ACQUISITION MANAGEMENT COMPLEX PHASE V (P&D).	0	19,500
	Oklahoma			

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Air Force	Tinker Air Force Base	F-35 AIRCRAFT OXYGEN SHOP (P&D)	0	5,800
Air Force	Tinker Air Force Base	KC-46 3-BAY DEPOT MAINTENANCE HANGAR (INC 3).	78,000	58,000
Air Force	Vance Air Force Base	CONSOLIDATED UNDERGRADUATE PILOT TRAINING CENTER (P&D).	0	8,400
Air Force	Philippines Cesar Basa Air Base	PDI: TRANSIENT AIRCRAFT PARKING APRON.	35,000	35,000
Air Force	South Dakota Ellsworth Air Force Base	B-21 FUEL SYSTEM MAINTENANCE DOCK ..	75,000	75,000
Air Force	Ellsworth Air Force Base	B-21 PHASE HANGAR	160,000	34,000
Air Force	Ellsworth Air Force Base	B-21 WEAPONS GENERATION FACILITY (INC).	160,000	160,000
Air Force	Spain Morón Air Base	EDI: MUNITIONS STORAGE	26,000	34,000
Air Force	Texas Joint Base San Antonio-Lackland	91 CYBER OPERATIONS CENTER	0	48,000
Air Force	Joint Base San Antonio-Lackland	BMT - CHAPEL FOR AMERICA'S AIRMEN	0	90,000
Air Force	Joint Base San Antonio-Lackland	CHILD DEVELOPMENT CENTER	20,000	20,000
Air Force	United Kingdom Royal Air Force Fairford	COST TO COMPLETE: EDI DABS-FEV STORAGE.	0	28,000
Air Force	Royal Air Force Fairford	COST TO COMPLETE: EDI MUNITIONS HOLDING AREA.	0	20,000
Air Force	Royal Air Force Fairford	EDI: RADR STORAGE FACILITY	47,000	47,000
Air Force	Royal Air Force Lakenheath	EDI: RADR STORAGE FACILITY	28,000	28,000
Air Force	Royal Air Force Lakenheath	SURETY DORMITORY	50,000	50,000
Air Force	Utah Hill Air Force Base	F-35 T-7A EAST CAMPUS INFRASTRUCTURE.	82,000	82,000
Air Force	Worldwide Unspecified Unspecified Worldwide Locations	BARRACKS REPLACEMENT FUND (P&D)	0	65,000
Air Force	Unspecified Worldwide Locations	CHILD DEVELOPMENT CENTER PLANNING & DESIGN.	0	20,000
Air Force	Unspecified Worldwide Locations	COST TO COMPLETE	0	0
Air Force	Unspecified Worldwide Locations	EDI: PLANNING & DESIGN	5,648	5,648
Air Force	Unspecified Worldwide Locations	LAB INFRASTRUCTURE PLANNING & DESIGN.	0	30,000
Air Force	Unspecified Worldwide Locations	PLANNING & DESIGN	429,266	429,266
Air Force	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION.	64,900	74,900
Air Force	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION DEMOLITION.	0	15,000
Air Force	Wyoming F.E. Warren Air Force Base	COST TO COMPLETE: CONSOLIDATED HELO/TRF OPS/AMU AND ALERT FACILITY.	0	18,000
Air Force	F.E. Warren Air Force Base	GBSD INTEGRATED COMMAND CENTER (INC 2).	27,000	27,000
Air Force	F.E. Warren Air Force Base	GBSD INTEGRATED TRAINING CENTER	85,000	85,000
Air Force	F.E. Warren Air Force Base	GBSD MISSILE HANDLING COMPLEX (INC 2).	28,000	28,000
Subtotal Military Construction, Air Force			2,605,314	3,151,314
DEFENSE-WIDE				
Defense-Wide	Alabama Redstone Arsenal	GROUND TEST FACILITY INFRASTRUCTURE.	147,975	67,975
Defense-Wide	California Marine Corps Air Station Miramar	AMBULATORY CARE CENTER—DENTAL CLINIC ADD//ALT.	103,000	20,600
Defense-Wide	Marine Corps Air Station Miramar	ELECTRICAL INFRASTRUCTURE, ON-SITE GENERATION, AND MICROGRID IMPROVEMENTS.	0	30,550

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Defense-Wide	Monterey	COST TO COMPLETE: COGEN PLANT AT B236.	0	5,460
Defense-Wide	Naval Base Coronado	COST TO COMPLETE: SOF ATC OPERATIONS SUPPORT FACILITY.	0	11,400
Defense-Wide	Naval Base Coronado	SOF NAVAL SPECIAL WARFARE COMMAND OPERATIONS SUPPORT FACILITY PHASE 2.	0	51,000
Defense-Wide	Naval Base San Diego	AMBULATORY CARE CENTER—DENTAL CLINIC REPLMT.	101,644	22,184
Defense-Wide	Naval Base San Diego	MICROGRID AND BACKUP POWER	0	6,300
Defense-Wide	Naval Base Ventura County	COST TO COMPLETE: GROUND MOUNTED SOLAR PV.	0	16,840
Defense-Wide	Vandenberg Space Force Base	MICROGRID WITH BACKUP POWER	0	57,000
	Colorado			
Defense-Wide	Buckley Space Force Base	REDUNDANT ELECTRICAL SUPPLY	0	9,000
Defense-Wide	Buckley Space Force Base	REPLACEMENT WATER WELL	0	5,700
	Cuba			
Defense-Wide	Naval Station Guantanamo Bay	AMBULATORY CARE CENTER (INC 1)	60,000	60,000
	Delaware			
Defense-Wide	Dover Air Force Base	WHOLE BLOOD PROCESSING LABORATORY REPLACEMENT.	0	30,500
	Djibouti			
Defense-Wide	Camp Lemonnier	COST TO COMPLETE: ENHANCE ENERGY SECURITY AND CONTROL SYSTEMS.	0	5,200
	Georgia			
Defense-Wide	Fort Moore	DEXTER ELEMENTARY SCHOOL (P&D)	0	500
Defense-Wide	Naval Submarine Base Kings Bay	ELECTRICAL TRANSMISSION AND DISTRIBUTION IMPROVEMENTS, PHASE 2.	0	49,500
	Germany			
Defense-Wide	Baumholder	HUMAN PERFORMANCE TRAINING CENTER	0	16,700
Defense-Wide	Baumholder	SOF COMPANY OPERATIONS FACILITY	41,000	41,000
Defense-Wide	Baumholder	SOF JOINT PARACHUTE RIGGING FACILITY	23,000	23,000
Defense-Wide	Kaiserslautern Air Base	KAISERSLAUTERN MIDDLE SCHOOL	21,275	21,275
Defense-Wide	Ramstein Air Base	RAMSTEIN MIDDLE SCHOOL	181,764	181,764
Defense-Wide	Rhine Ordnance Barracks	MEDICAL CENTER REPLACEMENT (INC 11)	77,210	77,210
Defense-Wide	Stuttgart	ROBINSON BARRACKS ELEM SCHOOL REPLACEMENT.	8,000	8,000
	Hawaii			
Defense-Wide	Joint Base Pearl Harbor-Hickam	COST TO COMPLETE: FY20 500 KW PV COVERED PARKING EV CHARGING STATION.	0	7,476
Defense-Wide	Joint Base Pearl Harbor-Hickam	COST TO COMPLETE: PRIMARY ELECTRICAL DISTRIBUTION.	0	13,040
	Honduras			
Defense-Wide	Soto Cano Air Base	FUEL FACILITIES	41,300	41,300
	Italy			
Defense-Wide	Naples	COST TO COMPLETE: SMART GRID	0	7,610
	Japan			
Defense-Wide	Fleet Activities Yokosuka	KINNICK HIGH SCHOOL (INC)	70,000	70,000
Defense-Wide	Kadena Air Base	PDI SOF MAINTENANCE HANGAR	88,900	88,900
Defense-Wide	Kadena Air Base	PDI: SOF COMPOSITE MAINTENANCE FACILITY.	11,400	11,400
	Kansas			
Defense-Wide	Forbes Field	MICROGRID AND BACKUP POWER	0	5,850
Defense-Wide	Fort Riley	COST TO COMPLETE: POWER GENERATION AND MICROGRID.	0	15,468
	Kentucky			
Defense-Wide	Fort Knox	MIDDLE SCHOOL ADDITION (P&D)	0	6,600
	Korea			
Defense-Wide	K-16 Air Base	K-16 EMERGENCY BACKUP POWER	0	5,650
	Kuwait			
Defense-Wide	Camp Arifjan	COST TO COMPLETE: POWER GENERATION AND MICROGRID.	0	8,197
Defense-Wide	Camp Buehring	MICROGRID AND BACKUP POWER	0	18,850
	Louisiana			
Defense-Wide	Naval Air Station Joint Reserve Base New Orleans	COST TO COMPLETE: DISTRIBUTION SWITCHGEAR.	0	6,453
	Maryland			
Defense-Wide	Bethesda Naval Hospital	MEDICAL CENTER ADDITION/ALTERATION (INC 7).	101,816	101,816
Defense-Wide	Fort Meade	NSAW MISSION OPS AND RECORDS CENTER (INC).	105,000	105,000

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Defense-Wide	Fort Meade	NSAW RECAP BUILDING 4 (INC)	315,000	315,000
Defense-Wide	Fort Meade	NSAW RECAP BUILDING 5 (ECB 5) (INC)	65,000	65,000
Defense-Wide	Joint Base Andrews	HYDRANT FUELING SYSTEM	38,300	38,300
	Missouri			
Defense-Wide	Lake City Army Ammunition Plant	MICROGRID AND BACKUP POWER	0	80,100
	Montana			
Defense-Wide	Great Falls International Airport	FUEL FACILITIES	30,000	30,000
	Nebraska			
Defense-Wide	Offutt Air Force Base	DEFENSE POW/MIA ACCOUNTABILITY AGENCY LABORATORY (P&D).	0	5,000
Defense-Wide	Offutt Air Force Base	MICROGRID AND BACKUP POWER	0	41,000
	North Carolina			
Defense-Wide	Fort Liberty (Camp Mackall)	MICROGRID AND BACKUP POWER	0	10,500
Defense-Wide	Marine Corps Base Camp Lejeune	MARINE RAIDER BATTALION OPERATIONS FACILITY.	0	70,000
	Oklahoma			
Defense-Wide	Fort Sill	MICROGRID AND BACKUP POWER	0	76,650
	Pennsylvania			
Defense-Wide	Fort Indiantown Gap	COST TO COMPLETE: GEOTHERMAL AND SOLAR PV.	0	9,250
	Puerto Rico			
Defense-Wide	Fort Buchanan	MICROGRID AND BACKUP POWER	0	56,000
Defense-Wide	Juana Díaz	COST TO COMPLETE: MICROGRID CONTROLS, 690 KW PV, 275KW GEN, 570 KWH BESS.	0	7,680
Defense-Wide	Ramey	COST TO COMPLETE: MICROGRID CONTROL SYSTEM, 460 KW PV, 275KW GEN, 660 KWH BESS.	0	6,360
	Spain			
Defense-Wide	Naval Station Rota	BULK TANK FARM, PHASE 1	80,000	80,000
	Texas			
Defense-Wide	Fort Cavazos	COST TO COMPLETE: POWER GENERATION AND MICROGRID.	0	18,900
Defense-Wide	Fort Cavazos	MICROGRID AND BACKUP POWER	0	18,250
	Utah			
Defense-Wide	Hill Air Force Base	OPEN STORAGE	14,200	14,200
	Virginia			
Defense-Wide	Fort Belvoir	DLA HEADQUARTERS ANNEX	185,000	25,000
Defense-Wide	Fort Belvoir (NGA Campus East)	COST TO COMPLETE: CHILLED WATER REDUNDANCY.	0	550
Defense-Wide	Hampton Roads	COST TO COMPLETE: BACKUP POWER GENERATION.	0	1,200
Defense-Wide	Joint Expeditionary Base Little Creek—Fort Story	SOF SDVT2 OPERATIONS SUPPORT FACILITY.	61,000	61,000
Defense-Wide	Pentagon	HVAC EFFICIENCY UPGRADES	0	2,250
Defense-Wide	Pentagon	SEC OPS AND PEDESTRIAN ACCESS FAC ...	30,600	30,600
	Washington			
Defense-Wide	Joint Base Lewis-McChord	POWER GENERATION AND MICROGRID	0	49,850
Defense-Wide	Joint Base Lewis-McChord	SOF CONSOLIDATED RIGGING FACILITY	62,000	62,000
Defense-Wide	Manchester	BULK STORAGE TANKS, PHASE 2	71,000	71,000
Defense-Wide	Naval Undersea Warfare Center Keyport	SOF COLD WATER TRAINING AUSTERE ENVIRONMENT FACILITY.	0	37,000
	Worldwide Unspecified			
Defense-Wide	Unspecified Worldwide Locations	INDOPACOM MILITARY CONSTRUCTION PILOT PROGRAM.	0	150,000
Defense-Wide	Unspecified Worldwide Locations	INDOPACOM UNSPECIFIED MINOR MILITARY CONSTRUCTION.	0	62,000
Defense-Wide	Unspecified Worldwide Locations	ENERGY RESILIENCE AND CONSERV. INVEST. PROG..	548,000	0
Defense-Wide	Unspecified Worldwide Locations	ERCIP PLANNING & DESIGN	86,250	101,250
Defense-Wide	Unspecified Worldwide Locations	EXERCISE RELATED MINOR CONSTRUCTION.	11,107	21,472
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN (CYBERCOM)	30,215	30,215
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN (DEFENSE-WIDE)	32,579	32,579
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN (DHA)	49,610	49,610
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN (DLA)	24,000	24,000
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN (DODEA)	8,568	8,568

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Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN (MDA)	1,035	21,035
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN (NSA)	3,068	3,068
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN (SOCOM)	25,130	25,130
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN (TJS)	2,000	2,000
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN (WHIS)	590	590
Defense-Wide	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION (DEFENSE-WIDE).	3,000	3,000
Defense-Wide	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION (SOCOM).	19,271	19,271
Defense-Wide	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION (DLA).	4,875	4,875
Defense-Wide	Wyoming F.E. Warren Air Force Base	MICROGRID AND BATTERY STORAGE	0	25,000
Subtotal Military Construction, Defense-Wide			2,984,682	3,198,571
ARMY NATIONAL GUARD				
Alabama				
Army National Guard	Fort McClellan	COST TO COMPLETE: ENLISTED BARRACKS, TT.	0	7,000
Army National Guard	Huntsville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	4,650
Arizona				
Army National Guard	Surprise Readiness Center	NATIONAL GUARD READINESS CENTER	15,000	15,000
Arkansas				
Army National Guard	Fort Chaffee	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	610
California				
Army National Guard	Bakersfield	COST TO COMPLETE: VEHICLE MAINTENANCE SHOP.	0	1,000
Army National Guard	Camp Roberts	COST TO COMPLETE: AUTOMATED MULTIPURPOSE MACHINE GUN (MPMG) RANGE.	0	5,000
Colorado				
Army National Guard	Peterson Space Force Base	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	3,000
Connecticut				
Army National Guard	Putnam	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	6,125
Florida				
Army National Guard	Camp Blanding	MULTIPURPOSE MACHINE GUN RANGE	0	11,000
Army National Guard	Camp Blanding	TRAINING AIDS CENTER (P&D)	0	1,200
Army National Guard	Camp Blanding	WEDGE INFANTRY SQUAD BATTLE COURSE (P&D).	0	840
Guam				
Army National Guard	Barrigada	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	6,900
Idaho				
Army National Guard	Jerome County Regional Site	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	1,250
Army National Guard	Jerome County Regional Site	NATIONAL GUARD VEHICLE MAINTENANCE SHOP.	17,000	17,000
Illinois				
Army National Guard	Bloomington	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP.	0	5,250
Army National Guard	Chicago, Jones Armory	GENERAL JONES NATIONAL GUARD READINESS CENTER ALTERATION (P&D).	0	5,000
Army National Guard	North Riverside Armory	NATIONAL GUARD VEHICLE MAINTENANCE SHOP.	24,000	24,000
Army National Guard	Peoria	READINESS CENTER (P&D)	0	2,400
Indiana				
Army National Guard	Shelbyville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER ADD/ALT.	0	5,000
Kansas				
Army National Guard	Topeka	COST TO COMPLETE: NATIONAL GUARD/RESERVE CENTER BUILDING.	0	5,856
Kentucky				
Army National Guard	Burlington	VEHICLE MAINTENANCE SHOP	0	16,400

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Army National Guard	Frankfort	COST TO COMPLETE: NATIONAL GUARD/RESERVE CENTER BUILDING.	0	2,000
	Louisiana			
Army National Guard	Camp Beauregard	COLLECTIVE TRAINING UNACCOMPANIED HOUSING OPEN-BAY (P&D).	0	2,400
Army National Guard	Camp Beauregard	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	2,000
Army National Guard	Camp Minden	COST TO COMPLETE: COLLECTIVE TRAINING UNACCOMPANIED HOUSING, OPEN BAY.	0	3,718
	Maine			
Army National Guard	Northern Maine Range Complex	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE (P&D).	0	2,800
Army National Guard	Saco	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP.	0	7,420
	Massachusetts			
Army National Guard	Camp Edwards	COST TO COMPLETE: AUTOMATED MULTIPURPOSE MACHINE GUN (MPMG) RANGE.	0	0
	Minnesota			
Army National Guard	Camp Ripley	ACCESS CONTROL FACILITY (P&D)	0	1,530
	Mississippi			
Army National Guard	Camp Shelby	CAMP SHELBY JFTC RAILHEAD EXPANSION (P&D).	0	2,200
Army National Guard	Camp Shelby	COST TO COMPLETE: MANEUVER AREA TRAINING EQUIPMENT SITE ADDITION.	0	5,425
Army National Guard	Meridian	ARMY AVIATION SUPPORT FACILITY 3 (P&D).	0	2,160
Army National Guard	Southaven Readiness Center	NATIONAL GUARD READINESS CENTER	0	33,000
	Missouri			
Army National Guard	Bellefontaine	NATIONAL GUARD READINESS CENTER	28,000	28,000
	Nebraska			
Army National Guard	Bellevue	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	9,090
Army National Guard	Greenlief Training Site	COLLECTIVE TRAINING UNACCOMPANIED HOUSING OPEN-BAY (P&D).	0	1,200
Army National Guard	Mead Training Site	COST TO COMPLETE: COLLECTIVE TRAINING UNACCOMPANIED HOUSING, OPEN BAY.	0	1,913
Army National Guard	North Platte	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP.	0	400
	Nevada			
Army National Guard	Floyd Edsall Training Center	COMBINED SUPPORT MAINTENANCE SHOP (P&D).	0	2,700
Army National Guard	Floyd Edsall Training Center	GENERAL INSTRUCTION FACILITY (P&D)	0	5,490
Army National Guard	Harry Reid Training Center	READY BUILDING (P&D)	0	590
	New Hampshire			
Army National Guard	Concord	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	200
Army National Guard	Littleton	NATIONAL GUARD VEHICLE MAINTENANCE SHOP ADDITION.	23,000	23,000
	New Jersey			
Army National Guard	Joint Base McGuire-Dix-Lakehurst	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	605
Army National Guard	Newark	NATIONAL GUARD READINESS CENTER (P&D).	0	1,900
	New Mexico			
Army National Guard	Rio Rancho Training Site	NATIONAL GUARD VEHICLE MAINTENANCE SHOP ADDITION.	11,000	11,000
	New York			
Army National Guard	Lexington Avenue Armory	NATIONAL GUARD READINESS CENTER ADDITION/ALTERATION.	0	70,000
	North Carolina			
Army National Guard	Salisbury	ARMY AVIATION SUPPORT FACILITIES (P&D).	0	2,200
	North Dakota			
Army National Guard	Camp Grafton	INSTITUTIONAL POST-INITIAL MILITARY TRAINING, UNACCOMPANIED HOUSING (P&D).	0	1,950
Army National Guard	Dickinson	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	5,425
	Ohio			
Army National Guard	Camp Perry Joint Training Center	NATIONAL GUARD READINESS CENTER	19,200	19,200

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Account	State/Country and Installation	Project Title	FY 2024 Request	Conference Authorized
Army National Guard	Columbus	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	4,000
Army National Guard	Oklahoma Ardmore	COST TO COMPLETE: VEHICLE MAINTENANCE SHOP.	0	400
Army National Guard	Shawnee Readiness Center	NATIONAL GUARD READINESS CENTER (P&D).	0	1,800
Army National Guard	Oregon Washington County Readiness Center	NATIONAL GUARD READINESS CENTER	26,000	26,000
Army National Guard	Pennsylvania Fort Indiantown Gap	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE (P&D).	0	1,550
Army National Guard	Hermitage Readiness Center	NATIONAL GUARD READINESS CENTER	13,600	13,600
Army National Guard	Moon Township	COST TO COMPLETE: COMBINED SUPPORT MAINTENANCE SHOP.	0	3,100
Army National Guard	Puerto Rico Fort Allen	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	3,677
Army National Guard	Rhode Island Camp Fogarty Training Site	COLLECTIVE TRAINING UNACCOMPANIED HOUSING OPEN-BAY (P&D).	0	1,990
Army National Guard	Quonset Point	NATIONAL GUARD READINESS CENTER	0	41,000
Army National Guard	South Carolina Aiken County Readiness Center	NATIONAL GUARD READINESS CENTER	20,000	20,000
Army National Guard	Joint Base Charleston	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	4,373
Army National Guard	McCrady Training Center	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE.	7,900	7,900
Army National Guard	South Dakota Sioux Falls	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	5,250
Army National Guard	Tennessee Campbell Army Air Field	ARMY AIR TRAFFIC CONTROL TOWERS (P&D).	0	2,500
Army National Guard	McMinnville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	500
Army National Guard	Texas Fort Cavazos	GENERAL PURPOSE INSTRUCTION BUILDING (P&D).	0	2,685
Army National Guard	Fort Worth	COST TO COMPLETE: AIRCRAFT MAINTENANCE HANGAR ADD/ALT.	0	6,489
Army National Guard	Fort Worth	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP.	0	381
Army National Guard	Utah Camp Williams	COLLECTIVE TRAINING UNACCOMPANIED HOUSING, SENIOR NCO AND OFFICER (P&D).	0	2,875
Army National Guard	Vermont Bennington	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER.	0	3,415
Army National Guard	Virgin Islands St. Croix	COST TO COMPLETE: ARMY AVIATION SUPPORT FACILITY.	0	4,200
Army National Guard	St. Croix	COST TO COMPLETE: READY BUILDING	0	1,710
Army National Guard	Virginia Sandston Re & FMS 1	AIRCRAFT MAINTENANCE HANGAR	20,000	20,000
Army National Guard	Troutville	COST TO COMPLETE: COMBINED SUPPORT MAINTENANCE SHOP ADDITION.	0	2,415
Army National Guard	Troutville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER ADDITION.	0	2,135
Army National Guard	Washington Camp Murray	NATIONAL GUARD/RESERVE CENTER (P&D)	0	3,600
Army National Guard	West Virginia Bluefield	NATIONAL GUARD READINESS CENTER (P&D).	0	1,950
Army National Guard	Charleston	NATIONAL GUARD READINESS CENTER (P&D).	0	4,800
Army National Guard	Parkersburg	NATIONAL GUARD READINESS CENTER (P&D).	0	3,300
	Wisconsin			

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Conference Authorized
Army National Guard	Viroqua	NATIONAL GUARD READINESS CENTER	18,200	18,200
	Worldwide Unspecified			
Army National Guard	Unspecified Worldwide Locations	COST TO COMPLETE ARMY NATIONAL GUARD.	0	0
Army National Guard	Unspecified Worldwide Locations	PLANNING & DESIGN	34,286	34,286
Army National Guard	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION.	63,000	73,000
Army National Guard	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION DEMOLITION.	0	15,000
Subtotal Military Construction, Army National Guard			340,186	732,078
ARMY RESERVE				
	Alabama			
Army Reserve	Birmingham	ARMY RESERVE CENTER/AMSA/LAND	57,000	57,000
	Arizona			
Army Reserve	San Tan Valley	AREA MAINTENANCE SUPPORT ACTIVITY ...	12,000	17,000
	California			
Army Reserve	Marine Corps Base Camp Pendleton	COST TO COMPLETE: AREA MAINTENANCE SUPPORT ACTIVITY.	0	3,000
Army Reserve	Fort Hunter Liggett	NETWORK ENTERPRISE CENTER	0	40,000
	Florida			
Army Reserve	Perrine	COST TO COMPLETE: ARMY RESERVE CENTER.	0	3,000
	Georgia			
Army Reserve	Marine Corps Logistics Base Albany	ARMY RESERVE CENTER	0	40,000
	North Carolina			
Army Reserve	Asheville	COST TO COMPLETE: ARMY RESERVE CENTER.	0	12,000
	Ohio			
Army Reserve	Wright Patterson Air Force Base	COST TO COMPLETE: ARMY RESERVE CENTER.	0	5,000
	Virginia			
Army Reserve	Richmond	ARMY RESERVE CENTER (P&D)	0	4,000
	Worldwide Unspecified			
Army Reserve	Unspecified Worldwide Locations	COST TO COMPLETE ARMY RESERVE	0	0
Army Reserve	Unspecified Worldwide Locations	PLANNING & DESIGN	23,389	23,389
Army Reserve	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION.	14,687	24,687
Army Reserve	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION DEMOLITION.	0	5,000
Subtotal Military Construction, Army Reserve			107,076	234,076
NAVY RESERVE & MARINE CORPS RESERVE				
	Michigan			
Navy Reserve & Marine Corps Reserve	Naval Reserve Center Battle Creek	ORGANIC SUPPLY FACILITIES	24,549	24,549
	Virginia			
Navy Reserve & Marine Corps Reserve	Marine Forces Reserve Dam Neck Virginia Beach	G/ATOR SUPPORT FACILITIES	12,400	12,400
	Worldwide Unspecified			
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	MCNR PLANNING & DESIGN	6,495	6,495
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	MCNR UNSPECIFIED MINOR MILITARY CONSTRUCTION.	7,847	17,847
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION DEMOLITION.	0	5,000
Subtotal Military Construction, Navy Reserve & Marine Corps Reserve			51,291	66,291
AIR NATIONAL GUARD				
	Alabama			
Air National Guard	Montgomery Regional Airport	F-35 ADAL SQ OPS BLDG 1303	7,000	7,000
	Alaska			
Air National Guard	Eielson Air Force Base	AMC STANDARD DUAL BAY HANGAR (P&D)	0	5,000

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Conference Authorized
Air National Guard	Joint Base Elmendorf-Richardson	ADAL ALERT CREW FACILITY HGR 18	0	7,000
Air National Guard	Joint Base Elmendorf-Richardson	HC-130J SIMULATOR FACILITY (P&D)	0	2,000
Arizona				
Air National Guard	Tucson International Airport	MCCA: AIRCRAFT ARRESTING SYSTEM (NEW RWY).	11,600	11,600
Arkansas				
Air National Guard	Ebbing Air National Guard Base	3-BAY HANGAR	0	54,000
Air National Guard	Ebbing Air National Guard Base	AIRCREW FLIGHT EQUIPMENT/STEP	0	0
Air National Guard	Ebbing Air National Guard Base	SPECIAL ACCESS PROGRAM FACILITY	0	21,989
Colorado				
Air National Guard	Buckley Space Force Base	AIRCRAFT CORROSION CONTROL	12,000	12,000
Florida				
Air National Guard	Jacksonville International Airport	F-35 MUNITIONS STORAGE AREA ADMIN (P&D).	0	600
Indiana				
Air National Guard	Fort Wayne International Airport	FIRE STATION	8,900	8,900
Maine				
Air National Guard	Bangor International Airport	REPAIR HANGAR ACCESS APRON (LIGHT DUTY RAMP) (P&D).	0	1,450
Air National Guard	Bangor International Airport	REPAIR WHISKEY APRON (P&D)	0	704
Mississippi				
Air National Guard	Jackson International Airport	COST TO COMPLETE: 172ND AIRLIFT WING FIRE/CRASH RESCUE STATION.	0	8,000
Missouri				
Air National Guard	Rosecrans Air National Guard Base	139TH AIRLIFT WING ENTRY CONTROL POINT (P&D).	0	2,000
Air National Guard	Rosecrans Air National Guard Base	ENTRY CONTROL POINT (P&D)	0	0
New Jersey				
Air National Guard	Atlantic City International Airport	CONSOLIDATED DINING, SERVICES, AND FITNESS CENTER (P&D).	0	2,000
Air National Guard	Atlantic City International Airport	F-16 MISSION TRAINING CENTER (P&D)	0	1,100
Oregon				
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 1	22,000	23,000
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 2	18,500	21,000
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 3	0	24,000
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 4	0	11,000
Pennsylvania				
Air National Guard	Harrisburg International Airport	ENTRY CONTROL FACILITY	0	8,000
Wisconsin				
Air National Guard	Truax Field	F-35: MM&I FAC, B701	0	5,200
Air National Guard	Volk Air National Guard Base	FIRE/CRASH RESCUE STATION (P&D)	0	0
Worldwide Unspecified				
Air National Guard	Unspecified Worldwide Locations	PLANNING & DESIGN	35,600	35,600
Air National Guard	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION.	63,122	73,122
Air National Guard	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION DEMOLITION.	0	15,000
Subtotal Military Construction, Air National Guard			178,722	361,265
AIR FORCE RESERVE				
Arizona				
Air Force Reserve	Davis-Monthan Air Force Base	GUARDIAN ANGEL POTFF FACILITY	0	8,500
California				
Air Force Reserve	March Air Reserve Base	KC-46 ADD/ALTER B1244 FUT/CARGO PALLET STORAGE.	17,000	17,000
Air Force Reserve	March Air Reserve Base	KC-46 ADD/ALTER B6000 SIMULATOR FACILITY.	8,500	8,500
Air Force Reserve	March Air Reserve Base	KC-46 TWO BAY MAINTENANCE/FUEL HANGAR.	201,000	201,000

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Conference Authorized
	Georgia			
Air Force Reserve	Dobbins Air Reserve Base	SECURITY FORCES FACILITY	0	22,000
	Guam			
Air Force Reserve	Joint Region Marianas	AERIAL PORT FACILITY	27,000	27,000
	Louisiana			
Air Force Reserve	Barksdale Air Force Base	307 BW MEDICAL FACILITY ADDITION	0	7,000
	Ohio			
Air Force Reserve	Youngstown Air Reserve Station	FIRE STATION (P&D)	0	2,500
	Texas			
Air Force Reserve	Naval Air Station Joint Reserve Base Fort Worth	LRS WAREHOUSE	16,000	16,000
	Worldwide Unspecified			
Air Force Reserve	Unspecified Worldwide Locations	PLANNING & DESIGN	12,146	12,146
Air Force Reserve	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION.	9,926	19,926
Air Force Reserve	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION DEMOLITION.	0	5,000
Subtotal Military Construction, Air Force Reserve			291,572	346,572
NATO SECURITY INVESTMENT PROGRAM				
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO SECURITY INVESTMENT PROGRAM ...	293,434	343,434
Subtotal NATO Security Investment Program			293,434	343,434
TOTAL MILITARY CONSTRUCTION			14,345,019	15,656,630
FAMILY HOUSING				
FAMILY HOUSING CONSTRUCTION, ARMY				
	Georgia			
Fam Hsg Con, Army	Fort Eisenhower	FORT EISENHOWER MHPI EQUITY INVESTMENT.	50,000	50,000
	Germany			
Fam Hsg Con, Army	Baumholder	FAMILY HOUSING NEW CONSTRUCTION	78,746	90,135
	Kwajalein			
Fam Hsg Con, Army	Kwajalein Atoll	FAMILY HOUSING REPLACEMENT CONSTRUCTION.	98,600	98,600
	Missouri			
Fam Hsg Con, Army	Fort Leonard Wood	FORT LEONARD WOOD MHPI EQUITY INVESTMENT.	50,000	50,000
	Worldwide Unspecified			
Fam Hsg Con, Army	Unspecified Worldwide Locations	FAMILY HOUSING P&D	27,549	27,549
Subtotal Family Housing Construction, Army			304,895	316,284
FAMILY HOUSING O&M, ARMY				
	Worldwide Unspecified			
Fam Hsg O&M, Army	Unspecified Worldwide Locations	FURNISHINGS	12,121	12,121
Fam Hsg O&M, Army	Unspecified Worldwide Locations	HOUSING PRIVATIZATION SUPPORT	86,019	86,019
Fam Hsg O&M, Army	Unspecified Worldwide Locations	LEASING	112,976	112,976
Fam Hsg O&M, Army	Unspecified Worldwide Locations	MAINTENANCE	86,706	86,706
Fam Hsg O&M, Army	Unspecified Worldwide Locations	MANAGEMENT	41,121	41,121
Fam Hsg O&M, Army	Unspecified Worldwide Locations	MISCELLANEOUS	554	554
Fam Hsg O&M, Army	Unspecified Worldwide Locations	SERVICES	7,037	7,037
Fam Hsg O&M, Army	Unspecified Worldwide Locations	UTILITIES	38,951	38,951
Subtotal Family Housing Operation And Maintenance, Army			385,485	385,485
FAMILY HOUSING CONSTRUCTION, NAVY & MARINE CORPS				
	Guam			

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)						
Account	State/Country and Installation	Project Title			FY 2024 Request	Conference Authorized
Fam Hsg Con, Navy & Marine Corps	Joint Region Marianas	REPLACE ANDERSEN HOUSING (AF), PHASE 7.			83,126	83,126
Fam Hsg Con, Navy & Marine Corps	Joint Region Marianas	REPLACE ANDERSEN HOUSING, PHASE 8 ...			121,906	121,906
Fam Hsg Con, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	DESIGN, WASHINGTON DC			4,782	4,782
Fam Hsg Con, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	IMPROVEMENTS, WASHINGTON DC			57,740	57,740
Fam Hsg Con, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	USMC DPRI/GUAM PLANNING & DESIGN			9,588	9,588
Subtotal Family Housing Construction, Navy & Marine Corps					277,142	277,142
FAMILY HOUSING O&M, NAVY & MARINE CORPS						
Fam Hsg O&M, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	FURNISHINGS			17,744	17,744
Fam Hsg O&M, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	HOUSING PRIVATIZATION SUPPORT			65,655	65,655
Fam Hsg O&M, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	LEASING			60,214	60,214
Fam Hsg O&M, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	MAINTENANCE			101,356	101,356
Fam Hsg O&M, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	MANAGEMENT			61,896	61,896
Fam Hsg O&M, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	MISCELLANEOUS			419	419
Fam Hsg O&M, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	SERVICES			13,250	13,250
Fam Hsg O&M, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	UTILITIES			43,320	43,320
Subtotal Family Housing Operation & Maintenance, Navy & Marine Corps					363,854	363,854
FAMILY HOUSING CONSTRUCTION, AIR FORCE						
Fam Hsg Con, Air Force	Alabama Maxwell Air Force Base	MHPI RESTRUCTURE-AETC GROUP II			65,000	65,000
Fam Hsg Con, Air Force	Colorado U.S. Air Force Academy	CONSTRUCTION IMPROVEMENT—CARLTON HOUSE.			9,282	9,282
Fam Hsg Con, Air Force	Hawaii Joint Base Pearl Harbor-Hickam	MHPI RESTRUCTURE-JOINT BASE PEARL HARBOR-HICKAM.			75,000	75,000
Fam Hsg Con, Air Force	Japan Yokota Air Base	IMPROVE FAMILY HOUSING PAIP 9, PHASE 1 (24 UNITS).			0	27,000
Fam Hsg Con, Air Force	Mississippi Keesler Air Force Base	MHPI RESTRUCTURE-SOUTHERN GROUP			80,000	80,000
Fam Hsg Con, Air Force	Worldwide Unspecified Unspecified Worldwide Locations	PLANNING & DESIGN			7,815	7,815
Subtotal Family Housing Construction, Air Force					237,097	264,097
FAMILY HOUSING O&M, AIR FORCE						
Fam Hsg O&M, Air Force	Worldwide Unspecified Unspecified Worldwide Locations	FURNISHINGS			12,884	23,884
Fam Hsg O&M, Air Force	Worldwide Unspecified Unspecified Worldwide Locations	HOUSING PRIVATIZATION SUPPORT			31,803	31,803
Fam Hsg O&M, Air Force	Worldwide Unspecified Unspecified Worldwide Locations	LEASING			5,143	5,143

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Conference Authorized
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	MAINTENANCE	135,410	124,410
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	MANAGEMENT	68,023	68,023
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	MISCELLANEOUS	2,377	2,377
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	SERVICES	10,692	10,692
Fam Hsg O&M, Air Force	Unspecified Worldwide Locations	UTILITIES	48,054	48,054
Subtotal Family Housing Operation And Maintenance, Air Force			314,386	314,386
FAMILY HOUSING O&M, DEFENSE-WIDE				
Fam Hsg O&M, Defense-Wide	Worldwide Unspecified Locations	FURNISHINGS	673	673
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	FURNISHINGS	89	89
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	LEASING	32,042	32,042
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	LEASING	13,658	13,658
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	MAINTENANCE	35	35
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	UTILITIES	4,273	4,273
Fam Hsg O&M, Defense-Wide	Unspecified Worldwide Locations	UTILITIES	15	15
Subtotal Family Housing Operation And Maintenance, Defense-Wide			50,785	50,785
FAMILY HOUSING IMPROVEMENT FUND				
Family Housing Improvement Fund	Worldwide Unspecified Locations	ADMINISTRATIVE EXPENSES—FHIF	6,611	6,611
Subtotal Family Housing Improvement Fund			6,611	6,611
UNACCOMPANIED HOUSING IMPROVEMENT FUND				
Unaccompanied Housing Improvement Fund	Worldwide Unspecified Locations	ADMINISTRATIVE EXPENSES—UHIF	496	496
Subtotal Unaccompanied Housing Improvement Fund			496	496
TOTAL FAMILY HOUSING			1,940,751	1,979,140
DEFENSE BASE REALIGNMENT AND CLOSURE, ARMY				
BRAC, Army	Worldwide Unspecified Locations	BASE REALIGNMENT & CLOSURE	150,640	200,640
Subtotal Base Realignment and Closure—Army			150,640	200,640
BASE REALIGNMENT AND CLOSURE, NAVY				
BRAC, Navy	Worldwide Unspecified Locations	BASE REALIGNMENT & CLOSURE	108,818	158,818
Subtotal Base Realignment and Closure—Navy			108,818	158,818
BASE REALIGNMENT AND CLOSURE, AIR FORCE				
BRAC, Air Force	Worldwide Unspecified Locations	BASE REALIGNMENT & CLOSURE	123,990	173,990
Subtotal Base Realignment and Closure—Air Force			123,990	173,990
BASE REALIGNMENT AND CLOSURE, DEFENSE-WIDE				
BRAC, Defense-Wide	Worldwide Unspecified Locations	INT-4; DLA ACTIVITIES	5,726	5,726
Subtotal Base Realignment and Closure—Defense-Wide			5,726	5,726

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Conference Authorized
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			389,174	539,174
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			16,674,944	18,174,944

1 **TITLE XLVII—DEPARTMENT OF**
 2 **ENERGY NATIONAL SECURITY**
 3 **PROGRAMS**

4 **SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY**
 5 **PROGRAMS.**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)			
Program		FY 2024 Request	Conference Authorized
Discretionary Summary by Appropriation			
Energy and Water Development and Related Agencies			
Appropriation Summary:			
Energy Programs			
Nuclear Energy		177,733	160,000
Atomic Energy Defense Activities			
National Nuclear Security Administration:			
Weapons Activities		18,832,947	19,121,676
Defense Nuclear Nonproliferation		2,508,959	2,444,252
Naval Reactors		1,964,100	1,964,100
Federal Salaries and Expenses		538,994	518,994
Total, National Nuclear Security Administration		23,845,000	24,049,022
Defense Environmental Cleanup		7,073,587	7,043,763
Defense Uranium Enrichment D&D		427,000	0
Other Defense Activities		1,075,197	1,075,197
Total, Atomic Energy Defense Activities		32,420,784	32,167,982
Total, Discretionary Funding		32,598,517	32,327,982
Nuclear Energy			
Safeguards and security		177,733	160,000
Program decrease			[-17,733]
Total, Nuclear Energy		177,733	160,000
National Nuclear Security Administration			
Weapons Activities			
Stockpile management			
Stockpile major modernization			
B61 Life extension program		449,850	449,850
W88 Alteration program		178,823	178,823
W80-4 Life extension program		1,009,929	1,009,929
W80-4 ALT Nuclear-armed sea-launched cruise missile		0	70,000
Program increase			[70,000]
W87-1 Modification Program		1,068,909	1,068,909
W93		389,656	389,656
B61-13		52,000	52,000
Subtotal, Stockpile major modernization		3,097,167	3,219,167
Stockpile sustainment		1,276,578	1,276,578
Weapons dismantlement and disposition		53,718	53,718

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2024 Request	Conference Authorized
Production operations	710,822	710,822
Nuclear enterprise assurance	66,614	66,614
Total, Stockpile management	5,256,899	5,326,899
Production Modernization		
Primary Capability Modernization		
Plutonium Modernization		
Los Alamos Plutonium Modernization		
Los Alamos Plutonium Operations	833,100	833,100
21-D-512 Plutonium Pit Production Project, LANL	670,000	670,000
15-D-302 TA-55 Reinvestments Project, Phase 3, LANL	30,000	30,000
07-D-220-04 Transuranic Liquid Waste Facility, LANL	0	0
04-D-125 Chemistry and Metallurgy Research Replacement Project, LANL	227,122	227,122
Subtotal, Los Alamos Plutonium Modernization	1,760,222	1,760,222
Savannah River Plutonium Modernization		
Savannah River Plutonium Operations	62,764	62,764
21-D-511 Savannah River Plutonium Processing Facility, SRS	858,235	1,000,235
Program increase		[142,000]
Subtotal, Savannah River Plutonium Modernization	920,999	1,062,999
Enterprise Plutonium Support	87,779	87,779
Total, Plutonium Modernization	2,769,000	2,911,000
High Explosives & Energetics		
High Explosives & Energetics	93,558	93,558
23-D-516 Energetic Materials Characterization Facility, LANL	0	0
21-D-510 HE Synthesis, Formulation, and Production, PX	0	80,000
Program increase		[80,000]
15-D-301 HE Science & Engineering Facility, PX	101,356	101,356
Subtotal, High Explosives & Energetics	194,914	274,914
Total, Primary Capability Modernization	2,963,914	3,185,914
Secondary Capability Modernization		
Secondary Capability Modernization	666,914	666,914
18-D-690 Lithium Processing Facility, Y-12	210,770	210,770
06-D-141 Uranium Processing Facility, Y-12	760,000	760,000
Total, Secondary Capability Modernization	1,637,684	1,637,684
Tritium and Domestic Uranium Enrichment		
Tritium and Domestic Uranium Enrichment	592,992	592,992
18-D-650 Tritium Finishing Facility, SRS	0	37,000
Program increase		[37,000]
Total, Tritium and Domestic Uranium Enrichment	0	629,992
Non-Nuclear Capability Modernization		
Non-Nuclear Capability Modernization	166,990	166,990
22-D-513 Power Sources Capability, SNL	37,886	37,886
Total, Non-Nuclear Capability Modernization	204,876	204,876
Capability Based Investments	156,462	156,462
Total, Production Modernization	5,555,928	5,814,928
Stockpile research, technology, and engineering		
Assessment Science		
Assessment Science	917,751	917,751
17-D-640 U1a Complex Enhancements Project, NNSS	126,570	126,570
Total, Assessment Science	1,044,321	1,044,321
Engineering and integrated assessments	440,456	440,456
Inertial confinement fusion	601,650	641,650
Program increase		[40,000]
Advanced simulation and computing	782,472	782,472
Weapon technology and manufacturing maturation	327,745	307,745
Program decrease		[-20,000]
Academic programs	152,271	112,000
Community Capacity Building Program		[-30,000]
Program decrease		[-10,271]
Total, Stockpile research, technology, and engineering	3,348,915	3,328,644
Infrastructure and operations		
Operating		
Operations of facilities	1,053,000	1,053,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2024 Request	Conference Authorized
Safety and Environmental Operations	139,114	139,114
Maintenance and Repair of Facilities	718,000	700,000
Program decrease		[-18,000]
Recapitalization		
Infrastructure and Safety	650,012	638,012
Program decrease		[-12,000]
Subtotal, Recapitalization	650,012	638,012
Total, Operating	2,560,126	2,530,126
Mission enabling construction:		
22-D-510 Analytic Gas Laboratory, PX	35,000	35,000
22-D-511 Plutonium Production Building, LANL	48,500	48,500
22-D-512 TA-46 Protective Force Facility, LANL	48,500	48,500
22-D-517 Electrical Power Capacity Upgrade, LANL	75,000	75,000
22-D-518 Plutonium Modernization Ops & Waste Mngmt Office Bldg, LANL	0	0
23-D-519 Special Material Facility, Y-12	0	0
Total, Mission enabling construction	207,000	207,000
Total, Infrastructure and operations	2,767,126	2,737,126
Secure transportation asset		
Operations and equipment	239,008	239,008
Program direction	118,056	118,056
Total, Secure transportation asset	357,064	357,064
Defense nuclear security		
Operations and maintenance	988,756	988,756
Construction:		
17-D-710 West End Protected Area Reduction Project, Y-12	28,000	38,000
Program increase		[10,000]
Subtotal, Construction	28,000	38,000
Total, Defense nuclear security	1,016,756	1,026,756
Information technology and cybersecurity	578,379	578,379
Legacy contractor pensions	65,452	65,452
Total, Weapons Activities	18,946,519	19,235,248
Adjustments		
Use of prior year balances	-113,572	-113,572
Total, Adjustments	-113,572	-133,572
Total, Weapons Activities	18,832,947	19,121,676
Defense Nuclear Nonproliferation		
Material Management and Minimization		
Conversion (formerly HEU Reactor Conversion)	116,675	116,675
Nuclear material removal	47,100	47,100
Material disposition	282,250	282,250
Total, Material Management and Minimization	446,025	446,025
Global Material Security		
International nuclear security	84,707	75,000
Program decrease		[-9,707]
Radiological security	258,033	258,033
Nuclear smuggling detection and deterrence	181,308	181,308
Total, Global Material Security	524,048	514,341
Nonproliferation and Arms Control	212,358	192,358
Program decrease		[-20,000]
Defense Nuclear Nonproliferation R&D		
Proliferation detection	290,388	280,388
Program decrease		[-10,000]
Nonproliferation stewardship program	107,437	107,437
Nuclear detonation detection	285,603	285,603
Forensics R&D	44,759	44,759
Nonproliferation fuels development	0	0
Total, Defense Nuclear Nonproliferation R&D	728,187	718,187
Nonproliferation Construction:		
18-D-150 Surplus Plutonium Disposition Project, SRS	77,211	77,211
Total, Nonproliferation Construction	77,211	77,211
NNSA Bioassurance Program	25,000	0
Program decrease		[-25,000]
Legacy contractor pensions	22,587	22,587

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SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2024 Request	Conference Authorized
Nuclear Counterterrorism and Incident Response Program		
Emergency Operations	19,123	19,123
Counterterrorism and Counterproliferation	474,420	474,420
Total, Nuclear Counterterrorism and Incident Response Program	493,543	493,543
Subtotal, Defense Nuclear Nonproliferation	2,528,959	2,464,252
Adjustments		
Use of prior year balances	-20,000	-20,000
Total, Adjustments	-20,000	-20,000
Total, Defense Nuclear Nonproliferation	2,508,959	2,444,252
Naval Reactors		
Naval reactors development	838,340	838,340
Columbia-Class reactor systems development	52,900	52,900
S8G Prototype refueling	0	0
Naval reactors operations and infrastructure	712,036	712,036
Program direction	61,540	61,540
Construction:		
22-D-533 BL Component Test Complex	0	0
22-D-531 KL Chemistry & Radiological Health Building	10,400	10,400
21-D-530 KL Steam and Condensate Upgrade	53,000	53,000
14-D-901 Spent Fuel Handling Recapitalization Project, NRF	199,300	199,300
24-D-530 NRF Medical Science Complex	36,584	36,584
Total, Construction	299,284	299,284
Total, Naval Reactors	1,964,100	1,964,100
Federal Salaries and Expenses		
Program direction	538,994	518,994
Use of prior year balances	0	0
Total, Federal Salaries and Expenses	538,994	518,994
TOTAL, National Nuclear Security Administration	23,845,000	24,049,022
Defense Environmental Cleanup		
Closure sites administration	3,023	3,023
Richland		
River corridor and other cleanup operations	180,000	180,000
Central plateau remediation	684,289	684,289
Richland community and regulatory support	10,100	10,100
18-D-404 Modification of Waste Encapsulation and Storage Facility	0	0
22-D-401 L-888 Eastern Plateau Fire Station	7,000	7,000
22-D-402 L-897 200 Area Water Treatment Facility	11,200	11,200
23-D-404 181D Export Water System Reconfiguration and Upgrade	27,149	27,149
23-D-405 181B Export Water System Reconfiguration and Upgrade	462	462
24-D-401 Environmental Restoration Disposal Facility Supercell 11 Expans Proj	1,000	1,000
Total, Richland	921,200	921,200
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	466,000	430,000
Program decrease		[-36,000]
Rad liquid tank waste stabilization and disposition	813,625	813,625
Construction:		
23-D-403 Hanford 200 West Area Tank Farms Risk Management Project	15,309	15,309
15-D-409 Low Activity Waste Pretreatment System	60,000	60,000
18-D-16 Waste Treatment and Immobilization Plant—LBL/ Direct feed LAW	0	0
01-D-16D High-Level Waste Facility	600,000	600,000
01-D-16E Pretreatment Facility	20,000	20,000
Subtotal, Construction	695,309	695,309
ORP Low-level waste offsite disposal	0	0
Total, Office of River Protection	1,974,934	1,938,934
Idaho National Laboratory:		
Idaho cleanup and waste disposition	377,623	377,623

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2024 Request	Conference Authorized
Idaho community and regulatory support	2,759	2,759
Construction:		
22-D-403 Idaho Spent Nuclear Fuel Staging Facility	10,159	10,159
22-D-404 Addl ICDF Landfill Disposal Cell and Evaporation Ponds Project	46,500	46,500
22-D-402 Calcine Construction	10,000	10,000
Subtotal, Construction	66,659	66,659
Total, Idaho National Laboratory	447,041	447,041
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,879	1,879
LNL Excess Facilities D&D	20,195	20,195
Separations Processing Research Unit	15,300	15,300
Nevada Test Site	61,952	61,952
Sandia National Laboratory	2,264	2,264
Los Alamos National Laboratory	273,831	273,831
Los Alamos Excess Facilities D&D	13,648	13,648
Total, NNSA sites and Nevada off-sites	389,069	389,069
Oak Ridge Reservation:		
OR Nuclear Facility D&D	335,000	335,000
U233 Disposition Program	55,000	55,000
OR cleanup and waste disposition	72,000	72,000
Construction:		
14-D-403 Outfall 200 Mercury Treatment Facility	10,000	10,000
17-D-401 On-site Waste Disposal Facility	24,500	24,500
Subtotal, Construction	34,500	34,500
OR community & regulatory support	5,500	5,500
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	505,000	505,000
Savannah River Site:		
Savannah River risk management operations	453,109	460,241
Program increase		[7,132]
Savannah River legacy pensions	65,898	65,898
Savannah River community and regulatory support	12,389	12,389
Savannah River National Laboratory O&M	42,000	42,000
Construction:		
20-D-401 Saltstone Disposal Unit #10, 11, 12	56,250	56,250
19-D-701 SR Security Systems Replacement	0	0
18-D-401 Saltstone Disposal Unit #8, 9	31,250	31,250
18-D-402 Emergency Operations Center Replacement, SR	34,733	34,733
Subtotal, Construction	122,233	122,233
Radioactive liquid tank waste stabilization	880,323	900,323
Program increase		[20,000]
Total, Savannah River Site	1,575,952	1,603,084
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	369,961	369,961
Construction:		
15-D-411 Safety Significant Confinement Ventilation System, WIPP	44,365	44,365
15-D-412 Utility Shaft, WIPP	50,000	50,000
Total, Construction	94,365	94,365
Total, Waste Isolation Pilot Plant	464,326	464,326
Program direction—Defense Environmental Cleanup	326,893	326,893
Program support—Defense Environmental Cleanup	103,504	82,548
Program decrease		[-20,956]
Safeguards and Security—Defense Environmental Cleanup	332,645	332,645
Technology development and deployment	30,000	30,000
Subtotal, Defense Environmental Cleanup	7,073,587	7,043,763
TOTAL, Defense Environmental Cleanup	7,073,587	7,043,763
Defense Uranium Enrichment D&D	427,000	0
Program decrease		[-427,000]
Other Defense Activities		
Environment, health, safety and security		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2024 Request	Conference Authorized
Environment, health, safety and security mission support	144,705	144,705
Program direction	86,558	86,558
Total, Environment, health, safety and security	231,263	231,263
Office of Enterprise Assessments		
Enterprise assessments	30,022	30,022
Program direction	64,132	64,132
Total, Office of Enterprise Assessments	94,154	94,154
Specialized security activities	345,330	345,330
Legacy Management		
Legacy Management Activities—Defense	173,681	173,681
Program Direction	22,621	22,621
Total, Legacy Management	196,302	196,302
Defense-Related Administrative Support	203,649	203,649
Office of Hearings and Appeals	4,499	4,499
Subtotal, Other Defense Activities	1,075,197	1,075,197
Use of prior year balances	0	0
Total, Other Defense Activities	1,075,197	1,075,197

1 **DIVISION E—OTHER MATTERS**
2 **TITLE L—VETERANS AFFAIRS**
3 **MATTERS**

Sec. 5001. Adjustment of threshold amount for minor medical facility projects of Department of Veterans Affairs.

Sec. 5002. Grave markers at Santa Fe National Cemetery, New Mexico.

Sec. 5003. Improving processing by Department of Veterans Affairs of disability claims for post-traumatic stress disorder through improved training.

4 **SEC. 5001. ADJUSTMENT OF THRESHOLD AMOUNT FOR**
5 **MINOR MEDICAL FACILITY PROJECTS OF DE-**
6 **PARTMENT OF VETERANS AFFAIRS.**

7 Section 8104(a) of title 38, United States Code, is
8 amended—

9 (1) in paragraph (3)(A), by striking
10 “\$20,000,000” each place it appears and inserting
11 “the amount specified in paragraph (4)”; and

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

3 “(4)(A) The amount specified in this paragraph is
4 \$30,000,000, as adjusted pursuant to this paragraph.

5 “(B)(i) The Secretary may annually adjust the
6 amount specified in this paragraph to reflect a percentage
7 increase, if any, in construction costs during the prior cal-
8 endar year, as determined by—

9 “(I) the relevant composite construction and
10 lease cost indices pursuant to section 3307(h) of
11 title 40, or any similar successor index developed by
12 the Administrator of the General Services Adminis-
13 tration; or

14 “(II) the Producer Price Index for New Health
15 Care Building Construction published by the Bureau
16 of Labor Statistics of the Department of Labor, or
17 any similar successor index developed by the Sec-
18 retary of Labor.

19 “(ii) If there is no percentage increase in construction
20 costs determined as described in clause (i) for a calendar
21 year, the Secretary may not adjust the amount specified
22 in subparagraph (A) for that year.

23 “(C) If the Secretary adjusts the amount specified
24 in this paragraph, the Secretary shall publish a notice of
25 such adjustment in the Federal Register.

1 “(D) Not later than 30 days before adjusting the
2 amount specified in this paragraph, the Secretary shall no-
3 tify the Committee on Veterans’ Affairs and the Com-
4 mittee on Appropriations of the Senate and the Committee
5 on Veterans’ Affairs and the Committee on Appropriations
6 of the House of Representatives.

7 “(E) The Secretary shall determine a logical schedule
8 for adjustments under this paragraph to take effect so
9 that the amounts for and types of construction projects
10 requested by the Department in the budget of the Presi-
11 dent under section 1105(a) of title 31 are consistent with
12 the threshold for construction projects as so adjusted.”.

13 **SEC. 5002. GRAVE MARKERS AT SANTA FE NATIONAL CEME-**
14 **TERY, NEW MEXICO.**

15 (a) REPEAL OF AUTHORITY TO PROVIDE FLAT
16 GRAVE MARKERS.—Section 612 of the Veterans Millen-
17 nium Health Care and Benefits Act (Public Law 106–117;
18 38 U.S.C. 2404 note) is hereby repealed.

19 (b) STUDY REQUIRED.—Not later than one year
20 after the date of the enactment of this Act, the Secretary
21 of Veterans Affairs shall submit to the Committees on
22 Veterans’ Affairs of the Senate and House of Representa-
23 tives, and make publicly available, a report on the cost
24 of replacing the flat grave markers that were provided

1 under such section 612 at the Santa Fe National Ceme-
2 tery, New Mexico, with upright grave markers.

3 **SEC. 5003. IMPROVING PROCESSING BY DEPARTMENT OF**
4 **VETERANS AFFAIRS OF DISABILITY CLAIMS**
5 **FOR POST-TRAUMATIC STRESS DISORDER**
6 **THROUGH IMPROVED TRAINING.**

7 (a) FORMAL PROCESS FOR CONDUCT OF ANNUAL
8 ANALYSIS OF TRAINING NEEDS BASED ON TRENDS.—
9 Not later than 180 days after the date of the enactment
10 of this Act, the Secretary of Veterans Affairs, acting
11 through the Under Secretary for Benefits, shall establish
12 a formal process to analyze, on an annual basis, training
13 needs of employees of the Department who review claims
14 for disability compensation for post-traumatic stress dis-
15 order, based on identified processing error trends.

16 (b) FORMAL PROCESS FOR CONDUCT OF ANNUAL
17 STUDIES TO SUPPORT ANNUAL ANALYSIS.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date of the enactment of this Act, the Sec-
20 retary, acting through the Under Secretary, shall es-
21 tablish a formal process to conduct, on an annual
22 basis, studies to help guide the process established
23 under subsection (a).

24 (2) ELEMENTS.—Each study conducted under
25 paragraph (1) shall cover the following:

1 (A) Military post-traumatic stress disorder
2 stressors.

3 (B) Decision-making claims for claims
4 processors.

5 **TITLE LI—JUDICIARY MATTERS**

Sec. 5101. Prohibition of demand for bribe.

Sec. 5102. Preventing child sex abuse.

Sec. 5103. Recognition as corporation and grant of Federal charter for Na-
tional American Indian Veterans, Incorporated.

Sec. 5104. Visa availability for government employee immigrant visa program.

6 **SEC. 5101. PROHIBITION OF DEMAND FOR BRIBE.**

7 Section 201 of title 18, United States Code, is
8 amended—

9 (1) in subsection (a)—

10 (A) in paragraph (2), by striking “and” at
11 the end;

12 (B) in paragraph (3), by striking the pe-
13 riod at the end and inserting a semicolon; and

14 (C) by adding at the end the following:

15 “(4) the term ‘foreign official’ means—

16 “(A)(i) any official or employee of a for-
17 eign government or any department, agency, or
18 instrumentality thereof; or

19 “(ii) any senior foreign political figure, as
20 defined in section 1010.605 of title 31, Code of
21 Federal Regulations, or any successor regula-
22 tion;

1 “(B) any official or employee of a public
2 international organization;

3 “(C) any person acting in an official ca-
4 pacity for or on behalf of—

5 “(i) a government, department, agen-
6 cy, or instrumentality described in sub-
7 paragraph (A)(i); or

8 “(ii) a public international organiza-
9 tion; or

10 “(D) any person acting in an unofficial ca-
11 pacity for or on behalf of—

12 “(i) a government, department, agen-
13 cy, or instrumentality described in sub-
14 paragraph (A)(i); or

15 “(ii) a public international organiza-
16 tion; and

17 “(5) the term ‘public international organization’
18 means—

19 “(A) an organization that is designated by
20 Executive order pursuant to section 1 of the
21 International Organizations Immunities Act (22
22 U.S.C. 288); or

23 “(B) any other international organization
24 that is designated by the President by Execu-
25 tive order for the purposes of this section, effec-

1 tive as of the date of publication of such order
2 in the Federal Register.”; and

3 (2) by adding at the end the following:

4 “(f) PROHIBITION OF DEMAND FOR A BRIBE.—

5 “(1) OFFENSE.—It shall be unlawful for any
6 foreign official or person selected to be a foreign of-
7 ficial to corruptly demand, seek, receive, accept, or
8 agree to receive or accept, directly or indirectly, any-
9 thing of value personally or for any other person or
10 nongovernmental entity, by making use of the mails
11 or any means or instrumentality of interstate com-
12 merce, from any person (as defined in section 104A
13 of the Foreign Corrupt Practices Act of 1977 (15
14 U.S.C. 78dd–3), except that that definition shall be
15 applied without regard to whether the person is an
16 offender) while in the territory of the United States,
17 from an issuer (as defined in section 3(a) of the Se-
18 curities Exchange Act of 1934 (15 U.S.C. 78c(a))),
19 or from a domestic concern (as defined in section
20 104 of the Foreign Corrupt Practices Act of 1977
21 (15 U.S.C. 78dd–2)), in return for—

22 “(A) being influenced in the performance
23 of any official act;

1 “(B) being induced to do or omit to do any
2 act in violation of the official duty of such for-
3 eign official or person; or

4 “(C) conferring any improper advantage,
5 in connection with obtaining or retaining business
6 for or with, or directing business to, any person.

7 “(2) PENALTIES.—Any person who violates
8 paragraph (1) shall be fined not more than
9 \$250,000 or 3 times the monetary equivalent of the
10 thing of value, imprisoned for not more than 15
11 years, or both.

12 “(3) JURISDICTION.—An offense under para-
13 graph (1) shall be subject to extraterritorial Federal
14 jurisdiction.

15 “(4) REPORT.—Not later than 1 year after the
16 date of enactment of the Foreign Extortion Preven-
17 tion Act, and annually thereafter, the Attorney Gen-
18 eral, in consultation with the Secretary of State as
19 relevant, shall submit to the Committee on the Judi-
20 ciary and the Committee on Foreign Relations of the
21 Senate and the Committee on the Judiciary and the
22 Committee on Foreign Affairs of the House of Rep-
23 resentatives, and post on the publicly available
24 website of the Department of Justice, a report—

1 “(A) focusing, in part, on demands by for-
2 foreign officials for bribes from entities domiciled
3 or incorporated in the United States, and the
4 efforts of foreign governments to prosecute such
5 cases;

6 “(B) addressing United States diplomatic
7 efforts to protect entities domiciled or incor-
8 porated in the United States from foreign brib-
9 ery, and the effectiveness of those efforts in
10 protecting such entities;

11 “(C) summarizing major actions taken
12 under this section in the previous year, includ-
13 ing enforcement actions taken and penalties im-
14 posed;

15 “(D) evaluating the effectiveness of the
16 Department of Justice in enforcing this section;
17 and

18 “(E) detailing what resources or legislative
19 action the Department of Justice needs to en-
20 sure adequate enforcement of this section.

21 “(5) RULE OF CONSTRUCTION.—This sub-
22 section shall not be construed as encompassing con-
23 duct that would violate section 30A of the Securities
24 Exchange Act of 1934 (15 U.S.C. 78dd–1) or sec-
25 tion 104 or 104A of the Foreign Corrupt Practices

1 Act of 1977 (15 U.S.C. 78dd–2; 15 U.S.C. 78dd–
2 3) whether pursuant to a theory of direct liability,
3 conspiracy, complicity, or otherwise.”.

4 **SEC. 5102. PREVENTING CHILD SEX ABUSE.**

5 (a) **SHORT TITLE.**—This section may be cited as the
6 “Preventing Child Sex Abuse Act of 2023”.

7 (b) **SENSE OF CONGRESS.**—The sense of Congress is
8 the following:

9 (1) The safety of children should be a top pri-
10 ority for public officials and communities in the
11 United States.

12 (2) According to the Rape, Abuse & Incest Na-
13 tional Network, an individual in the United States is
14 sexually assaulted every 68 seconds. And every 9
15 minutes, that victim is a child. Meanwhile, only 25
16 out of every 1,000 perpetrators will end up in pris-
17 on.

18 (3) The effects of child sexual abuse can be
19 long-lasting and affect the victim’s mental health.

20 (4) Victims are more likely than non-victims to
21 experience the following mental health challenges:

22 (A) Victims are about 4 times more likely
23 to develop symptoms of drug abuse.

1 (B) Victims are about 4 times more likely
2 to experience post-traumatic stress disorder as
3 adults.

4 (C) Victims are about 3 times more likely
5 to experience a major depressive episode as
6 adults.

7 (5) The criminal justice system should and has
8 acted as an important line of defense to protect chil-
9 dren and hold perpetrators accountable.

10 (6) However, the horrific crimes perpetuated by
11 Larry Nassar demonstrate firsthand the loopholes
12 that still exist in the criminal justice system. While
13 Larry Nassar was found guilty of several State-level
14 offenses, he was not charged federally for his illicit
15 sexual contact with minors, despite crossing State
16 and international borders to commit this conduct.

17 (7) The Department of Justice has also identi-
18 fied a growing trend of Americans who use chari-
19 table or missionary work in a foreign country as a
20 cover for sexual abuse of children.

21 (8) It is the intent of Congress to prohibit
22 Americans from engaging in sexual abuse or exploi-
23 tation of minors under the guise of work, including
24 volunteer work, with an organization that affects

1 interstate or foreign commerce, such as an inter-
2 national charity.

3 (9) Federal law does not require that an abus-
4 er's intention to engage in sexual abuse be a pri-
5 mary, significant, dominant, or motivating purpose
6 of the travel.

7 (10) Child sexual abuse does not require phys-
8 ical contact between the abuser and the child. This
9 is especially true as perpetrators turn increasingly to
10 internet platforms, online chat rooms, and webcams
11 to commit child sexual abuse.

12 (11) However, a decision of the United States
13 Court of Appeals for the Seventh Circuit found the
14 use of a webcam to engage in sexually provocative
15 activity with a minor did not qualify as “sexual ac-
16 tivity”.

17 (12) Congress can address this issue by amend-
18 ing the definition of the term “sexual activity” to
19 clarify that it does not require interpersonal, phys-
20 ical contact.

21 (13) It is the duty of Congress to provide clear-
22 er guidance to ensure that those who commit crimes
23 against children are prosecuted to the fullest extent
24 of the law.

1 (c) INTERSTATE CHILD SEXUAL ABUSE.—Section
2 2423 of title 18, United States Code, is amended—

3 (1) in subsection (b), by striking “with a moti-
4 vating purpose of engaging in any illicit sexual con-
5 duct with another person” and inserting “with in-
6 tent to engage in any illicit sexual conduct with an-
7 other person”;

8 (2) by redesignating subsections (d), (e), (f),
9 and (g) as subsections (e), (f), (g), and (i), respec-
10 tively;

11 (3) in subsection (e), as so redesignated, by
12 striking “with a motivating purpose of engaging in
13 any illicit sexual conduct” and inserting “with intent
14 to engage in any illicit sexual conduct”; and

15 (4) by inserting after subsection (g), as so re-
16 designated, the following:

17 “(h) RULE OF CONSTRUCTION.—As used in this sec-
18 tion, the term ‘intent’ shall be construed as any intention
19 to engage in prostitution, sexual activity for which any
20 person can be charged with a criminal offense, or illicit
21 sexual conduct, as applicable, at the time of the transpor-
22 tation or travel.”.

23 (d) ABUSE UNDER THE GUISE OF CHARITY.—Sec-
24 tion 2423 of title 18, United States Code, as amended by
25 subsection (e) of this section, is amended—

1 (1) by inserting after subsection (c) the fol-
2 lowing:

3 “(d) ILLICIT SEXUAL CONDUCT IN CONNECTION
4 WITH CERTAIN ORGANIZATIONS.—Any citizen of the
5 United States or alien admitted for permanent residence
6 who—

7 “(1) is an officer, director, employee, or agent
8 of an organization that affects interstate or foreign
9 commerce;

10 “(2) makes use of the mails or any means or
11 instrumentality of interstate or foreign commerce
12 through the connection or affiliation of the person
13 with such organization; and

14 “(3) commits an act in furtherance of illicit sex-
15 ual conduct through the connection or affiliation of
16 the person with such organization,
17 shall be fined under this title, imprisoned for not more
18 than 30 years, or both.”;

19 (2) in subsection (f), as so redesignated, by
20 striking “or (d)” and inserting “(d), or (e)”; and

21 (3) in subsection (i), as so redesignated, by
22 striking “(f)(2)” and inserting “(g)(2)”.

23 (e) SEXUAL ACTIVITY WITH MINORS.—Section 2427
24 of title 18, United States Code, is amended by inserting

1 “does not require interpersonal physical contact, and” be-
2 fore “includes”.

3 **SEC. 5103. RECOGNITION AS CORPORATION AND GRANT OF**
4 **FEDERAL CHARTER FOR NATIONAL AMER-**
5 **ICAN INDIAN VETERANS, INCORPORATED.**

6 (a) IN GENERAL.—Part B of subtitle II of title 36,
7 United States Code, is amended by inserting after chapter
8 1503 the following:

9 **“CHAPTER 1504—NATIONAL AMERICAN**
10 **INDIAN VETERANS, INCORPORATED**

“Sec.

“150401. Organization.

“150402. Purposes.

“150403. Membership.

“150404. Board of directors.

“150405. Officers.

“150406. Nondiscrimination.

“150407. Powers.

“150408. Exclusive right to name, seals, emblems, and badges.

“150409. Restrictions.

“150410. Duty to maintain tax-exempt status.

“150411. Records and inspection.

“150412. Service of process.

“150413. Liability for acts of officers and agents.

“150414. Failure to comply with requirements.

“150415. Annual report.

11 **“§ 150401 Organization**

12 “The National American Indian Veterans, Incor-
13 porated, a nonprofit corporation organized in the United
14 States (referred to in this chapter as the ‘corporation’),
15 is a federally chartered corporation.

1 **“§ 150402. Purposes**

2 “The purposes of the corporation are those stated in
3 the articles of incorporation, constitution, and bylaws of
4 the corporation, and include a commitment—

5 “(1) to uphold and defend the Constitution of
6 the United States while respecting the sovereignty of
7 the American Indian Nations;

8 “(2) to unite under one body all American In-
9 dian veterans who served in the Armed Forces of
10 United States;

11 “(3) to be an advocate on behalf of all Amer-
12 ican Indian veterans without regard to whether they
13 served during times of peace, conflict, or war;

14 “(4) to promote social welfare (including edu-
15 cational, economic, social, physical, and cultural val-
16 ues and traditional healing) in the United States by
17 encouraging the growth and development, readjust-
18 ment, self-respect, self-confidence, contributions, and
19 self-identity of American Indian veterans;

20 “(5) to serve as an advocate for the needs of
21 American Indian veterans and their families and
22 survivors in their dealings with all Federal and State
23 government agencies;

24 “(6) to promote, support, and utilize research,
25 on a nonpartisan basis, pertaining to the relation-

1 ship between American Indian veterans and Amer-
2 ican society; and

3 “(7) to provide technical assistance to the Bu-
4 reau of Indian Affairs regional areas that are not
5 served by any veterans committee or organization or
6 program by—

7 “(A) providing outreach service to Indian
8 Tribes in need; and

9 “(B) training and educating Tribal Vet-
10 erans Service Officers for Indian Tribes in
11 need.

12 **“§ 150403. Membership**

13 “Subject to section 150406, eligibility for member-
14 ship in the corporation, and the rights and privileges of
15 members, shall be as provided in the constitution and by-
16 laws of the corporation.

17 **“§ 150404. Board of directors**

18 “Subject to section 150406, the board of directors of
19 the corporation, and the responsibilities of the board, shall
20 be as provided in the constitution and bylaws of the cor-
21 poration and in conformity with the laws under which the
22 corporation is incorporated.

23 **“§ 150405. Officers**

24 “Subject to section 150406, the officers of the cor-
25 poration, and the election of such officers, shall be as pro-

1 vided in the constitution and bylaws of the corporation and
2 in conformity with the laws of the jurisdiction under which
3 the corporation is incorporated.

4 **“§ 150406. Nondiscrimination**

5 “In establishing the conditions of membership in the
6 corporation, and in determining the requirements for serv-
7 ing on the board of directors or as an officer of the cor-
8 poration, the corporation may not discriminate on the
9 basis of race, color, religion, sex, national origin, handicap,
10 or age.

11 **“§ 150407. Powers**

12 “The corporation shall have only those powers grant-
13 ed the corporation through its articles of incorporation,
14 constitution, and bylaws, which shall conform to the laws
15 of the jurisdiction under which the corporation is incor-
16 porated.

17 **“§ 150408. Exclusive right to name, seals, emblems,
18 and badges**

19 “(a) IN GENERAL.—The corporation shall have the
20 sole and exclusive right to use the names ‘National Amer-
21 ican Indian Veterans, Incorporated’ and ‘National Amer-
22 ican Indian Veterans’, and such seals, emblems, and
23 badges as the corporation may lawfully adopt.

24 “(b) EFFECT.—Nothing in this section interferes or
25 conflicts with any established or vested rights.

1 **“§ 150409. Restrictions**

2 “(a) STOCK AND DIVIDENDS.—The corporation may
3 not—

4 “(1) issue any shares of stock; or

5 “(2) declare or pay any dividends.

6 “(b) DISTRIBUTION OF INCOME OR ASSETS.—

7 “(1) IN GENERAL.—The income or assets of the
8 corporation may not—

9 “(A) inure to any person who is a member,
10 officer, or director of the corporation; or

11 “(B) be distributed to any such person
12 during the life of the charter granted by this
13 chapter.

14 “(2) EFFECT.—Nothing in this subsection pre-
15 vents the payment of reasonable compensation to the
16 officers of the corporation, or reimbursement for ac-
17 tual and necessary expenses, in amounts approved
18 by the board of directors.

19 “(c) LOANS.—The corporation may not make any
20 loan to any officer, director, member, or employee of the
21 corporation.

22 “(d) NO FEDERAL ENDORSEMENT.—The corpora-
23 tion may not claim congressional approval or Federal Gov-
24 ernment authority by virtue of the charter granted by this
25 chapter for any of the activities of the corporation.

1 **“§ 150410. Duty to maintain tax-exempt status**

2 “The corporation shall maintain its status as an or-
3 ganization exempt from taxation under the Internal Rev-
4 enue Code of 1986.

5 **“§ 150411. Records and inspection**

6 “(a) RECORDS.—The corporation shall keep—

7 “(1) correct and complete books and records of
8 accounts;

9 “(2) minutes of any proceeding of the corpora-
10 tion involving any member of the corporation, the
11 board of directors, or any committee having author-
12 ity under the board of directors; and

13 “(3) at the principal office of the corporation,
14 a record of the names and addresses of all members
15 of the corporation having the right to vote.

16 “(b) INSPECTION.—

17 “(1) IN GENERAL.—All books and records of
18 the corporation may be inspected by any member
19 having the right to vote, or by any agent or attorney
20 of such a member, for any proper purpose, at any
21 reasonable time.

22 “(2) EFFECT.—Nothing in this section con-
23 travenes—

24 “(A) the laws of the jurisdiction under
25 which the corporation is incorporated; or

1 “(B) the laws of those jurisdictions within
2 the United States and its territories within
3 which the corporation carries out activities in
4 furtherance of the purposes of the corporation.

5 **“§ 150412. Service of process**

6 “With respect to service of process, the corporation
7 shall comply with the laws of—

8 “(1) the jurisdiction under which the corpora-
9 tion is incorporated; and

10 “(2) those jurisdictions within the United
11 States and its territories within which the corpora-
12 tion carries out activities in furtherance of the pur-
13 poses of the corporation.

14 **“§ 150413. Liability for acts of officers and agents**

15 “The corporation shall be liable for the acts of the
16 officers and agents of the corporation acting within the
17 scope of their authority.

18 **“§ 150414. Failure to comply with requirements**

19 “If the corporation fails to comply with any of the
20 requirements of this chapter, including the requirement
21 under section 150410 to maintain its status as an organi-
22 zation exempt from taxation, the charter granted by this
23 chapter shall expire.

1 **“§ 150415. Annual report**

2 “(a) IN GENERAL.—The corporation shall submit to
3 Congress an annual report describing the activities of the
4 corporation during the preceding fiscal year.

5 “(b) SUBMITTAL DATE.—Each annual report under
6 this section shall be submitted at the same time as the
7 report of the audit of the corporation required by section
8 10101(b).

9 “(c) REPORT NOT PUBLIC DOCUMENT.—No annual
10 report under this section shall be printed as a public docu-
11 ment.”.

12 (b) CLERICAL AMENDMENT.—The table of chapters
13 for subtitle II of title 36, United States Code, is amended
14 by inserting after the item relating to chapter 1503 the
15 following:

“1504. National American Indian Veterans, Incorporated 150401”.

16 **SEC. 5104. VISA AVAILABILITY FOR GOVERNMENT EM-**
17 **PLOYEE IMMIGRANT VISA PROGRAM.**

18 (a) IN GENERAL.—Beginning in fiscal year 2024,
19 subject to subsection (b), visas shall be made available to
20 a special immigrant described in section 101(a)(27)(D) of
21 the Immigration and Nationality Act (8 U.S.C.
22 1101(a)(27)(D)) if a visa is not immediately available for
23 issuance to the special immigrant under section 203(b)(4)
24 of that Act (8 U.S.C. 1153(b)(4)).

1 (b) NUMERICAL LIMITATIONS.—

2 (1) FISCAL YEAR 2024.—For fiscal year 2024,
3 not more than 3,500 visas shall be made available
4 under subsection (a).

5 (2) SUBSEQUENT FISCAL YEARS.—For fiscal
6 year 2025 and each fiscal year thereafter, not more
7 than 3,000 visas shall be made available under sub-
8 section (a).

9 (c) TEMPORARY REDUCTION IN DIVERSITY VISAS.—
10 Section 203(d)(2) of the Nicaraguan Adjustment and Cen-
11 tral America Relief Act (8 U.S.C. 1151 note; Public Law
12 105–100) is amended—

13 (1) by amending paragraph (2) to read as fol-
14 lows:

15 “(2) In no case shall the reduction under para-
16 graph (1) for a fiscal year exceed the amount by
17 which—

18 “(A) the sum of—

19 “(i) one-half of the total number of
20 individuals described in subclauses (I),
21 (II), (III), and (IV) of section
22 309(c)(5)(C)(i) of the Illegal Immigration
23 Reform and Immigrant Responsibility Act
24 of 1996 (8 U.S.C. 1101 note; Public Law
25 104–208) who have adjusted their status

1 to that of aliens lawfully admitted for per-
2 manent residence under section 202 of the
3 Nicaraguan Adjustment and Central Amer-
4 ican Relief Act (Public Law 105–100; 8
5 U.S.C. 1255 note) as of the end of the pre-
6 vious fiscal year; and

7 “(ii) the total number of individuals
8 described in section 101(a)(27)(D) of the
9 Immigration and Nationality Act (8 U.S.C.
10 1101(a)(27)(D)) for whom visas shall have
11 been made available under section 5104 of
12 the National Defense Authorization Act for
13 Fiscal Year 2024 as of the end of the pre-
14 vious fiscal year; exceeds

15 “(B) the total of the reductions in avail-
16 able visas under this subsection for all previous
17 fiscal years.”; and

18 (2) by adding at the end the following:

19 “(3)(A) Paragraph (1) shall not apply in a fis-
20 cal year following a fiscal year for which the sum
21 calculated under paragraph (2)(A), minus the num-
22 ber in paragraph (2)(B), is zero.

23 “(B) Nothing in this paragraph may be con-
24 strued—

1 “(i) to repeal, modify, or render perma-
2 nently inapplicable paragraph (1); or

3 “(ii) to prevent the offsetting of the num-
4 ber of visas described in that paragraph for the
5 purpose of providing visa availability for aliens
6 described in section 5104 of the National De-
7 fense Authorization Act for Fiscal Year 2024.

8 “(4) In the event that the number of visas
9 available for a fiscal year under section 201(e) of the
10 Immigration and Nationality Act (8 U.S.C. 1151(e))
11 is reduced to a number fewer than 50,000, not fewer
12 than 3,000 of such visas shall be made available for
13 individuals described in section 5104 of the National
14 Defense Authorization Act for Fiscal Year 2024.”.

15 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
16 tion or the amendments made by this section may be con-
17 strued to modify the number of visas available under sec-
18 tion 203(b)(4) of the Immigration and Nationality Act (8
19 U.S.C. 1153(b)(4)) to special immigrants described in sec-
20 tion 101(a)(27)(D) of that Act (8 U.S.C.
21 1101(a)(27)(D)).

22 **TITLE LII—OVERSIGHT AND** 23 **ACCOUNTABILITY MATTERS**

Sec. 5201. Establishment of higher rates of regularly scheduled overtime pay
for United States Border Patrol agents classified at GS-12.

1 **SEC. 5201. ESTABLISHMENT OF HIGHER RATES OF REGU-**
2 **LARLY SCHEDULED OVERTIME PAY FOR**
3 **UNITED STATES BORDER PATROL AGENTS**
4 **CLASSIFIED AT GS-12.**

5 Section 5550 of title 5, United States Code, is
6 amended by adding at the end the following:

7 “(h) SPECIAL OVERTIME PAY FOR GS-12 BORDER
8 PATROL AGENTS.—

9 “(1) IN GENERAL.—Notwithstanding para-
10 graphs (1)(F), (2)(C), and (3)(C) of subsection (b),
11 a border patrol agent encumbering a position at
12 grade GS-12 shall receive a special overtime pay-
13 ment under this subsection for hours of regularly
14 scheduled work described in paragraph (2)(A)(ii) or
15 (3)(A)(ii) of subsection (b), as applicable, that are
16 credited to the agent through actual performance of
17 work, crediting under rules for canine agents under
18 subsection (b)(1)(F), or substitution of overtime
19 hours in the same work period under subsection
20 (f)(2)(A), except that no such payment may be made
21 for periods of absence resulting in an hours obliga-
22 tion under paragraph (3) or (4) of subsection (f).

23 “(2) COMPUTATION.—The special overtime pay-
24 ment authorized under paragraph (1) shall be com-
25 puted by multiplying the credited hours by 50 per-

1 cent of the border patrol agent’s hourly rate of basic
2 pay, rounded to the nearest cent.

3 “(3) LIMITATIONS.—The special overtime pay-
4 ment authorized under paragraph (1)—

5 “(A) is not considered basic pay for retire-
6 ment under section 8331(3) or 8401(4) or for
7 any other purpose;

8 “(B) is not payable during periods of paid
9 leave or other paid time off; and

10 “(C) is not considered in computing an
11 agent’s lump-sum annual leave payment under
12 sections 5551 and 5552.”.

13 **TITLE LIII—FEDERAL DATA AND** 14 **INFORMATION SECURITY**

Sec. 5301. Short title.

Sec. 5302. Federal Data Center Consolidation Initiative amendments.

15 **SEC. 5301. SHORT TITLE.**

16 This title may be cited as the “Federal Data Center
17 Enhancement Act of 2023”.

18 **SEC. 5302. FEDERAL DATA CENTER CONSOLIDATION INI-** 19 **TIATIVE AMENDMENTS.**

20 (a) FINDINGS.—Congress finds the following:

21 (1) The statutory authorization for the Federal
22 Data Center Optimization Initiative under section
23 834 of the Carl Levin and Howard P. “Buck”
24 McKeon National Defense Authorization Act for

1 Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law
2 113–291) expired at the end of fiscal year 2022.

3 (2) The expiration of the authorization de-
4 scribed in paragraph (1) presents Congress with an
5 opportunity to review the objectives of the Federal
6 Data Center Optimization Initiative to ensure that
7 the initiative is meeting the current needs of the
8 Federal Government.

9 (3) The initial focus of the Federal Data Center
10 Optimization Initiative, which was to consolidate
11 data centers and create new efficiencies, has resulted
12 in, since 2010—

13 (A) the consolidation of more than 6,000
14 Federal data centers; and

15 (B) cost savings and avoidance of
16 \$5,800,000,000.

17 (4) The need of the Federal Government for ac-
18 cess to data and data processing systems has evolved
19 since the date of enactment in 2014 of subtitle D of
20 title VIII of the Carl Levin and Howard P. “Buck”
21 McKeon National Defense Authorization Act for
22 Fiscal Year 2015.

23 (5) Federal agencies and employees involved in
24 mission critical functions increasingly need reliable
25 access to secure, reliable, and protected facilities to

1 house mission critical data and data operations to
2 meet the immediate needs of the people of the
3 United States.

4 (6) As of the date of enactment of this title,
5 there is a growing need for Federal agencies to use
6 data centers and cloud applications that meet high
7 standards for cybersecurity, resiliency, and avail-
8 ability.

9 (b) MINIMUM REQUIREMENTS FOR NEW DATA CEN-
10 TERS.—Section 834 of the Carl Levin and Howard P.
11 “Buck” McKeon National Defense Authorization Act for
12 Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law 113–
13 291) is amended—

14 (1) in subsection (a), by striking paragraphs
15 (3) and (4) and inserting the following:

16 “(3) NEW DATA CENTER.—The term ‘new data
17 center’ means—

18 “(A)(i) a data center or a portion thereof
19 that is owned, operated, or maintained by a
20 covered agency; or

21 “(ii) to the extent practicable, a data cen-
22 ter or portion thereof—

23 “(I) that is owned, operated, or main-
24 tained by a contractor on behalf of a cov-
25 ered agency on the date on which the con-

1 tract between the covered agency and the
2 contractor expires; and

3 “(II) with respect to which the cov-
4 ered agency extends the contract, or enters
5 into a new contract, with the contractor;
6 and

7 “(B) on or after the date that is 180 days
8 after the date of enactment of the Federal Data
9 Center Enhancement Act of 2023, a data cen-
10 ter or portion thereof that is—

11 “(i) established; or

12 “(ii) substantially upgraded or ex-
13 panded.”;

14 (2) by striking subsection (b) and inserting the
15 following:

16 “(b) MINIMUM REQUIREMENTS FOR NEW DATA
17 CENTERS.—

18 “(1) IN GENERAL.—Not later than 180 days
19 after the date of enactment of the Federal Data
20 Center Enhancement Act of 2023, the Administrator
21 shall establish minimum requirements for new data
22 centers in consultation with the Administrator of
23 General Services and the Federal Chief Information
24 Officers Council.

25 “(2) CONTENTS.—

1 “(A) IN GENERAL.—The minimum re-
2 quirements established under paragraph (1)
3 shall include requirements relating to—

4 “(i) the availability of new data cen-
5 ters;

6 “(ii) the use of new data centers, in-
7 cluding costs related to the facility, energy
8 consumption, and related infrastructure;

9 “(iii) uptime percentage;

10 “(iv) protections against power fail-
11 ures, including on-site energy generation
12 and access to multiple transmission paths;

13 “(v) protections against physical in-
14 trusions and natural disasters;

15 “(vi) information security protections
16 required by subchapter II of chapter 35 of
17 title 44, United States Code, and other ap-
18 plicable law and policy; and

19 “(vii) any other requirements the Ad-
20 ministrator determines appropriate.

21 “(B) CONSULTATION.—In establishing the
22 requirements described in subparagraph (A)(vi),
23 the Administrator shall consult with the Direc-
24 tor of the Cybersecurity and Infrastructure Se-
25 curity Agency and the National Cyber Director.

1 “(3) INCORPORATION OF MINIMUM REQUIRE-
2 MENTS INTO CURRENT DATA CENTERS.—As soon as
3 practicable, and in any case not later than 90 days
4 after the Administrator establishes the minimum re-
5 quirements pursuant to paragraph (1), the Adminis-
6 trator shall issue guidance to ensure, as appropriate,
7 that covered agencies incorporate the minimum re-
8 quirements established under that paragraph into
9 the operations of any data center of a covered agen-
10 cy existing as of the date of enactment of the Fed-
11 eral Data Center Enhancement Act of 2023.

12 “(4) REVIEW OF REQUIREMENTS.—The Admin-
13 istrator, in consultation with the Administrator of
14 General Services and the Federal Chief Information
15 Officers Council, shall review, update, and modify
16 the minimum requirements established under para-
17 graph (1), as necessary.

18 “(5) REPORT ON NEW DATA CENTERS.—During
19 the development and planning lifecycle of a new data
20 center, if the head of a covered agency determines
21 that the covered agency is likely to make a manage-
22 ment or financial decision relating to any data cen-
23 ter, the head of the covered agency shall—

24 “(A) notify—

25 “(i) the Administrator;

1 “(ii) Committee on Homeland Secu-
2 rity and Governmental Affairs of the Sen-
3 ate; and

4 “(iii) Committee on Oversight and Ac-
5 countability of the House of Representa-
6 tives; and

7 “(B) describe in the notification with suffi-
8 cient detail how the covered agency intends to
9 comply with the minimum requirements estab-
10 lished under paragraph (1).

11 “(6) USE OF TECHNOLOGY.—In determining
12 whether to establish or continue to operate an exist-
13 ing data center, the head of a covered agency shall—

14 “(A) regularly assess the application port-
15 folio of the covered agency and ensure that each
16 at-risk legacy application is updated, replaced,
17 or modernized, as appropriate, to take advan-
18 tage of modern technologies; and

19 “(B) prioritize and, to the greatest extent
20 possible, leverage commercial data center solu-
21 tions, including hybrid cloud, multi-cloud, co-lo-
22 cation, interconnection, or cloud computing (as
23 defined in section 3607 of this Chapter) rather
24 than acquiring, overseeing, or managing custom
25 data center infrastructure.

1 “(7) PUBLIC WEBSITE.—

2 “(A) IN GENERAL.—The Administrator
3 shall maintain a public-facing website that in-
4 cludes information, data, and explanatory state-
5 ments relating to the compliance of covered
6 agencies with the requirements of this section.

7 “(B) PROCESSES AND PROCEDURES.—In
8 maintaining the website described in subpara-
9 graph (A), the Administrator shall—

10 “(i) ensure covered agencies regularly,
11 and not less frequently than biannually,
12 update the information, data, and explana-
13 tory statements posed on the website, pur-
14 suant to guidance issued by the Adminis-
15 trator, relating to any new data centers
16 and, as appropriate, each existing data
17 center of the covered agency; and

18 “(ii) ensure that all information, data,
19 and explanatory statements on the website
20 are maintained as open Government data
21 assets.”; and

22 (3) in subsection (c), by striking paragraph (1)
23 and inserting the following:

24 “(1) IN GENERAL.—The head of a covered
25 agency shall oversee and manage the data center

1 portfolio and the information technology strategy of
2 the covered agency in accordance with Federal cy-
3 bersecurity guidelines and directives, including—

4 “(A) information security standards and
5 guidelines promulgated by the Director of the
6 National Institute of Standards and Tech-
7 nology;

8 “(B) applicable requirements and guidance
9 issued by the Director of the Office of Manage-
10 ment and Budget pursuant to section 3614 of
11 title 44, United States Code; and

12 “(C) directives issued by the Secretary of
13 Homeland Security under section 3553 of title
14 44, United States Code.”.

15 (c) EXTENSION OF SUNSET.—Section 834(e) of the
16 Carl Levin and Howard P. “Buck” McKeon National De-
17 fense Authorization Act for Fiscal Year 2015 (44 U.S.C.
18 3601 note; Public Law 113–291) is amended by striking
19 “2022” and inserting “2026”.

20 (d) GAO REVIEW.—Not later than 1 year after the
21 date of the enactment of this title, and annually there-
22 after, the Comptroller General of the United States shall
23 review, verify, and audit the compliance of covered agen-
24 cies with the minimum requirements established pursuant
25 to section 834(b)(1) of the Carl Levin and Howard P.

1 “Buck” McKeon National Defense Authorization Act for
2 Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law 113–
3 291) for new data centers and subsection (b)(3) of that
4 section for existing data centers, as appropriate.

5 **TITLE LIV—FOREIGN AFFAIRS**
6 **MATTERS**

Subtitle A—Combating Global Corruption

- Sec. 5401. Short title.
- Sec. 5402. Definitions.
- Sec. 5403. Publication and provision of lists regarding progress on anti-corruption efforts.
- Sec. 5404. Minimum standards for the elimination of corruption and assessment of efforts to combat corruption.
- Sec. 5405. Imposition of sanctions under Global Magnitsky Human Rights Accountability Act.
- Sec. 5406. Designation of embassy anti-corruption points of contact.

Subtitle B—Other Matters

- Sec. 5411. Global cooperative framework to end human rights abuses in sourcing critical minerals.
- Sec. 5412. Connecting Oceania’s Nations with Vanguard Exercises and National Empowerment.
- Sec. 5413. Ending China’s developing nation status.
- Sec. 5414. Permitting for international bridges.

7 **Subtitle A—Combating Global**
8 **Corruption**

9 **SEC. 5401. SHORT TITLE.**

10 This subtitle may be cited as the “Combating Global
11 Corruption Act”.

12 **SEC. 5402. DEFINITIONS.**

13 In this subtitle:

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

1 (A) the Committee on Foreign Relations,
2 the Committee on Appropriations, the Com-
3 mittee on Banking, Housing, and Urban Af-
4 fairs, and the Committee on the Judiciary of
5 the Senate; and

6 (B) the Committee on Foreign Affairs, the
7 Committee on Appropriations, the Committee
8 on Financial Services, and the Committee on
9 the Judiciary of the House of Representatives.

10 (2) The term “corrupt actor” means—

11 (A) any foreign person or entity that is a
12 government official or government entity re-
13 sponsible for, or complicit in, an act of corrup-
14 tion; and

15 (B) any company, in which a person or en-
16 tity described in subparagraph (A) has a sig-
17 nificant stake, which is responsible for, or
18 complicit in, an act of corruption.

19 (3) The term “corruption” means the unlawful
20 exercise of entrusted public power for private gain,
21 including by bribery, nepotism, fraud, or embezzle-
22 ment.

23 (4) The term “significant corruption” means
24 corruption committed at a high level of government
25 that has some or all of the following characteristics:

1 (A) Illegitimately distorts major decision-
2 making, such as policy or resource determina-
3 tions, or other fundamental functions of govern-
4 ance.

5 (B) Involves economically or socially large-
6 scale government activities.

7 **SEC. 5403. PUBLICATION AND PROVISION OF LISTS RE-**
8 **GARDING PROGRESS ON ANTI-CORRUPTION**
9 **EFFORTS.**

10 (a) PUBLIC LIST.—The Secretary of State shall pub-
11 lish annually, on a publicly accessible website, a list of for-
12 eign countries where the government is sustaining or mak-
13 ing good progress on anti-corruption efforts in accordance
14 with the minimum standards set forth in section 5404.
15 Such list shall include a brief description of each such
16 country's progress or justification for being on such list.

17 (b) CLASSIFIED LIST.—The Secretary of State shall
18 provide to the appropriate congressional committees a
19 classified list of countries where the government is making
20 limited or no efforts to comply with minimum standards
21 set forth in section 5404, and are not achieving meaning-
22 ful progress on combating corruption. Such list shall in-
23 clude a brief description of each country's lack of progress
24 or justification for being on such list.

1 (c) ANNUAL UPDATE.—The Secretary of State shall
2 provide an annual update in a classified setting to the ap-
3 propriate congressional committees on the United States
4 Government’s efforts to fight against corruption. This up-
5 date should include an overview of the key obstacles to
6 combating corruption and present near-term and long-
7 term strategies.

8 (d) IMPLEMENTATION AND TIMING.—

9 (1) DEADLINE.—The publication and submis-
10 sion of the lists and the annual update required by
11 subsections (a), (b), and (c) shall be completed not
12 later than 2 years after the date of the enactment
13 of this Act, and annually thereafter for seven years.

14 (2) REPORT ON METHODOLOGY.—Not later
15 than one year after the date of the enactment of this
16 Act, the Secretary shall submit to the appropriate
17 congressional committees a report detailing the
18 methodology developed to assign countries to either
19 the public list or the classified list and a proposed
20 budget for preparing the first set of lists during the
21 subsequent year.

22 (e) EXCEPTION TO PUBLICATION.—The Secretary
23 may, in specific instances where the Secretary determines
24 the inclusion of specific countries on the public list re-
25 quired by subsection (a) would not be in the national inter-

1 ests of the United States, submit the information required
2 by subsection (a) about such specific countries in a classi-
3 fied manner in writing to the appropriate congressional
4 committees, together with a justification for why publica-
5 tion would not be in the national interest. The justifica-
6 tion, if applicable, shall be submitted the same date as
7 the public list required by subsection (a).

8 **SEC. 5404. MINIMUM STANDARDS FOR THE ELIMINATION**
9 **OF CORRUPTION AND ASSESSMENT OF EF-**
10 **FORTS TO COMBAT CORRUPTION.**

11 (a) IN GENERAL.—The government of a country is
12 complying with the minimum standards for the elimi-
13 nation of corruption if the government—

14 (1) has enacted and implemented laws and es-
15 tablished government structures, policies, and prac-
16 tices that prohibit corruption, including significant
17 corruption;

18 (2) enforces the laws described in paragraph (1)
19 by punishing any person who is found, through a
20 fair judicial process, to have violated such laws;

21 (3) prescribes punishment for significant cor-
22 ruption that is commensurate with the punishment
23 prescribed for serious crimes; and

24 (4) is making serious and sustained efforts to
25 address corruption, including through prevention.

1 (b) FACTORS FOR ASSESSING GOVERNMENT EF-
2 FORTS TO COMBAT CORRUPTION.—In determining wheth-
3 er a government is making serious and sustained efforts
4 to address corruption, the Secretary of State shall con-
5 sider, to the extent relevant or appropriate, factors such
6 as—

7 (1) whether the government of the country has
8 criminalized corruption, investigates and prosecutes
9 acts of corruption, and convicts and sentences per-
10 sons responsible for such acts over which it has ju-
11 risdiction, including, as appropriate, incarcerating
12 individuals convicted of such acts;

13 (2) whether the government of the country vig-
14 orously investigates, prosecutes, convicts, and sen-
15 tences public officials who participate in or facilitate
16 corruption, including nationals of the country who
17 are deployed in foreign military assignments, trade
18 delegations abroad, or other similar missions, who
19 engage in or facilitate significant corruption;

20 (3) whether the government of the country has
21 adopted measures to prevent corruption, such as
22 measures to inform and educate the public, including
23 potential victims, about the causes and consequences
24 of corruption;

1 (4) what steps the government of the country
2 has taken to prohibit government officials from par-
3 ticipating in, facilitating, or condoning corruption,
4 including the investigation, prosecution, and convic-
5 tion of such officials;

6 (5) the extent to which the country provides ac-
7 cess, or, as appropriate, makes adequate resources
8 available, to civil society organizations and other in-
9 stitutions to combat corruption, including reporting,
10 investigating, and monitoring;

11 (6) whether an independent judiciary or judicial
12 body in the country is responsible for, and effectively
13 capable of, deciding corruption cases impartially, on
14 the basis of facts and in accordance with the law,
15 without any improper restrictions, influences, in-
16 ducements, pressures, threats, or interferences (di-
17 rect or indirect);

18 (7) whether the government of the country is
19 assisting in international investigations of
20 transnational corruption networks and in other coop-
21 erative efforts to combat significant corruption, in-
22 cluding, as appropriate, cooperating with the govern-
23 ments of other countries to extradite corrupt actors;

24 (8) whether the government of the country rec-
25 ognizes the rights of victims of corruption, ensures

1 their access to justice, and takes steps to prevent
2 victims from being further victimized or persecuted
3 by corrupt actors, government officials, or others;

4 (9) whether the government of the country pro-
5 tects victims of corruption or whistleblowers from re-
6 prisal due to such persons having assisted in expos-
7 ing corruption, and refrains from other discrimina-
8 tory treatment of such persons;

9 (10) whether the government of the country is
10 willing and able to recover and, as appropriate, re-
11 turn the proceeds of corruption;

12 (11) whether the government of the country is
13 taking steps to implement financial transparency
14 measures in line with the Financial Action Task
15 Force recommendations, including due diligence and
16 beneficial ownership transparency requirements;

17 (12) whether the government of the country is
18 facilitating corruption in other countries in connec-
19 tion with state-directed investment, loans or grants
20 for major infrastructure, or other initiatives; and

21 (13) such other information relating to corrup-
22 tion as the Secretary of State considers appropriate.

23 (c) ASSESSING GOVERNMENT EFFORTS TO COMBAT
24 CORRUPTION IN RELATION TO RELEVANT INTER-
25 NATIONAL COMMITMENTS.—In determining whether a

1 government is making serious and sustained efforts to ad-
2 dress corruption, the Secretary of State shall consider the
3 government of a country's compliance with the following,
4 as relevant:

5 (1) The Inter-American Convention against
6 Corruption of the Organization of American States,
7 done at Caracas March 29, 1996.

8 (2) The Convention on Combating Bribery of
9 Foreign Public Officials in International Business
10 Transactions of the Organisation of Economic Co-
11 operation and Development, done at Paris December
12 21, 1997 (commonly referred to as the "Anti-Brib-
13 ery Convention").

14 (3) The United Nations Convention against
15 Transnational Organized Crime, done at New York
16 November 15, 2000.

17 (4) The United Nations Convention against
18 Corruption, done at New York October 31, 2003.

19 (5) Such other treaties or conventions ratified
20 by the United States as the Secretary of State con-
21 siders appropriate.

1 **SEC. 5405. IMPOSITION OF SANCTIONS UNDER GLOBAL**
2 **MAGNITSKY HUMAN RIGHTS ACCOUNT-**
3 **ABILITY ACT.**

4 (a) IN GENERAL.—The Secretary of State, in con-
5 sultation with the Secretary of the Treasury, should evalu-
6 ate whether there are foreign persons engaged in signifi-
7 cant corruption for the purposes of potential imposition
8 of sanctions under the Global Magnitsky Human Rights
9 Accountability Act (subtitle F of title XII of Public Law
10 114–328; 22 U.S.C. 10101 et seq.)—

11 (1) in all countries identified pursuant to sec-
12 tion 5403(b); and

13 (2) in relation to the planning or construction
14 or any operation of the Nord Stream 2 pipeline.

15 (b) REPORT REQUIRED.—Not later than 180 days
16 after providing the list required by section 5403(b), and
17 annually thereafter, the Secretary of State shall submit
18 to the appropriate congressional committees a report that
19 includes—

20 (1) a list of foreign persons with respect to
21 which the President imposed sanctions pursuant to
22 the evaluation under subsection (a);

23 (2) the dates on which such sanctions were im-
24 posed;

25 (3) the reasons for imposing such sanctions;
26 and

1 (4) a list of all foreign persons that have en-
2 gaged in significant corruption in relation to the
3 planning, construction, or operation of the Nord
4 Stream 2 pipeline.

5 (c) FORM OF REPORT.—Each report required by sub-
6 section (b) shall be submitted in unclassified form but may
7 include a classified annex.

8 (d) BRIEFING IN LIEU OF REPORT.—The Secretary
9 of State, in consultation with the Secretary of the Treas-
10 ury, may, instead of submitting a written report required
11 under subsection (b) (except with respect to the list re-
12 quired by subsection (b)(4)), provide to the appropriate
13 congressional committees a briefing, together with a writ-
14 ten justification, if doing so would better serve the na-
15 tional interests of the United States.

16 (e) TERMINATION OF REQUIREMENTS RELATING TO
17 NORD STREAM 2.—The requirements under subsections
18 (a)(2) and (b)(4) shall terminate on the date that is 5
19 years after the date of the enactment of this Act.

20 **SEC. 5406. DESIGNATION OF EMBASSY ANTI-CORRUPTION**
21 **POINTS OF CONTACT.**

22 (a) IN GENERAL.—The Secretary of State shall an-
23 nually designate an anti-corruption point of contact at the
24 United States diplomatic post to each country identified
25 pursuant to section 5403(b), or which the Secretary other-

1 wise determines is in need of such a point of contact. The
2 point of contact shall be the chief of mission or the chief
3 of mission's designee.

4 (b) RESPONSIBILITIES.—Each anti-corruption point
5 of contact designated under subsection (a) shall be respon-
6 sible for enhancing coordination and promoting the imple-
7 mentation of a whole-of-government approach among the
8 relevant Federal departments and agencies undertaking
9 efforts to—

10 (1) promote good governance in foreign coun-
11 tries; and

12 (2) enhance the ability of such countries—

13 (A) to combat public corruption; and

14 (B) to develop and implement corruption
15 risk assessment tools and mitigation strategies.

16 (c) TRAINING.—The Secretary of State shall imple-
17 ment appropriate training for anti-corruption points of
18 contact designated under subsection (a).

19 **Subtitle B—Other Matters**

20 **SEC. 5411. GLOBAL COOPERATIVE FRAMEWORK TO END** 21 **HUMAN RIGHTS ABUSES IN SOURCING CRIT-** 22 **ICAL MINERALS.**

23 (a) IN GENERAL.—The Secretary of State shall seek
24 to convene a meeting of foreign leaders to establish a mul-
25 tilateral framework to end human rights abuses, including

1 the exploitation of forced labor and child labor, related to
2 the mining and sourcing of critical minerals.

3 (b) IMPLEMENTATION REPORT.—The Secretary shall
4 lead the development of an annual global report on the
5 implementation of the framework under subsection (a), in-
6 cluding progress and recommendations to fully end human
7 rights abuses, including the exploitation of forced labor
8 and child labor, related to the extraction of critical min-
9 erals around the world.

10 (c) CONSULTATIONS.—The Secretary shall consult
11 closely on a timely basis with the following with respect
12 to developing and implementing the framework under sub-
13 section (a):

14 (1) The Forced Labor Enforcement Task Force
15 established under section 741 of the United States-
16 Mexico-Canada Agreement Implementation Act (19
17 U.S.C. 4681); and

18 (2) Congress.

19 (d) RELATIONSHIP TO UNITED STATES LAW.—Noth-
20 ing in the framework under subsection (a) shall be con-
21 strued—

22 (1) to amend or modify any law of the United
23 States; or

24 (2) to limit any authority conferred under any
25 law of the United States.

1 (e) EXTRACTIVE INDUSTRIES TRANSPARENCY INI-
2 TIATIVE AND CERTAIN PROVISIONS OF THE DODD-FRANK
3 WALL STREET REFORM AND CONSUMER PROTECTION
4 ACT.—Nothing in this section shall—

5 (1) affect the authority of the President to take
6 any action to join and subsequently comply with the
7 terms and obligations of the Extractive Industries
8 Transparency Initiative (EITI); or

9 (2) affect section 1502 of the Dodd-Frank Wall
10 Street Reform and Consumer Protection Act (15
11 U.S.C. 78m note), or subsection (q) of section 13 of
12 the Securities Exchange Act of 1934 (15 U.S.C.
13 78m), as added by section 1504 of the Dodd-Frank
14 Wall Street Reform and Consumer Protection Act
15 (Public Law 111–203; 124 Stat. 2220), or any rule
16 prescribed under either such section.

17 (f) CRITICAL MINERAL DEFINED.—In this section,
18 the term “critical mineral” has the meaning given the
19 term in section 7002(a) of the Energy Act of 2020 (30
20 U.S.C. 1606(a)).

21 **SEC. 5412. CONNECTING OCEANIA’S NATIONS WITH VAN-**
22 **GUARD EXERCISES AND NATIONAL EM-**
23 **POWERMENT.**

24 (a) SHORT TITLE.—This section may be cited as the
25 “Connecting Oceania’s Nations with Vanguard Exercises

1 and National Empowerment Act of 2023” or the “CON-
2 VENE Act of 2023”.

3 (b) DEFINITIONS.—In this section:

4 (1) The term “appropriate committees of Con-
5 gress” means—

6 (A) the Committee on Foreign Relations
7 and the Select Committee on Intelligence of the
8 Senate;

9 (B) the Committee on Foreign Affairs and
10 the Permanent Select Committee on Intelligence
11 of the House of Representatives; and

12 (C) the congressional defense committees.

13 (2) NATIONAL SECURITY COUNCIL.—The term
14 “national security council” means, with respect to a
15 specified country, an intergovernmental body under
16 the jurisdiction of the freely elected government of
17 the specified country that acts as the primary co-
18 ordinating entity for security cooperation, disaster
19 response, and the activities described in subsection
20 (c)(5).

21 (3) SPECIFIED COUNTRY.—The term “specified
22 country” means—

23 (A) the Federated States of Micronesia;

24 (B) the Republic of the Marshall Islands;

25 and

1 (C) the Republic of Palau.

2 (c) NATIONAL SECURITY COUNCILS OF SPECIFIED
3 COUNTRIES.—

4 (1) IN GENERAL.—The Secretary of State, in
5 consultation with other relevant Federal depart-
6 ments and agencies, as appropriate, may consult and
7 engage with each specified country to advise and
8 provide assistance to a national security council (in-
9 cluding by developing a national security council, if
10 appropriate), or to identify a similar coordinating
11 body for national security matters, comprised of citi-
12 zens of the specified country—

13 (A) that enables the specified country—

14 (i) to better coordinate with the
15 United States Government, including the
16 Armed Forces, as appropriate;

17 (ii) to increase cohesion on activities,
18 including emergency humanitarian re-
19 sponse, law enforcement, and maritime se-
20 curity activities; and

21 (iii) to provide trained professionals to
22 serve as members of the committees of the
23 specified country established under the ap-
24 plicable Compact of Free Association; and

1 (B) for the purpose of enhancing resilience
2 capabilities and protecting the people, infra-
3 structure, and territory of the specified country
4 from malign actions.

5 (2) COMPOSITION.—The Secretary of State, re-
6 specting the unique needs of each specified country,
7 may seek to ensure that the national security coun-
8 cil, or other identified coordinating body, of the
9 specified country is composed of sufficient staff and
10 members to enable the activities described in para-
11 graph (5).

12 (3) STANDARDS FOR EQUIPMENT AND SERV-
13 ICES.—The Secretary of State may work with the
14 national security council, or other identified coordi-
15 nating body, of each specified country to ensure
16 that—

17 (A) the equipment and services used by the
18 national security council or other identified co-
19 ordinating body are compliant with security
20 standards so as to minimize the risk of
21 cyberattacks or espionage;

22 (B) the national security council or other
23 identified coordinating body takes all reasonable
24 efforts not to procure or use systems, equip-
25 ment, or software that originates from any enti-

1 ty identified under section 1260H of the Wil-
2 liam M. (Mac) Thornberry National Defense
3 Authorization Act for Fiscal Year (10 U.S.C.
4 113 note); and

5 (C) to the extent practicable, the equip-
6 ment and services used by the national security
7 council or other identified coordinating body are
8 interoperable with the equipment and services
9 used by the national security councils, or other
10 identified coordinating bodies, of the other spec-
11 ified countries.

12 (4) REPORT ON IMPLEMENTATION.—

13 (A) IN GENERAL.—Not later than 180
14 days after the date of the enactment of this
15 Act, and annually thereafter for 2 years, the
16 Secretary of State shall submit to the appro-
17 priate committees of Congress a report that in-
18 cludes—

19 (i) an assessment as to whether a na-
20 tional security council or a similar formal
21 coordinating body is helping or would help
22 achieve the objectives described in para-
23 graph (1) at acceptable financial and op-
24 portunity cost;

1 (ii) a description of all actions taken
2 by the United States Government to assist
3 in the identification or maintenance of a
4 national security council, or other identi-
5 fied coordinating body, in each specified
6 country;

7 (iii) with respect to each specified
8 country, an assessment as to whether—

9 (I) the specified country has ap-
10 propriately staffed its national secu-
11 rity council or other identified coordi-
12 nating body; and

13 (II) the extent to which the na-
14 tional security council, or other identi-
15 fied coordinating body, of the speci-
16 fied country is capable of carrying out
17 the activities described in paragraph
18 (5);

19 (iv) an assessment of—

20 (I) any challenge to cooperation
21 and coordination with the national se-
22 curity council, or other identified co-
23 ordinating body, of any specified
24 country;

1 (II) current efforts by the Sec-
2 retary of State to coordinate with the
3 specified countries on the activities
4 described in paragraph (5); and

5 (III) existing governmental enti-
6 ties within each specified country that
7 are capable of supporting such activi-
8 ties;

9 (v) a description of any challenge with
10 respect to—

11 (I) the implementation of the na-
12 tional security council, or other identi-
13 fied coordinating body, of any speci-
14 fied country; and

15 (II) the implementation of para-
16 graphs (1) through (3);

17 (vi) an assessment of any attempt or
18 campaign by a malign actor to influence
19 the political, security, or economic policy of
20 a specified country, a member of a national
21 security council or other identified coordi-
22 nating body, or an immediate family mem-
23 ber of such a member; and

24 (vii) any other matter the Secretary of
25 State considers relevant.

1 (B) FORM.—Each report required by sub-
2 paragraph (A) may be submitted in unclassified
3 form and may include a classified annex.

4 (5) ACTIVITIES DESCRIBED.—The activities de-
5 scribed in this subsection are the following homeland
6 security activities:

7 (A) Coordination of—

8 (i) the prosecution and investigation
9 of transnational criminal enterprises;

10 (ii) responses to national emergencies,
11 such as natural disasters;

12 (iii) counterintelligence and counter-
13 coercion responses to foreign threats; and

14 (iv) efforts to combat illegal, unre-
15 ported, or unregulated fishing.

16 (B) Coordination with United States Gov-
17 ernment officials on humanitarian response,
18 military exercises, law enforcement, and other
19 issues of security concern.

20 (C) Identification and development of an
21 existing governmental entity to support home-
22 land defense and civil support activities.

23 **SEC. 5413. ENDING CHINA'S DEVELOPING NATION STATUS.**

24 (a) FINDING; STATEMENT OF POLICY.—

1 (1) FINDING.—Congress finds that the People’s
2 Republic of China is still classified as a developing
3 nation under multiple treaties and international or-
4 ganization structures, even though China has grown
5 to be the second largest economy in the world.

6 (2) STATEMENT OF POLICY.—It is the policy of
7 the United States—

8 (A) to oppose the labeling or treatment of
9 the People’s Republic of China as a developing
10 nation in current and future treaty negotiations
11 and in each international organization of which
12 the United States and the People’s Republic of
13 China are both current members;

14 (B) to pursue the labeling or treatment of
15 the People’s Republic of China as a developed
16 nation in each international organization of
17 which the United States and the People’s Re-
18 public of China are both current members; and

19 (C) to work with allies and partners of the
20 United States to implement the policies de-
21 scribed in subparagraphs (A) and (B).

22 (b) DEFINITIONS.—In this section:

23 (1) The term “appropriate committees of Con-
24 gress” means—

1 (A) the Committee on Foreign Relations of
2 the Senate and the Committee on Foreign Af-
3 fairs of the House of Representatives with re-
4 spect to subsection (c); and

5 (B) the Committee on Finance of the Sen-
6 ate and the Committee on Ways and Means of
7 the House of Representatives with respect to
8 subsection (d).

9 (2) The term “OECD” means the Organisation
10 for Economic Co-operation and Development.

11 (3) The term “Secretary” means the Secretary
12 of State.

13 (4) The term “WTO” means the World Trade
14 Organization.

15 (c) DUTIES OF THE SECRETARY.—

16 (1) REPORT ON DEVELOPMENT STATUS IN CUR-
17 RENT TREATY NEGOTIATIONS.—Not later than 180
18 days after the date of the enactment of this Act, the
19 Secretary shall submit a report to the appropriate
20 committees of Congress that—

21 (A) identifies all current treaty negotia-
22 tions in which—

23 (i) the proposed treaty would provide
24 for different treatment or standards for
25 enforcement of the treaty based on respec-

1 tive development status of the states that
2 are party to the treaty; and

3 (ii) the People's Republic of China is
4 actively participating in the negotiations,
5 or it is reasonably foreseeable that the
6 People's Republic of China would seek to
7 become a party to the treaty; and

8 (B) for each treaty negotiation identified
9 pursuant to subparagraph (A), describes how
10 the treaty under negotiation would provide dif-
11 ferent treatment or standards for enforcement
12 of the treaty based on development status of
13 the states parties.

14 (2) REPORT ON DEVELOPMENT STATUS IN EX-
15 ISTING ORGANIZATIONS AND TREATIES.—Not later
16 than 180 days after the date of the enactment of
17 this Act, the Secretary shall submit a report to the
18 appropriate committees of Congress that—

19 (A) identifies all international organiza-
20 tions or treaties of which the United States is
21 a member, that provide different treatment or
22 standards for enforcement based on the respec-
23 tive development status of the member states or
24 states parties;

1 (B) describes the mechanisms for changing
2 the country designation for each relevant treaty
3 or organization; and

4 (C) for each of the organizations or trea-
5 ties identified pursuant to subparagraph (A)—

6 (i) includes a list of countries that—

7 (I) are labeled as developing na-
8 tions or receive the benefits of a devel-
9 oping nation under the terms of the
10 organization or treaty; and

11 (II) meet the World Bank classi-
12 fication for upper middle income or
13 high-income countries; and

14 (ii) describes how the organization or
15 treaty provides different treatment or
16 standards for enforcement based on devel-
17 opment status of the member states or
18 states parties.

19 (3) MECHANISMS FOR CHANGING DEVELOP-
20 MENT STATUS.—

21 (A) IN GENERAL.—In any international or-
22 ganization of which the United States and the
23 People's Republic of China are both current
24 members, the Secretary, in consultation with al-

1 lies and partners of the United States, shall
2 pursue—

3 (i) changing the status of the People’s
4 Republic of China from developing nation
5 to developed nation if a mechanism exists
6 in such organization to make such status
7 change; or

8 (ii) the development of a mechanism
9 described in clause (i) to change the status
10 of the People’s Republic of China in such
11 organization from developing nation to de-
12 veloped nation.

13 (B) WAIVER.—The President may waive
14 the application of clause (i) or (ii) of subpara-
15 graph (A) with respect to any international or-
16 ganization if the President notifies the appro-
17 priate committees of Congress that such a waiv-
18 er is in the national interests of the United
19 States.

20 (4) EXCEPTION.—This subsection shall not
21 apply to the WTO or any treaty identified in sub-
22 section (d).

23 (d) DUTIES OF THE UNITED STATES TRADE REP-
24 RESENTATIVE.—

1 (1) REPORT ON SPECIAL AND DIFFERENTIAL
2 TREATMENT AT THE WORLD TRADE ORGANIZA-
3 TION.—Not later than 180 days after the date of the
4 enactment of this Act, the United States Trade Rep-
5 resentative shall submit a report to the appropriate
6 committees of Congress that—

7 (A) identifies each provision of a WTO
8 agreement that provides for special and dif-
9 ferential treatment based on the self-declared
10 development status of WTO members, including
11 the People’s Republic of China;

12 (B) identifies—

13 (i) all current multilateral negotia-
14 tions at the WTO in which proposed nego-
15 tiating text would provide for special and
16 differential treatment for WTO members;
17 and

18 (ii) all current plurilateral negotia-
19 tions at the WTO in which the People’s
20 Republic of China is actively participating,
21 or it is reasonably foreseeable that the
22 People’s Republic of China would seek to
23 become a party to the agreement, in which
24 proposed negotiating text would provide for

1 special and differential treatment for WTO
2 members;

3 (C) for each negotiation identified pursu-
4 ant to subparagraph (B), describes how the
5 draft provisions as of the date of the report
6 would provide different treatment or standards
7 for enforcement based on the self-declared de-
8 velopment status of WTO members;

9 (D) includes a list of WTO members
10 that—

11 (i) self-declare as developing country
12 WTO members;

13 (ii) meet the World Bank classifica-
14 tion for upper middle-income or high-in-
15 come countries; and

16 (iii)(I) are members of, or applicants
17 to, the OECD; or

18 (II) account for not less than 0.5
19 percent of global merchandise trade
20 annually for each of the most recently
21 completed 5 calendar years; and

22 (E) describes how the WTO provides dif-
23 ferent treatment or standards for enforcement
24 based on the self-declared development status of
25 the WTO members.

1 (2) SENSE OF CONGRESS ON MECHANISMS FOR
2 CHANGING SPECIAL AND DIFFERENTIAL TREATMENT
3 AT THE WORLD TRADE ORGANIZATION.—It is the
4 sense of Congress that the United States Trade
5 Representative, in consultation with allies and part-
6 ners of the United States, should—

7 (A) oppose the use of special and differen-
8 tial treatment by the People’s Republic of
9 China at the WTO;

10 (B) work to preclude the People’s Republic
11 of China from being eligible to use special and
12 differential treatment in future WTO agree-
13 ments; and

14 (C) work to set appropriate thresholds,
15 based on objective criteria, for determining each
16 country’s eligibility for special and differential
17 treatment in current and future WTO negotia-
18 tions, consistent with subparagraphs (A) and
19 (B).

20 **SEC. 5414. PERMITTING FOR INTERNATIONAL BRIDGES.**

21 The International Bridge Act of 1972 (33 U.S.C. 535
22 et seq.) is amended by inserting after section 5 the fol-
23 lowing:

24 **“SEC. 6. PERMITTING FOR INTERNATIONAL BRIDGES.**

25 “(a) DEFINITIONS.—In this section:

1 “(1) ELIGIBLE APPLICANT.—The term ‘eligible
2 applicant’ means an entity that has submitted an
3 application for a Presidential permit during the pe-
4 riod beginning on December 1, 2020, and ending on
5 December 31, 2024, for any of the following:

6 “(A) 1 or more international bridges in
7 Webb County, Texas.

8 “(B) An international bridge in Cameron
9 County, Texas.

10 “(C) An international bridge in Maverick
11 County, Texas.

12 “(2) PRESIDENTIAL PERMIT.—

13 “(A) IN GENERAL.—The term ‘Presi-
14 dential permit’ means—

15 “(i) an approval by the President to
16 construct, maintain, and operate an inter-
17 national bridge under section 4; or

18 “(ii) an approval by the President to
19 construct, maintain, and operate an inter-
20 national bridge pursuant to a process de-
21 scribed in Executive Order 13867 (84 Fed.
22 Reg. 15491; relating to Issuance of Per-
23 mits With Respect to Facilities and Land
24 Transportation Crossings at the Inter-

1 national Boundaries of the United States)
2 (or any successor Executive Order).

3 “(B) INCLUSION.—The term ‘Presidential
4 permit’ includes an amendment to an approval
5 described in clause (i) or (ii) of subparagraph
6 (A).

7 “(3) SECRETARY.—The term ‘Secretary’ means
8 the Secretary of State.

9 “(b) APPLICATION.—An eligible applicant for a Pres-
10 idential permit to construct, maintain, and operate an
11 international bridge shall submit an application for the
12 permit to the Secretary.

13 “(c) RECOMMENDATION.—

14 “(1) IN GENERAL.—Not later than 60 days
15 after the date on which the Secretary receives an ap-
16 plication under subsection (b), the Secretary shall
17 make a recommendation to the President—

18 “(A) to grant the Presidential permit; or

19 “(B) to deny the Presidential permit.

20 “(2) CONSIDERATION.—The basis for a rec-
21 ommendation under paragraph (1) shall be whether
22 the international bridge is in the foreign policy inter-
23 ests of the United States.

24 “(d) PRESIDENTIAL ACTION.—

1 “(1) IN GENERAL.—The President shall grant
2 or deny the Presidential permit for an application
3 under subsection (b) by not later than 60 days after
4 the earlier of—

5 “(A) the date on which the Secretary
6 makes a recommendation under subsection
7 (c)(1); and

8 “(B) the date on which the Secretary is re-
9 quired to make a recommendation under sub-
10 section (c)(1).

11 “(2) NO ACTION.—

12 “(A) IN GENERAL.—Subject to subpara-
13 graph (B), if the President does not grant or
14 deny the Presidential permit for an application
15 under subsection (b) by the deadline described
16 in paragraph (1), the Presidential permit shall
17 be considered to have been granted as of that
18 deadline.

19 “(B) REQUIREMENT.—As a condition on a
20 Presidential permit considered to be granted
21 under subparagraph (A), the eligible applicant
22 shall complete all applicable environmental doc-
23 uments required pursuant to Public Law 91–
24 190 (42 U.S.C. 4321 et seq.).

1 “(e) DOCUMENT REQUIREMENTS.—Notwithstanding
2 any other provision of law, the Secretary shall not require
3 an eligible applicant for a Presidential permit—

4 “(1) to include in the application under sub-
5 section (b) environmental documents prepared pur-
6 suant to Public Law 91–190 (42 U.S.C. 4321 et
7 seq.); or

8 “(2) to have completed any environmental re-
9 view under Public Law 91–190 (42 U.S.C. 4321 et
10 seq.) prior to the President granting a Presidential
11 permit under subsection (d).

12 “(f) RULES OF CONSTRUCTION.—Nothing in this
13 section—

14 “(1) prohibits the President from granting a
15 Presidential permit conditioned on the eligible appli-
16 cant completing all environmental documents pursu-
17 ant to Public Law 91–190 (42 U.S.C. 4321 et seq.)
18 and complying with relevant laws;

19 “(2) prohibits the Secretary from requesting a
20 list of all permits and approvals from Federal, State,
21 and local agencies that the eligible applicant believes
22 are required in connection with the international
23 bridge, or a brief description of how those permits
24 and approvals will be acquired prior to making a
25 recommendation to the President;

1 “(3) exempts an eligible applicant from the re-
2 quirement to complete all environmental documents
3 pursuant to Public Law 91–190 (42 U.S.C. 4321 et
4 seq.) prior to construction of an international bridge;
5 or

6 “(4) exempts an eligible applicant from com-
7 plying with Public Law 91–190 (42 U.S.C. 4321 et
8 seq.) or any other law.”.

9 **TITLE LV—EDUCATION AND**
10 **WORKFORCE MATTERS**

Sec. 5501. Amendments to the Energy Employees Occupational Illness Com-
pensation Program Act of 2000.

11 **SEC. 5501. AMENDMENTS TO THE ENERGY EMPLOYEES OC-**
12 **CUPATIONAL ILLNESS COMPENSATION PRO-**
13 **GRAM ACT OF 2000.**

14 (a) **SHORT TITLE.**—This section may be cited as the
15 “Beryllium Testing Fairness Act”.

16 (b) **MODIFICATION OF DEMONSTRATION OF BERYL-**
17 **LIUM SENSITIVITY.**—Section 3621(8)(A) of the Energy
18 Employees Occupational Illness Compensation Program
19 Act of 2000 (42 U.S.C. 7384l(8)(A)) is amended—

20 (1) by striking “established by an abnormal”
21 and inserting the following: “established by—

22 “(i) an abnormal”;

23 (2) by striking the period at the end and insert-
24 ing “; or”; and

1 (3) by adding at the end the following:

2 “(ii) three borderline beryllium lym-
3 phocyte proliferation tests performed on
4 blood cells over a period of 3 years.”.

5 (c) EXTENSION OF ADVISORY BOARD ON TOXIC SUB-
6 STANCES AND WORKER HEALTH.—Section 3687(j) of the
7 Energy Employees Occupational Illness Compensation
8 Program Act of 2000 (42 U.S.C. 7385s-16(j)) is amended
9 by striking “10 years” and inserting “15 years”.

10 **TITLE LVI—TRANSPORTATION**
11 **AND INFRASTRUCTURE MAT-**
12 **TERS**

Sec. 5601. Extension of prohibition on provision of airport improvement grant funds to certain entities that have violated intellectual property rights of United States entities.

Sec. 5602. Nogales wastewater improvement.

Sec. 5603. International Port Security Enforcement Act.

13 **SEC. 5601. EXTENSION OF PROHIBITION ON PROVISION OF**
14 **AIRPORT IMPROVEMENT GRANT FUNDS TO**
15 **CERTAIN ENTITIES THAT HAVE VIOLATED IN-**
16 **TELLECTUAL PROPERTY RIGHTS OF UNITED**
17 **STATES ENTITIES.**

18 Subsections (a) and (c)(2)(B) of section 10003 of the
19 William M. (Mac) Thornberry National Defense Author-
20 ization Act for Fiscal Year 2021 (Public Law 116–283;
21 134 Stat. 4864) are each amended by striking “2023” and
22 inserting “2024”.

1 **SEC. 5602. NOGALES WASTEWATER IMPROVEMENT.**

2 (a) AMENDMENT TO THE ACT OF JULY 27, 1953.—

3 The first section of the Act of July 27, 1953 (67 Stat.
4 195, chapter 242; 22 U.S.C. 277d–10), is amended by
5 striking the period at the end and inserting “: *Provided*
6 *further*, That such equitable proportion shall consist only
7 of the costs directly associated with the treatment and
8 conveyance of the wastewater of the city and, to the extent
9 practicable, shall not include any costs directly associated
10 with the quality or quantity of wastewater originating in
11 Mexico.”.

12 (b) NOGALES SANITATION PROJECT.—

13 (1) DEFINITIONS.—In this subsection:

14 (A) CITY.—The term “City” means the
15 City of Nogales, Arizona.

16 (B) COMMISSION.—The term “Commis-
17 sion” means the United States Section of the
18 International Boundary and Water Commission.

19 (C) INTERNATIONAL OUTFALL INTER-
20 CEPTOR.—The term “International Outfall In-
21 terceptor” means the pipeline that conveys
22 wastewater from the United States-Mexico bor-
23 der to the Nogales International Wastewater
24 Treatment Plant.

25 (D) NOGALES INTERNATIONAL WASTE-
26 WATER TREATMENT PLANT.—The term

1 “Nogales International Wastewater Treatment
2 Plant” means the wastewater treatment plant
3 that—

4 (i) is operated by the Commission;

5 (ii) is located in Rio Rico, Santa Cruz
6 County, Arizona, after manhole 99; and

7 (iii) treats wastewater originating
8 from—

9 (I) Nogales, Sonora, Mexico; and

10 (II) Nogales, Arizona.

11 (E) NOGALES SANITATION PROJECT.—The
12 term “Nogales sanitation project” means—

13 (i) the International Outfall Inter-
14 ceptor; and

15 (ii) the Nogales International Waste-
16 water Treatment Plant.

17 (2) OWNERSHIP AND CONTROL.—

18 (A) IN GENERAL.—The Commission shall
19 assume full ownership and control of the Inter-
20 national Outfall Interceptor on the date on
21 which—

22 (i) the City has conveyed, without
23 consideration, all right, title, and interest
24 of the City in the International Outfall In-
25 terceptor to the Commission;

1 (ii) all memoranda and agreements
2 necessary for the Commission to operate
3 and maintain the International Outfall In-
4 terceptor, as described in subparagraph
5 (B), have been entered into; and

6 (iii) a total of \$12,500,000 has been
7 appropriated pursuant to paragraph (3) or
8 otherwise secured by the Commission for
9 use in carrying out such paragraph.

10 (B) AGREEMENTS.—In accordance with
11 the Act of July 27, 1953 (67 Stat. 195, chapter
12 242; 22 U.S.C. 277d–10 et seq.), as amended
13 by this section, the Commission shall, with re-
14 spect to each applicable governing body in the
15 State of Arizona, including the City, seek to
16 enter into—

17 (i) a memorandum of understanding
18 granting to the Commission access to ex-
19 isting easements for a right of entry to the
20 International Outfall Interceptor for the
21 life of the International Outfall Inter-
22 ceptor;

23 (ii) an agreement with respect to the
24 flows entering the International Outfall In-

1 terceptor that are controlled by the City;
2 and

3 (iii) an agreement to work in good
4 faith to expeditiously enter into such other
5 agreements as are necessary for the Com-
6 mission to operate and maintain the Inter-
7 national Outfall Interceptor.

8 (3) OPERATION AND MAINTENANCE.—

9 (A) IN GENERAL.—Beginning on the date
10 on which the Commission assumes full owner-
11 ship and control of the International Outfall In-
12 terceptor under paragraph (2), the Commission
13 shall carry out the operation and maintenance
14 of the International Outfall Interceptor.

15 (B) AUTHORIZATION OF APPROPRIA-
16 TIONS.—There are authorized to be appro-
17 priated to the Commission to carry out this
18 paragraph \$12,500,000 for the period of fiscal
19 years 2025 through 2029, to remain available
20 until expended.

21 (4) DEBRIS SCREEN.—

22 (A) DEBRIS SCREEN REQUIRED.—

23 (i) IN GENERAL.—The Commission
24 shall construct, operate, and maintain a
25 debris screen, in coordination with other

1 relevant Federal agencies, at manhole 1 of
2 the International Outfall Interceptor for
3 intercepting debris and drug bundles com-
4 ing to the United States from Nogales, So-
5 nora, Mexico.

6 (ii) REQUIREMENT.—The Commission
7 and the Commissioner of U.S. Customs
8 and Border Protection shall coordinate the
9 construction, operation, and maintenance
10 of the debris screen under clause (i), in-
11 cluding for purposes of the removal of
12 drug bundles and other illicit goods caught
13 in the debris screen.

14 (B) AUTHORIZATION OF APPROPRIA-
15 TIONS.—There are authorized to be appro-
16 priated to the Commission, to remain available
17 until expended—

18 (i) for fiscal year 2025—

19 (I) \$8,000,000 for construction
20 of the debris screen described in sub-
21 paragraph (A)(i); and

22 (II) not less than \$1,000,000 for
23 the operation and maintenance of the
24 debris screen described in subpara-
25 graph (A)(i); and

1 (ii) not less than \$1,000,000 for each
2 of fiscal years 2026 through 2029 for the
3 operation and maintenance of the debris
4 screen described in subparagraph (A)(i).

5 (5) LIMITATION OF CLAIMS.—Chapter 171 and
6 section 1346(b) of title 28, United States Code
7 (commonly known as the “Federal Tort Claims
8 Act”), shall not apply to any claim arising from the
9 activities of the Commission in carrying out this
10 subsection, including any claim arising from dam-
11 ages that result from overflow of the International
12 Outfall Interceptor due to excess inflow to the Inter-
13 national Outfall Interceptor originating from
14 Nogales, Sonora, Mexico.

15 (c) INTERNATIONAL TREATY.—Not later than six
16 months after the date of enactment of this section, the
17 Commission shall seek to initiate negotiations with Mexico
18 for a new Treaty Minute or a modification of Treaty
19 Minute 227 to address, at a minimum, the following:

20 (1) Joint operation and maintenance respon-
21 sibilities of the International Outfall Interceptor.

22 (2) Capacity usage of wastewater flows from
23 the United States and Mexico through the Inter-
24 national Outfall Interceptor.

1 (3) Payment for excess wastewater flows
2 through the International Outfall Interceptor ema-
3 nating from the Nogales, Sonora, Mexico area.

4 (4) Any terms and conditions considered nec-
5 essary to support proportional use and maintenance
6 of the International Outfall Interceptor.

7 (d) REPORT.—Not later than one year after the date
8 of enactment of this section, and each year thereafter, the
9 Commission shall submit to the Committee on Foreign Re-
10 lations of the Senate and the Committee on Transpor-
11 tation and Infrastructure of the House of Representatives
12 a report that includes—

13 (1) an operation and maintenance plan, or a de-
14 scription of the status of such plan, developed by the
15 Commission and other relevant agencies, for the de-
16 bris screen required under subsection (b)(4)(A);

17 (2) a description of any operation and mainte-
18 nance issues of the Nogales sanitation project, in-
19 cluding relating to transnational criminal activity;

20 (3) an update on efforts by the Commission to
21 renegotiate an existing Treaty Minute or develop a
22 new Treaty Minute pursuant to subsection (c); and

23 (4) an accounting of all outstanding or overdue
24 payments from Mexico or the City for the processing

1 and conveyance of wastewater through the Nogales
2 sanitation project.

3 (e) EFFECTIVE DATE.—Subsections (a) and (b) (in-
4 cluding the amendments made by such subsections) shall
5 take effect on October 1, 2024.

6 **SEC. 5603. INTERNATIONAL PORT SECURITY ENFORCE-**
7 **MENT ACT.**

8 Section 70108 of title 46, United States Code, is
9 amended—

10 (1) in subsection (f)—

11 (A) in paragraph (1), by striking “provided
12 that” and all that follows and inserting the fol-
13 lowing: “if—”

14 “(A) the Secretary certifies that the for-
15 eign government or international organization—

16 “(i) has conducted the assessment in
17 accordance with subsection (b); and

18 “(ii) has provided the Secretary with
19 sufficient information pertaining to its as-
20 sessment (including information regarding
21 the outcome of the assessment); and

22 “(B) the foreign government that con-
23 ducted the assessment is not a state sponsor of
24 terrorism (as defined in section 3316(h)).”; and

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

3 “(3) LIMITATIONS.—Nothing in this section
4 may be construed—

5 “(A) to require the Secretary to treat an
6 assessment conducted by a foreign government
7 or an international organization as an assess-
8 ment that satisfies the requirement under sub-
9 section (a);

10 “(B) to limit the discretion or ability of the
11 Secretary to conduct an assessment under this
12 section;

13 “(C) to limit the authority of the Secretary
14 to repatriate aliens to their respective countries
15 of origin; or

16 “(D) to prevent the Secretary from re-
17 questing security and safety measures that the
18 Secretary considers necessary to safeguard
19 Coast Guard personnel during the repatriation
20 of aliens to their respective countries of ori-
21 gin.”; and

22 (2) by adding at the end the following:

23 “(g) STATE SPONSORS OF TERRORISM AND INTER-
24 NATIONAL TERRORIST ORGANIZATIONS.—The Sec-
25 retary—

1 “(1) may not enter into an agreement under
2 subsection (f)(2) with—

3 “(A) a foreign government that is a state
4 sponsor of terrorism (as defined in section
5 3316(h)); or

6 “(B) an entity designated by the Secretary
7 of State as a foreign terrorist organization pur-
8 suant to section 219 of the Immigration and
9 Nationality Act (8 U.S.C. 1189); and

10 “(2) shall—

11 “(A) deem any port that is under the juris-
12 diction of a foreign government that is a state
13 sponsor of terrorism as not having effective
14 antiterrorism measures for purposes of this sec-
15 tion and section 70109; and

16 “(B) immediately apply the sanctions de-
17 scribed in section 70110(a) to such port.”.

18 **TITLE LVII—ARCHITECT OF THE**
19 **CAPITOL APPOINTMENT ACT**
20 **OF 2023**

Sec. 5701. Short title.

Sec. 5702. Appointment and term of service of Architect of the Capitol.

Sec. 5703. Appointment of Deputy Architect of the Capitol; vacancy in Archi-
tect or Deputy Architect.

Sec. 5704. Deputy Architect of the Capitol to serve as acting in case of ab-
sence, disability, or vacancy.

1 **SEC. 5701. SHORT TITLE.**

2 This title may be cited as the “Architect of the Cap-
3 itol Appointment Act of 2023”.

4 **SEC. 5702. APPOINTMENT AND TERM OF SERVICE OF AR-**
5 **CHITECT OF THE CAPITOL.**

6 (a) APPOINTMENT.—The Architect of the Capitol
7 shall be appointed, without regard to political affiliation
8 and solely on the basis of fitness to perform the duties
9 of the office, upon a majority vote of a congressional com-
10 mission (referred to in this section as the “commission”)
11 consisting of the Speaker of the House of Representatives,
12 the majority leader of the Senate, the minority leaders of
13 the House of Representatives and Senate, the chair and
14 ranking minority member of the Committee on Appropria-
15 tions of the House of Representatives, the chairman and
16 ranking minority member of the Committee on Appropria-
17 tions of the Senate, the chair and ranking minority mem-
18 ber of the Committee on House Administration of the
19 House of Representatives, and the chairman and ranking
20 minority member of the Committee on Rules and Adminis-
21 tration of the Senate.

22 (b) TERM OF SERVICE.—The Architect of the Capitol
23 shall be appointed for a term of 10 years and, upon a
24 majority vote of the members of the commission, may be
25 reappointed for additional 10-year terms.

1 (c) REMOVAL.—The Architect of the Capitol may be
2 removed from office at any time upon a majority vote of
3 the members of the commission.

4 (d) CONFORMING AMENDMENTS.—

5 (1) Section 319 of the Legislative Branch Ap-
6 propriations Act, 1990 (2 U.S.C. 1801) is repealed.

7 (2) The matter under the heading “For the
8 Capitol:” under the heading “DEPARTMENT OF
9 THE INTERIOR.” of the Act of February 14, 1902
10 (32 Stat. 19, chapter 17; incorporated in 2 U.S.C.
11 1811) is amended by striking “, and he shall be ap-
12 pointed by the President”.

13 (e) EFFECTIVE DATE.—This section, and the amend-
14 ments made by this section, shall apply with respect to
15 appointments made on or after the date of enactment of
16 this Act.

17 **SEC. 5703. APPOINTMENT OF DEPUTY ARCHITECT OF THE**
18 **CAPITOL; VACANCY IN ARCHITECT OR DEP-**
19 **UTY ARCHITECT.**

20 Section 1203 of title I of division H of the Consoli-
21 dated Appropriations Resolution, 2003 (2 U.S.C. 1805)
22 is amended—

23 (1) in subsection (a)—

1 (A) by inserting “(in this section referred
2 to as the ‘Architect’)” after “The Architect of
3 the Capitol”; and

4 (B) by inserting “(in this section referred
5 to as the ‘Deputy Architect’)” after “Deputy
6 Architect of the Capitol”;

7 (2) by redesignating subsection (b) as sub-
8 section (c);

9 (3) by inserting after subsection (a) the fol-
10 lowing:

11 “(b) DEADLINE.—The Architect shall appoint a Dep-
12 uty Architect under subsection (a) not later than 120 days
13 after—

14 “(1) the date on which the Architect is ap-
15 pointed under section 5702 of the Architect of the
16 Capitol Appointment Act of 2023, if there is no
17 Deputy Architect on the date of the appointment; or

18 “(2) the date on which a vacancy arises in the
19 office of the Deputy Architect.”;

20 (4) in subsection (c), as so redesignated, by
21 striking “of the Capitol” each place it appears; and

22 (5) by adding at the end the following:

23 “(d) FAILURE TO APPOINT.—If the Architect does
24 not appoint a Deputy Architect on or before the applicable
25 date specified in subsection (b), the congressional commis-

1 sion described in section 5702(a) of the Architect of the
2 Capitol Appointment Act of 2023 shall appoint the Deputy
3 Architect by a majority vote of the members of the com-
4 mission.

5 “(e) NOTIFICATION.—If the position of Deputy Ar-
6 chitect becomes vacant, the Architect shall immediately
7 notify the members of the congressional commission de-
8 scribed in section 5702(a) of the Architect of the Capitol
9 Appointment Act of 2023.”.

10 **SEC. 5704. DEPUTY ARCHITECT OF THE CAPITOL TO SERVE**
11 **AS ACTING IN CASE OF ABSENCE, DISABILITY,**
12 **OR VACANCY.**

13 (a) IN GENERAL.—The Deputy Architect of the Cap-
14 itol (in this section referred to as the “Deputy Architect”)
15 shall act as Architect of the Capitol (in this section re-
16 ferred to as the “Architect”) if the Architect is absent or
17 disabled or there is no Architect.

18 (b) ABSENCE, DISABILITY, OR VACANCY IN OFFICE
19 OF DEPUTY ARCHITECT.—For purposes of subsection (a),
20 if the Deputy Architect is also absent or disabled or there
21 is no Deputy Architect, the congressional commission de-
22 scribed in section 5702(a) shall designate, by a majority
23 vote of the members of the commission, an individual to
24 serve as acting Architect until—

1 (1) the end of the absence or disability of the
2 Architect or the Deputy Architect; or

3 (2) in the case of vacancies in both positions,
4 an Architect has been appointed under section
5 5702(a).

6 (c) AUTHORITY.—An officer serving as acting Archi-
7 tect under subsection (a) or (b) shall perform all the duties
8 and exercise all the authorities of the Architect, including
9 the authority to delegate the duties and authorities of the
10 Architect in accordance with the matter under the heading
11 “Office of the Architect of the Capitol” under the heading
12 “ARCHITECT OF THE CAPITOL” of the Legislative
13 Appropriation Act, 1956 (2 U.S.C. 1803).

14 (d) CONFORMING AMENDMENT.—The matter under
15 the heading “salaries” under the heading “Office of the
16 Architect of the Capitol” under the heading “ARCHI-
17 TECT OF THE CAPITOL” of the Legislative Branch
18 Appropriation Act, 1971 (2 U.S.C. 1804) is amended by
19 striking “: Provided,” and all that follows through “no Ar-
20 chitect”.

21 **TITLE LVIII—FINANCIAL**
22 **SERVICES MATTERS**

Sec. 5801. Assessment of gifts and grants to United States institutions of higher education from entities on the Non-SDN Chinese Military-Industrial Complex Companies List.

1 **SEC. 5801. ASSESSMENT OF GIFTS AND GRANTS TO UNITED**
2 **STATES INSTITUTIONS OF HIGHER EDU-**
3 **CATION FROM ENTITIES ON THE NON-SDN**
4 **CHINESE MILITARY-INDUSTRIAL COMPLEX**
5 **COMPANIES LIST.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary of the
8 Treasury shall submit to the appropriate congressional
9 committees an assessment of gifts and grants to United
10 States institutions of higher education from entities on the
11 Non-SDN Chinese Military-Industrial Complex Compa-
12 nies List maintained by the Office of Foreign Assets Con-
13 trol.

14 (b) ELEMENTS.—The Secretary, in consultation with
15 the Secretary of Education, shall include in the assess-
16 ment required by subsection (a) an estimate of—

17 (1) a list and description of each of the gifts
18 and grants provided to United States institutions of
19 higher education by entities described in subsection
20 (a); and

21 (2) the monetary value of each of those gifts
22 and grants.

23 (c) DEFINITIONS.—In this section:

24 (1) The term “appropriate congressional com-
25 mittees” means—

1 (A) the Committee on Banking, Housing,
2 and Urban Affairs and the Committee on
3 Health, Education, Labor, and Pensions of the
4 Senate; and

5 (B) the Committee on Financial Services
6 and the Committee on Education and the
7 Workforce of the House of Representatives.

8 (2) The term “gifts and grants” includes finan-
9 cial contributions, material donations, provision of
10 services, scholarships, fellowships, research funding,
11 infrastructure investment, contracts, or any other
12 form of support that provides a benefit to the recipi-
13 ent institution.

14 **DIVISION F—DEPARTMENT OF**
15 **STATE AUTHORIZATION ACT**
16 **OF 2023**

17 **SEC. 6001. SHORT TITLE; TABLE OF CONTENTS.**

18 (a) **SHORT TITLE.**—This division may be cited as the
19 “Department of State Authorization Act of 2023”.

20 (b) **TABLE OF CONTENTS.**—The table of contents for
21 this division is as follows:

Sec. 6001. Short title; table of contents.

Sec. 6002. Definitions.

TITLE LXI—DIPLOMATIC SECURITY AND CONSULAR AFFAIRS

Sec. 6101. Special hiring authority for passport services.

Sec. 6102. Quarterly report on passport wait times.

Sec. 6103. Passport travel advisories.

Sec. 6104. Strategy to ensure access to passport services for all Americans.

Sec. 6105. Strengthening the National Passport Information Center.

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- Sec. 6106. Strengthening passport customer visibility and transparency.
- Sec. 6107. Annual Office of Authentications report.
- Sec. 6108. Publication and updates of estimated time for processing of passport applications.
- Sec. 6109. Authority to designate additional passport acceptance agents.
- Sec. 6110. Notification of passport expiration.
- Sec. 6111. Use of commercially available technology in online passport renewal program.
- Sec. 6112. Electronic payment for passport application fees.
- Sec. 6113. Agreements with foreign countries regarding passports nearing expiration.
- Sec. 6114. Passport fee exception for search, rescue, and other related disaster relief operations.
- Sec. 6115. Increased accountability in assignment restrictions and reviews.
- Sec. 6116. Suitability reviews for Foreign Service Institute instructors.
- Sec. 6117. Diplomatic security fellowship programs.

TITLE LXII—PERSONNEL MATTERS

Subtitle A—Hiring, Promotion, and Development

- Sec. 6201. Adjustment to promotion precepts.
- Sec. 6202. Hiring authorities.
- Sec. 6203. Extending paths to service for paid student interns.
- Sec. 6204. Lateral Entry Program.
- Sec. 6205. Mid-Career Mentoring Program.
- Sec. 6206. Report on the Foreign Service Institute's language program.
- Sec. 6207. Consideration of career civil servants as chiefs of missions.
- Sec. 6208. Civil service rotational program.
- Sec. 6209. Reporting requirement on chiefs of mission.
- Sec. 6210. Report on chiefs of mission and deputy chiefs of mission.
- Sec. 6211. Efforts to improve retention and prevent retaliation.
- Sec. 6212. National advertising campaign.
- Sec. 6213. Expansion of diplomats in residence programs.

Subtitle B—Pay, Benefits, and Workforce Matters

- Sec. 6221. Education allowance.
- Sec. 6222. Improving mental health services for foreign and civil servants.
- Sec. 6223. Emergency back-up care.
- Sec. 6224. Exception for government-financed air transportation.
- Sec. 6225. Internet at hardship posts.
- Sec. 6226. Competitive local compensation plan.
- Sec. 6227. Supporting tandem spouses in the Foreign Service.
- Sec. 6228. Accessibility at diplomatic missions.
- Sec. 6229. Report on breastfeeding accommodations overseas.
- Sec. 6230. Determining the effectiveness of knowledge transfers between Foreign Service Officers.
- Sec. 6231. Education allowance for dependents of Department of State employees located in United States territories.
- Sec. 6232. Overtime pay exception for protective services.

TITLE LXIII—INFORMATION SECURITY AND CYBER DIPLOMACY

- Sec. 6301. Data-informed diplomacy.
- Sec. 6302. Establishment and expansion of the Bureau Chief Data Officer Program.

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- Sec. 6303. Establishment of the Chief Artificial Intelligence Officer of the Department of State.
- Sec. 6304. Strengthening the Chief Information Officer of the Department of State.
- Sec. 6305. Sense of Congress on strengthening enterprise governance.
- Sec. 6306. Digital connectivity and cybersecurity partnership.
- Sec. 6307. Establishment of a cyberspace, digital connectivity, and related technologies (CDT) fund.
- Sec. 6308. Cyber protection support for personnel of the Department of State in positions highly vulnerable to cyber attack.
- Sec. 6309. Implementation of GAO High Risk List recommendations.

TITLE LXIV—ORGANIZATION AND OPERATIONS

- Sec. 6401. Personal services contractors.
- Sec. 6402. Hard-to-fill posts.
- Sec. 6403. Enhanced oversight of the Office of Civil Rights.
- Sec. 6404. Crisis response operations.
- Sec. 6405. Special Envoy to the Pacific Islands Forum.
- Sec. 6406. Special Envoy for Belarus.
- Sec. 6407. Presidential Envoy for the Abraham Accords, Negev Forum, and Related Integration and Normalization Fora and Agreements.
- Sec. 6408. Overseas placement of special appointment positions.
- Sec. 6409. Resources for United States nationals unlawfully or wrongfully detained abroad.
- Sec. 6410. Establishment of fiscal responsibility award.

TITLE LXV—ECONOMIC DIPLOMACY

- Sec. 6501. Report on recruitment, retention, and promotion of Foreign Service economic officers.
- Sec. 6502. Mandate to revise Department of State metrics for successful economic and commercial diplomacy.
- Sec. 6503. Direction to embassy deal teams.
- Sec. 6504. Establishment of a “Deal Team of the Year” award.

TITLE LXVI—PUBLIC DIPLOMACY

- Sec. 6601. Public diplomacy outreach.
- Sec. 6602. Modification on use of funds for Radio Free Europe/Radio Liberty.
- Sec. 6603. Report on Radio Free Africa and Radio Free Americas.
- Sec. 6604. John Lewis Civil Rights Fellowship program.
- Sec. 6605. Domestic engagement and public affairs.
- Sec. 6606. Modernization and enhancement strategy.

TITLE LXVII—OTHER MATTERS

- Sec. 6701. Internships of United States nationals at international organizations.
- Sec. 6702. Training for international organizations.
- Sec. 6703. Infrastructure projects and investments by the United States and People’s Republic of China.
- Sec. 6704. Special envoys.
- Sec. 6705. US-ASEAN Center.
- Sec. 6706. Briefings on the United States-European Union Trade and Technology Council.
- Sec. 6707. Modification and repeal of reports.

Sec. 6708. Art in embassies.

Sec. 6709. Institute for Transatlantic Engagement.

Sec. 6710. Notification of revocation of clearances.

1 **SEC. 6002. DEFINITIONS.**

2 In this division:

3 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
4 **TEES.**—The term “appropriate congressional com-
5 mittees” means the Committee on Foreign Relations
6 of the Senate and the Committee on Foreign Affairs
7 of the House of Representatives.

8 (2) **DEPARTMENT.**—The term “Department”
9 means the Department of State.

10 (3) **SECRETARY.**—The term “Secretary” means
11 the Secretary of State.

12 **TITLE LXI—DIPLOMATIC SECU-**
13 **RITY AND CONSULAR AF-**
14 **FAIRS**

15 **SEC. 6101. SPECIAL HIRING AUTHORITY FOR PASSPORT**
16 **SERVICES.**

17 During the 3-year period beginning on the date of
18 the enactment of this division, the Secretary, without re-
19 gard to the provisions under sections 3309 through 3318
20 of title 5, United States Code, may directly appoint up
21 to 80 candidates to positions in the competitive service (as
22 defined in section 2102 of such title) at the Department
23 in the Passport and Visa Examining Series 0967.

1 **SEC. 6102. QUARTERLY REPORT ON PASSPORT WAIT TIMES.**

2 Not later than 30 days after the date of the enact-
3 ment of this division, and quarterly thereafter for the fol-
4 lowing 3 years, the Secretary shall submit a report to the
5 appropriate congressional committees that describes—

6 (1) the current estimated wait times for pass-
7 port processing;

8 (2) the steps that have been taken by the De-
9 partment to reduce wait times to a reasonable time;

10 (3) efforts to improve the rollout of the online
11 passport renewal processing program, including how
12 much of passport revenues the Department is spend-
13 ing on consular systems modernization;

14 (4) the demand for urgent passport services by
15 major metropolitan area;

16 (5) the steps that have been taken by the De-
17 partment to reduce and meet the demand for urgent
18 passport services, particularly in areas that are
19 greater than 5 hours driving time from the nearest
20 passport agency; and

21 (6) how the Department details its staff and re-
22 sources to passport services programs.

23 **SEC. 6103. PASSPORT TRAVEL ADVISORIES.**

24 Not later than 180 days after the date of the enact-
25 ment of this division, the Department should make promi-

1 nent in United States regular passports, on the first three
2 pages of the passport, the following information:

3 (1) A prominent, clear advisory for all travelers
4 to check travel.state.gov for updated travel warnings
5 and advisories.

6 (2) A prominent, clear notice urging all trav-
7 elers to register with the Department prior to over-
8 seas travel.

9 (3) A prominent, clear advisory—

10 (A) noting that many countries deny entry
11 to travelers during the last 6 months of their
12 passport validity period; and

13 (B) urging all travelers to renew their
14 passport not later than 1 year prior to its expi-
15 ration.

16 **SEC. 6104. STRATEGY TO ENSURE ACCESS TO PASSPORT**
17 **SERVICES FOR ALL AMERICANS.**

18 Not later than 180 days after the date of the enact-
19 ment of this division, the Secretary shall submit a strategy
20 to the appropriate congressional committees, the Com-
21 mittee on Appropriations of the Senate, and the Com-
22 mittee on Appropriations of the House of Representatives
23 for ensuring reasonable access to passport services for all
24 Americans, which shall include—

1 (1) a detailed strategy describing how the De-
2 partment could—

3 (A) by not later than 1 year after submis-
4 sion of the strategy, reduce passport processing
5 times to an acceptable average for renewals and
6 for expedited service; and

7 (B) by not later than 2 years after the
8 submission of the strategy, provide United
9 States residents living in a significant popu-
10 lation center more than a 5-hour drive from a
11 passport agency with urgent, in-person passport
12 services, including the possibility of building
13 new passport agencies; and

14 (2) a description of the specific resources re-
15 quired to implement the strategy.

16 **SEC. 6105. STRENGTHENING THE NATIONAL PASSPORT IN-**
17 **FORMATION CENTER.**

18 (a) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that passport wait times since 2021 have been unac-
20 ceptably long and have created frustration among those
21 seeking to obtain or renew passports.

22 (b) ONLINE CHAT FEATURE.—The Department
23 should develop an online tool with the capability for cus-
24 tomers to correspond with customer service representa-

1 tives regarding questions and updates pertaining to their
2 application for, or renewal of, a passport.

3 (c) GAO REPORT.—Not later than 90 days after the
4 date of the enactment of this division, the Comptroller
5 General of the United States shall initiate a review of Na-
6 tional Passport Information Center (NPIC) operations,
7 which shall include an analysis of the extent to which
8 NPIC—

9 (1) responds to constituent inquiries by tele-
10 phone, including how long constituents are kept on
11 hold and their ability to be placed in a queue;

12 (2) provides personalized customer service;

13 (3) maintains its telecommunications infra-
14 structure to ensure it effectively handles call vol-
15 umes; and

16 (4) other relevant issues the Comptroller Gen-
17 eral deems appropriate.

18 **SEC. 6106. STRENGTHENING PASSPORT CUSTOMER VISI-**
19 **BILITY AND TRANSPARENCY.**

20 (a) ONLINE STATUS TOOL.—Not later than 2 years
21 after the date of the enactment of this division, the De-
22 partment should modernize the online passport application
23 status tool to include, to the greatest extent possible, step
24 by step updates on the status of passport applications, in-
25 cluding with respect to the following stages:

- 1 (1) Submitted for processing.
- 2 (2) In process at a lockbox facility.
- 3 (3) Awaiting adjudication.
- 4 (4) In process of adjudication.
- 5 (5) Adjudicated with a result of approval or de-
- 6 nial.

7 (6) Materials shipped.

8 (b) ADDITIONAL INFORMATION.—The tool pursuant
9 to subsection (a) should include a display that informs
10 each passport applicant of—

11 (1) the date on which his or her passport appli-
12 cation was received; and

13 (2) the estimated wait time remaining in the
14 passport application process.

15 (c) REPORT.—Not later than 90 days after the date
16 of the enactment of this division, the Secretary shall sub-
17 mit a report to the appropriate congressional committees
18 that outlines a plan for coordinated comprehensive public
19 outreach to increase public awareness and understanding
20 of—

21 (1) the online status tool required under sub-
22 section (a);

23 (2) passport travel advisories required under
24 section 6103; and

25 (3) passport wait times.

1 **SEC. 6107. ANNUAL OFFICE OF AUTHENTICATIONS REPORT.**

2 (a) REPORT.—Not later than one year after the date
3 of the enactment of this division, the Secretary shall sub-
4 mit an annual report for 5 years to the appropriate con-
5 gressional committees that describes—

6 (1) the number of incoming authentication re-
7 quests, broken down by month and type of request,
8 to show seasonal fluctuations in demand;

9 (2) the average time taken by the Office of Au-
10 thentications of the Department to authenticate doc-
11 uments, broken down by month to show seasonal
12 fluctuations in wait times;

13 (3) how the Department details staff to the Of-
14 fice of Authentications; and

15 (4) the impact that hiring additional, perma-
16 nent, dedicated staff for the Office of Authentica-
17 tions would have on the processing times referred to
18 in paragraph (2).

19 (b) AUTHORIZATION.—The Secretary is authorized to
20 hire additional, permanent, dedicated staff for the Office
21 of Authentications.

1 **SEC. 6108. PUBLICATION AND UPDATES OF ESTIMATED**
2 **TIME FOR PROCESSING OF PASSPORT APPLI-**
3 **CATIONS.**

4 The Secretary shall publish and update on a quar-
5 terly basis on relevant websites of the Department the es-
6 timated time for processing of passport applications.

7 **SEC. 6109. AUTHORITY TO DESIGNATE ADDITIONAL PASS-**
8 **PORT ACCEPTANCE AGENTS.**

9 (a) **AUTHORITY TO DESIGNATE.**—The Secretary may
10 designate any person described in subsection (b) that
11 meets such other requirements as the Secretary may pre-
12 scribe pursuant to regulations to serve as a passport ac-
13 ceptance agent, unless the Secretary withdraws such au-
14 thorization on a case-by-case basis with respect to a given
15 person.

16 (b) **AUTHORIZED PERSONS.**—A person described in
17 this subsection is any of the following:

18 (1) An employee of the clerk of any Federal
19 court.

20 (2) An employee of the clerk of any State court
21 of record.

22 (3) A postal employee at a United States post
23 office that has been selected to accept passport ap-
24 plications.

1 (4) An employee of the Department of Defense
2 at a military installation that has been authorized to
3 accept passport applications.

4 (5) An employee of a Federal department or
5 agency that has been selected to accept passport ap-
6 plications.

7 (6) Any other person specifically designated by
8 the Secretary.

9 (c) REGULATIONS.—The Secretary shall prescribe or
10 revise such regulations as may be necessary to carry out
11 this division.

12 **SEC. 6110. NOTIFICATION OF PASSPORT EXPIRATION.**

13 The Secretary shall take such steps as may be nec-
14 essary to ensure that each individual holding a valid
15 United States passport is notified of the upcoming expira-
16 tion of such passport not later than one year before the
17 date of such expiration.

18 **SEC. 6111. USE OF COMMERCIALY AVAILABLE TECH-**
19 **NOLOGY IN ONLINE PASSPORT RENEWAL**
20 **PROGRAM.**

21 The Secretary shall take such steps as may be nec-
22 essary to compare and use the best commercially available
23 technology in the private sector, as determined by the Sec-
24 retary, in the development of the Department's online
25 passport renewal program or any successor program.

1 **SEC. 6112. ELECTRONIC PAYMENT FOR PASSPORT APPLI-**
2 **CATION FEES.**

3 The Secretary shall develop a process to accept elec-
4 tronic payment for all fees associated with the processing
5 of passport applications, including for applications sub-
6 mitted by regular mail.

7 **SEC. 6113. AGREEMENTS WITH FOREIGN COUNTRIES RE-**
8 **GARDING PASSPORTS NEARING EXPIRATION.**

9 The President, acting through the Secretary, shall
10 seek to reach agreements with the governments of foreign
11 countries that do not accept United States passports that
12 are at or within 6 months of expiration to allow for the
13 use of such United States passports.

14 **SEC. 6114. PASSPORT FEE EXCEPTION FOR SEARCH, RES-**
15 **CUE, AND OTHER RELATED DISASTER RELIEF**
16 **OPERATIONS.**

17 (a) **SHORT TITLE.**—This section may be cited as the
18 “First Responders Passport Act”.

19 (b) **IN GENERAL.**—Section 1(a) of the Passport Act
20 of June 4, 1920 (22 U.S.C. 214(a) is amended—

21 (1) by inserting “(1)” before “There shall be
22 collected”;

23 (2) by striking “No passport fee shall be col-
24 lected from an officer” and inserting the following:

25 “(2) Notwithstanding paragraph (1), no passport fee
26 shall be collected from—

1 “(A) an officer”;

2 (3) by striking “or from members of his imme-
3 diate family; from an American seaman who requires
4 a passport in connection with his duties aboard an
5 American flag-vessel; from a widow” and inserting
6 the following: “or from immediate family of such of-
7 ficer or employee;

8 “(B) an American sailor who requires a pass-
9 port in connection with assigned duties aboard an
10 American flag-vessel;

11 “(C) a widow”;

12 (4) by striking “memorial service for such
13 member; or from an individual” and inserting the
14 following: “memorial service for such member;

15 “(D) an individual”; and

16 (5) by striking “law enforcement purposes. No
17 execution fee” and inserting “law enforcement pur-
18 poses;

19 “(E) at the discretion of the Secretary, an indi-
20 vidual who—

21 “(i) is operating under a contract, grant,
22 or cooperative agreement with the United
23 States Government to participate in search, res-
24 cue, and other related disaster relief operations

1 within a foreign country following a natural dis-
2 aster; or

3 “(ii) is required pursuant to such contract,
4 grant, or cooperative agreement to be available
5 to travel abroad to assist in search, rescue, or
6 other related disaster relief efforts immediately
7 upon notice from the United States Govern-
8 ment.

9 “(3) No execution fee”.

10 **SEC. 6115. INCREASED ACCOUNTABILITY IN ASSIGNMENT**
11 **RESTRICTIONS AND REVIEWS.**

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

14 (1) the use of policies to restrict personnel from
15 serving in certain assignments may undermine the
16 Department’s ability to deploy relevant cultural and
17 linguistic skills at diplomatic posts abroad if not ap-
18 plied judiciously; and

19 (2) the Department should continuously evalu-
20 ate all processes relating to assignment restrictions,
21 assignment reviews, and preclusions at the Depart-
22 ment.

23 (b) NOTIFICATION OF STATUS.—Beginning not later
24 than 90 days after the date of the enactment of this divi-
25 sion, the Secretary shall—

1 (1) provide a status update for all Department
2 personnel who, prior to such date of enactment, were
3 subject to a prior assignment restriction, assignment
4 review, or preclusion for whom a review or decision
5 related to assignment is pending; and

6 (2) on an ongoing basis, provide a status up-
7 date for any Department personnel who has been
8 the subject of a pending assignment restriction or
9 pending assignment review for more than 30 days.

10 (c) NOTIFICATION CONTENT.—The notification re-
11 quired under subsection (b) shall inform relevant per-
12 sonnel, as of the date of the notification—

13 (1) whether any prior assignment restriction
14 has been lifted;

15 (2) if their assignment status is subject to on-
16 going review, and an estimated date for completion;
17 and

18 (3) if they are subject to any other restrictions
19 on their ability to serve at posts abroad.

20 (d) ADJUDICATION OF ONGOING ASSIGNMENT RE-
21 VIEWS.—

22 (1) TIME LIMIT.—The Department shall estab-
23 lish a reasonable time limit for the Department to
24 complete an assignment review and establish a dead-

1 line by which it must inform personnel of a decision
2 related to such a review.

3 (2) APPEALS.—For any personnel the Depart-
4 ment determines are ineligible to serve in an assign-
5 ment due to an assignment restriction or assignment
6 review, a Security Appeal Panel shall convene not
7 later than 120 days of an appeal being filed.

8 (3) ENTRY-LEVEL BIDDING PROCESS.—The De-
9 partment shall include a description of the assign-
10 ment review process and critical human intelligence
11 threat posts in a briefing to new officers as part of
12 their entry-level bidding process.

13 (4) POINTS OF CONTACT.—The Department
14 shall designate points of contact in the Bureau of
15 Diplomatic Security and Bureau of Global Talent
16 Management to answer employee and Career Devel-
17 opment Officer questions about assignment restric-
18 tions, assignment reviews, and preclusions.

19 (e) SECURITY APPEAL PANEL.—Not later than 90
20 days after the date of the enactment of this division, the
21 Security Appeal Panel shall be comprised of—

22 (1) the head of an office responsible for human
23 resources or discrimination who reports directly to
24 the Secretary;

1 (2) the Principal Deputy Assistant Secretary
2 for the Bureau of Global Talent Management;

3 (3) the Principal Deputy Assistant Secretary
4 for the Bureau of Intelligence and Research;

5 (4) an Assistant Secretary or Deputy, or equiv-
6 alent, from a third bureau as designated by the
7 Under Secretary for Management;

8 (5) a representative from the geographic bureau
9 to which the restriction applies; and

10 (6) a representative from the Office of the
11 Legal Adviser and a representative from the Bureau
12 of Diplomatic Security, who shall serve as non-vot-
13 ing advisors.

14 (f) APPEAL RIGHTS.—Section 414(a) of the Depart-
15 ment of State Authorities Act, Fiscal Year 2017 (22
16 U.S.C. 2734c(a)) is amended by striking the first two sen-
17 tences and inserting “The Secretary shall establish and
18 maintain a right and process for employees to appeal a
19 decision related to an assignment, based on a restriction,
20 review, or preclusion. Such right and process shall ensure
21 that any such employee shall have the same appeal rights
22 as provided by the Department regarding denial or revoca-
23 tion of a security clearance.”.

24 (g) FAM UPDATE.—Not later than 120 days after
25 the date of the enactment of this division, the Secretary

1 shall amend all relevant provisions of the Foreign Affairs
2 Manual, and any associated or related policies of the De-
3 partment, to comply with this section.

4 **SEC. 6116. SUITABILITY REVIEWS FOR FOREIGN SERVICE**
5 **INSTITUTE INSTRUCTORS.**

6 The Secretary shall take reasonable steps to ensure
7 that all instructors at the Foreign Service Institute, in-
8 cluding direct hires and contractors, who provide language
9 instruction are—

10 (1) subject to suitability reviews and back-
11 ground investigations; and

12 (2) subject to periodic background checks or re-
13 investigations to the extent consistent with Depart-
14 ment and Executive policy for other Department
15 personnel.

16 **SEC. 6117. DIPLOMATIC SECURITY FELLOWSHIP PRO-**
17 **GRAMS.**

18 (a) IN GENERAL.—Section 47 of the State Depart-
19 ment Basic Authorities Act of 1956 (22 U.S.C. 2719) is
20 amended—

21 (1) by striking “The Secretary” and inserting
22 the following:

23 “(a) IN GENERAL.—The Secretary”; and

24 (2) by adding at the end the following new sub-
25 section:

1 “(b) DIPLOMATIC SECURITY FELLOWSHIP PRO-
2 GRAMS.—

3 “(1) ESTABLISHMENT.—The Secretary of
4 State, working through the Assistant Secretary for
5 Diplomatic Security, is authorized to establish Diplo-
6 matic Security fellowship programs to provide grants
7 to United States nationals pursuing post-secondary
8 studies who commit to pursuing a career as a special
9 agent, security engineering officer, or in the civil
10 service in the Bureau of Diplomatic Security.

11 “(2) RULEMAKING.—The Secretary is author-
12 ized to promulgate regulations for the administra-
13 tion of Diplomatic Security fellowship programs that
14 set forth—

15 “(A) the eligibility requirements for receiv-
16 ing a grant under this subsection;

17 “(B) the process by which eligible appli-
18 cants may request such a grant;

19 “(C) the maximum amount of such a
20 grant; and

21 “(D) the educational progress to which all
22 grant recipients are obligated.”.

23 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated \$2,000,000 for each of fis-
25 cal years 2024 through 2028 to carry out this section.

1 **TITLE LXII—PERSONNEL**
2 **MATTERS**
3 **Subtitle A—Hiring, Promotion, and**
4 **Development**

5 **SEC. 6201. ADJUSTMENT TO PROMOTION PRECEPTS.**

6 Section 603(b) of the Foreign Service Act of 1980
7 (22 U.S.C. 4003(b)) is amended—

8 (1) by redesignating paragraph (2), (3), and (4)
9 as paragraphs (7), (8), and (9), respectively; and

10 (2) by inserting after paragraph (1) the fol-
11 lowing new paragraphs:

12 “(2) experience serving at an international or-
13 ganization, multilateral institution, or engaging in
14 multinational negotiations;

15 “(3) willingness to serve in hardship posts over-
16 seas where applicable and across geographically dis-
17 tinct regions;

18 “(4) experience advancing policies or developing
19 expertise that enhance the United States’ competi-
20 tiveness with regard to critical and emerging tech-
21 nologies;

22 “(5) willingness to participate in appropriate
23 and relevant professional development opportunities
24 offered by the Foreign Service Institute or other

1 educational institutions associated with the Depart-
2 ment;

3 “(6) willingness to enable and encourage subor-
4 dinates at various levels to avail themselves of ap-
5 propriate and relevant professional development op-
6 portunities offered by the Foreign Service Institute
7 or other educational institutions associated with the
8 Department;”.

9 **SEC. 6202. HIRING AUTHORITIES.**

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

12 (1) the Department should possess hiring au-
13 thorities to enable recruitment of individuals rep-
14 resentative of the nation with special skills needed to
15 address 21st century diplomacy challenges; and

16 (2) the Secretary shall conduct a survey of hir-
17 ing authorities held by the Department to identify—

18 (A) hiring authorities already authorized
19 by Congress;

20 (B) other authorities granted through
21 Presidential decree or executive order; and

22 (C) any authorities needed to enable re-
23 cruitment of individuals with the special skills
24 described in paragraph (1).

1 (b) REPORT.—Not later than 180 days after the date
2 of the enactment of this division, the Secretary shall sub-
3 mit to the appropriate congressional committees, the Com-
4 mittee on Homeland Security and Governmental Affairs
5 of the Senate, and the Committee on Oversight and Ac-
6 countability of the House of Representatives a report that
7 includes a description of all existing hiring authorities and
8 legislative proposals on any new needed authorities.

9 (c) SPECIAL HIRING AUTHORITY.—For an initial pe-
10 riod of not more than 3 years after the date of the enact-
11 ment of this division, the Secretary may appoint, without
12 regard to the provisions of sections 3309 through 3318
13 of title 5, United States Code, up to 80 candidates directly
14 to positions in the competitive service at the Department,
15 as defined in section 2102 of that title, in the following
16 occupational series: 25 candidates under 1560 Data
17 Science, 25 candidates under 2210 Information Tech-
18 nology Management, and 30 candidates under 0201
19 Human Resources Management.

20 **SEC. 6203. EXTENDING PATHS TO SERVICE FOR PAID STU-**
21 **DENT INTERNS.**

22 (a) IN GENERAL.—For up to 2 years following the
23 end of a compensated internship at the Department, the
24 Department may offer employment to up to 25 such in-
25 terns and appoint them directly to positions in the com-

1 petitive service, as defined in section 2102 of title 5,
2 United States Code, without regard to the provisions of
3 sections 3309 through 3318 of such title.

4 (b) REPORT.—Not later than one year after the date
5 of the enactment of this division, and annually thereafter
6 for 3 years, the Secretary shall submit to the appropriate
7 congressional committees, the Homeland Security and
8 Governmental Affairs Committee of the Senate, and the
9 Committee on Oversight and Accountability of the House
10 of Representatives a report listing which undergraduate
11 and post-secondary institutions the interns offered em-
12 ployment under subsection (a) attended, where available.

13 **SEC. 6204. LATERAL ENTRY PROGRAM.**

14 (a) IN GENERAL.—Section 404 of the Department of
15 State Authorities Act, Fiscal Year 2017 (Public Law 114–
16 323; 130 Stat. 1928) is amended—

17 (1) in subsection (b)—

18 (A) in the matter preceding paragraph (1),
19 by striking “3-year” and inserting “5-year”;

20 (B) in paragraph (5), by striking “; and”;

21 (C) in paragraph (6), by striking the pe-
22 riod at the end and inserting a semicolon; and

23 (D) by adding at the end the following new
24 paragraphs:

1 “(7) does not include the use of Foreign Serv-
2 ice-Limited or other noncareer Foreign Service hir-
3 ing authorities; and

4 “(8) includes not fewer than 30 participants for
5 each year of the pilot program.”; and

6 (2) by adding at the end the following new sub-
7 section:

8 “(e) CERTIFICATION.—If the Secretary does not com-
9 mence the lateral entry program within 180 days after the
10 date of the enactment of this subsection, the Secretary
11 shall submit a report to the appropriate congressional
12 committees—

13 “(1) certifying that progress is being made on
14 implementation of the pilot program and describing
15 such progress, including the date on which appli-
16 cants will be able to apply;

17 “(2) estimating the date by which the pilot pro-
18 gram will be fully implemented;

19 “(3) outlining how the Department will use the
20 Lateral Entry Program to fill needed skill sets in
21 key areas such as cyberspace, emerging technologies,
22 economic statecraft, multilateral diplomacy, and
23 data and other sciences.”.

1 **SEC. 6205. MID-CAREER MENTORING PROGRAM.**

2 (a) AUTHORIZATION.—The Secretary, in collabora-
3 tion with the Director of the Foreign Service Institute,
4 is authorized to establish a Mid-Career Mentoring Pro-
5 gram (referred to in this section as the “Program”) to
6 assist in the retention of, and to decrease mid-career attri-
7 tion of, employees, including those who have demonstrated
8 potential for advancement and may be at risk of leaving
9 the Department.

10 (b) SELECTION.—

11 (1) NOMINATIONS.—The head of each bureau
12 shall semiannually nominate participants for the
13 Program from a pool of applicants in the positions
14 described in paragraph (2)(B), including from posts
15 both domestically and abroad.

16 (2) SUBMISSION OF SLATE OF NOMINEES TO
17 SECRETARY.—The Director of the Foreign Service
18 Institute, in consultation with the Director General
19 of the Foreign Service, shall semiannually—

20 (A) vet the nominees most recently nomi-
21 nated pursuant to paragraph (1); and

22 (B) submit to the Secretary a slate of ap-
23 plicants to participate in the Program, who
24 shall consist of at least—

25 (i) 10 Foreign Service Officers and
26 specialists classified at the FS-03 or FS-04

1 level of the Foreign Service Salary Sched-
2 ule;

3 (ii) 10 Civil Service employees classi-
4 fied at GS-12 or GS-13 of the General
5 Schedule; and

6 (iii) 5 Foreign Service Officers from
7 the United States Agency for International
8 Development.

9 (3) FINAL SELECTION.—The Secretary shall se-
10 lect the applicants who will be invited to participate
11 in the Program from the slate received pursuant to
12 paragraph (2)(B) and extend such an invitation to
13 each selected applicant.

14 (4) MERIT PRINCIPLES.—Section 105 of the
15 Foreign Service Act of 1980 (22 U.S.C. 3905) shall
16 apply to nominations, submissions to the Secretary,
17 and selections for the Program under this section.

18 (c) PROGRAM SESSIONS.—

19 (1) FREQUENCY; DURATION.—All of the partici-
20 pants who accept invitations extended pursuant to
21 subsection (b)(3) shall meet 3 to 4 times per year
22 for training sessions with high-level leaders of the
23 Department and USAID, including private group
24 meetings with the Secretary and the Administrator

1 of the United States Agency for International Devel-
2 opment.

3 (2) THEMES.—Each session referred to in para-
4 graph (1) shall focus on specific themes developed
5 jointly by the Foreign Service Institute and the Ex-
6 ecutive Secretariat focused on substantive policy
7 issues and leadership practices.

8 (d) MENTORING PROGRAM.—The Secretary and the
9 Administrator each is authorized to establish a mentoring
10 and coaching program that pairs a senior leader of the
11 Department or USAID with each of the program partici-
12 pants who complete the Program during the 1-year period
13 immediately following their participation in the Program.

14 (e) ANNUAL REPORT.—Not later than one year after
15 the date of the enactment of this division, and annually
16 thereafter for three years, the Secretary shall submit a
17 report to the appropriate congressional committees that
18 describes the activities of the Program during the most
19 recent year and includes disaggregated demographic data
20 on participants in the Program.

21 **SEC. 6206. REPORT ON THE FOREIGN SERVICE INSTITUTE'S**
22 **LANGUAGE PROGRAM.**

23 Not later than 60 days after the date of the enact-
24 ment of this division, the Secretary shall submit a report

1 to the appropriate congressional committees that in-
2 cludes—

3 (1) the average pass and fail rates for language
4 programs at the Foreign Service Institute in com-
5 parison with Language Designated Position (LDP)
6 requirements, disaggregated by language during the
7 5-year period immediately preceding the date of the
8 enactment of this division;

9 (2) the number of Department employees and
10 contractors who are language instructors at the For-
11 eign Service Institute, and a comparison of the in-
12 structor/student ratio in the language programs at
13 the Foreign Service Institute disaggregated by lan-
14 guage;

15 (3) salaries for language instructors
16 disaggregated by language, employment/contractor
17 status, and a comparison to salaries for instructors
18 teaching languages in comparable employment;

19 (4) recruitment and retention plans for lan-
20 guage instructors, disaggregated by language where
21 necessary and practicable;

22 (5) any plans to increase pass rates for lan-
23 guages with high failure rates; and

24 (6) a list of all outside entities with which the
25 Foreign Service Institute partners or contracts in

1 order to hire or obtain foreign language instructors,
2 including the duration of any relevant agreements,
3 and an indication of how agreements are evaluated
4 by the Department for potential renewal, where
5 available.

6 **SEC. 6207. CONSIDERATION OF CAREER CIVIL SERVANTS**
7 **AS CHIEFS OF MISSIONS.**

8 Section 304(b) of the Foreign Service Act of 1980
9 (22 U.S.C. 3944) is amended—

10 (1) by redesignating paragraph (2) as para-
11 graph (3); and

12 (2) by inserting after paragraph (1) the fol-
13 lowing new paragraph:

14 “(2) The Secretary shall also furnish to the Presi-
15 dent, on an annual basis and to assist the President in
16 selecting qualified candidates for appointments or assign-
17 ments as chief of mission, the names of between 5 and
18 10 career civil servants serving at the Department of State
19 or the United States Agency for International Develop-
20 ment who are qualified to serve as chiefs of mission, to-
21 gether with pertinent information about such individ-
22 uals.”.

23 **SEC. 6208. CIVIL SERVICE ROTATIONAL PROGRAM.**

24 (a) ESTABLISHMENT OF PILOT ROTATIONAL PRO-
25 GRAM FOR CIVIL SERVICE.—Not later than 180 days after

1 the date of the enactment of this division, the Secretary
2 shall establish a program to provide qualified civil servants
3 serving at the Department an opportunity to serve at a
4 United States embassy, including identifying criteria and
5 an application process for such program.

6 (b) PROGRAM.—The program established under this
7 section shall—

8 (1) provide at least 20 career civil servants the
9 opportunity to serve for 2 to 3 years at a United
10 States embassy to gain additional skills and experi-
11 ence;

12 (2) offer such civil servants the opportunity to
13 serve in a political or economic section at a United
14 States embassy; and

15 (3) include clear and transparent criteria for
16 eligibility and selection, which shall include a min-
17 imum of 5 years of service at the Department.

18 (c) SUBSEQUENT POSITION AND PROMOTION.—Fol-
19 lowing a rotation at a United States embassy pursuant
20 to the program established by this section, participants in
21 the program must be afforded, at minimum, a position
22 equivalent in seniority, compensation, and responsibility to
23 the position occupied prior serving in the program. Suc-
24 cessful completion of a rotation at a United States em-

1 bassy shall be considered favorably with regard to applica-
2 tions for promotion in civil service jobs at the Department.

3 (d) IMPLEMENTATION.—Not later than 2 years after
4 the date of the enactment of this division, the Secretary
5 shall identify not less than 20 positions in United States
6 embassies for the program established under this section
7 and offer at least 20 civil servants the opportunity to serve
8 in a rotation at a United States embassy pursuant to this
9 section.

10 **SEC. 6209. REPORTING REQUIREMENT ON CHIEFS OF MIS-**
11 **SION.**

12 Not later than 30 days following the end of each cal-
13 endar quarter, the Secretary shall submit to the appro-
14 priate congressional committees—

15 (1) a list of every chief of mission or United
16 States representative overseas with the rank of Am-
17 bassador who, during the prior quarter, was granted
18 approval by the Under Secretary of State for Man-
19 agement to be outside a country of assignment for
20 purposes other than official travel or temporary duty
21 orders; and

22 (2) the number of days each such chief of mis-
23 sion or United States representative overseas with
24 the rank of Ambassador was outside a country of as-

1 signment during the previous quarter for purposes
2 other than official travel or temporary duty orders.

3 **SEC. 6210. REPORT ON CHIEFS OF MISSION AND DEPUTY**
4 **CHIEFS OF MISSION.**

5 Not later than April 1, 2024, and annually thereafter
6 for the next 4 years, the Secretary shall submit to the
7 appropriate congressional committees a report that in-
8 cludes—

9 (1) the Foreign Service cone of each current
10 chief of mission and deputy chief of mission (or who-
11 ever is acting in the capacity of chief or deputy chief
12 if neither is present) for each United States embassy
13 at which there is a Foreign Service Officer filling ei-
14 ther of those positions; and

15 (2) aggregated data for all chiefs of mission
16 and deputy chiefs of mission described in paragraph
17 (1), disaggregated by cone.

18 **SEC. 6211. EFFORTS TO IMPROVE RETENTION AND PRE-**
19 **VENT RETALIATION.**

20 (a) STREAMLINED REPORTING.—Not later than one
21 year after the date of the enactment of this division, the
22 Secretary shall establish a single point of initial reporting
23 for allegations of discrimination, and harassment that pro-
24 vides an initial review of the allegations and, if necessary,

1 the ability to file multiple claims based on a single com-
2 plaint.

3 (b) REQUIRED ANNUAL SURVEYS.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this division, and
6 annually thereafter, the Secretary shall conduct an
7 annual employee satisfaction survey to assess the
8 level of job satisfaction, work environment, and over-
9 all employee experience within the Department.

10 (2) OPEN-ENDED RESPONSES.—The survey re-
11 quired under paragraph (1) shall include options for
12 open-ended responses.

13 (3) SURVEY QUESTIONS.—The survey shall in-
14 clude questions regarding—

15 (A) work-life balance;

16 (B) compensation and benefits;

17 (C) career development opportunities;

18 (D) the performance evaluation and pro-
19 motion process, including fairness and trans-
20 parency;

21 (E) communication channels and effective-
22 ness;

23 (F) leadership and management;

24 (G) organizational culture;

1 (H) awareness and effectiveness of com-
2 plaint measures;

3 (I) accessibility and accommodations;

4 (J) availability of transportation to and
5 from a work station;

6 (K) information technology infrastructure
7 functionality and accessibility;

8 (L) the employee's understanding of the
9 Department's structure, mission, and goals;

10 (M) alignment and relevance of work to
11 the Department's mission;

12 (N) sense of empowerment to affect posi-
13 tive change; and

14 (O) experiences with harassment, discrimi-
15 nation, retaliation, and other events that con-
16 tribute to attrition and negatively impact work
17 culture and productivity.

18 (c) REQUIRED EXIT SURVEYS.—

19 (1) IN GENERAL.—Not later than 180 days
20 after the date of the enactment of this division, the
21 Secretary shall develop and implement a standard-
22 ized, confidential exit survey process that includes
23 anonymous feedback and exit interviews with em-
24 ployees who voluntarily separate from the Depart-

1 ment, whether through resignation, retirement, or
2 other means.

3 (2) SCOPE.—The exit surveys conducted pursu-
4 ant to paragraph (1) shall—

5 (A) be designed to gather insights and
6 feedback from departing employees regarding—

7 (i) their reasons for leaving, including
8 caretaking responsibilities, career limita-
9 tions for partner or spouse, and discrimi-
10 nation, harassment, or retaliation;

11 (ii) their overall experience with the
12 Department; and

13 (iii) any suggestions for improvement;
14 and

15 (B) include questions related to—

16 (i) the employee's reasons for leaving;

17 (ii) job satisfaction;

18 (iii) work environment;

19 (iv) professional growth opportunities;

20 (v) leadership effectiveness;

21 (vi) suggestions for enhancing the De-
22 partment's performance; and

23 (vii) if applicable, the name and in-
24 dustry of the employee's future employer.

1 (3) COMPILATION OF RESULTS.—The Secretary
2 shall compile and analyze the anonymized exit sur-
3 vey data collected pursuant to this paragraph to
4 identify trends, common themes, and areas needing
5 improvement within the Department.

6 (d) PILOT SURVEYS.—Not later than 180 days after
7 the date of the enactment of this division, the Secretary
8 shall conduct a Department-wide survey for Locally Em-
9 ployed Staff regarding retention, training, promotion, and
10 other matters, including harassment, discrimination, and
11 retaliation, that includes workforce perspectives on the ac-
12 cessibility and effectiveness of complaint measures.

13 (e) REPORT.—Not later than 60 days after the con-
14 clusion of each survey conducted pursuant to this section,
15 the Secretary shall make the key findings available to the
16 Department workforce and shall submit them to the ap-
17 propriate congressional committees.

18 (f) RETALIATION PREVENTION EFFORTS.—

19 (1) EMPLOYEE EVALUATION.—

20 (A) IN GENERAL.—If there is a pending
21 investigation of discrimination or harassment
22 against a superior who is responsible for rating
23 or reviewing the complainant employee, the
24 complainant shall be reviewed by the superior's

1 supervisor or other Department employee as ap-
2 propriate.

3 (B) EFFECTIVE DATE.—This paragraph
4 shall take effect 90 days after the date of the
5 enactment of this division.

6 (2) RETALIATION PREVENTION GUIDANCE.—
7 Any Department employee against whom an allega-
8 tion of discrimination or harassment has been made
9 shall receive written guidance (a “retaliation hold”)
10 on the types of actions that can be considered retal-
11 iation against the complainant employee. The em-
12 ployee’s immediate supervisor shall also receive the
13 retaliation hold guidance.

14 **SEC. 6212. NATIONAL ADVERTISING CAMPAIGN.**

15 Not later than 270 days after the date of the enact-
16 ment of this division, the Secretary shall submit a strategy
17 to the appropriate congressional committees that assesses
18 the potential benefits and costs of a national advertising
19 campaign to improve the recruitment to the Civil Service
20 and the Foreign Service by raising public awareness of
21 the important accomplishments of the Department.

22 **SEC. 6213. EXPANSION OF DIPLOMATS IN RESIDENCE PRO-**
23 **GRAMS.**

24 (a) IN GENERAL.—Not later than two years after the
25 date of the enactment of this division—

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1 (1) the Secretary is authorized to increase the
2 number of diplomats in the Diplomats in Residence
3 Program from 17 to at least 20; and

4 (2) the Administrator of the United States
5 Agency for International Development is authorized
6 to increase the number of development diplomats in
7 the Diplomats in Residence Program from 1 to at
8 least 3.

9 (b) REPORT.—Not later than one year after the date
10 of the enactment of this division, and every year for three
11 years thereafter, the Secretary shall report to the appro-
12 priate congressional committees whether additional Dip-
13 lomats in Residence have been established, and, if so, what
14 regions or colleges or universities such diplomats are as-
15 signed to, with an explanation as to why those regions or
16 schools were chosen as most in need of additional Depart-
17 ment recruiting personnel.

18 **Subtitle B—Pay, Benefits, and**
19 **Workforce Matters**

20 **SEC. 6221. EDUCATION ALLOWANCE.**

21 (a) IN GENERAL.—Chapter 9 of title I of the Foreign
22 Service Act of 1980 (22 U.S.C. 4081 et seq.) is amended
23 by adding at the end the following new section:

1 **“SEC. 908. EDUCATION ALLOWANCE.**

2 “A Department employee who is on leave to perform
3 service in the uniformed services (as defined in section
4 4303(13) of title 38, United States Code) may receive an
5 education allowance if the employee would, if not for such
6 service, be eligible to receive the education allowance.”.

7 (b) CLERICAL AMENDMENT.—The table of contents
8 in section 2 of the Foreign Service Act of 1980 (22 U.S.C.
9 3901 note) is amended by inserting after the item relating
10 to section 907 the following:

“Sec. 908. Education allowance”.

11 **SEC. 6222. IMPROVING MENTAL HEALTH SERVICES FOR**
12 **FOREIGN AND CIVIL SERVANTS.**

13 (a) ADDITIONAL PERSONNEL TO ADDRESS MENTAL
14 HEALTH.—

15 (1) IN GENERAL.—The Secretary shall seek to
16 increase the number of personnel within the Bureau
17 of Medical Services to address mental health needs
18 for both foreign and civil servants.

19 (2) EMPLOYMENT TARGETS.—Not later than
20 180 days after the date of the enactment of this di-
21 vision, the Secretary shall seek to employ not fewer
22 than 10 additional personnel in the Bureau of Med-
23 ical Services, compared to the number of personnel
24 employed as of the date of the enactment of this di-
25 vision.

1 (b) STUDY.—The Secretary shall conduct a study on
2 the accessibility of mental health care providers and serv-
3 ices available to Department personnel, including an as-
4 sessment of—

5 (1) the accessibility of mental health care pro-
6 viders at diplomatic posts and in the United States;

7 (2) the accessibility of inpatient services for
8 mental health care for Department personnel;

9 (3) steps that may be taken to improve such ac-
10 cessibility;

11 (4) the impact of the COVID–19 pandemic on
12 the mental health of Department personnel, particu-
13 larly those who served abroad between March 1,
14 2020, and December 31, 2022, and Locally Em-
15 ployed Staff, where information is available;

16 (5) recommended steps to improve the manner
17 in which the Department advertises mental health
18 services to the workforce;

19 (6) hesitancy to seek out mental health services,
20 due to perceptions and realities regarding the degree
21 to which employees’ use of mental health services
22 could impact their career trajectory, including secu-
23 rity clearances; and

1 (1) IN GENERAL.—Notwithstanding subsections
2 (a) and (c) of section 40118 of title 49, United
3 States Code, the Department is authorized to pay
4 for the transportation by a foreign air carrier of De-
5 partment personnel and any in-cabin or accom-
6 panying checked baggage or cargo if—

7 (A) no air carrier holding a certificate
8 under section 41102 of such title is willing and
9 able to transport up to 3 domestic animals ac-
10 companying such Federal personnel; and

11 (B) the transportation is from a place—

12 (i) outside the United States to a
13 place in the United States;

14 (ii) in the United States to a place
15 outside the United States; or

16 (iii) outside the United States to an-
17 other place outside the United States.

18 (2) LIMITATION.—An amount paid pursuant to
19 paragraph (1) for transportation by a foreign carrier
20 may not be greater than the amount that would oth-
21 erwise have been paid had the transportation been
22 on an air carrier holding a certificate under section
23 41102 had that carrier been willing and able to pro-
24 vide such transportation. If the amount that would
25 otherwise have been paid to such an air carrier is

1 less than the cost of transportation on the applicable
2 foreign carrier, the Department personnel may pay
3 the difference of such amount.

4 (3) DOMESTIC ANIMAL DEFINED.—In this sub-
5 section, the term “domestic animal” means a dog or
6 a cat.

7 **SEC. 6225. INTERNET AT HARDSHIP POSTS.**

8 Section 3 of the State Department Basic Authorities
9 Act of 1956 (22 U.S.C. 2670) is amended—

10 (1) in subsection (l), by striking “; and” and in-
11 serting a semicolon;

12 (2) in subsection (m) by striking the period at
13 the end and by inserting “; and”; and

14 (3) by adding at the end the following new sub-
15 section:

16 “(n) pay expenses to provide internet services in resi-
17 dences owned or leased by the United States Government
18 in foreign countries for the use of Department personnel
19 where Department personnel receive a post hardship dif-
20 ferential equivalent to 30 percent or more above basic
21 compensation.”.

22 **SEC. 6226. COMPETITIVE LOCAL COMPENSATION PLAN.**

23 (a) ESTABLISHMENT AND IMPLEMENTATION OF
24 PREVAILING WAGE RATES GOAL.—Section 401(a) of the
25 Department of State Authorities Act, fiscal year 2017 (22

1 U.S.C. 3968a(a)) is amended in the matter preceding
2 paragraph (1), by striking “periodically” and inserting
3 “every 3 years”.

4 (b) REPORT.—Not later than one year after the date
5 of the enactment of this division, the Secretary shall sub-
6 mit to the appropriate congressional committees, the Com-
7 mittee on Appropriations of the Senate, and the Com-
8 mittee on Appropriations of the House of Representatives
9 a report that includes—

10 (1) compensation (including position classifica-
11 tion) plans for locally employed staff based upon
12 prevailing wage rates and compensation practices for
13 corresponding types of positions in the locality of
14 employment; and

15 (2) an assessment of the feasibility and impact
16 of changing the prevailing wage rate goal for posi-
17 tions in the local compensation plan from the 50th
18 percentile to the 75th percentile.

19 **SEC. 6227. SUPPORTING TANDEM SPOUSES IN THE FOR-**
20 **EIGN SERVICE.**

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

23 (1) challenges finding and maintaining spousal
24 employment and family dissatisfaction are one of the

1 leading reasons employees cite for leaving the De-
2 partment;

3 (2) tandem Foreign Service personnel represent
4 important members of the Foreign Service commu-
5 nity, who act as force multipliers for our diplomacy;

6 (3) the Department can and should do more to
7 keep tandem spouses posted together and consider
8 family member employment needs when assigning
9 tandem officers; and

10 (4) common sense steps providing more flexi-
11 bility in the assignments process would improve out-
12 comes for tandem officers without disadvantaging
13 other Foreign Service Officers.

14 (b) DEFINITIONS.—In this section:

15 (1) FAMILY TOGETHERNESS.—The term “fam-
16 ily togetherness” means facilitating the placement of
17 Foreign Service personnel at the same United States
18 diplomatic post when both spouses are members of
19 a tandem couple of Foreign Service personnel.

20 (2) TANDEM FOREIGN SERVICE PERSONNEL;
21 TANDEM.—The terms “tandem Foreign Service per-
22 sonnel” and “tandem” mean a member of a couple
23 of which one spouse is a career or career candidate
24 employee of the Foreign Service and the other
25 spouse is a career or career candidate employee of

1 the Foreign Service or an employee of one of the
2 agencies authorized to use the Foreign Service Per-
3 sonnel System under section 202 of the Foreign
4 Service Act of 1980 (22 U.S.C. 3922).

5 (c) FAMILY TOGETHERNESS IN ASSIGNMENTS.—Not
6 later than 90 days after the date of enactment of this divi-
7 sion, the Department shall amend and update its policies
8 to further promote the principle of family togetherness in
9 the Foreign Service, which shall include the following:

10 (1) ENTRY-LEVEL FOREIGN SERVICE PER-
11 SONNEL.—The Secretary shall adopt policies and
12 procedures to facilitate the assignment of entry-level
13 tandem Foreign Service personnel on directed as-
14 signments to the same diplomatic post or country as
15 their tandem spouse if they request to be assigned
16 to the same post or country. The Secretary shall
17 also provide a written justification to the requesting
18 personnel explaining any denial of a request that
19 would result in tandem spouses not serving together
20 at the same post or country.

21 (2) TENURED FOREIGN SERVICE PERSONNEL.—
22 The Secretary shall add family togetherness to the
23 criteria when making a needs of the Service deter-
24 mination, as defined by the Foreign Affairs Manual,

1 for the placement of tenured tandem Foreign Service
2 personnel at United States diplomatic posts.

3 (3) UPDATES TO ANTINEPOTISM POLICY.—The
4 Secretary shall update antinepotism policies so that
5 nepotism rules only apply when an employee and a
6 relative are placed into positions wherein they jointly
7 and exclusively control government resources, prop-
8 erty, or money or establish government policy.

9 (4) TEMPORARY SUPERVISION OF TANDEM
10 SPOUSE.—The Secretary shall update policies to
11 allow for a tandem spouse to temporarily supervise
12 another tandem spouse for up to 90 days in a cal-
13 endar year, including at a United States diplomatic
14 mission.

15 (d) REPORT.—Not later than 90 days after the date
16 of enactment of this division, and annually thereafter for
17 two years, the Secretary shall submit to the appropriate
18 congressional committees a report that includes—

19 (1) the number of Foreign Service tandem
20 spouses currently serving;

21 (2) the number of Foreign Service tandems cur-
22 rently serving in separate locations, or, to the extent
23 possible, that are on leave without pay (LWOP); and

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1 (3) an estimate of the cost savings that would
2 result if all Foreign Service tandem spouses were
3 placed at a single post.

4 **SEC. 6228. ACCESSIBILITY AT DIPLOMATIC MISSIONS.**

5 Not later than 180 days after the date of the enact-
6 ment of this division, the Department shall submit to the
7 appropriate congressional committees, the Committee on
8 Appropriations of the Senate, and the Committee on Ap-
9 propriations of the House of Representatives a report that
10 includes—

11 (1) a list of the overseas United States diplo-
12 matic missions that, as of the date of the enactment
13 of this division, are not readily accessible to and usa-
14 ble by individuals with disabilities;

15 (2) any efforts in progress to make such mis-
16 sions readily accessible to and usable by individuals
17 with disabilities; and

18 (3) an estimate of the cost to make all such
19 missions readily accessible to and usable by individ-
20 uals with disabilities.

21 **SEC. 6229. REPORT ON BREASTFEEDING ACCOMMODA-**
22 **TIONS OVERSEAS.**

23 Not later than 180 days after the date of the enact-
24 ment of this division, the Secretary shall submit to the

1 appropriate congressional committees a report that in-
2 cludes—

3 (1) a detailed report on the Department's ef-
4 forts to equip 100 percent of United States embas-
5 sies and consulates with dedicated lactation spaces,
6 other than bathrooms, that are shielded from view
7 and free from intrusion from coworkers and the pub-
8 lic for use by employees, including the expected de-
9 mand for such spaces as well as the status of such
10 rooms when there is no demand for such space; and

11 (2) a description of costs and other resources
12 needed to provide such spaces.

13 **SEC. 6230. DETERMINING THE EFFECTIVENESS OF KNOWL-**
14 **EDGE TRANSFERS BETWEEN FOREIGN SERV-**
15 **ICE OFFICERS.**

16 The Secretary shall assess the effectiveness of knowl-
17 edge transfers between Foreign Service Officers who are
18 departing from overseas positions and Foreign Service Of-
19 ficers who are arriving at such positions, and make rec-
20 ommendations for approving such knowledge transfers, as
21 appropriate, by—

22 (1) not later than 90 days after the date of the
23 enactment of this division, conducting a written sur-
24 vey of a representative sample of Foreign Service
25 Officers working in overseas assignments that ana-

1 lyzes the effectiveness of existing mechanisms to fa-
2 cilitate transitions, including training, mentorship,
3 information technology, knowledge management, re-
4 lationship building, the role of locally employed staff,
5 and organizational culture; and

6 (2) not later than 120 days after the date of
7 the enactment of this division, submitting to the ap-
8 propriate congressional committees a report that in-
9 cludes a summary and analysis of results of the sur-
10 vey conducted pursuant to paragraph (1) that—

11 (A) identifies best practices and areas for
12 improvement;

13 (B) describes the Department’s method-
14 ology for determining which Foreign Service Of-
15 ficers should receive familiarization trips before
16 arriving at a new post;

17 (C) includes recommendations regarding
18 future actions the Department should take to
19 maximize effective knowledge transfer between
20 Foreign Service Officers;

21 (D) identifies any steps taken, or intended
22 to be taken, to implement such recommenda-
23 tions, including any additional resources or au-
24 thorities necessary to implement such rec-
25 ommendations; and

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1 (E) provides recommendations to Congress
2 for legislative action to advance the priority de-
3 scribed in subparagraph (C).

4 **SEC. 6231. EDUCATION ALLOWANCE FOR DEPENDENTS OF**
5 **DEPARTMENT OF STATE EMPLOYEES LO-**
6 **CATED IN UNITED STATES TERRITORIES.**

7 (a) IN GENERAL.—An individual employed by the
8 Department at a location described in subsection (b) shall
9 be eligible for a cost-of-living allowance for the education
10 of the dependents of such employee in an amount that
11 does not exceed the educational allowance authorized by
12 the Secretary of Defense for such location.

13 (b) LOCATION DESCRIBED.—A location is described
14 in this subsection if—

15 (1) such location is in a territory of the United
16 States; and

17 (2) the Secretary of Defense has determined
18 that schools available in such location are unable to
19 adequately provide for the education of—

20 (A) dependents of members of the Armed
21 Forces; or

22 (B) dependents of employees of the De-
23 partment of Defense.

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1 **SEC. 6232. OVERTIME PAY EXCEPTION FOR PROTECTIVE**
2 **SERVICES.**

3 (a) COVERED EMPLOYEE DEFINED.—In this section,
4 the term “covered employee” means any individual em-
5 ployed by, and conducting protective services on behalf of,
6 the Diplomatic Security Service for an individual.

7 (b) EXCEPTION TO THE LIMITATION ON PREMIUM
8 PAY FOR PROTECTIVE SERVICES.—Notwithstanding the
9 restrictions contained in section 5547 of title 5, United
10 States Code, any covered employee may receive premium
11 pay for overtime officially ordered or approved and per-
12 formed while conducting protective security functions in
13 excess of the annual equivalent of the limitation on the
14 rate of pay contained in section 5547(a) of such title, ex-
15 cept that such premium pay shall not be payable to an
16 employee to the extent that such aggregate amount would
17 exceed the rate of basic pay payable for a position at level
18 II of the Executive Schedule under section 5313 of such
19 title.

20 (c) TREATMENT OF ADDITIONAL PAY.—If the appli-
21 cation of subsection (b) results in the payment of addi-
22 tional premium pay to a covered employee of a type that
23 is normally creditable as basic pay for retirement or any
24 other purpose, that additional pay shall not—

25 (1) be considered to be basic pay of the covered
26 employee for any purpose; or

1 (2) be used in computing a lump-sum payment
2 to the covered employee for accumulated and ac-
3 crued annual leave under section 5551 or section
4 5552 of title 5, United States Code.

5 (d) AGGREGATE LIMIT.—With respect to the applica-
6 tion of section 5307 of title 5, United States Code, the
7 payment of any additional premium pay to a covered em-
8 ployee as a result of subsection (b) shall not be counted
9 as part of the aggregate compensation of the covered em-
10 ployee.

11 (e) REPORT.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the enactment of this division, the
14 Secretary shall submit to the appropriate committees
15 of Congress a report describing the steps the De-
16 partment is taking to address the increased protec-
17 tive service demands placed upon individuals by the
18 Diplomatic Security Service.

19 (2) ELEMENTS.—The report required under
20 paragraph (1) shall include the following elements:

21 (A) An analysis of the current operational
22 demands and staffing levels.

23 (B) Recommended strategies for reducing
24 overtime requirements, including—

25 (i) hiring additional personnel;

1 (ii) solutions such that sufficient re-
2 sources are available throughout each year
3 without the need for waivers of premium
4 pay limitations;

5 (iii) redistribution of workload; and

6 (iv) other improvements in operational
7 efficiency.

8 (3) APPROPRIATE COMMITTEES OF CONGRESS
9 DEFINED.—In this subsection, the term “appro-
10 priate committees of Congress” means—

11 (A) the appropriate congressional commit-
12 tees;

13 (B) the Committee on Homeland Security
14 and Governmental Affairs and the Committee
15 on Appropriations of the Senate; and

16 (C) the Committee on Oversight and Ac-
17 countability and the Committee on Appropria-
18 tions of the House of Representatives.

19 (f) EFFECTIVE DATE.—This section shall take effect
20 as if enacted on Jan 1, 2023.

21 (g) SUNSET.—This section shall terminate on De-
22 cember 31, 2025.

1 **TITLE LXIII—INFORMATION SE-**
2 **CURITY AND CYBER DIPLO-**
3 **MACY**

4 **SEC. 6301. DATA-INFORMED DIPLOMACY.**

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

7 (1) In a rapidly evolving and digitally inter-
8 connected global landscape, access to and mainte-
9 nance of reliable, readily available data is key to in-
10 formed decisionmaking and diplomacy and therefore
11 should be considered a strategic asset.

12 (2) In order to achieve its mission in the 21st
13 century, the Department must adapt to these trends
14 by maintaining and providing timely access to high-
15 quality data at the time and place needed, while si-
16 multaneously cultivating a data-savvy workforce.

17 (3) Leveraging data science and data analytics
18 has the potential to improve the performance of the
19 Department's workforce by providing otherwise un-
20 known insights into program deficiencies, short-
21 comings, or other gaps in analysis.

22 (4) While innovative technologies such as artifi-
23 cial intelligence and machine learning have the po-
24 tential to empower the Department to analyze and
25 act upon data at scale, systematized, sustainable

1 data management and information synthesis remain
2 a core competency necessary for data-driven deci-
3 sionmaking.

4 (5) The goals set out by the Department's En-
5 terprise Data Council (EDC) as the areas of most
6 critical need for the Department, including Culti-
7 vating a Data Culture, Accelerating Decisions
8 through Analytics, Establishing Mission-Driven Data
9 Management, and Enhancing Enterprise Data Gov-
10 ernance, are laudable and will remain critical as the
11 Department develops into a data-driven agency.

12 (b) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that—

14 (1) the Department should prioritize the re-
15 cruitment and retainment of top data science talent
16 in support of its data-informed diplomacy efforts as
17 well as its broader modernization agenda; and

18 (2) the Department should strengthen data flu-
19 ency among its workforce, promote data collabora-
20 tion across and within its bureaus, and enhance its
21 enterprise data oversight.

22 **SEC. 6302. ESTABLISHMENT AND EXPANSION OF THE BU-**
23 **REAU CHIEF DATA OFFICER PROGRAM.**

24 (a) BUREAU CHIEF DATA OFFICER PROGRAM.—

1 (1) ESTABLISHMENT.—The Secretary shall es-
2 tablish a program, which shall be known as the “Bu-
3 reau Chief Data Officer Program” (referred to in
4 this section as the “Program”), overseen by the De-
5 partment’s Chief Data Officer. The Bureau Chief
6 Data Officers hired under this program shall report
7 to their respective Bureau leadership.

8 (2) GOALS.—The goals of the Program shall in-
9 clude the following:

10 (A) Cultivating a data culture by pro-
11 moting data fluency and data collaboration
12 across the Department.

13 (B) Promoting increased data analytics use
14 in critical decisionmaking areas.

15 (C) Promoting data integration and stand-
16 ardization.

17 (D) Increasing efficiencies across the De-
18 partment by incentivizing acquisition of enter-
19 prise data solutions and subscription data serv-
20 ices to be shared across bureaus and offices and
21 within bureaus.

22 (b) IMPLEMENTATION PLAN.—

23 (1) IN GENERAL.—Not later than 180 days
24 after the date of the enactment of this division, the
25 Secretary shall submit to the appropriate committees

1 of Congress an implementation plan that outlines
2 strategies for—

3 (A) advancing the goals described in sub-
4 section (a)(2);

5 (B) hiring Bureau Chief Data Officers at
6 the GS-14 or GS-15 grade or a similar rank;

7 (C) assigning at least one Bureau Chief
8 Data Officer to each bureau of the Department;
9 and

10 (D) allocation of necessary resources to
11 sustain the Program.

12 (2) APPROPRIATE COMMITTEES OF CONGRESS
13 DEFINED.—In this subsection, the term “appro-
14 priate committees of Congress” means—

15 (A) the appropriate congressional commit-
16 tees;

17 (B) the Committee on Homeland Security
18 and Governmental Affairs and the Committee
19 on Appropriations of the Senate; and

20 (C) the Committee on Oversight and Ac-
21 countability and the Committee on Appropria-
22 tions of the House of Representatives.

23 (c) ASSIGNMENT.—In implementing the Bureau
24 Chief Data Officer Program, bureaus may not dual-hat

1 currently employed personnel as Bureau Chief Data Offi-
2 cers.

3 (d) ANNUAL REPORTING REQUIREMENT.—Not later
4 than 180 days after the date of the enactment of this divi-
5 sion, and annually thereafter for the following 3 years, the
6 Secretary shall submit a report to the appropriate congres-
7 sional committees regarding the status of the implementa-
8 tion plan required under subsection (b).

9 **SEC. 6303. ESTABLISHMENT OF THE CHIEF ARTIFICIAL IN-**
10 **TELLIGENCE OFFICER OF THE DEPARTMENT**
11 **OF STATE.**

12 Section 1 of the State Department Basic Authorities
13 Act of 1956 (22 U.S.C. 2651a) is amended by adding at
14 the end the following new subsection:

15 “(n) CHIEF ARTIFICIAL INTELLIGENCE OFFICER.—

16 “(1) IN GENERAL.—There shall be within the
17 Department of State a Chief Artificial Intelligence
18 Officer, which may be dual-hatted as the Depart-
19 ment’s Chief Data Officer, who shall be a member
20 of the Senior Executive Service.

21 “(2) DUTIES DESCRIBED.—The principal duties
22 and responsibilities of the Chief Artificial Intel-
23 ligence Officer shall be—

24 “(A) to evaluate, oversee, and, if appro-
25 priate, facilitate the responsible adoption of ar-

1 tificial intelligence (AI) and machine learning
2 applications to help inform decisions by policy-
3 makers and to support programs and manage-
4 ment operations of the Department of State;
5 and

6 “(B) to act as the principal advisor to the
7 Secretary of State on the ethical use of AI and
8 advanced analytics in conducting data-informed
9 diplomacy.

10 “(3) QUALIFICATIONS.—The Chief Artificial In-
11 telligence Officer should be an individual with dem-
12 onstrated skill and competency in—

13 “(A) the use and application of data ana-
14 lytics, AI, and machine learning; and

15 “(B) transformational leadership and orga-
16 nizational change management, particularly
17 within large, complex organizations.

18 “(4) PARTNER WITH THE CHIEF INFORMATION
19 OFFICER ON SCALING ARTIFICIAL INTELLIGENCE
20 USE CASES.—To ensure alignment between the Chief
21 Artificial Intelligence Officer and the Chief Informa-
22 tion Officer, the Chief Information Officer will con-
23 sult with the Chief Artificial Intelligence Officer on
24 best practices for rolling out and scaling AI capabili-
25 ties across the Bureau of Information and Resource

1 Management's broader portfolio of software applica-
2 tions.

3 “(5) ARTIFICIAL INTELLIGENCE DEFINED.—In
4 this subsection, the term ‘artificial intelligence’ has
5 the meaning given the term in section 238(g) of the
6 National Defense Authorization Act for Fiscal Year
7 2019 (Public Law 115–232; 10 U.S.C. 4001 note).”.

8 **SEC. 6304. STRENGTHENING THE CHIEF INFORMATION OF-**
9 **FICER OF THE DEPARTMENT OF STATE.**

10 (a) IN GENERAL.—The Chief Information Officer of
11 the Department shall be consulted on all decisions to ap-
12 prove or disapprove, significant new unclassified informa-
13 tion technology expenditures, including software, of the
14 Department, including expenditures related to information
15 technology acquired, managed, and maintained by other
16 bureaus and offices within the Department, in order to—

17 (1) encourage the use of enterprise software
18 and information technology solutions where such so-
19 lutions exist or can be developed in a timeframe and
20 manner consistent with maintaining and enhancing
21 the continuity and improvement of Department op-
22 erations;

23 (2) increase the bargaining power of the De-
24 partment in acquiring information technology solu-
25 tions across the Department;

1 (3) reduce the number of redundant Authorities
2 to Operate (ATO), which, instead of using one ATO-
3 approved platform across bureaus, requires multiple
4 ATOs for software use cases across different bu-
5 reaus;

6 (4) enhance the efficiency, reduce redundancy,
7 and increase interoperability of the use of informa-
8 tion technology across the enterprise of the Depart-
9 ment;

10 (5) enhance training and alignment of informa-
11 tion technology personnel with the skills required to
12 maintain systems across the Department;

13 (6) reduce costs related to the maintenance of,
14 or effectuate the retirement of, legacy systems;

15 (7) ensure the development and maintenance of
16 security protocols regarding the use of information
17 technology solutions and software across the Depart-
18 ment; and

19 (8) improve end-user training on the operation
20 of information technology solutions and to enhance
21 end-user cybersecurity practices.

22 (b) STRATEGY AND IMPLEMENTATION PLAN RE-
23 QUIRED.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date of the enactment of this division, the

1 Chief Information Officer of the Department shall
2 develop, in consultation with relevant bureaus and
3 offices as appropriate, a strategy and a 5-year im-
4 plementation plan to advance the objectives de-
5 scribed in subsection (a).

6 (2) CONSULTATION.—No later than one year
7 after the date of the enactment of this division, the
8 Chief Information Officer shall submit the strategy
9 required by this subsection to the appropriate con-
10 gressional committees and shall consult with the ap-
11 propriate congressional committees, not less than on
12 an annual basis for 5 years, regarding the progress
13 related to the implementation plan required by this
14 subsection.

15 (c) IMPROVEMENT PLAN FOR THE BUREAU FOR IN-
16 FORMATION RESOURCES MANAGEMENT.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of this division, the
19 Chief Information Officer shall develop policies and
20 protocols to improve the customer service orienta-
21 tion, quality and timely delivery of information tech-
22 nology solutions, and training and support for bu-
23 reau and office-level information technology officers.

24 (2) SURVEY.—Not later than one year after the
25 date of the enactment of this division, and annually

1 thereafter for five years, the Chief Information Offi-
2 cer shall undertake a client satisfaction survey of bu-
3 reau information technology officers to obtain feed-
4 back on metrics related to—

5 (A) customer service orientation of the Bu-
6 reau of Information Resources Management;

7 (B) quality and timelines of capabilities de-
8 livered;

9 (C) maintenance and upkeep of informa-
10 tion technology solutions;

11 (D) training and support for senior bureau
12 and office-level information technology officers;
13 and

14 (E) other matters which the Chief Infor-
15 mation Officer, in consultation with client bu-
16 reaus and offices, determines appropriate.

17 (3) SUBMISSION OF FINDINGS.—Not later than
18 60 days after completing each survey required under
19 paragraph (2), the Chief Information Officer shall
20 submit a summary of the findings to the appropriate
21 congressional committees, the Committee on Home-
22 land Security and Governmental Affairs of the Sen-
23 ate, and the Committee on Oversight and Account-
24 ability of the House of Representatives.

1 (d) SIGNIFICANT EXPENDITURE DEFINED.—For
2 purposes of this section, the term “significant expendi-
3 ture” means any cumulative expenditure in excess of
4 \$250,000 total in a single fiscal year for a new unclassified
5 software or information technology capability.

6 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
7 tion may be construed—

8 (1) to alter the authorities of the United States
9 Office of Management and Budget, Office of the Na-
10 tional Cyber Director, the Department of Homeland
11 Security, or the Cybersecurity and Infrastructure
12 Security Agency with respect to Federal information
13 systems; or

14 (2) to alter the responsibilities and authorities
15 of the Chief Information Officer of the Department
16 as described in titles 40 or 44, United States Code,
17 or any other law defining or assigning responsibil-
18 ities or authorities to Federal Chief Information Of-
19 ficers.

20 **SEC. 6305. SENSE OF CONGRESS ON STRENGTHENING EN-**
21 **TERPRISE GOVERNANCE.**

22 It is the sense of Congress that in order to modernize
23 the Department, enterprise-wide governance regarding
24 budget and finance, information technology, and the cre-
25 ation, analysis, and use of data across the Department is

1 necessary to better align resources to strategy, including
2 evaluating trade-offs, and to enhance efficiency and secu-
3 rity in using data and technology as tools to inform and
4 evaluate the conduct of United States foreign policy.

5 **SEC. 6306. DIGITAL CONNECTIVITY AND CYBERSECURITY**
6 **PARTNERSHIP.**

7 (a) DIGITAL CONNECTIVITY AND CYBERSECURITY
8 PARTNERSHIP.—The Secretary is authorized to establish
9 a program, which may be known as the “Digital
10 Connectivity and Cybersecurity Partnership”, to help for-
11 eign countries—

12 (1) expand and increase secure internet access
13 and digital infrastructure in emerging markets, in-
14 cluding demand for and availability of high-quality
15 information and communications technology (ICT)
16 equipment, software, and services;

17 (2) protect technological assets, including data;

18 (3) adopt policies and regulatory positions that
19 foster and encourage open, interoperable, reliable,
20 and secure internet, the free flow of data, multi-
21 stakeholder models of internet governance, and pro-
22 competitive and secure ICT policies and regulations;

23 (4) access United States exports of ICT goods
24 and services;

1 (5) expand interoperability and promote the di-
2 versification of ICT goods and supply chain services
3 to be less reliant on imports from the People's Re-
4 public of China;

5 (6) promote best practices and common stand-
6 ards for a national approach to cybersecurity; and

7 (7) advance other priorities consistent with
8 paragraphs (1) through (6), as determined by the
9 Secretary.

10 (b) USE OF FUNDS.—Funds made available to carry
11 out this section may be used to strengthen civilian cyberse-
12 curity and information and communications technology ca-
13 pacity, including participation of foreign law enforcement
14 and military personnel in non-military activities, notwith-
15 standing any other provision of law, provided that such
16 support is essential to enabling civilian and law enforce-
17 ment of cybersecurity and information and communication
18 technology related activities in their respective countries.

19 (c) IMPLEMENTATION PLAN.—Not later than 180
20 days after the date of the enactment of this division, the
21 Secretary shall submit to the appropriate congressional
22 committees, the Committee on Homeland Security and
23 Governmental Affairs of the Senate, and the Committee
24 on Oversight and Accountability of the House of Rep-

1 representatives an implementation plan for the coming year
2 to advance the goals identified in subsection (a).

3 (d) CONSULTATION.—In developing and
4 operationalizing the implementation plan required under
5 subsection (c), the Secretary shall consult with—

6 (1) the appropriate congressional committees,
7 the Committee on Appropriations of the Senate, and
8 the Committee on Appropriations of the House of
9 Representatives;

10 (2) United States industry leaders;

11 (3) other relevant technology experts, including
12 the Open Technology Fund;

13 (4) representatives from relevant United States
14 Government agencies; and

15 (5) representatives from like-minded allies and
16 partners.

17 (e) AUTHORIZATION OF APPROPRIATIONS.—For the
18 purposes of carrying out this section, funds authorized to
19 be appropriated to carry out chapter 4 of part II of the
20 Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.)
21 may be made available, notwithstanding any other provi-
22 sion of law to strengthen civilian cybersecurity and infor-
23 mation and communications technology capacity, including
24 for participation of foreign law enforcement and military
25 personnel in non-military activities, and for contributions

1 to international organizations and international financial
2 institutions of which the United States is a member. Such
3 funds shall remain available until expended.

4 **SEC. 6307. ESTABLISHMENT OF A CYBERSPACE, DIGITAL**
5 **CONNECTIVITY, AND RELATED TECH-**
6 **NOLOGIES (CDT) FUND.**

7 Part II of the Foreign Assistance Act of 1961 (22
8 U.S.C. 2301 et seq.) is amended by adding at the end
9 the following new chapter:

10 **“CHAPTER 10—CYBERSPACE, DIGITAL**
11 **CONNECTIVITY, AND RELATED TECH-**
12 **NOLOGIES (CDT) FUND**

13 **“SEC. 591. FINDINGS.**

14 “Congress makes the following findings:

15 “(1) Increasingly digitized and interconnected
16 social, political, and economic systems have intro-
17 duced new vulnerabilities for malicious actors to ex-
18 ploit, which threatens economic and national secu-
19 rity.

20 “(2) The rapid development, deployment, and
21 integration of information and communication tech-
22 nologies into all aspects of modern life bring mount-
23 ing risks of accidents and malicious activity involv-
24 ing such technologies, and their potential con-
25 sequences.

1 “(3) Because information and communication
2 technologies are globally manufactured, traded, and
3 networked, the economic and national security of the
4 United State depends greatly on cybersecurity prac-
5 tices of other actors, including other countries.

6 “(4) United States assistance to countries and
7 international organizations to bolster civilian capac-
8 ity to address national cybersecurity and deterrence
9 in cyberspace can help—

10 “(A) reduce vulnerability in the informa-
11 tion and communication technologies ecosystem;
12 and

13 “(B) advance national and economic secu-
14 rity objectives.

15 **“SEC. 592. AUTHORIZATION OF ASSISTANCE AND FUNDING**
16 **FOR CYBERSPACE, DIGITAL CONNECTIVITY,**
17 **AND RELATED TECHNOLOGIES (CDT) CAPAC-**
18 **ITY BUILDING ACTIVITIES.**

19 “(a) AUTHORIZATION.—The Secretary of State is au-
20 thorized to provide assistance to foreign governments and
21 organizations, including national, regional, and inter-
22 national institutions, on such terms and conditions as the
23 Secretary may determine, in order to—

24 “(1) advance a secure and stable cyberspace;

1 “(2) protect and expand trusted digital eco-
2 systems and connectivity;

3 “(3) build the cybersecurity capacity of partner
4 countries and organizations; and

5 “(4) ensure that the development of standards
6 and the deployment and use of technology supports
7 and reinforces human rights and democratic values,
8 including through the Digital Connectivity and Cy-
9 bersecurity Partnership.

10 “(b) SCOPE OF USES.—Assistance under this section
11 may include programs to—

12 “(1) advance the adoption and deployment of
13 secure and trustworthy information and communica-
14 tions technology (ICT) infrastructure and services,
15 including efforts to grow global markets for secure
16 ICT goods and services and promote a more diverse
17 and resilient ICT supply chain;

18 “(2) provide technical and capacity building as-
19 sistance to—

20 “(A) promote policy and regulatory frame-
21 works that create an enabling environment for
22 digital connectivity and a vibrant digital econ-
23 omy;

24 “(B) ensure technologies, including related
25 new and emerging technologies, are developed,

1 deployed, and used in ways that support and re-
2 inforce democratic values and human rights;

3 “(C) promote innovation and competition;
4 and

5 “(D) support digital governance with the
6 development of rights-respecting international
7 norms and standards;

8 “(3) help countries prepare for, defend against,
9 and respond to malicious cyber activities, including
10 through—

11 “(A) the adoption of cybersecurity best
12 practices;

13 “(B) the development of national strategies
14 to enhance cybersecurity;

15 “(C) the deployment of cybersecurity tools
16 and services to increase the security, strength,
17 and resilience of networks and infrastructure;

18 “(D) support for the development of cyber-
19 security watch, warning, response, and recovery
20 capabilities, including through the development
21 of cybersecurity incident response teams;

22 “(E) support for collaboration with the Cy-
23 bersecurity and Infrastructure Security Agency
24 (CISA) and other relevant Federal agencies to
25 enhance cybersecurity;

1 “(F) programs to strengthen allied and
2 partner governments’ capacity to detect, inves-
3 tigate, deter, and prosecute cybercrimes;

4 “(G) programs to provide information and
5 resources to diplomats engaging in discussions
6 and negotiations around international law and
7 capacity building measures related to cybersecu-
8 rity;

9 “(H) capacity building for cybersecurity
10 partners, including law enforcement and mili-
11 tary entities as described in subsection (f);

12 “(I) programs that enhance the ability of
13 relevant stakeholders to act collectively against
14 shared cybersecurity threats;

15 “(J) the advancement of programs in sup-
16 port of the Framework of Responsible State Be-
17 havior in Cyberspace; and

18 “(K) the fortification of deterrence instru-
19 ments in cyberspace; and

20 “(4) such other purpose and functions as the
21 Secretary of State may designate.

22 “(c) RESPONSIBILITY FOR POLICY DECISIONS AND
23 JUSTIFICATION.—The Secretary of State shall be respon-
24 sible for policy decisions regarding programs under this
25 chapter, with respect to—

1 “(1) whether there will be cybersecurity and
2 digital capacity building programs for a foreign
3 country or entity operating in that country;

4 “(2) the amount of funds for each foreign coun-
5 try or entity; and

6 “(3) the scope and nature of such uses of fund-
7 ing.

8 “(d) DETAILED JUSTIFICATION FOR USES AND PUR-
9 POSES OF FUNDS.—The Secretary of State shall provide,
10 on an annual basis, a detailed justification for the uses
11 and purposes of the amounts provided under this chapter,
12 including information concerning—

13 “(1) the amounts and kinds of grants;

14 “(2) the amounts and kinds of budgetary sup-
15 port provided, if any; and

16 “(3) the amounts and kinds of project assist-
17 ance provided for what purpose and with such
18 amounts.

19 “(e) ASSISTANCE AND FUNDING UNDER OTHER AU-
20 THORITIES.—The authority granted under this section to
21 provide assistance or funding for countries and organiza-
22 tions does not preclude the use of funds provided to carry
23 out other authorities also available for such purpose.

24 “(f) AVAILABILITY OF FUNDS.—Amounts appro-
25 priated to carry out this chapter may be used, notwith-

1 standing any other provision of law, to strengthen civilian
2 cybersecurity and information and communications tech-
3 nology capacity, including participation of foreign law en-
4 forcement and military personnel in non-military activi-
5 ties, and for contributions to international organizations
6 and international financial institutions of which the
7 United States is a member, provided that such support
8 is essential to enabling civilian and law enforcement of cy-
9 bersecurity and information and communication tech-
10 nology related activities in their respective countries.

11 “(g) NOTIFICATION REQUIREMENTS.—Funds made
12 available under this section shall be obligated in accord-
13 ance with the procedures applicable to reprogramming no-
14 tifications pursuant to section 634A of this Act.

15 **“SEC. 593. REVIEW OF EMERGENCY ASSISTANCE CAPACITY.**

16 “(a) IN GENERAL.—The Secretary of State, in con-
17 sultation as appropriate with other relevant Federal de-
18 partments and agencies is authorized to conduct a review
19 that—

20 “(1) analyzes the United States Government’s
21 capacity to promptly and effectively deliver emer-
22 gency support to countries experiencing major cyber-
23 security and ICT incidents;

24 “(2) identifies relevant factors constraining the
25 support referred to in paragraph (1); and

1 “(3) develops a strategy to improve coordina-
2 tion among relevant Federal agencies and to resolve
3 such constraints.

4 “(b) REPORT.—Not later than one year after the
5 date of the enactment of this chapter, the Secretary of
6 State shall submit to the Committee on Foreign Relations
7 and the Committee on Homeland Security and Govern-
8 mental Affairs of the Senate and the Committee on For-
9 eign Affairs and the Committee on Oversight and Ac-
10 countability of the House of Representatives a report that
11 contains the results of the review conducted pursuant to
12 subsection (a).

13 **“SEC. 594. AUTHORIZATION OF APPROPRIATIONS.**

14 “There is authorized to be appropriated
15 \$150,000,000 during the 5-year period beginning on Octo-
16 ber 1, 2023, to carry out the purposes of this chapter.”.

17 **SEC. 6308. CYBER PROTECTION SUPPORT FOR PERSONNEL**
18 **OF THE DEPARTMENT OF STATE IN POSI-**
19 **TIONS HIGHLY VULNERABLE TO CYBER AT-**
20 **TACK.**

21 (a) DEFINITIONS.—In this section:

22 (1) AT-RISK PERSONNEL.—The term “at-risk
23 personnel” means personnel of the Department—

24 (A) whom the Secretary determines to be
25 highly vulnerable to cyber attacks and hostile

1 information collection activities because of their
2 positions in the Department; and

3 (B) whose personal technology devices or
4 personal accounts are highly vulnerable to cyber
5 attacks and hostile information collection activi-
6 ties.

7 (2) **PERSONAL ACCOUNTS.**—The term “personal
8 accounts” means accounts for online and tele-
9 communications services, including telephone, resi-
10 dential internet access, email, text and multimedia
11 messaging, cloud computing, social media, health
12 care, and financial services, used by Department
13 personnel outside of the scope of their employment
14 with the Department.

15 (3) **PERSONAL TECHNOLOGY DEVICES.**—The
16 term “personal technology devices” means tech-
17 nology devices used by personnel of the Department
18 outside of the scope of their employment with the
19 Department, including networks to which such de-
20 vices connect.

21 (b) **REQUIREMENT TO PROVIDE CYBER PROTECTION**
22 **SUPPORT.**—The Secretary, in consultation with the Sec-
23 retary of Homeland Security and the Director of National
24 Intelligence, as appropriate—

1 (1) shall offer cyber protection support for the
2 personal technology devices and personal accounts of
3 at-risk personnel; and

4 (2) may provide the support described in para-
5 graph (1) to any Department personnel who request
6 such support.

7 (c) NATURE OF CYBER PROTECTION SUPPORT.—
8 Subject to the availability of resources, the cyber protec-
9 tion support provided to personnel pursuant to subsection
10 (b) may include training, advice, assistance, and other
11 services relating to protection against cyber attacks and
12 hostile information collection activities.

13 (d) PRIVACY PROTECTIONS FOR PERSONAL DE-
14 VICES.—The Department is prohibited pursuant to this
15 section from accessing or retrieving any information from
16 any personal technology device or personal account of De-
17 partment employees unless—

18 (1) access or information retrieval is necessary
19 for carrying out the cyber protection support speci-
20 fied in this section; and

21 (2) the Department has received explicit con-
22 sent from the employee to access a personal tech-
23 nology device or personal account prior to each time
24 such device or account is accessed.

1 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion may be construed—

3 (1) to encourage Department personnel to use
4 personal technology devices for official business; or

5 (2) to authorize cyber protection support for
6 senior Department personnel using personal devices,
7 networks, and personal accounts in an official capac-
8 ity.

9 (f) REPORT.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this division, the
12 Secretary shall submit to the appropriate committees
13 of Congress a report regarding the provision of cyber
14 protection support pursuant to subsection (b), which
15 shall include—

16 (A) a description of the methodology used
17 to make the determination under subsection
18 (a)(1); and

19 (B) guidance for the use of cyber protec-
20 tion support and tracking of support requests
21 for personnel receiving cyber protection support
22 pursuant to subsection (b).

23 (2) APPROPRIATE COMMITTEES OF CONGRESS
24 DEFINED.—In this subsection, the term “appro-
25 priate committees of Congress” means—

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1 (A) the appropriate congressional commit-
2 tees;

3 (B) the Select Committee on Intelligence
4 and the Committee on Homeland Security and
5 Governmental Affairs of the Senate; and

6 (C) the Permanent Select Committee on
7 Intelligence and the Committee on Oversight
8 and Accountability of the House of Representa-
9 tives.

10 **SEC. 6309. IMPLEMENTATION OF GAO HIGH RISK LIST REC-**
11 **COMMENDATIONS.**

12 (a) IN GENERAL.—The Secretary shall implement
13 the Government Accountability Office’s High Risk List
14 recommendations as applicable to the Department for the
15 following activities:

16 (1) Improving the management of IT acquisi-
17 tions and operations.

18 (2) Improving strategic human capital manage-
19 ment.

20 (3) Managing Federal real property.

21 (4) Ensuring the cybersecurity of the nation.

22 (5) Managing government-wide personnel secu-
23 rity clearance process.

24 (b) REPORT.—Not later than 90 days after the date
25 of the enactment of this division, the Secretary shall sub-

1 mit to the appropriate congressional committees a report
2 on the Department’s progress in implementing all of the
3 Government Accountability Office’s High Risk List rec-
4 ommendations as applicable to the Department described
5 in subsection (a).

6 (c) HIGH RISK LIST DEFINED.—In this section, the
7 term “High Risk List” refers to GAO–23–106203, the
8 April 20, 2023, report by the Government Accountability
9 Office titled, “High-Risk Series: Efforts Made to Achieve
10 Progress Need to Be Maintained and Expanded to Fully
11 Address All Areas”.

12 **TITLE LXIV—ORGANIZATION** 13 **AND OPERATIONS**

14 **SEC. 6401. PERSONAL SERVICES CONTRACTORS.**

15 (a) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that the Department should seek to ensure it has
17 sufficient full-time equivalent positions allotted to carry
18 out its current mission, working with the Office of Per-
19 sonnel Management and appropriate congressional com-
20 mittees to that end, and that the use of personal services
21 contractors should not be relied upon to perform core De-
22 partment functions indefinitely.

23 (b) EXIGENT CIRCUMSTANCES AND CRISIS RE-
24 SPONSE.—To assist the Department in addressing and re-
25 sponding to exigent circumstances and urgent crises

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1 abroad, the Department is authorized to employ, domesti-
2 cally and abroad, a limited number of personal services
3 contractors in order to meet exigent needs, subject to the
4 requirements of this section.

5 (c) AUTHORITY.—The authority to employ personal
6 services contractors is in addition to any existing authori-
7 ties to enter into personal services contracts and authority
8 provided in the Afghanistan Supplemental Appropriations
9 Act, 2022 (division C of Public Law 117–43).

10 (d) EMPLOYING AND ALLOCATION OF PERSONNEL.—
11 To meet the needs described in subsection (b) and subject
12 to the requirements in subsection (e), the Department
13 may—

14 (1) enter into contracts to employ a total of up
15 to 100 personal services contractors at any given
16 time for each of fiscal years 2024, 2025, and 2026;
17 and

18 (2) allocate up to 20 personal services contrac-
19 tors to a given bureau.

20 (e) LIMITATION.—Employment authorized by this
21 section shall not exceed two calendar years.

22 (f) NOTIFICATION AND REPORTING TO CONGRESS.—

23 (1) NOTIFICATION.—Not later than 15 days
24 after the use of authority under this section, the
25 Secretary shall notify the appropriate congressional

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1 committees, the Committee on Appropriations of the
2 Senate, and the Committee on Appropriations of the
3 House of Representatives of the number of personal
4 services contractors being employed, the expected
5 length of employment, the relevant bureau, the pur-
6 pose for using personal services contractors, an indi-
7 cation of how many personal services contractors
8 were previously employees of the Department, and
9 the justification, including the exigent circumstances
10 requiring such use.

11 (2) ANNUAL REPORTING.—Not later than De-
12 cember 1, 2024, and annually thereafter for two
13 years, the Department shall submit to the appro-
14 priate congressional committees, the Committee on
15 Appropriations of the Senate, and the Committee on
16 Appropriations of the House of Representatives a re-
17 port describing the number of personal services con-
18 tractors employed pursuant to this section for the
19 prior fiscal year, the length of employment, the rel-
20 evant bureau by which they were employed pursuant
21 to this section, the purpose for using personal serv-
22 ices contractors, disaggregated demographic data of
23 such contractors, an indication of how many per-
24 sonal services contractors were previously employees

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1 of the Department, and the justification for the em-
2 ployment, including the exigent circumstances.

3 **SEC. 6402. HARD-TO-FILL POSTS.**

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

6 (1) the number of hard-to-fill vacancies at
7 United States diplomatic missions is far too high,
8 particularly in Sub-Saharan Africa;

9 (2) these vacancies—

10 (A) adversely impact the Department's
11 execution of regional strategies;

12 (B) hinder the ability of the United States
13 to effectively compete with strategic competi-
14 tors, such as the People's Republic of China
15 and the Russian Federation; and

16 (C) present a clear national security risk to
17 the United States; and

18 (3) if the Department is unable to incentivize
19 officers to accept hard-to-fill positions, the Depart-
20 ment should consider directed assignments, particu-
21 larly for posts in Africa, and other means to more
22 effectively advance the national interests of the
23 United States.

24 (b) REPORT ON DEVELOPMENT OF INCENTIVES FOR
25 HARD-TO-FILL POSTS.—Not later than 180 days after the

2010

1 date of the enactment of this division, the Secretary shall
2 submit a report to the appropriate congressional commit-
3 tees on efforts to develop new incentives for hard-to-fill
4 positions at United States diplomatic missions. The report
5 shall include a description of the incentives developed to
6 date and proposals to try to more effectively fill hard-to-
7 fill posts.

8 (c) STUDY ON FEASIBILITY OF ALLOWING NON-CON-
9 SULAR FOREIGN SERVICE OFFICERS GIVEN DIRECTED
10 CONSULAR POSTS TO VOLUNTEER FOR HARD-TO-FILL
11 POSTS IN UNDERSTAFFED REGIONS.—

12 (1) STUDY.—

13 (A) IN GENERAL.—Not later than 180
14 days after the date of the enactment of this di-
15 vision, the Secretary shall conduct a study on—

16 (i) the number of Foreign Service po-
17 sitions vacant for six months or longer at
18 overseas posts, including for consular, po-
19 litical, and economic positions, over the
20 last five years, broken down by region, and
21 a comparison of the proportion of vacan-
22 cies between regions; and

23 (ii) the feasibility of allowing first-
24 tour Foreign Service generalists in non-
25 Consular cones, directed for a consular

2011

1 tour, to volunteer for reassignment at
2 hard-to-fill posts in understaffed regions.

3 (B) MATTERS TO BE CONSIDERED.—The
4 study conducted under subparagraph (A) shall
5 consider whether allowing first-tour Foreign
6 Service generalists to volunteer as described in
7 such subparagraph would address current va-
8 cancies and what impact the new mechanism
9 would have on consular operations.

10 (2) REPORT.—Not later than 60 days after
11 completing the study required under paragraph (1),
12 the Secretary shall submit to the appropriate con-
13 gressional committees a report containing the find-
14 ings of the study.

15 **SEC. 6403. ENHANCED OVERSIGHT OF THE OFFICE OF**
16 **CIVIL RIGHTS.**

17 (a) REPORT WITH RECOMMENDATIONS AND MAN-
18 AGEMENT STRUCTURE.—Not later than 270 days after
19 the date of the enactment of this division, the Secretary
20 shall submit to the appropriate congressional committees
21 a report with any recommendations for the long-term
22 structure and management of the Office of Civil Rights
23 (OCR), including—

2012

1 (1) an assessment of the strengths and weak-
2 nesses of OCR's investigative processes and proce-
3 dures;

4 (2) any changes made within OCR to its inves-
5 tigative processes to improve the integrity and thor-
6 oughness of its investigations; and

7 (3) any recommendations to improve the man-
8 agement structure, investigative process, and over-
9 sight of the Office.

10 **SEC. 6404. CRISIS RESPONSE OPERATIONS.**

11 (a) IN GENERAL.—Not later than 120 days after the
12 date of the enactment of this division, the Secretary shall
13 institute the following changes and ensure that the fol-
14 lowing elements have been integrated into the ongoing cri-
15 sis response management and response by the Crisis Man-
16 agement and Strategy Office:

17 (1) The Department's crisis response planning
18 and operations shall conduct, maintain, and update
19 on a regular basis contingency plans for posts and
20 regions experiencing or vulnerable to conflict or
21 emergency conditions, including armed conflict, nat-
22 ural disasters, significant political or military up-
23 heaval, and emergency evacuations.

24 (2) The Department's crisis response efforts
25 shall be led by an individual with significant experi-

2013

1 ence responding to prior crises, who shall be so des-
2 ignated by the Secretary.

3 (3) The Department's crisis response efforts
4 shall provide at least quarterly updates to the Sec-
5 retary and other relevant senior officials, including a
6 plan and schedule to develop contingency planning
7 for identified posts and regions consistent with para-
8 graph (1).

9 (4) The decision to develop contingency plan-
10 ning for any particular post or region shall be made
11 independent of any regional bureau.

12 (5) The crisis response team shall develop and
13 maintain best practices for evacuations, closures,
14 and emergency conditions.

15 (b) UPDATES.—

16 (1) IN GENERAL.—Not later than 180 days
17 after the date of the enactment of this division, and
18 every 180 days thereafter for the next five years, the
19 Secretary shall submit to the appropriate congress-
20 sional committees, the Committee on Appropriations
21 of the Senate, and the Committee on Appropriations
22 of the House of Representatives an update outlining
23 the steps taken to implement this section, along with
24 any other recommendations to improve the Depart-
25 ment's crisis management and response operations.

2014

1 (2) CONTENTS.—Each update submitted pursu-
2 ant to paragraph (1) should include—

3 (A) a list of the posts whose contingency
4 plans, including any noncombatant evacuation
5 contingencies, has been reviewed and updated
6 as appropriate during the preceding 180 days;
7 and

8 (B) an assessment of the Secretary's con-
9 fidence that each post—

10 (i) has continuously reached out to
11 United States persons in country to main-
12 tain and update contact information for as
13 many such persons as practicable; and

14 (ii) is prepared to communicate with
15 such persons in an emergency or crisis sit-
16 uation.

17 (3) FORM.—Each update submitted pursuant
18 to paragraph (1) shall be submitted in unclassified
19 form, but may include a classified annex.

20 **SEC. 6405. SPECIAL ENVOY TO THE PACIFIC ISLANDS**
21 **FORUM.**

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

2015

1 (1) the United States must increase its diplo-
2 matic activity and presence in the Pacific, particu-
3 larly among Pacific Island nations; and

4 (2) the Special Envoy to the Pacific Islands
5 Forum—

6 (A) should advance the United States part-
7 nership with Pacific Island Forum nations and
8 with the organization itself on key issues of im-
9 portance to the Pacific region; and

10 (B) should coordinate policies across the
11 Pacific region with like-minded democracies.

12 (b) APPOINTMENT OF SPECIAL ENVOY TO THE PA-
13 CIFIC ISLANDS FORUM.—Section 1 of the State Depart-
14 ment Basic Authorities Act of 1956 (22 U.S.C. 2651a),
15 as amended by section 6303, is further amended by adding
16 at the end the following new subsection:

17 “(o) SPECIAL ENVOY TO THE PACIFIC ISLANDS
18 FORUM.—

19 “(1) APPOINTMENT.—The President shall ap-
20 point, by and with the advice and consent of the
21 Senate, a qualified individual to serve as Special
22 Envoy to the Pacific Islands Forum (referred to in
23 this section as the ‘Special Envoy’).

24 “(2) CONSIDERATIONS.—

2016

1 “(A) SELECTION.—The Special Envoy
2 shall be—

3 “(i) a United States Ambassador to a
4 country that is a member of the Pacific Is-
5 lands Forum; or

6 “(ii) a qualified individual who is not
7 described in clause (i).

8 “(B) LIMITATIONS.—If the President ap-
9 points an Ambassador to a country that is a
10 member of the Pacific Islands Forum to serve
11 concurrently as the Special Envoy to the Pacific
12 Islands Forum, such Ambassador—

13 “(i) may not begin service as the Spe-
14 cial Envoy until he or she has been con-
15 firmed by the Senate for an ambassador-
16 ship to a country that is a member of the
17 Pacific Islands Forum; and

18 “(ii) shall not receive additional com-
19 pensation for his or her service as Special
20 Envoy.

21 “(3) DUTIES.—The Special Envoy shall—

22 “(A) represent the United States in its role
23 as dialogue partner to the Pacific Islands
24 Forum; and

2017

1 “(B) carry out such other duties as the
2 President or the Secretary of State may pre-
3 scribe.”.

4 (c) REPORT.—Not later than 180 days after the date
5 of the enactment of this division, the Secretary shall sub-
6 mit a report to the appropriate congressional committees
7 that describes how the Department will increase its ability
8 to recruit and retain highly-qualified ambassadors, special
9 envoys, and other senior personnel in posts in Pacific is-
10 land countries as the Department expands its diplomatic
11 footprint throughout the region.

12 **SEC. 6406. SPECIAL ENVOY FOR BELARUS.**

13 (a) SPECIAL ENVOY.—The President shall appoint a
14 Special Envoy for Belarus within the Department (re-
15 ferred to in this section as the “Special Envoy”). The Spe-
16 cial Envoy should be a person of recognized distinction
17 in the field of European security, geopolitics, democracy
18 and human rights, and may be a career Foreign Service
19 Officer.

20 (b) CENTRAL OBJECTIVE.—The central objective of
21 the Special Envoy is to coordinate and promote efforts—

22 (1) to improve respect for the fundamental
23 human rights of the people of Belarus;

2018

1 (2) to sustain focus on the national security im-
2 plications of Belarus’s political and military align-
3 ment for the United States; and

4 (3) to respond to the political, economic, and
5 security impacts of events in Belarus upon neigh-
6 boring countries and the wider region.

7 (c) DUTIES AND RESPONSIBILITIES.—The Special
8 Envoy shall—

9 (1) engage in discussions with Belarusian offi-
10 cials regarding human rights, political, economic and
11 security issues in Belarus;

12 (2) support international efforts to promote
13 human rights and political freedoms in Belarus, in-
14 cluding coordination and dialogue between the
15 United States and the United Nations, the Organi-
16 zation for Security and Cooperation in Europe, the
17 European Union, Belarus, and the other countries in
18 Eastern Europe;

19 (3) consult with nongovernmental organizations
20 that have attempted to address human rights and
21 political and economic instability in Belarus;

22 (4) make recommendations regarding the fund-
23 ing of activities promoting human rights, democracy,
24 the rule of law, and the development of a market
25 economy in Belarus;

2019

1 (5) review strategies for improving protection of
2 human rights in Belarus, including technical train-
3 ing and exchange programs;

4 (6) develop an action plan for holding to ac-
5 count the perpetrators of the human rights viola-
6 tions documented in the United Nations High Com-
7 missioner for Human Rights report on the situation
8 of human rights in Belarus in the run-up to the
9 2020 presidential election and its aftermath (Human
10 Rights Council Resolution 49/36);

11 (7) engage with member countries of the North
12 Atlantic Treaty Organization, the Organization for
13 Security and Cooperation in Europe and the Euro-
14 pean Union with respect to the implications of
15 Belarus's political and security alignment for trans-
16 atlantic security; and

17 (8) work within the Department and among
18 partnering countries to sustain focus on the political
19 situation in Belarus.

20 (d) ROLE.—The position of Special Envoy—

21 (1) shall be a full-time position;

22 (2) may not be combined with any other posi-
23 tion within the Department;

24 (3) shall only exist as long as United States
25 diplomatic operations in Belarus at the United

2020

1 States Embassy in Minsk, Belarus have been sus-
2 pended;

3 (4) shall oversee the operations and personnel
4 of the Belarus Affairs Unit; and

5 (5) shall have a duty station that is co-located
6 with the Belarus Affairs Unit.

7 (e) REPORT ON ACTIVITIES.—Not later than 180
8 days after the date of the enactment of this division, and
9 annually thereafter for the following 5 years, the Sec-
10 retary, in consultation with the Special Envoy, shall sub-
11 mit a report to the appropriate congressional committees
12 that describes the activities undertaken pursuant to sub-
13 section (c) during the reporting period.

14 (f) SUNSET.—The position of Special Envoy for
15 Belarus and the authorities provided by this section shall
16 terminate 5 years after the date of the enactment of this
17 division.

18 **SEC. 6407. PRESIDENTIAL ENVOY FOR THE ABRAHAM AC-**
19 **CORDS, NEGEV FORUM, AND RELATED INTE-**
20 **GRATION AND NORMALIZATION FORA AND**
21 **AGREEMENTS.**

22 Title I of the State Department Basic Authorities Act
23 of 1956 (22 U.S.C. 2651a et seq.) is amended by adding
24 at the end the following new section:

2021

1 **“SEC. 64. PRESIDENTIAL ENVOY FOR THE ABRAHAM AC-**
2 **CORDS, NEGEV FORUM, AND RELATED INTE-**
3 **GRATION AND NORMALIZATION FORA AND**
4 **AGREEMENTS.**

5 “(a) OFFICE.—There is established within the De-
6 partment of State the Office of the Special Presidential
7 Envoy for the Abraham Accords, Negev Forum, and Re-
8 lated Integration and Normalization Fora and Agreements
9 (referred to in this section as the ‘Regional Integration
10 Office’).

11 “(b) LEADERSHIP.—

12 “(1) SPECIAL ENVOY.—The Regional Integra-
13 tion Office shall be headed by the Special Presi-
14 dential Envoy for the Abraham Accords, Negev
15 Forum, and Related Normalization Agreements, who
16 shall—

17 “(A) be appointed by the President, by and
18 with the advice and consent of the Senate; and

19 “(B) report directly to the Secretary of
20 State.

21 “(c) RANK AND STATUS OF AMBASSADOR.—The Spe-
22 cial Envoy shall have the rank and status of ambassador.

23 “(d) DUTIES.—The Special Envoy shall—

24 “(1) lead diplomatic engagement—

25 “(A) to strengthen and expand the Negev
26 Forum, the Abraham Accords, and related nor-

2022

1 malization agreements with Israel, including
2 promoting initiatives that benefit the people of
3 key partners in regional integration or other re-
4 gional actors in order to encourage such expan-
5 sion; and

6 “(B) to support the work of regional inte-
7 gration;

8 “(2) implement the policy of the United States
9 to expand normalization and support greater re-
10 gional integration—

11 “(A) within the Middle East and North Af-
12 rica; and

13 “(B) between the Middle East and North
14 Africa and other key regions, including sub-Sa-
15 haran Africa, the Indo-Pacific region, and be-
16 yond;

17 “(3) work to deliver tangible economic and se-
18 curity benefits for the citizens of Abraham Accords
19 countries, Negev Forum countries, and countries
20 that are members of other related normalization
21 agreements;

22 “(4) serve as the ministerial liaison for the
23 United States to the Negev Forum and other emerg-
24 ing normalization and integration fora, as necessary,
25 and provide senior representation at events, steering

2023

1 committee meetings, and other relevant diplomatic
2 engagements relating to the Negev Forum or other
3 regional integration bodies;

4 “(5) coordinate all cross-agency engagements
5 and strategies in support of normalization efforts
6 with other relevant officials and agencies;

7 “(6) ensure that the appropriate congressional
8 committees are regularly informed about the work of
9 the Regional Integration Office;

10 “(7) initiate and advance negotiations on a
11 framework for an economic and security partnership
12 with the Negev Forum countries, other key partners
13 in regional integration, and other regional actors;

14 “(8) oppose efforts to delegitimize Israel and
15 legal barriers to normalization with Israel;

16 “(9) initiate negotiations with Abraham Ac-
17 cords countries and Negev Forum countries, observ-
18 ers, and key partners in regional integration on an
19 economic framework that includes—

20 “(A) improving supply chain security and
21 resiliency;

22 “(B) aligning common regulatory and fi-
23 nancial standards;

24 “(C) attracting foreign investment;

1 “(D) diversification of energy resources,
2 including renewable sources of energy, and the
3 development and deployment of emerging and
4 advanced technologies that promote energy se-
5 curity; and

6 “(E) digital economy, cybersecurity, and
7 cross-border data flow;

8 “(10) lead interagency efforts to reach an inter-
9 national agreement on the comprehensive economic
10 framework described in paragraph (9);

11 “(11) endeavor to embed already established
12 standards on countering money laundering and ter-
13 rorist financing into the regional economic frame-
14 work described in paragraph (9); and

15 “(12) promote regional integration and broader
16 interconnectivity among the Abraham Accords coun-
17 tries, Negev Forum countries, observers, key part-
18 ners in regional integration, and other regional ac-
19 tors by promoting and supporting targeted invest-
20 ment in regional infrastructure and other critical
21 sectors that broaden and deepen interconnectivity,
22 increase economic growth and resilience, create bene-
23 fits for citizens of Abraham Accords countries and
24 Negev Forum countries, and advance the national

1 security, economic, and development interests of the
2 United States.

3 “(e) LIMITATION.—The Special Envoy shall not be
4 a dual-hatted official with other responsibilities within the
5 Department of State or the executive branch.

6 “(f) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that whole-of-government resources should be har-
8 nessed to ensure the successful performance by the Special
9 Envoy of the duties described in subsection (d).

10 “(g) REPORT.—

11 “(1) IN GENERAL.—Not later than 180 days
12 after the date of the enactment of this section, and
13 annually thereafter, the Special Envoy shall submit
14 to the Committee on Foreign Relations of the Sen-
15 ate and the Committee on Foreign Affairs of the
16 House of Representatives a report on actions taken
17 by all relevant Federal agencies—

18 “(A) to strengthen and expand the Abra-
19 ham Accords and the work of the Negev Forum
20 and future structures and organizations; and

21 “(B) towards the objectives of regional in-
22 tegration.

23 “(2) FORM OF REPORT.—The report required
24 by paragraph (1) shall be submitted in unclassified
25 form but may contain a separate, classified annex.

1 “(h) STRATEGY.—Not later than 180 days after the
2 date of the enactment of this section, the Secretary of
3 State, in consultation with the heads of other relevant
4 Federal agencies, shall submit to the Committee on For-
5 eign Relations of the Senate and the Committee on For-
6 eign Affairs of the House of Representatives an inter-
7 agency strategy to use the economic tools of the Federal
8 Government to promote regional integration through tar-
9 geted investment as described in subsection (d)(12).

10 “(i) TERMINATION.—This section shall terminate on
11 the date that is 6 years after date of the enactment of
12 the section.

13 “(j) RULE OF CONSTRUCTION.—If, on the date of the
14 enactment of this section, an individual has already been
15 designated, consistent with the requirements and respon-
16 sibilities described in subsections (b), (c), and (d) and sec-
17 tion 1 of this Act (22 U.S.C. 2651a), the requirements
18 under subsection (b) shall be considered to be satisfied
19 with respect to such individual until the date on which
20 such individual no longer serves as the Special Envoy.

21 “(k) DEFINITIONS.—In this section:

22 “(1) ABRAHAM ACCORDS.—The term ‘Abraham
23 Accords’ means—

24 “(A) the Abraham Accords Declaration,
25 done at Washington September 15, 2020;

1 “(B) the Abraham Accords Peace Agree-
2 ment: Treaty of Peace, Diplomatic Relations
3 and Full Normalization Between the United
4 Arab Emirates and Israel, done at Washington
5 September 15, 2020;

6 “(C) the Abraham Accords: Declaration of
7 Peace, Cooperation, and Constructive Diplo-
8 matic and Friendly Relations, done at Wash-
9 ington September 15, 2020, between Israel and
10 the Kingdom of Bahrain; and

11 “(D) the Joint Declaration of the Kingdom
12 of Morocco, the United States, and Israel, done
13 at Rabat December 22, 2020.

14 “(2) EXPAND.—The term ‘expand’, with re-
15 spect to the Abraham Accords, means to increase
16 the number of regional, Arab, or Muslim-majority
17 countries that seek to normalize relations with the
18 State of Israel.

19 “(3) KEY PARTNERS IN REGIONAL INTEGRA-
20 TION.—The term ‘key partners in regional integra-
21 tion’ means—

22 “(A) any Abraham Accords country;

23 “(B) Egypt;

24 “(C) Jordan;

25 “(D) the Kingdom of Saudi Arabia; and

1 “(E) any other active and constructive
2 country that supports cooperation—

3 “(i) to normalize relations between
4 countries in the Middle East and North
5 Africa and Israel; and

6 “(ii) to advance regional integration.

7 “(4) NEGEV FORUM.—The term ‘Negev Forum’
8 means the regional grouping known as the Negev
9 Forum Regional Cooperation Framework that was
10 adopted on November 10, 2022, or any successor
11 group.

12 “(5) OBSERVER.—The term ‘observer’—

13 “(A) means any country, particularly in-
14 side the Middle East and North Africa region,
15 or political entity that—

16 “(i) directly supports the objectives
17 and processes of the Negev Forum;

18 “(ii) expresses serious interest in par-
19 ticipating in certain projects determined by
20 the Negev Forum that benefit normaliza-
21 tion with Israel and greater regional inte-
22 gration; and

23 “(iii) is not an official member of the
24 Negev Forum Steering Committee or any
25 working group of the Negev Forum; and

1 “(B) includes 3+1 format members Cy-
2 prus and Greece.

3 “(6) OTHER REGIONAL ACTORS.—The term
4 ‘other regional actors’ means the Palestinian Au-
5 thority or a credible future political entity that
6 serves as the interlocutor for the Palestinian people.

7 “(7) STRENGTHEN.—The term ‘strengthen’,
8 with respect to the Abraham Accords and the Negev
9 Forum, means to engage in efforts that improve the
10 diplomatic relations between Abraham Accords coun-
11 tries and broaden the breadth and scope of issues on
12 which Abraham Accords countries cooperate.”.

13 **SEC. 6408. OVERSEAS PLACEMENT OF SPECIAL APPOINT-**
14 **MENT POSITIONS.**

15 Not later than 90 days after the date of the enact-
16 ment of this division, the Secretary shall submit to the
17 appropriate congressional committees a report on current
18 special appointment positions at United States diplomatic
19 missions that do not exercise significant authority, and all
20 positions under schedule B or schedule C of subpart C
21 of part 213 of title 5, Code of Federal Regulations, at
22 United States diplomatic missions. The report shall in-
23 clude the title and responsibilities of each position, the ex-
24 pected duration of the position, the name of the individual

1 currently appointed to the position, and the hiring author-
2 ity utilized to fill the position.

3 **SEC. 6409. RESOURCES FOR UNITED STATES NATIONALS**
4 **UNLAWFULLY OR WRONGFULLY DETAINED**
5 **ABROAD.**

6 Section 302(d) of the Robert Levinson Hostage Re-
7 covery and Hostage-Taking Accountability Act (22 U.S.C.
8 1741(d)) is amended—

9 (1) in the subsection heading, by striking “RE-
10 SOURCE GUIDANCE” and inserting “RESOURCES
11 FOR UNITED STATES NATIONALS UNLAWFULLY OR
12 WRONGFULLY DETAINED ABROAD”;

13 (2) in paragraph (1), by striking the paragraph
14 heading and all that follows through “Not later
15 than” and inserting the following:

16 “(1) RESOURCE GUIDANCE.—

17 “(A) IN GENERAL.—Not later than”;

18 (3) in paragraph (2), by redesignating subpara-
19 graphs (A), (B), (C), (D), and (E) and clauses (i),
20 (ii), (iii), (iv), and (v), respectively, and moving such
21 clauses (as so redesignated) 2 ems to the right;

22 (4) by redesignating paragraph (2) as subpara-
23 graph (B) and moving such subparagraph (as so re-
24 designated) 2 ems to the right;

1 (5) in subparagraph (B), as redesignated by
2 paragraph (4), by striking “paragraph (1)” and in-
3 serting “subparagraph (A)”; and

4 (6) by adding at the end the following:

5 “(2) TRAVEL ASSISTANCE.—

6 “(A) FAMILY ADVOCACY.—For the purpose
7 of facilitating meetings between the United
8 States Government and the family members of
9 United States nationals unlawfully or wrong-
10 fully detained abroad, the Secretary shall pro-
11 vide financial assistance to cover the costs of
12 travel to and from Washington, D.C., including
13 travel by air, train, bus, or other transit as ap-
14 propriate, to any individual who—

15 “(i) is—

16 “(I) a family member of a United
17 States national unlawfully or wrong-
18 fully detained abroad as determined
19 by the Secretary under subsection (a);
20 or

21 “(II) an appropriate individual
22 who—

23 “(aa) is approved by the
24 Special Presidential Envoy for
25 Hostage Affairs; and

1 “(bb) does not represent in
2 any legal capacity a United
3 States national unlawfully or
4 wrongfully detained abroad or
5 the family of such United States
6 national;

7 “(ii) has a permanent address that is
8 more than 50 miles from Washington,
9 D.C.; and

10 “(iii) requests such assistance.

11 “(B) TRAVEL AND LODGING.—

12 “(i) IN GENERAL.—For each such
13 United States national unlawfully or
14 wrongfully detained abroad, the financial
15 assistance described in subparagraph (A)
16 shall be provided for not more than 2 trips
17 per fiscal year, unless the Special Presi-
18 dential Envoy for Hostage Affairs deter-
19 mines that a third trip is warranted.

20 “(ii) LIMITATIONS.—Any trip de-
21 scribed in clause (i) shall—

22 “(I) consist of not more than 2
23 family members or other individuals
24 approved in accordance with subpara-
25 graph (A)(i)(II), unless the Special

1 Presidential Envoy for Hostage Af-
2 fairs determines that circumstances
3 warrant an additional family member
4 or other individual approved in ac-
5 cordance with subparagraph (A)(i)(II)
6 and approves assistance to such third
7 family member or other individual;
8 and

9 “(II) not exceed more than 2
10 nights lodging, which shall not exceed
11 the applicable government rate.

12 “(C) RETURN TRAVEL.—If other United
13 States Government assistance is unavailable,
14 the Secretary may provide to a United States
15 national unlawfully or wrongfully detained
16 abroad as determined by the Secretary under
17 subsection (a), United States assistance, as nec-
18 essary, for return travel to the United States
19 upon release of such United States national.

20 “(3) SUPPORT.—

21 “(A) IN GENERAL.—The Secretary shall
22 seek to make available physical health services,
23 mental health services, and other support as ap-
24 propriate, including providing information on
25 available legal or financial resources, to—

1 “(i) any United States national un-
2 lawfully or wrongfully detained abroad;
3 and

4 “(ii) any family member of such
5 United States national.

6 “(B) LIMITATIONS.—

7 “(i) IN GENERAL.—For any support
8 described in subparagraph (A) for an indi-
9 vidual described in clause (i) or (ii) of such
10 subparagraph that commences following
11 the return of a United States national who
12 was unlawfully or wrongfully detained
13 abroad, such support shall be made avail-
14 able for up to 5 years from the date on
15 which any individual identified in subpara-
16 graph (A) chooses to avail themselves of
17 the support described in that subpara-
18 graph, unless the Special Presidential
19 Envoy for Hostage Affairs determines that
20 circumstances warrant extending such sup-
21 port.

22 “(ii) EXCEPTION.—The time limita-
23 tion under clause (i) does not apply to any
24 support provided during the pendency of

1 the detention of a United States national
2 unlawfully or wrongfully detained abroad.

3 “(4) NOTIFICATION REQUIREMENT.—The Sec-
4 retary shall notify the Committee on Foreign Rela-
5 tions of the Senate, the Committee on Foreign Af-
6 fairs of the House of Representatives, and the Com-
7 mittees on Appropriations of the Senate and the
8 House of Representatives of any amount spent above
9 \$250,000 for any fiscal year to carry out paragraphs
10 (2) and (3).

11 “(5) FUNDING.—Funds authorized to be appro-
12 priated for the Department of State, which may in-
13 clude funds made available for unforeseen emer-
14 gencies arising in the diplomatic and consular serv-
15 ice, may be used to provide the support authorized
16 by this section.

17 “(6) REPORT.—Not later than 90 days after
18 the end of each fiscal year, the Secretary shall sub-
19 mit to the Committees on Foreign Relations and Ap-
20 propriations of the Senate and the Committee on
21 Foreign Affairs and Appropriations of the House of
22 Representatives a report that includes—

23 “(A) a detailed description of expenditures
24 made pursuant to paragraphs (2) and (3);

1 “(B) a detailed description of types of sup-
2 port provided pursuant to paragraph (3), pro-
3 vided that such description does not identify
4 any individuals receiving any physical or mental
5 health support, in order to protect their privacy;
6 and

7 “(C) the number and location of visits out-
8 side of Washington, D.C., during the prior fis-
9 cal year made by the Special Presidential Envoy
10 for Hostage Affairs to family members of each
11 United States national unlawfully or wrongfully
12 detained abroad.

13 “(7) SUNSET.—The authority and requirements
14 under paragraphs (2), (3), (4), and (5) shall termi-
15 nate on December 31, 2027.

16 “(8) FAMILY MEMBER DEFINED.—In this sub-
17 section, the term ‘family member’ means a spouse,
18 father, mother, child, brother, sister, grandparent,
19 grandchild, aunt, uncle, nephew, niece, cousin, fa-
20 ther-in-law, mother-in-law, son-in-law, daughter-in-
21 law, brother-in-law, sister-in-law, stepfather, step-
22 mother, stepson, stepdaughter, stepbrother, step-
23 sister, half brother, or half sister.”.

1 **SEC. 6410. ESTABLISHMENT OF FISCAL RESPONSIBILITY**
2 **AWARD.**

3 The Under Secretary of State for Management shall
4 establish, in consultation with the Director of the Budget
5 and Planning Bureau and the Director of Global Talent,
6 an annual departmental award for any exemplary em-
7 ployee who recommends, identifies, or adopts significant
8 cost-saving measures for program implementation or
9 through the reallocation of resources.

10 **TITLE LXV—ECONOMIC**
11 **DIPLOMACY**

12 **SEC. 6501. REPORT ON RECRUITMENT, RETENTION, AND**
13 **PROMOTION OF FOREIGN SERVICE ECO-**
14 **NOMIC OFFICERS.**

15 (a) **IN GENERAL.**—Not later than 180 days after the
16 date of the enactment of this division, the Secretary shall
17 submit a report to the appropriate congressional commit-
18 tees regarding the recruitment, retention, and promotion
19 of economic officers in the Foreign Service.

20 (b) **ELEMENTS.**—The report required under sub-
21 section (a) shall include—

22 (1) an overview of the key challenges the De-
23 partment faces in—

24 (A) recruiting individuals to serve as eco-
25 nomic officers in the Foreign Service; and

1 (B) retaining individuals serving as eco-
2 nomic officers in the Foreign Service, particu-
3 larly at the level of GS-14 of the General
4 Schedule and higher;

5 (2) an overview of the key challenges in recruit-
6 ing and retaining qualified individuals to serve in
7 economic positions in the Civil Service;

8 (3) a comparison of promotion rates for eco-
9 nomic officers in the Foreign Service relative to
10 other officers in the Foreign Service;

11 (4) a summary of the educational history and
12 training of current economic officers in the Foreign
13 Service and Civil Service officers serving in economic
14 positions;

15 (5) the identification, disaggregated by region,
16 of hard-to-fill posts and proposed incentives to im-
17 prove staffing of economic officers in the Foreign
18 Service at such posts;

19 (6) a summary and analysis of the factors that
20 lead to the promotion of—

21 (A) economic officers in the Foreign Serv-
22 ice; and

23 (B) individuals serving in economic posi-
24 tions in the Civil Service; and

1 (7) a summary and analysis of current Depart-
2 ment-funded or run training opportunities and exter-
3 nally-funded programs, including the Secretary's
4 Leadership Seminar at Harvard Business School,
5 for—

6 (A) economic officers in the Foreign Serv-
7 ice; and

8 (B) individuals serving in economic posi-
9 tions in the Civil Service.

10 **SEC. 6502. MANDATE TO REVISE DEPARTMENT OF STATE**
11 **METRICS FOR SUCCESSFUL ECONOMIC AND**
12 **COMMERCIAL DIPLOMACY.**

13 (a) MANDATE TO REVISE DEPARTMENT OF STATE
14 PERFORMANCE MEASURES FOR ECONOMIC AND COMMER-
15 CIAL DIPLOMACY.—The Secretary shall, as part of the De-
16 partment's next regularly scheduled review on metrics and
17 performance measures, include revisions of Department
18 performance measures for economic and commercial diplo-
19 macy by identifying outcome-oriented, and not process-ori-
20 ented, performance metrics, including metrics that—

21 (1) measure how Department efforts advanced
22 specific economic and commercial objectives and led
23 to successes for the United States or other private
24 sector actors overseas; and

1 (2) focus on customer satisfaction with Depart-
2 ment services and assistance.

3 (b) PLAN FOR ENSURING COMPLETE DATA FOR
4 PERFORMANCE MEASURES.—As part of the review re-
5 quired under subsection (a), the Secretary shall include
6 a plan for ensuring that—

7 (1) the Department, both at its main head-
8 quarters and at domestic and overseas posts, main-
9 tains and fully updates data on performance meas-
10 ures; and

11 (2) Department leadership and the appropriate
12 congressional committees can evaluate the extent to
13 which the Department is advancing United States
14 economic and commercial interests abroad through
15 meeting performance targets.

16 (c) REPORT ON PRIVATE SECTOR SURVEYS.—The
17 Secretary shall prepare a report that lists and describes
18 all the methods through which the Department conducts
19 surveys of the private sector to measure private sector sat-
20 isfaction with assistance and services provided by the De-
21 partment to advance private sector economic and commer-
22 cial goals in foreign markets.

23 (d) REPORT.—Not later than 90 days after con-
24 ducting the review pursuant to subsection (a), the Sec-

1 retary shall submit to the appropriate congressional com-
2 mittees—

3 (1) the revised performance metrics required
4 under subsection (a);

5 (2) the report required under subsection (c);
6 and

7 (3) a report on the status of and actions taken
8 to implement section 708 of the Championing Amer-
9 ican Business through Diplomaey Act of 2019 (title
10 VII of division J of Public Law 116–94; 22 U.S.C.
11 9904).

12 **SEC. 6503. DIRECTION TO EMBASSY DEAL TEAMS.**

13 (a) PURPOSES.—The purposes of deal teams at
14 United States embassies and consulates are—

15 (1) to promote a private sector-led approach—

16 (A) to advance economic growth and job
17 creation that is tailored, as appropriate, to spe-
18 cific economic sectors; and

19 (B) to advance strategic partnerships;

20 (2) to prioritize efforts—

21 (A) to identify commercial and investment
22 opportunities;

23 (B) to advocate for improvements in the
24 business and investment climate;

1 (C) to engage and consult with private sec-
2 tor partners; and

3 (D) to report on the activities described in
4 subparagraphs (A) through (C), in accordance
5 with the applicable requirements under sections
6 706 and 707 of the Championing American
7 Business Through Diplomacy Act of 2019 (22
8 U.S.C. 9902 and 9903);

9 (3)(A)(i) to identify trade and investment op-
10 portunities for United States companies in foreign
11 markets; or

12 (ii) to assist with existing trade and invest-
13 ment opportunities already identified by United
14 States companies; and

15 (B) to deploy United States Government eco-
16 nomic and other tools to help such United States
17 companies to secure their objectives;

18 (4) to identify and facilitate opportunities for
19 entities in a host country to increase exports to, or
20 investment in, the United States in order to grow
21 two-way trade and investment;

22 (5) to modernize, streamline, and improve ac-
23 cess to resources and services designed to promote
24 increased trade and investment opportunities;

1 (6) to identify and secure United States or al-
2 lied government support of strategic projects, such
3 as ports, railways, energy production and distribu-
4 tion, critical minerals development, telecommuni-
5 cations networks, and other critical infrastructure
6 projects vulnerable to predatory investment by an
7 authoritarian country or entity in such country
8 where support or investment serves an important
9 United States interest;

10 (7) to coordinate across the United States Gov-
11 ernment to ensure the appropriate and most effec-
12 tive use of United States Government tools to sup-
13 port United States economic, commercial, and in-
14 vestment objectives; and

15 (8) to coordinate with the multi-agency DC
16 Central Deal Team, established in February 2020,
17 on the matters described in paragraphs (1) through
18 (7) and other relevant matters.

19 (b) CLARIFICATION.—A deal team may be composed
20 of the personnel comprising the mission economic team
21 formed pursuant to section 207 of the Foreign Service Act
22 of 1980.

23 (c) RESTRICTIONS.—A deal team may not provide
24 support for, or assist a United States person with a trans-
25 action involving, a government, or an entity owned or con-

1 trolled by a government, if the Secretary determines that
2 such government—

3 (1) has repeatedly provided support for acts of
4 international terrorism, as described in—

5 (A) section 1754(e)(1)(A)(i) of the Export
6 Control Reform Act of 2018 (subtitle B of title
7 XVII of Public Law 115–232);

8 (B) section 620A(a) of the Foreign Assist-
9 ance Act of 1961 (22 U.S.C. 2371(a));

10 (C) section 40(d) of the Arms Export Con-
11 trol Act (22 U.S.C. 2780(d)); or

12 (D) any other relevant provision of law; or

13 (2) has engaged in an activity that would trig-
14 ger a restriction under section 116(a) or 502B(a)(2)
15 of the Foreign Assistance Act of 1961 (22 U.S.C.
16 2151n(a) and 2304(a)(2)) or any other relevant pro-
17 vision of law.

18 (d) FURTHER RESTRICTIONS.—

19 (1) PROHIBITION ON SUPPORT OF SANCTIONED
20 PERSONS.—Deal teams may not carry out activities
21 prohibited under United States sanctions laws or
22 regulations, including dealings with persons on the
23 list of specially designated persons and blocked per-
24 sons maintained by the Office of Foreign Assets
25 Control of the Department of the Treasury, except

1 to the extent otherwise authorized by the Secretary
2 of the Treasury or the Secretary.

3 (2) PROHIBITION ON SUPPORT OF ACTIVITIES
4 SUBJECT TO SANCTIONS.—Any person receiving sup-
5 port from a deal team must be in compliance with
6 all United States sanctions laws and regulations as
7 a condition for receiving such assistance.

8 (e) CHIEF OF MISSION AUTHORITY AND ACCOUNT-
9 ABILITY.—The chief of mission to a foreign country—

10 (1) is the designated leader of a deal team in
11 such country; and

12 (2) shall be held accountable for the perform-
13 ance and effectiveness of United States deal teams
14 in such country.

15 (f) GUIDANCE CABLE.—The Department shall send
16 out regular guidance on Deal Team efforts by an All Dip-
17 lomatic and Consular Posts (referred to in this section as
18 “ALDAC”) that—

19 (1) describes the role of deal teams; and

20 (2) includes relevant and up-to-date information
21 to enhance the effectiveness of deal teams in a coun-
22 try.

23 (g) CONFIDENTIALITY OF INFORMATION.—

24 (1) IN GENERAL.—In preparing the cable re-
25 quired under subsection (f), the Secretary shall pro-

1 tect from disclosure any proprietary information of
2 a United States person marked as business confiden-
3 tial information unless the person submitting such
4 information—

5 (A) had notice, at the time of submission,
6 that such information would be released by; or

7 (B) subsequently consents to the release of
8 such information.

9 (2) TREATMENT AS TRADE SECRETS.—Propri-
10 etary information obtained by the United States
11 Government from a United States person pursuant
12 to the activities of deal teams shall be—

13 (A) considered to be trade secrets and
14 commercial or financial information (as such
15 terms are used under section 552b(c)(4) of title
16 5, United States Code); and

17 (B) exempt from disclosure without the ex-
18 press approval of the person.

19 (h) SUNSET.—The requirements under subsections
20 (f) through (h) shall terminate on the date that is 5 years
21 after the date of the enactment of this division.

22 **SEC. 6504. ESTABLISHMENT OF A “DEAL TEAM OF THE**
23 **YEAR” AWARD.**

24 (a) ESTABLISHMENT.—The Secretary shall establish
25 a new award, to be known as the “Deal Team of the Year

1 Award”, and annually present the award to a deal team
2 at one United States mission in each region to recognize
3 outstanding achievements in supporting a United States
4 company or companies pursuing commercial deals abroad
5 or in identifying new deal prospects for United States
6 companies.

7 (b) AWARD CONTENT.—

8 (1) DEPARTMENT OF STATE.—Each member of
9 a deal team receiving an award pursuant to sub-
10 section (a) shall receive a certificate that is signed
11 by the Secretary and—

12 (A) in the case of a member of the Foreign
13 Service, is included in the next employee evalua-
14 tion report; or

15 (B) in the case of a Civil Service employee,
16 is included in the next annual performance re-
17 view.

18 (2) OTHER FEDERAL AGENCIES.—If an award
19 is presented pursuant to subsection (a) to a Federal
20 Government employee who is not employed by the
21 Department, the employing agency may determine
22 whether to provide such employee any recognition or
23 benefits in addition to the recognition or benefits
24 provided by the Department.

1 (c) ELIGIBILITY.—Any interagency economics team
2 at a United States overseas mission under chief of mission
3 authority that assists United States companies with iden-
4 tifying, navigating, and securing trade and investment op-
5 portunities in a foreign country or that facilitates bene-
6 ficial foreign investment into the United States is eligible
7 for an award under this section.

8 (d) REPORT.—Not later than the last day of the fis-
9 cal year in which awards are presented pursuant to sub-
10 section (a), the Secretary shall submit to the appropriate
11 congressional committees, the Committee on Homeland
12 Security and Governmental Affairs of the Senate, and the
13 Committee on Oversight and Accountability of the House
14 of Representatives a report that includes—

15 (1) each mission receiving a Deal Team of the
16 Year Award.

17 (2) the names and agencies of each awardee
18 within the recipient deal teams; and

19 (3) a detailed description of the reason such
20 deal teams received such award.

21 **TITLE LXVI—PUBLIC** 22 **DIPLOMACY**

23 **SEC. 6601. PUBLIC DIPLOMACY OUTREACH.**

24 (a) COORDINATION OF RESOURCES.—The Adminis-
25 trator of the United States Agency for International De-

1 velopment and the Secretary shall direct public affairs sec-
2 tions at United States embassies and USAID Mission Pro-
3 gram Officers at USAID missions to coordinate, enhance
4 and prioritize resources for public diplomacy and aware-
5 ness campaigns around United States diplomatic and de-
6 velopment efforts, including through—

7 (1) the utilization of new media technology for
8 maximum public engagement; and

9 (2) enact coordinated comprehensive community
10 outreach to increase public awareness and under-
11 standing and appreciation of United States diplo-
12 matic and development efforts.

13 (b) DEVELOPMENT OUTREACH AND COORDINATION
14 OFFICERS.—USAID should prioritize hiring of additional
15 Development Outreach and Coordination officers in
16 USAID missions to support the purposes of subsection
17 (a).

18 (c) BEST PRACTICES.—The Secretary and the Ad-
19 ministrator of USAID shall identify 10 countries in which
20 Embassies and USAID missions have successfully exe-
21 cuted efforts, including monitoring and evaluation of such
22 efforts, described in (a) and develop best practices to be
23 turned into Department and USAID guidance.

1 **SEC. 6602. MODIFICATION ON USE OF FUNDS FOR RADIO**
2 **FREE EUROPE/RADIO LIBERTY.**

3 In section 308(h) of the United States International
4 Broadcasting Act of 1994 (22 U.S.C. 6207(h)) is amend-
5 ed—

6 (1) by striking subparagraphs (1), (3), and (5);

7 and

8 (2) by redesignating paragraphs (2) and (4) as
9 paragraphs (1) and (2), respectively.

10 **SEC. 6603. REPORT ON RADIO FREE AFRICA AND RADIO**
11 **FREE AMERICAS.**

12 Not later than 180 days after the date of the enact-
13 ment of this division, the Chief Executive Officer of the
14 United States Agency for Global Media shall submit a re-
15 port to the appropriate congressional committees, the
16 Committee on Appropriations of the Senate, and the Com-
17 mittee on Appropriations of the House of Representatives
18 that details the financial and other resources that would
19 be required to establish and operate 2 nonprofit organiza-
20 tions, modeled after Radio Free Europe/Radio Liberty and
21 Radio Free Asia, for the purposes of providing accurate,
22 uncensored, and reliable news and information to—

23 (1) the region of Africa, with respect to Radio
24 Free Africa; and

25 (2) the region of Latin America and the Carib-
26 bean, with respect to Radio Free Americas.

1 **SEC. 6604. JOHN LEWIS CIVIL RIGHTS FELLOWSHIP PRO-**
2 **GRAM.**

3 (a) IN GENERAL.—The Mutual Educational and Cul-
4 tural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is
5 amended by adding at the end the following:

6 **“SEC. 115. JOHN LEWIS CIVIL RIGHTS FELLOWSHIP PRO-**
7 **GRAM.**

8 “(a) ESTABLISHMENT.—There is established the
9 John Lewis Civil Rights Fellowship Program (referred to
10 in this section as the ‘Fellowship Program’) within the J.
11 William Fulbright Educational Exchange Program.

12 “(b) PURPOSES.—The purposes of the Fellowship
13 Program are—

14 “(1) to honor the legacy of Representative John
15 Lewis by promoting a greater understanding of the
16 history and tenets of nonviolent civil rights move-
17 ments; and

18 “(2) to advance foreign policy priorities of the
19 United States by promoting studies, research, and
20 international exchange in the subject of nonviolent
21 movements that established and protected civil
22 rights around the world.

23 “(c) ADMINISTRATION.—The Bureau of Educational
24 and Cultural Affairs (referred to in this section as the ‘Bu-
25 reau’) shall administer the Fellowship Program in accord-
26 ance with policy guidelines established by the Board, in

1 consultation with the binational Fulbright Commissions
2 and United States Embassies.

3 “(d) SELECTION OF FELLOWS.—

4 “(1) IN GENERAL.—The Board shall annually
5 select qualified individuals to participate in the Fel-
6 lowship Program. The Bureau may determine the
7 number of fellows selected each year, which, when-
8 ever feasible, shall be not fewer than 25.

9 “(2) OUTREACH.—

10 “(A) IN GENERAL.—To the extent prac-
11 ticable, the Bureau shall conduct outreach at
12 institutions, including—

13 “(i) minority serving institutions, in-
14 cluding historically Black colleges and uni-
15 versities; and

16 “(ii) other appropriate institutions
17 that are likely to produce a range of quali-
18 fied applicants, as determined by the Bu-
19 reau.

20 “(B) DEFINITIONS.—In this paragraph:

21 “(i) HISTORICALLY BLACK COLLEGE
22 AND UNIVERSITY.—The term ‘historically
23 Black college and university’ has the mean-
24 ing given the term ‘part B institution’ in

1 section 322 of the Higher Education Act
2 of 1965 (20 U.S.C. 1061).

3 “(ii) MINORITY SERVING INSTITU-
4 TION.—The term ‘minority-serving institu-
5 tion’ means an eligible institution under
6 section 371(a) of the Higher Education
7 Act of 1965 (20 U.S.C. 1067q(a)).

8 “(e) FELLOWSHIP ORIENTATION.—Annually, the Bu-
9 reau shall organize and administer a fellowship orienta-
10 tion, which shall—

11 “(1) be held in Washington, D.C., or at another
12 location selected by the Bureau; and

13 “(2) include programming to honor the legacy
14 of Representative John Lewis.

15 “(f) STRUCTURE.—

16 “(1) WORK PLAN.—To carry out the purposes
17 described in subsection (b)—

18 “(A) each fellow selected pursuant to sub-
19 section (d) shall arrange an internship or re-
20 search placement—

21 “(i) with a nongovernmental organiza-
22 tion, academic institution, or other organi-
23 zation approved by the Bureau; and

24 “(ii) in a country with an operational
25 Fulbright U.S. Student Program; and

1 “(B) the Bureau shall, for each fellow, ap-
2 prove a work plan that identifies the target ob-
3 jectives for the fellow, including specific duties
4 and responsibilities relating to those objectives.

5 “(2) CONFERENCES; PRESENTATIONS.—Each
6 fellow shall—

7 “(A) attend a fellowship orientation orga-
8 nized and administered by the Bureau under
9 subsection (e);

10 “(B) not later than the date that is 1 year
11 after the end of the fellowship period, attend a
12 fellowship summit organized and administered
13 by the Bureau, which—

14 “(i) whenever feasible, shall be held in
15 a location of importance to the civil rights
16 movement in the United States; and

17 “(ii) may coincide with other events
18 facilitated by the Bureau; and

19 “(C) at such summit, give a presentation
20 on lessons learned during the period of the fel-
21 lowship.

22 “(3) FELLOWSHIP PERIOD.—Each fellowship
23 under this section shall continue for a period deter-
24 mined by the Bureau, which, whenever feasible, shall
25 be not fewer than 10 months.

1 “(g) FELLOWSHIP AWARD.—The Bureau shall pro-
2 vide each fellow under this section with an allowance that
3 is equal to the amount needed for—

4 “(1) the reasonable costs of the fellow during
5 the fellowship period; and

6 “(2) travel and lodging expenses related to at-
7 tending the orientation and summit required under
8 subsection (e)(2).

9 “(h) ANNUAL REPORT.—Not later than 1 year after
10 the date of the completion of the Fellowship Program by
11 the initial cohort of fellows selected under subsection (d),
12 and annually thereafter, the Secretary of State shall sub-
13 mit to the Committee on Foreign Relations of the Senate
14 and the Committee on Foreign Affairs of the House of
15 Representatives a report on the implementation of the Fel-
16 lowship Program, including—

17 “(1) a description of the demographics of the
18 cohort of fellows who completed a fellowship during
19 the preceding 1-year period;

20 “(2) a description of internship and research
21 placements, and research projects selected by such
22 cohort, under the Fellowship Program, including
23 feedback from—

24 “(A) such cohort on implementation of the
25 Fellowship Program; and

1 “(B) the Secretary on lessons learned;

2 “(3) a plan for factoring such lessons learned
3 into future programming, and

4 “(4) an analysis of trends relating to the diver-
5 sity of each cohort of fellows and the topics of
6 projects completed since the establishment of the
7 Fellowship Program.”.

8 (b) TECHNICAL AND CONFORMING AMENDMENTS TO
9 THE MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE
10 ACT OF 1961.—Section 112(a) of the Mutual Educational
11 and Cultural Exchange Act of 1961 (22 U.S.C. 2460(a))
12 is amended—

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

15 (2) in paragraph (9), by striking the period and
16 inserting “; and”; and

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

19 “(10) the John Lewis Civil Rights Fellowship
20 Program established under section 115, which pro-
21 vides funding for international internships and re-
22 search placements for early- to mid-career individ-
23 uals from the United States to study nonviolent civil
24 rights movements in self-arranged placements with

1 universities or nongovernmental organizations in for-
2 eign countries.”.

3 (c) SUNSET.—The authority to carry out the John
4 Lewis Civil Rights Fellowship Program established under
5 section 115 of the Mutual Educational and Cultural Ex-
6 change Act of 1961 (22 U.S.C. 2451 et seq.), as added
7 by subsection (a), shall expire on the date that is 10 years
8 after the date of the enactment of this division.

9 **SEC. 6605. DOMESTIC ENGAGEMENT AND PUBLIC AFFAIRS.**

10 (a) STRATEGY REQUIRED.—Not later than 180 days
11 after the date of the enactment of this division, the Sec-
12 retary shall develop a strategy to explain to the American
13 people the value of the work of the Department and the
14 importance that United States foreign policy plays in ad-
15 vancing the national security of the United States. The
16 strategy shall include—

17 (1) tools to inform the American people about
18 the non-partisan importance of United States diplo-
19 macy and foreign relations and to utilize public di-
20 plomacy to meet the United States’ national security
21 priorities;

22 (2) efforts to reach the widest possible audience
23 of Americans, including those who historically have
24 not had exposure to United States foreign policy ef-
25 forts and priorities;

1 (3) additional staffing and resource needs in-
2 cluding—

3 (A) domestic positions within the Bureau
4 of Global Public Affairs to focus on engagement
5 with the American people as outlined in para-
6 graph (1);

7 (B) positions within the Bureau of Edu-
8 cational and Cultural Affairs to enhance pro-
9 grams and reach the widest possible audience;

10 (C) increasing the number of fellowship
11 and detail programs that place Foreign Service
12 and civil service employees outside the Depart-
13 ment for a limited time, including Pearson Fel-
14 lows, Reta Jo Lewis Local Diplomats, Brook-
15 ings Fellows, and Georgetown Fellows; and

16 (D) recommendations for increasing par-
17 ticipation in the Hometown Diplomats program
18 and evaluating this program as well as other
19 opportunities for Department officers to engage
20 with American audiences while traveling within
21 the United States.

1 **SEC. 6606. MODERNIZATION AND ENHANCEMENT STRAT-**
2 **EGY.**

3 Not later than 180 days after the date of the enact-
4 ment of this division, the Secretary shall submit a strategy
5 to the appropriate congressional committees for—

6 (1) modernizing and increasing the operational
7 and programming capacity of American Spaces and
8 American Corners throughout the world, including
9 by leveraging public-private partnerships;

10 (2) providing salaries to locally employed staff
11 of American Spaces and American Corners; and

12 (3) providing opportunities for United States
13 businesses and nongovernmental organizations to
14 better utilize American Spaces.

15 **TITLE LXVII—OTHER MATTERS**

16 **SEC. 6701. INTERNSHIPS OF UNITED STATES NATIONALS AT**
17 **INTERNATIONAL ORGANIZATIONS.**

18 (a) **IN GENERAL.**—The Secretary is authorized to
19 bolster efforts to increase the number of United States
20 citizens representative of the American people occupying
21 positions in the United Nations system, agencies, and
22 commissions, and in other international organizations, in-
23 cluding by awarding grants to educational institutions and
24 students.

25 (b) **REPORT.**—Not later than 90 days after the date
26 of the enactment of this division, the Secretary of State

1 shall submit a report to the appropriate congressional
2 committees that identifies—

3 (1) the number of United States citizens who
4 are involved in internship programs at international
5 organizations;

6 (2) the distribution of the individuals described
7 in paragraph (1) among various international orga-
8 nizations; and

9 (3) grants, programs, and other activities that
10 are being utilized to recruit and fund United States
11 citizens to participate in internship programs at
12 international organizations.

13 (c) ELIGIBILITY.—An individual referred to in sub-
14 section (a) is an individual who—

15 (1) is enrolled at or received their degree within
16 two years from—

17 (A) an institution of higher education; or

18 (B) an institution of higher education
19 based outside the United States, as determined
20 by the Secretary; and

21 (2) is a citizen of the United States.

22 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated \$1,500,000 for the Depart-
24 ment for fiscal year 2024 to carry out the grant program
25 authorized under subsection (a).

1 **SEC. 6702. TRAINING FOR INTERNATIONAL ORGANIZA-**
2 **TIONS.**

3 (a) TRAINING PROGRAMS.—Section 708 of the For-
4 eign Service Act of 1980 (22 U.S.C. 4028) is amended
5 by adding at the end of the following new subsection:

6 “(e) TRAINING IN MULTILATERAL DIPLOMACY.—

7 “(1) IN GENERAL.—The Secretary, in consulta-
8 tion with other senior officials as appropriate, shall
9 establish training courses on—

10 “(A) the conduct of diplomacy at inter-
11 national organizations and other multilateral in-
12 stitutions; and

13 “(B) broad-based multilateral negotiations
14 of international instruments.

15 “(2) REQUIRED TRAINING.—Members of the
16 Service, including appropriate chiefs of mission and
17 other officers who are assigned to United States
18 missions representing the United States to inter-
19 national organizations and other multilateral institu-
20 tions or who are assigned in other positions that
21 have as their primary responsibility formulation of
22 policy related to such organizations and institutions,
23 or participation in negotiations of international in-
24 struments, shall receive specialized training in the
25 areas described in paragraph (1) prior to the begin-
26 ning of service for such assignment or, if receiving

1 such training at that time is not practical, within
2 the first year of beginning such assignment.”.

3 (b) TRAINING FOR DEPARTMENT EMPLOYEES.—The
4 Secretary of State shall ensure that employees of the De-
5 partment of State who are assigned to positions described
6 in paragraph (2) of subsection (e) of section 708 of the
7 Foreign Service Act of 1980 (as added by subsection (a)
8 of this section), including members of the civil service or
9 general service, or who are seconded to international orga-
10 nizations for a period of at least one year, receive training
11 described in such subsection and participate in other such
12 courses as the Secretary may recommend to build or aug-
13 ment identifiable skills that would be useful for such De-
14 partment officials representing United States interests at
15 these institutions and organizations.

16 **SEC. 6703. INFRASTRUCTURE PROJECTS AND INVEST-**
17 **MENTS BY THE UNITED STATES AND PEO-**
18 **PLE’S REPUBLIC OF CHINA.**

19 Not later than 1 year after the date of the enactment
20 of this division, the Secretary, in coordination with the Ad-
21 ministrator of the United States Agency for International
22 Development and the Chief Executive Officer of the Devel-
23 opment Finance Corporation, shall submit to the appro-
24 priate congressional committees, the Committee on Appro-
25 priations of the Senate, and the Committee on Appropria-

1 tions of the House of Representatives a report regarding
2 the opportunities and costs of infrastructure projects in
3 Middle East, African, and Latin American and Caribbean
4 countries, which shall—

5 (1) describe the nature and total funding of
6 United States infrastructure investments and con-
7 struction in Middle East, African, and Latin Amer-
8 ican and Caribbean countries, and that of United
9 States allies and partners in the same regions;

10 (2) describe the nature and total funding of in-
11 frastructure investments and construction by the
12 People’s Republic of China in Middle East, African,
13 and Latin American and Caribbean countries;

14 (3) assess the national security threats posed by
15 the infrastructure investment gap between the Peo-
16 ple’s Republic of China and the United States and
17 United States allies and partners, including—

18 (A) infrastructure, such as ports;

19 (B) access to critical and strategic min-
20 erals;

21 (C) digital and telecommunication infra-
22 structure;

23 (D) threats to supply chains; and

24 (E) general favorability towards the Peo-
25 ple’s Republic of China and the United States

1 and United States' allies and partners among
2 Middle East, African, and Latin American and
3 Caribbean countries;

4 (4) assess the opportunities and challenges for
5 companies based in the United States to invest in in-
6 frastructure projects in Middle East, African, and
7 Latin American and Caribbean countries;

8 (5) describe options for the United States Gov-
9 ernment to undertake to increase support for United
10 States businesses engaged in large-scale infrastruc-
11 ture projects in Middle East, African, and Latin
12 American and Caribbean countries; and

13 (6) identify regional infrastructure priorities,
14 ranked according to United States national interests,
15 in Middle East, African, and Latin American and
16 Caribbean countries.

17 **SEC. 6704. SPECIAL ENVOYS.**

18 (a) REVIEW.—Not later than 180 days after the date
19 of the enactment of this division, the Secretary shall con-
20 duct a review of all special envoy positions to determine—

21 (1) which special envoy positions are needed to
22 accomplish the mission of the Department;

23 (2) which special envoy positions could be ab-
24 sorbed into the Department's existing bureau struc-
25 ture;

1 (3) which special envoy positions were estab-
2 lished by an Act of Congress; and

3 (4) which special envoy positions were created
4 by the Executive Branch without explicit congres-
5 sional approval.

6 (b) REPORT.—Not later than 60 days after the com-
7 pletion of the review required under subsection (a), the
8 Secretary shall submit a report to the appropriate congres-
9 sional committees that includes—

10 (1) a list of every special envoy position in the
11 Department;

12 (2) a detailed justification of the need for each
13 special envoy, if warranted;

14 (3) a list of the special envoy positions that
15 could be absorbed into the Department’s existing bu-
16 reau structure without compromising the mission of
17 the Department;

18 (4) a list of the special envoy positions that
19 were created by an Act of Congress; and

20 (5) a list of the special envoy positions that are
21 not expressly authorized by statute.

22 **SEC. 6705. US-ASEAN CENTER.**

23 (a) DEFINED TERM.—In this section, the term
24 “ASEAN” means the Association of Southeast Asian Na-
25 tions.

1 (b) ESTABLISHMENT.—The Secretary is authorized
2 to enter into a public-private partnership for the purposes
3 of establishing a US-ASEAN Center in the United States
4 to support United States economic and cultural engage-
5 ment with Southeast Asia.

6 (c) FUNCTIONS.—Notwithstanding any other provi-
7 sion of law, the US-ASEAN Center established pursuant
8 to subsection (b) may—

9 (1) provide grants for research to support and
10 elevate the importance of the US-ASEAN partner-
11 ship;

12 (2) facilitate activities to strengthen US-
13 ASEAN trade and investment;

14 (3) expand economic and technological relation-
15 ships between ASEAN countries and the United
16 States into new areas of cooperation;

17 (4) provide training to United States citizens
18 and citizens of ASEAN countries that improve peo-
19 ple-to-people ties;

20 (5) develop educational programs to increase
21 awareness for the United States and ASEAN coun-
22 tries on the importance of relations between the
23 United States and ASEAN countries; and

24 (6) carry out other activities the Secretary con-
25 siders necessary to strengthen ties between the

1 United States and ASEAN countries and achieve the
2 objectives of the US-ASEAN Center.

3 (d) PARAMETERS.—In carrying out this section, the
4 Secretary shall ensure that the activities of the US-
5 ASEAN Center do not duplicate current lines of effort
6 being conducted by the United States Government or its
7 grantees.

8 **SEC. 6706. BRIEFINGS ON THE UNITED STATES-EUROPEAN**
9 **UNION TRADE AND TECHNOLOGY COUNCIL.**

10 It is the sense of Congress that the United States-
11 European Union Trade and Technology Council is an im-
12 portant forum for the United States and the European
13 Union to engage on transatlantic trade, investment, and
14 engagement on matters related to critical and emerging
15 technology and that the Department should provide reg-
16 ular updates to the appropriate congressional committees
17 on the deliverables and policy initiatives announced at
18 United States-European Union Trade and Technology
19 Council ministerials.

20 **SEC. 6707. MODIFICATION AND REPEAL OF REPORTS.**

21 (a) COUNTRY REPORTS ON HUMAN RIGHTS PRAC-
22 TICES.—

23 (1) IN GENERAL.—The Secretary shall examine
24 the production of the 2023 and subsequent annual
25 Country Reports on Human Rights Practices by the

1 Assistant Secretary for Democracy, Human Rights,
2 and Labor as required under sections 116(d) and
3 502B(b) of the Foreign Assistance Act of 1961 (22
4 U.S.C. 2151n(d), 2304(b)) to maximize—

5 (A) cost and personnel efficiencies;

6 (B) the potential use of data and analytic
7 tools and visualization; and

8 (C) advancement of the modernization
9 agenda for the Department announced by the
10 Secretary on October 27, 2021.

11 (2) TRANSNATIONAL REPRESSION AMEND-
12 MENTS TO ANNUAL COUNTRY REPORTS ON HUMAN
13 RIGHTS PRACTICES.—Section 116(d) of the Foreign
14 Assistance Act of 1961 (22 U.S.C. 2151n(d)) is
15 amended by adding at the end the following new
16 paragraph:

17 “(13) Wherever applicable, a description of the
18 nature and extent of acts of transnational repression
19 that occurred during the preceding year, including
20 identification of—

21 “(A) incidents in which a government har-
22 assed, intimidated, or killed individuals outside
23 of their internationally recognized borders and
24 the patterns of such repression among repeat
25 offenders;

1 “(B) countries in which such transnational
2 repression occurs and the role of the govern-
3 ments of such countries in enabling, preventing,
4 mitigating, and responding to such acts;

5 “(C) the tactics used by the governments
6 of countries identified pursuant to subpara-
7 graph (A), including the actions identified and
8 any new techniques observed;

9 “(D) in the case of digital surveillance and
10 harassment, the type of technology or platform,
11 including social media, smart city technology,
12 health tracking systems, general surveillance
13 technology, and data access, transfer, and stor-
14 age procedures, used by the governments of
15 countries identified pursuant to subparagraph
16 (A) for such actions; and

17 “(E) groups and types of individuals tar-
18 geted by acts of transnational repression in
19 each country in which such acts occur.”.

20 (b) ELIMINATION OF OBSOLETE REPORTS.—

21 (1) ANNUAL REPORTS RELATING TO FUNDING
22 MECHANISMS FOR TELECOMMUNICATIONS SECURITY
23 AND SEMICONDUCTORS.—Division H of the William
24 M. (Mac) Thornberry National Defense Authoriza-

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

3 (A) in section 9202(a)(2) (47 U.S.C.
4 906(a)(2))—

5 (i) by striking subparagraph (C); and

6 (ii) by redesignating subparagraph

7 (D) as subparagraph (C); and

8 (B) in section 9905 (15 U.S.C. 4655)—

9 (i) by striking subsection (c); and

10 (ii) by redesignating subsection (d) as

11 subsection (c).

12 (2) ANNUAL REPORT ON PROMOTING THE RULE
13 OF LAW IN THE RUSSIAN FEDERATION.—Section
14 202 of the Russia and Moldova Jackson-Vanik Re-
15 peal and Sergei Magnitsky Rule of Law Account-
16 ability Act of 2012 (Public Law 112–208) is amend-
17 ed by striking subsection (a).

18 (3) ANNUAL REPORT ON ADVANCING FREEDOM
19 AND DEMOCRACY.—Section 2121 of the Advance
20 Democratic Values, Address Nondemocratic Coun-
21 tries, and Enhance Democracy Act of 2007 (title
22 XXI of Public Law 110–53) is amended by striking
23 subsection (c).

24 (4) ANNUAL REPORTS ON UNITED STATES-
25 VIETNAM HUMAN RIGHTS DIALOGUE MEETINGS.—

1 Section 702 of the Foreign Relations Authorization
2 Act, Fiscal Year 2003 (22 U.S.C. 2151n note) is re-
3 pealed.

4 **SEC. 6708. ART IN EMBASSIES.**

5 Section 5112(c) of the Department of State Author-
6 ization Act of 2021 (division E of Public Law 117–81;
7 135 Stat, 2350) is amended by striking “2 years after”
8 and inserting “4 years after”.

9 **SEC. 6709. INSTITUTE FOR TRANSATLANTIC ENGAGEMENT.**

10 (a) ESTABLISHMENT.—The Secretary of State is au-
11 thorized to establish the Institute for Transatlantic En-
12 gagement (referred to in this section as the “Institute”).

13 (b) PURPOSE.—The purpose of any Institute estab-
14 lished pursuant to subsection (a) shall be to strengthen
15 national security by highlighting, to a geographically di-
16 verse set of populations from the United States, Canada,
17 and European nations, the importance of the transatlantic
18 relationship and the threats posed by adversarial coun-
19 tries, such as the Russian Federation and the People’s Re-
20 public of China, to democracy, free-market economic prin-
21 ciples, and human rights.

22 (c) DIRECTOR.—Any Institute established pursuant
23 to subsection (a) shall be headed by a Director, to be ap-
24 pointed by the Secretary, who shall have expertise in

1 transatlantic relations and diverse populations in the
2 United States and Europe.

3 (d) SCOPE AND ACTIVITIES.—Any Institute estab-
4 lished pursuant to subsection (a) shall—

5 (1) strengthen knowledge among participants of
6 the formation and implementation of transatlantic
7 policies critical to national security, including the
8 threats posed by the Russian Federation and the
9 People’s Republic of China;

10 (2) increase awareness among participants of
11 the roles of government and nongovernmental actors,
12 such as multilateral organizations, businesses, civil
13 society actors, academia, think tanks, and philan-
14 thropic institutions, in transatlantic policy develop-
15 ment and execution;

16 (3) increase understanding among participants
17 of the manner in which diverse backgrounds and
18 perspectives affect the development of transatlantic
19 policies;

20 (4) enhance the skills, abilities, and effective-
21 ness of participating government officials;

22 (5) increase awareness among participants of
23 the importance of, and interest in, international pub-
24 lic service careers;

1 (6) not less than 3 times annually, convene rep-
2 representatives of the United States Government, the
3 Government of Canada, and of governments of Eu-
4 ropean nations for a program offered by the Insti-
5 tute; and

6 (7) develop metrics to track the success and ef-
7 ficacy of the program which shall be reported to the
8 appropriate congressional committees and prior to
9 the convening of the first program described in para-
10 graph (6).

11 (e) ELIGIBILITY TO PARTICIPATE.—Participants in
12 the programs of the Institute shall include elected govern-
13 ment officials—

14 (1) serving at national, regional, or local levels
15 in the United States, Canada, and European na-
16 tions; and

17 (2) who represent geographically diverse back-
18 grounds or constituencies in the United States, Can-
19 ada, and Europe.

20 (f) SELECTION OF PARTICIPANTS.—

21 (1) UNITED STATES PARTICIPANTS.—Partici-
22 pants from the United States shall be appointed in
23 an equally divided manner by—

24 (A) the chairpersons and ranking members
25 of the Committee on Foreign Relations of the

1 Senate and the Committee on Foreign Affairs
2 of the House of Representatives;

3 (B) the majority leader of the Senate and
4 the minority leader of the Senate; and

5 (C) the Speaker of the House of Rep-
6 resentatives and the minority leader of the
7 House of Representatives.

8 (2) EUROPEAN AND CANADIAN PARTICI-
9 PANTS.—Participants from Europe and Canada
10 shall be appointed by the Secretary of State, in con-
11 sultation with—

12 (A) the chairpersons and ranking members
13 of the appropriate congressional committees;

14 (B) the majority leader of the Senate and
15 the minority leader of the Senate; and

16 (C) the Speaker of the House of Rep-
17 resentatives and the minority leader of the
18 House of Representatives.

19 (g) RESTRICTIONS.—

20 (1) UNPAID PARTICIPATION.—Participants in
21 the Institute may not be paid a salary for such par-
22 ticipation.

23 (2) REIMBURSEMENT.—The Institute may pay
24 or reimburse participants for reasonable travel, lodg-

1 ing, and food in connection with participation in the
2 program.

3 (3) TRAVEL.—No funds authorized to be appro-
4 priated under subsection (h) may be used for travel
5 for members of Congress to participate in Institute
6 activities.

7 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated up to \$750,000 for fiscal
9 years 2024 and 2025 to carry out this section.

10 (i) SUNSET.—The authority provided by this section
11 terminates on December 31, 2025.

12 **SEC. 6710. NOTIFICATION OF REVOCATION OF CLEAR-**
13 **ANCES.**

14 (a) IN GENERAL.—With respect to any covered offi-
15 cial whose security clearance is suspended or revoked, the
16 Secretary shall—

17 (1) submit to the Chair and Ranking Member
18 of the appropriate congressional committees, the
19 Majority Leader of the Senate, the Minority Leader
20 of the Senate, the Speaker of the House of Rep-
21 resentatives, and the Minority Leader of the House
22 of Representatives a notification not later than 15
23 days after the suspension or revocation of such
24 clearance; and

1 (2) brief the Chair and Ranking Member of the
2 appropriate congressional committees, the Majority
3 Leader of the Senate, the Minority Leader of the
4 Senate, the Speaker of the House of Representa-
5 tives, and the Minority Leader of the House of Rep-
6 resentatives not later than 30 days after such sus-
7 pension or revocation on the present employment
8 status of such individual and whether the job duties
9 of such individual have changed since such suspen-
10 sion or revocation.

11 (b) FORM.—The notification and briefing required by
12 subsection (a) may be provided in classified form, if nec-
13 essary.

14 (c) COVERED OFFICIAL DEFINED.—For purposes of
15 this section, the term “covered official” means any of the
16 following:

17 (1) Any individual holding a position at or high-
18 er than the level of Assistant Secretary or its equiva-
19 lent in the Department of State.

20 (2) Any individual holding the position of chief
21 of mission or principal officer at any diplomatic or
22 consular post.

23 (3) Any individual holding the rank and status
24 of an ambassador or otherwise holding a position

1 that reports directly to the Secretary, such as a spe-
2 cial envoy.

3 (d) SUNSET.—This section shall terminate not later
4 than three years after the date of the enactment of this
5 division.

6 **DIVISION G—INTELLIGENCE AU-**
7 **THORIZATION ACT FOR FIS-**
8 **CAL YEAR 2024**

9 **SEC. 7001. SHORT TITLE.**

10 This division may be cited as the “Intelligence Au-
11 thorization Act for Fiscal Year 2024”.

12 **SEC. 7002. DEFINITIONS.**

13 In this division:

14 (1) CONGRESSIONAL INTELLIGENCE COMMIT-
15 TEES.—The term “congressional intelligence com-
16 mittees” has the meaning given such term in section
17 3 of the National Security Act of 1947 (50 U.S.C.
18 3003).

19 (2) INTELLIGENCE COMMUNITY.—The term
20 “intelligence community” has the meaning given
21 such term in such section 3.

22 **SEC. 7003. EXPLANATORY STATEMENT.**

23 The explanatory statement regarding this division,
24 printed in the House section of the Congressional Record
25 by the Chairman of the Permanent Select Committee on

1 Intelligence of the House of Representatives and in the
2 Senate section of the Congressional Record by the Chair-
3 man of the Select Committee on Intelligence of the Senate,
4 shall have the same effect with respect to the implementa-
5 tion of this division as if it were a joint explanatory state-
6 ment of a committee of conference.

7 **TITLE I—INTELLIGENCE**
8 **ACTIVITIES**

Sec. 7101. Authorization of appropriations.

Sec. 7102. Classified Schedule of Authorizations.

Sec. 7103. Intelligence Community Management Account.

Sec. 7104. Increase in employee compensation and benefits authorized by law.

Sec. 7105. Restriction on conduct of intelligence activities.

9 **SEC. 7101. AUTHORIZATION OF APPROPRIATIONS.**

10 Funds are hereby authorized to be appropriated for
11 fiscal year 2024 for the conduct of the intelligence and
12 intelligence-related activities of the Federal Government.

13 **SEC. 7102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

14 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
15 authorized to be appropriated under section 101 for the
16 conduct of the intelligence activities of the Federal Gov-
17 ernment are those specified in the classified Schedule of
18 Authorizations prepared to accompany this division.

19 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
20 THORIZATIONS.—

21 (1) AVAILABILITY.—The classified Schedule of
22 Authorizations referred to in subsection (a) shall be
23 made available to the Committee on Appropriations

1 of the Senate, the Committee on Appropriations of
2 the House of Representatives, and to the President.

3 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
4 ject to paragraph (3), the President shall provide for
5 suitable distribution of the classified Schedule of Au-
6 thorizations referred to in subsection (a), or of ap-
7 propriate portions of such Schedule, within the exec-
8 utive branch of the Federal Government.

9 (3) LIMITS ON DISCLOSURE.—The President
10 shall not publicly disclose the classified Schedule of
11 Authorizations or any portion of such Schedule ex-
12 cept—

13 (A) as provided in section 601(a) of the
14 Implementing Recommendations of the 9/11
15 Commission Act of 2007 (50 U.S.C. 3306(a));

16 (B) to the extent necessary to implement
17 the budget; or

18 (C) as otherwise required by law.

19 **SEC. 7103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
20 **COUNT.**

21 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
22 authorized to be appropriated for the Intelligence Commu-
23 nity Management Account of the Director of National In-
24 telligence for fiscal year 2024 the sum of \$645,900,000.

1 (b) CLASSIFIED AUTHORIZATION OF APPROPRIA-
2 TIONS.—In addition to amounts authorized to be appro-
3 priated for the Intelligence Community Management Ac-
4 count by subsection (a), there are authorized to be appro-
5 priated for the Intelligence Community Management Ac-
6 count for fiscal year 2024 such additional amounts as are
7 specified in the classified Schedule of Authorizations re-
8 ferred to in section 102(a).

9 **SEC. 7104. INCREASE IN EMPLOYEE COMPENSATION AND**
10 **BENEFITS AUTHORIZED BY LAW.**

11 Appropriations authorized by this division for salary,
12 pay, retirement, and other benefits for Federal employees
13 may be increased by such additional or supplemental
14 amounts as may be necessary for increases in such com-
15 pensation or benefits authorized by law.

16 **SEC. 7105. RESTRICTION ON CONDUCT OF INTELLIGENCE**
17 **ACTIVITIES.**

18 The authorization of appropriations by this division
19 shall not be deemed to constitute authority for the conduct
20 of any intelligence activity which is not otherwise author-
21 ized by the Constitution or the laws of the United States.

1 **TITLE II—CENTRAL INTEL-**
2 **LIGENCE AGENCY RETIRE-**
3 **MENT AND DISABILITY SYS-**
4 **TEM**

Sec. 7201. Authorization of appropriations.

5 **SEC. 7201. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated for the Cen-
7 tral Intelligence Agency Retirement and Disability Fund
8 \$514,000,000 for fiscal year 2024.

9 **TITLE III—INTELLIGENCE**
10 **COMMUNITY MATTERS**

Subtitle A—General Intelligence Community Matters

Sec. 7301. Plan to recruit, train, and retain personnel with experience in finan-
cial intelligence and emerging technologies.

Sec. 7302. Policy and performance framework for mobility of intelligence com-
munity workforce.

Sec. 7303. Standards, criteria, and guidance for counterintelligence vulner-
ability assessments and surveys.

Sec. 7304. Improving administration of certain post-employment restrictions for
intelligence community.

Sec. 7305. Mission of the National Counterintelligence and Security Center.

Sec. 7306. Budget transparency on costs of implementation of Executive Order
13556.

Sec. 7307. Improvements relating to intelligence community staffing, details,
and assignments.

Sec. 7308. Insider threats.

Sec. 7309. Modification of deadline for annual submission of National Intel-
ligence Priorities Framework.

Sec. 7310. Matters relating to chief data officers of intelligence community.

Sec. 7311. Modification to special pay authority for science, technology, engi-
neering, or mathematics positions.

Sec. 7312. Annual report on unfunded priorities of intelligence community.

Sec. 7313. Submission of legislative proposals.

Sec. 7314. Annual report on reporting requirements.

Sec. 7315. Notice and damage assessment with respect to significant unauthor-
ized disclosure or compromise of classified national intelligence.

Sec. 7316. In-state tuition rates for certain members of intelligence community.

Sec. 7317. Repeal of study on personnel under Strategic Intelligence Partner-
ship Program.

Sec. 7318. Intelligence Community Counterintelligence Office at the Depart-
ment of Agriculture.

- Sec. 7319. Sunset of Climate Security Advisory Council.
- Sec. 7320. Inclusion of counternarcotics as special topic in certain budget justification materials.
- Sec. 7321. Development of plan to make open-source intelligence products available to certain Federal employees.
- Sec. 7322. Intelligence community-wide policy on prepublication review.
- Sec. 7323. Review relating to confidential human source program of Federal Bureau of Investigation.
- Sec. 7324. Prohibition on availability of funds for certain activities and assessment of the Overt Human Intelligence and Open Source Intelligence Collection Programs of the Office of Intelligence and Analysis of the Department of Homeland Security.
- Sec. 7325. Sense of Congress on priority of fentanyl in National Intelligence Priorities Framework.
- Sec. 7326. Reports on civilian casualties caused by certain operations of foreign governments.
- Sec. 7327. Modification and repeal of reporting requirements.

Subtitle B—Central Intelligence Agency

- Sec. 7331. Change to penalties and increased availability of mental health treatment for unlawful conduct on Central Intelligence Agency installations.
- Sec. 7332. Modifications to procurement authorities of the Central Intelligence Agency.
- Sec. 7333. Inspector General of the Central Intelligence Agency quarterly employee engagement summaries.
- Sec. 7334. Benjamin Tallmadge Institute as primary Central Intelligence Agency entity for education and training in counterintelligence.
- Sec. 7335. Central Intelligence Agency intelligence assessment of Sinaloa Cartel and Jalisco Cartel.
- Sec. 7336. Central Intelligence Agency intelligence assessment with respect to efforts by People's Republic of China to increase influence in Middle East.
- Sec. 7337. Assessment of availability of mental health and chaplain services to Agency employees.
- Sec. 7338. Assessment by Director of Central Intelligence Agency on certain effects of Abraham Accords.
- Sec. 7339. Reporting and investigating allegations of sexual assault and sexual harassment within the Central Intelligence Agency.

Subtitle C—Matters Relating to Defense Intelligence and Overhead Architecture

- Sec. 7341. Modification of reporting requirement for All-Domain Anomaly Resolution Office.
- Sec. 7342. Defense Intelligence Agency assessment of strategic competition in Latin America and the Caribbean.
- Sec. 7343. Funding limitations relating to unidentified anomalous phenomena.

Subtitle D—Matters Relating to National Security Agency, Cyber, and Commercial Cloud Enterprise

- Sec. 7351. Congressional notification by National Security Agency of intelligence collection adjustments.

Sec. 7352. Modifications to enforcement of cybersecurity requirements for national security systems.

Sec. 7353. Support by intelligence community for certain cross-functional team of Department of Defense.

Sec. 7354. Commercial Cloud Enterprise notification.

Sec. 7355. Commercial Cloud Enterprise sole source task order notification requirement.

Sec. 7356. Analysis of commercial cloud initiatives of intelligence community.

1 **Subtitle A—General Intelligence**
2 **Community Matters**

3 **SEC. 7301. PLAN TO RECRUIT, TRAIN, AND RETAIN PER-**
4 **SONNEL WITH EXPERIENCE IN FINANCIAL IN-**
5 **TELLIGENCE AND EMERGING TECH-**
6 **NOLOGIES.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act, the Director of National
9 Intelligence, in coordination with the heads of human cap-
10 ital of the Central Intelligence Agency, the National Secu-
11 rity Agency, and the Federal Bureau of Investigation,
12 shall submit to the congressional intelligence committees,
13 the Committee on Appropriations of the Senate, and the
14 Committee on Appropriations of the House of Representa-
15 tives a plan for the intelligence community to recruit,
16 train, and retain personnel who have skills and experience
17 in financial intelligence and emerging technologies in order
18 to improve analytic tradecraft.

19 (b) ELEMENTS.—The plan required by subsection (a)
20 shall include the following elements:

1 (1) An assessment, including measurable bench-
2 marks of progress, of current initiatives of the intel-
3 ligence community to recruit, train, and retain per-
4 sonnel who have skills and experience in financial in-
5 telligence and emerging technologies.

6 (2) An assessment of whether personnel in the
7 intelligence community who have such skills are cur-
8 rently well integrated into the analytical cadre of the
9 relevant elements of the intelligence community that
10 produce analyses with respect to financial intel-
11 ligence and emerging technologies.

12 (3) An identification of challenges to hiring or
13 compensation in the intelligence community that
14 limit progress toward rapidly increasing the number
15 of personnel with such skills, and an identification of
16 hiring or other reforms to resolve such challenges.

17 (4) A determination of whether the National In-
18 telligence University has the resources and expertise
19 necessary to train existing personnel in financial in-
20 telligence and emerging technologies.

21 (5) A strategy, including measurable bench-
22 marks of progress, to, by January 1, 2025, increase
23 the analytical cadre of personnel with expertise and
24 previous employment in financial intelligence and
25 emerging technologies.

1 **SEC. 7302. POLICY AND PERFORMANCE FRAMEWORK FOR**
2 **MOBILITY OF INTELLIGENCE COMMUNITY**
3 **WORKFORCE.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, the Director of National
6 Intelligence shall, in coordination with the Secretary of
7 Defense and the Director of the Office of Personnel Man-
8 agement as the Director of National Intelligence considers
9 appropriate, develop and implement a policy and perform-
10 ance framework to ensure the timely and effective mobility
11 of employees and contractors of the Federal Government
12 who are transferring employment between elements of the
13 intelligence community.

14 (b) ELEMENTS.—The policy and performance frame-
15 work required by subsection (a) shall include processes
16 with respect to the following:

17 (1) Human resources.

18 (2) Medical reviews.

19 (3) Determinations of suitability or eligibility
20 for access to classified information in accordance
21 with Executive Order 13467 (50 U.S.C. 3161 note;
22 relating to reforming processes related to suitability
23 for Government employment, fitness for contractor
24 employees, and eligibility for access to classified na-
25 tional security information).

1 **SEC. 7303. STANDARDS, CRITERIA, AND GUIDANCE FOR**
2 **COUNTERINTELLIGENCE VULNERABILITY AS-**
3 **SESSMENTS AND SURVEYS.**

4 Section 904(d)(7)(A) of the Counterintelligence En-
5 hancement Act of 2002 (50 U.S.C. 3383(d)(7)(A)) is
6 amended to read as follows:

7 “(A) COUNTERINTELLIGENCE VULNER-
8 ABILITY ASSESSMENTS AND SURVEYS.—To de-
9 velop standards and criteria for counterintel-
10 ligence risk assessments and surveys of the vul-
11 nerability of the United States to intelligence
12 threats, including with respect to critical infra-
13 structure and critical technologies, in order to
14 identify the areas, programs, and activities that
15 require protection from such threats.”.

16 **SEC. 7304. IMPROVING ADMINISTRATION OF CERTAIN**
17 **POST-EMPLOYMENT RESTRICTIONS FOR IN-**
18 **TELLIGENCE COMMUNITY.**

19 Section 304(d) of the National Security Act of 1947
20 (50 U.S.C. 3073a(d)) is amended—

21 (1) in paragraph (1), by inserting “the restric-
22 tions under subsection (a) and” before “the report
23 requirements”;

24 (2) in paragraph (2), by striking “ceases to oc-
25 cupy” and inserting “occupies”; and

1 (3) in paragraph (3)(B), by striking “before the
2 person ceases to occupy a covered intelligence posi-
3 tion” and inserting “when the person occupies a cov-
4 ered intelligence position”.

5 **SEC. 7305. MISSION OF THE NATIONAL COUNTERINTEL-**
6 **LIGENCE AND SECURITY CENTER.**

7 (a) IN GENERAL.—Section 904 of the Counterintel-
8 ligence Enhancement Act of 2002 (50 U.S.C. 3383) is
9 amended—

10 (1) by redesignating subsections (d) through (i)
11 as subsections (e) through (j), respectively; and

12 (2) by inserting after subsection (c) the fol-
13 lowing:

14 “(d) MISSION.—The mission of the National Coun-
15 terintelligence and Security Center shall include orga-
16 nizing and leading strategic planning for counterintel-
17 ligence activities of the United States Government by inte-
18 grating instruments of national power as needed to
19 counter foreign intelligence activities.”.

20 (b) CONFORMING AMENDMENTS.—

21 (1) COUNTERINTELLIGENCE ENHANCEMENT
22 ACT OF 2002.—Section 904 of the Counterintel-
23 ligence Enhancement Act of 2002 (50 U.S.C. 3383)
24 is amended—

1 (A) in subsection (e), as redesignated by
2 subsection (a)(1), by striking “Subject to sub-
3 section (e)” both places it appears and inserting
4 “Subject to subsection (f)”;

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

6 (i) in paragraph (1), by striking “sub-
7 section (d)(1)” and inserting “subsection
8 (e)(1)”;

9 (ii) in paragraph (2), by striking
10 “subsection (d)(2)” and inserting “sub-
11 section (e)(2)”.

12 (2) COUNTERINTELLIGENCE AND SECURITY EN-
13 HANCEMENTS ACT OF 1994.—Section
14 811(d)(1)(B)(ii) of the Counterintelligence and Se-
15 curity Enhancements Act of 1994 (50 U.S.C.
16 3381(d)(1)(B)(ii)) is amended by striking “section
17 904(d)(2) of that Act (50 U.S.C. 3383(d)(2))” and
18 inserting “section 904(e)(2) of that Act (50 U.S.C.
19 3383(e)(2))”.

20 **SEC. 7306. BUDGET TRANSPARENCY ON COSTS OF IMPLE-**
21 **MENTATION OF EXECUTIVE ORDER 13556.**

22 The head of each element of the intelligence commu-
23 nity shall provide a cost estimate for implementation of
24 Executive Order 13556 (75 Fed. Reg. 68675; relating to
25 controlled unclassified information), or any successor

1 order, over the future years intelligence plan to the con-
2 gressional intelligence committees not later than 30 days
3 after the date on which the President submits to Congress
4 a budget of the United States Government for fiscal year
5 2025 pursuant to section 1105(a) of title 31, United
6 States Code.

7 **SEC. 7307. IMPROVEMENTS RELATING TO INTELLIGENCE**
8 **COMMUNITY STAFFING, DETAILS, AND AS-**
9 **SIGNMENTS.**

10 (a) IMPROVEMENTS RELATING TO ASSIGNMENTS
11 AND DETAILS.—Section 102A(f)(3)(A) of the National
12 Security Act of 1947 (50 U.S.C. 3024(f)(3)(A)) is amend-
13 ed—

14 (1) in the matter preceding clause (i), by strik-
15 ing “personnel policies” and inserting “binding per-
16 sonnel policies”;

17 (2) by amending clause (i) to read as follows:

18 “(i) require and facilitate assignments and de-
19 tails of personnel to national intelligence centers,
20 and between elements of the intelligence community
21 over the course of the careers of such personnel;”;
22 and

23 (3) by amending clause (v) to read as follows:

24 “(v) require service in more than one element
25 of the intelligence community as a condition of pro-

1 motion to such positions within the intelligence com-
2 munity as the Director shall specify, and take req-
3 uisite steps to ensure compliance among elements of
4 the intelligence community; and”.

5 (b) REQUIRED STAFFING DOCUMENT FOR OFFICE
6 OF DIRECTOR OF NATIONAL INTELLIGENCE.—

7 (1) REQUIREMENT.—Not later than 120 days
8 after the date of the enactment of this Act, the Di-
9 rector of National Intelligence shall establish, and
10 thereafter shall update as necessary, a single docu-
11 ment setting forth each position within the Office of
12 the Director of National Intelligence, including any
13 directorate, center, or office within such Office.

14 (2) ELEMENTS.—The document under para-
15 graph (1) shall include, with respect to each position
16 set forth in the document, the following:

17 (A) A description of the position.

18 (B) The directorate, center, office, or other
19 component of the Office of the Director of Na-
20 tional Intelligence within which the position is.

21 (C) The element of the intelligence commu-
22 nity designated to fill the position, if applicable.

23 (D) The requisite type and level of skills
24 for the position, including any special skills or
25 certifications required.

1 (E) The requisite security clearance level
2 for the position.

3 (F) The pay grade for the position.

4 (G) Any special pay or incentive pay pay-
5 able for the position.

6 (3) INTEGRATED REPRESENTATION.—In estab-
7 lishing and filling the positions specified in para-
8 graph (1), the Director of National Intelligence shall
9 take such steps as may be necessary to ensure the
10 integrated representation of officers and employees
11 from the other elements of the intelligence commu-
12 nity with respect to such positions.

13 **SEC. 7308. INSIDER THREATS.**

14 Section 102A(f) of the National Security Act of 1947
15 (50 U.S.C. 3024(f)) is amended—

16 (1) by redesignating paragraphs (8) through
17 (10) as paragraphs (9) through (11), respectively;
18 and

19 (2) by inserting after paragraph (7) the fol-
20 lowing new paragraph (8):

21 “(8) The Director of National Intelligence shall—

22 “(A) conduct assessments and audits of the
23 compliance of each element of the intelligence com-
24 munity with minimum insider threat policy;

1 “(B) receive information from each element of
2 the intelligence community regarding the collection,
3 sharing, and use by such element of audit and moni-
4 toring data for insider threat detection across all
5 classified and unclassified information technology
6 systems within such element;

7 “(C) provide guidance and oversight to Federal
8 departments and agencies to fully implement auto-
9 mated records checks, consistent with personnel vet-
10 ting reforms and the Trusted Workforce 2.0 initia-
11 tive, or successor initiative, and ensure that informa-
12 tion collected pursuant to such records checks is ap-
13 propriately shared in support of intelligence commu-
14 nity-wide insider threat initiatives;

15 “(D) carry out evaluations of the effectiveness
16 of counterintelligence, security, and insider threat
17 program activities of each element of the intelligence
18 community, including with respect to the lowest or-
19 ganizational unit of each such element, that include
20 an identification of any gaps, shortfalls, or resource
21 needs of each such element;

22 “(E) identify gaps, shortfalls, resources needs,
23 and recommendations for adjustments in allocations
24 and additional resources and other remedies to

1 strengthen counterintelligence, security, and insider
2 threat detection programs;

3 “(F) pursuant to final damage assessments fa-
4 cilitated by the National Counterintelligence and Se-
5 curity Center that have been undertaken as a result
6 of an unauthorized disclosure, determine whether the
7 heads of the elements of the intelligence community
8 implement recommended mitigation, and notify the
9 congressional intelligence committees of such deter-
10 minations and notify the Committee on Armed Serv-
11 ices of the Senate and the Committee on Armed
12 Services of the House of Representatives in cases in-
13 volving elements of the intelligence community
14 withing the Department of Defense; and

15 “(G) study the data collected during the course
16 of background investigations and adjudications for
17 security clearances granted to individuals who subse-
18 quently commit unauthorized disclosures, and issue
19 findings regarding the quality of such data as a pre-
20 dictor for insider threat activity, delineated by the
21 severity of the unauthorized disclosure.”.

1 **SEC. 7309. MODIFICATION OF DEADLINE FOR ANNUAL SUB-**
2 **MISSION OF NATIONAL INTELLIGENCE PRI-**
3 **ORITIES FRAMEWORK.**

4 Section 102A(p)(3) of the National Security Act of
5 1947 (50 U.S.C. 3024(p)(3)) is amended by striking “Oc-
6 tober 1” and inserting “March 1”.

7 **SEC. 7310. MATTERS RELATING TO CHIEF DATA OFFICERS**
8 **OF INTELLIGENCE COMMUNITY.**

9 (a) PROHIBITION ON SIMULTANEOUS SERVICE AS
10 CHIEF DATA OFFICER AND CHIEF INFORMATION OFFI-
11 CER.—Section 103G of the National Security Act of 1947
12 (50 U.S.C. 3032) is amended by adding at the end the
13 following new subsection:

14 “(d) PROHIBITION ON SIMULTANEOUS SERVICE AS
15 CHIEF DATA OFFICER AND CHIEF INFORMATION OFFI-
16 CER.—An individual serving in the position of Chief Infor-
17 mation Officer of the Intelligence Community or chief in-
18 formation officer of any other element of the intelligence
19 community shall not concurrently serve as the Intelligence
20 Community Chief Data Officer under section 103K and
21 as the chief data officer of any other element of the intel-
22 ligence community.”.

23 (b) CLARIFICATION OF DUTIES OF INTELLIGENCE
24 COMMUNITY CHIEF DATA OFFICER.—

25 (1) CLARIFICATION OF DATA-RELATED DU-
26 TIES.—Section 103K(c)(4) of the National Security

1 Act of 1947 (50 U.S.C. 3034b(c)(4)) is amended by
2 inserting “relating to data” after “duties”.

3 (2) REMOVAL OF UNRELATED DUTIES AND
4 FUNCTIONS.—Not later than 90 days after the date
5 of the enactment of this Act, consistent with section
6 103K(c) of the National Security Act of 1947 (50
7 U.S.C. 3034b(c)), as amended by paragraph (1), the
8 Director of National Intelligence shall complete such
9 internal reorganization of the Office of the Director
10 of National Intelligence as the Director determines
11 necessary to ensure that the duties of the Intel-
12 ligence Community Chief Data Officer appointed
13 under such section do not include any other duty
14 that does not relate to an issue involving data.

15 (3) BRIEFING.—Prior to the date on which the
16 Director completes the reorganization under para-
17 graph (2), the Director shall provide to the appro-
18 priate committees of Congress a briefing regard-
19 ing—

20 (A) the proposed reorganization; and

21 (B) any other efforts of the Director to en-
22 sure that any future duties prescribed by the
23 Director to be performed by the Intelligence
24 Community Chief Data Officer pursuant to sec-
25 tion 103K(c) of the National Security Act of

1 1947 (50 U.S.C. 3034b(e)), as amended by
2 paragraph (1), relate exclusively to issues in-
3 volving data, consistent with such section.

4 (c) REPORTS.—Not later than 90 days after the date
5 of the enactment of this Act, the head of each element
6 of the intelligence community shall submit to the appro-
7 priate committees of Congress a written report regarding
8 the organizational and reporting structure for the chief
9 data officer of that element, including an identification of
10 whether such chief data officer reports to, or is otherwise
11 subordinate to, the chief information officer of that ele-
12 ment and, if so, the rationale for such organizational and
13 reporting structure.

14 (d) DEFINITION OF APPROPRIATE COMMITTEES OF
15 CONGRESS.—In this section, the term “appropriate com-
16 mittees of Congress” means—

- 17 (1) the congressional intelligence committees;
18 (2) the Committee on Appropriations of the
19 Senate; and
20 (3) the Committee on Appropriations of the
21 House of Representatives.

1 **SEC. 7311. MODIFICATION TO SPECIAL PAY AUTHORITY**
2 **FOR SCIENCE, TECHNOLOGY, ENGINEERING,**
3 **OR MATHEMATICS POSITIONS.**

4 (a) MODIFICATION.—Section 113B of the National
5 Security Act of 1947 (50 U.S.C. 3049a) is amended—

6 (1) in the section heading, by inserting “**AND**
7 **POSITIONS REQUIRING BANKING OR FINAN-**
8 **CIAL SERVICES EXPERTISE**” after “**MATHE-**
9 **MATICS POSITIONS**”;

10 (2) in subsection (a)—

11 (A) in the heading, by inserting “**OR IN**
12 **BANKING OR FINANCIAL SERVICES**” after
13 “**MATHEMATICS**”;

14 (B) in paragraph (1), in the matter pre-
15 ceding subparagraph (A), by inserting “or in
16 banking or financial services (including exper-
17 tise relating to critical financial infrastructure
18 operations, capital markets, banking compliance
19 programs, or international investments)” after
20 “or mathematics”;

21 (C) by redesignating paragraph (2) as
22 paragraph (3); and

23 (D) by inserting after paragraph (1) the
24 following new paragraph:

25 “(2) **LIMITATION ON NUMBER OF RECIPI-**
26 **ENTS.**—For each element of the intelligence commu-

1 nity, the number of individuals serving in a position
2 in such element who receive a higher rate of pay es-
3 tablished or increased under paragraph (1) may not,
4 at any time during a given fiscal year, exceed 50 in-
5 dividuals or 5 percent of the total number of full-
6 time equivalent positions authorized for such ele-
7 ment for the preceding fiscal year, whichever is
8 greater.”; and

9 (3) in subsection (e), by striking “the element”
10 and inserting “an element”.

11 (b) CLERICAL AMENDMENT.—The table of contents
12 at the beginning of such Act is amended by striking the
13 item relating to section 113B and inserting the following
14 new item:

“Sec. 113B. Special pay authority for science, technology, engineering, or
mathematics positions and positions requiring banking or fi-
nancial services expertise.”.

15 (c) REPORTS.—Not later than September 1 of each
16 year until September 1, 2025, the head of each element
17 of the intelligence community shall submit to the congres-
18 sional intelligence committees, the Committee on Appro-
19 priations of the Senate, and the Committee on Appropria-
20 tions of the House of Representatives a report on any
21 rates of pay established for such element under section
22 113B of such Act (50 U.S.C. 3049a), as amended by sub-
23 section (a), including—

1 (1) a description of any rates of pay so estab-
2 lished; and

3 (2) an identification of the number of positions
4 in such element that will be subject to such rates of
5 pay during the subsequent fiscal year.

6 **SEC. 7312. ANNUAL REPORT ON UNFUNDED PRIORITIES OF**
7 **INTELLIGENCE COMMUNITY.**

8 Section 514(a) of the National Security Act of 1947
9 (50 U.S.C. 3113(a)) is amended by inserting “prepare
10 and” after “each element of the intelligence community
11 shall”.

12 **SEC. 7313. SUBMISSION OF LEGISLATIVE PROPOSALS.**

13 Title V of the National Security Act of 1947 (50
14 U.S.C. 3091 et seq.) is amended by adding at the end
15 the following new section (and conforming the table of
16 contents at the beginning of such Act accordingly):

17 **“SEC. 516. SUBMISSION OF LEGISLATIVE PROPOSALS.**

18 “Not later than 45 days after the date on which the
19 President submits to Congress the budget for each fiscal
20 year pursuant to section 1105(a) of title 31, United States
21 Code, the Director of National Intelligence shall submit
22 to the congressional intelligence committees, the Com-
23 mittee on Appropriations of the Senate, and the Com-
24 mittee on Appropriations of the House of Representatives
25 any legislative provisions that are proposed by the Direc-

1 tor to be enacted as part of the annual intelligence author-
2 ization bill for that fiscal year.”.

3 **SEC. 7314. ANNUAL REPORT ON REPORTING REQUIRE-**
4 **MENTS.**

5 (a) IN GENERAL.—Title XI of the National Security
6 Act of 1947 (50 U.S.C. 3231 et seq.) is amended by add-
7 ing at the end the following:

8 **“SEC. 1114. ANNUAL REPORT ON REPORTING REQUIRE-**
9 **MENTS.**

10 “(a) ANNUAL REPORT REQUIRED.—Not later than
11 March 1 of each fiscal year, the Director of National Intel-
12 ligence shall submit to the congressional intelligence com-
13 mittees, the Committee on Appropriations of the Senate,
14 and the Committee on Appropriations of the House of
15 Representatives a report detailing all congressionally man-
16 dated reporting requirements applicable to Office of the
17 Director of National Intelligence for the upcoming fiscal
18 year.

19 “(b) CONTENTS.—Each report submitted pursuant to
20 subsection (a) shall include, for the fiscal year covered by
21 the report and for each congressionally mandated report-
22 ing requirement detailed in the report:

23 “(1) A description of the reporting requirement.

1 “(2) A citation to the provision of law (or other
2 source of congressional directive) imposing the re-
3 porting requirement.

4 “(3) Whether the reporting requirement is re-
5 curring, conditional, or subject to a termination pro-
6 vision.

7 “(4) Whether the Director recommends repeal-
8 ing or modifying the requirement.

9 “(c) FORM.—Each report submitted pursuant to sub-
10 section (a) may be submitted in classified form.”.

11 (b) CLERICAL AMENDMENT.—The table of contents
12 for such Act is amended by adding at the end the fol-
13 lowing:

 “Sec. 1114. Annual report on reporting requirements.”.

14 **SEC. 7315. NOTICE AND DAMAGE ASSESSMENT WITH RE-**
15 **SPECT TO SIGNIFICANT UNAUTHORIZED DIS-**
16 **CLOSURE OR COMPROMISE OF CLASSIFIED**
17 **NATIONAL INTELLIGENCE.**

18 Title XI of the National Security Act of 1947 (50
19 U.S.C. 3231 et seq.) is amended by inserting after section
20 1105 the following new section (and conforming the table
21 of contents at the beginning of such Act accordingly):

1 **“SEC. 1105A. NOTICE AND DAMAGE ASSESSMENT WITH RE-**
2 **SPECT TO SIGNIFICANT UNAUTHORIZED DIS-**
3 **CLOSURE OR COMPROMISE OF CLASSIFIED**
4 **NATIONAL INTELLIGENCE.**

5 “(a) NOTIFICATION AND DAMAGE ASSESSMENT RE-
6 QUIREMENTS.—

7 “(1) REQUIREMENTS.—If the Director of Na-
8 tional Intelligence becomes aware of an actual or po-
9 tential significant unauthorized disclosure or com-
10 promise of classified national intelligence—

11 “(A) as soon as practicable, but not later
12 than 7 days after the date on which the Direc-
13 tor becomes so aware, the Director shall notify
14 the congressional intelligence committees of
15 such actual or potential disclosure or com-
16 promise; and

17 “(B) in the case of an actual disclosure or
18 compromise, not later than 7 days after the
19 date on which the Director becomes so aware,
20 the Director or the head of any element of the
21 intelligence community from which the signifi-
22 cant unauthorized disclosure or compromise
23 originated shall initiate a damage assessment
24 consistent with the procedures set forth in In-
25 telligence Community Directive 732 (relating to
26 the conduct of damage assessments), or suc-

1 cessor directive, with respect to such disclosure
2 or compromise.

3 “(2) CONTENTS OF NOTIFICATION.—A notifica-
4 tion submitted to the congressional intelligence com-
5 mittees under paragraph (1)(A) with respect to an
6 actual or potential significant unauthorized disclo-
7 sure or compromise of classified national intelligence
8 shall include—

9 “(A) a summary of the facts and cir-
10 cumstances of such disclosure or compromise;

11 “(B) a summary of the contents of the na-
12 tional intelligence revealed or potentially re-
13 vealed, as the case may be, by such disclosure
14 or compromise;

15 “(C) an initial appraisal of the level of ac-
16 tual or potential damage, as the case may be,
17 to the national security of the United States as
18 a result of such disclosure or compromise; and

19 “(D) in the case of an actual disclosure or
20 compromise, which elements of the intelligence
21 community will be involved in the damage as-
22 sessment conducted with respect to such disclo-
23 sure or compromise pursuant to paragraph
24 (1)(B).

1 “(b) DAMAGE ASSESSMENT REPORTING REQUIRE-
2 MENTS.—

3 “(1) RECURRING REPORTING REQUIREMENT.—

4 Not later than 30 days after the date of the initi-
5 ation of a damage assessment pursuant to sub-
6 section (a)(1)(B), and every 90 days thereafter until
7 the completion of the damage assessment or upon
8 the request of the congressional intelligence commit-
9 tees, the Director of National Intelligence shall—

10 “(A) submit to the congressional intel-
11 ligence committees copies of any documents or
12 materials disclosed as a result of the significant
13 unauthorized disclosure or compromise of the
14 classified national intelligence that is the sub-
15 ject of the damage assessment; and

16 “(B) provide to the congressional intel-
17 ligence committees a briefing on such docu-
18 ments and materials and a status of the dam-
19 age assessment.

20 “(2) FINAL DAMAGE ASSESSMENT.—As soon as
21 practicable after completing a damage assessment
22 pursuant to subsection (a)(1)(B), the Director of
23 National Intelligence shall submit the final damage
24 assessment to the congressional intelligence commit-
25 tees.

1 “(c) NOTIFICATION OF REFERRAL TO DEPARTMENT
2 OF JUSTICE.—If a referral is made to the Department of
3 Justice from any element of the intelligence community
4 regarding a significant unauthorized disclosure or com-
5 promise of classified national intelligence under this sec-
6 tion, the Director of National Intelligence shall notify the
7 congressional intelligence committees of the referral on the
8 date such referral is made.”.

9 **SEC. 7316. IN-STATE TUITION RATES FOR CERTAIN MEM-**
10 **BERS OF INTELLIGENCE COMMUNITY.**

11 (a) IN GENERAL.—Section 135(d) of the Higher
12 Education Act of 1965 (20 U.S.C. 1015d(d)), as amended
13 by section 6206(a)(4) of the Foreign Service Families Act
14 of 2021 (Public Law 117–81), is further amended—

15 (1) in paragraph (1), by striking “or” after the
16 semicolon;

17 (2) in paragraph (2), by striking the period at
18 the end and inserting “; or”; and

19 (3) by adding at the end the following new
20 paragraph:

21 “(3) an officer or employee of an element of the
22 intelligence community (as such term is defined in
23 section 3 of the National Security Act of 1947 (50
24 U.S.C. 3003)) who serves in a position of employ-

1 ment in such element for a period of more than 30
2 days.”.

3 (b) **EFFECTIVE DATE.**—The amendments made by
4 subsection (a) shall take effect at each public institution
5 of higher education in a State that receives assistance
6 under the Higher Education Act of 1965 (20 U.S.C. 1001
7 et seq.) for the first period of enrollment at such institu-
8 tion that begins after July 1, 2024.

9 **SEC. 7317. REPEAL OF STUDY ON PERSONNEL UNDER**
10 **STRATEGIC INTELLIGENCE PARTNERSHIP**
11 **PROGRAM.**

12 Section 6435 of the Intelligence Authorization Act for
13 Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3533)
14 is repealed (and conforming the table of contents in sec-
15 tion 6001(b) accordingly).

16 **SEC. 7318. INTELLIGENCE COMMUNITY COUNTERINTEL-**
17 **LIGENCE OFFICE AT THE DEPARTMENT OF**
18 **AGRICULTURE.**

19 (a) **DEFINITIONS.**—In this section:

20 (1) **DEPARTMENT.**—The term “Department”
21 means the Department of Agriculture.

22 (2) **SECRETARY.**—The term “Secretary” means
23 the Secretary of Agriculture.

1 (b) REPEAL.—Section 415 of the Intelligence Au-
2 thorization Act for Fiscal Year 2022 (Public Law 117–
3 103; 28 U.S.C. 532 note) is repealed.

4 (c) ESTABLISHMENT OF INTELLIGENCE COMMUNITY
5 COUNTERINTELLIGENCE OFFICE.—

6 (1) AGREEMENT WITH SECRETARY OF AGRICULTURE.—The Director of National Intelligence,
7 acting through the Director of the National Counter-
8 intelligence and Security Center, shall seek to enter
9 into an agreement with the Secretary under which
10 the Director of National Intelligence and the Sec-
11 retary shall establish within the Department an of-
12 fice, which shall be known as the “Intelligence Com-
13 munity Counterintelligence Office”, in accordance
14 with this section.
15

16 (2) LOCATION.—The Intelligence Community
17 Counterintelligence Office established pursuant to
18 this section shall be physically located within the
19 headquarters of the Department and within reason-
20 able proximity to the offices of the leadership of the
21 Department.

22 (3) SECURITY.—The Director of the National
23 Counterintelligence and Security Center shall be re-
24 sponsible for the protection of classified information
25 and for the establishment and enforcement of all se-

1 security-related controls within the Intelligence Com-
2 munity Counterintelligence Office.

3 (d) PERSONNEL.—

4 (1) DIRECTOR.—

5 (A) APPOINTMENT.—There shall be at the
6 head of the Intelligence Community Counter-
7 intelligence Office a Director who is appointed
8 by the Director of National Intelligence. The
9 Director of the Intelligence Community Coun-
10 terintelligence Office shall—

11 (i) be supervised and subject to per-
12 formance evaluations by the Director of
13 the National Counterintelligence and Secu-
14 rity Center, in consultation with the Sec-
15 retary;

16 (ii) be an employee of the intelligence
17 community with significant counterintel-
18 ligence experience; and

19 (iii) serve for a period of 3 years.

20 (B) RESPONSIBILITIES.—The Director of
21 the Intelligence Community Counterintelligence
22 Office shall carry out the following responsibil-
23 ities:

24 (i) Serving as the head of the Intel-
25 ligence Community Counterintelligence Of-

1 fice, with supervisory responsibility for the
2 Intelligence Community Counterintel-
3 ligence Office and any other personnel as-
4 signed to the Intelligence Community
5 Counterintelligence Office.

6 (ii) Advising the Secretary on counter-
7 intelligence and intelligence information.

8 (iii) Ensuring that counterintelligence
9 threat information and, as appropriate,
10 finished intelligence on topics related to
11 the functions of the Department, are pro-
12 vided to appropriate personnel of the de-
13 partment or agency without delay.

14 (iv) Ensuring critical intelligence rel-
15 evant to the Secretary is requested and
16 disseminated in a timely manner.

17 (v) Establishing, as appropriate,
18 mechanisms for collaboration through
19 which Department subject matter experts,
20 including those without security clearances,
21 can share information and expertise with
22 the intelligence community.

23 (vi) Correlating and evaluating coun-
24 terintelligence threats identified within in-
25 telligence community reporting, in coordi-

1 nation with the National Counterintel-
2 ligence and Security Center, and providing
3 appropriate dissemination of such intel-
4 ligence to officials of the Department with
5 a need-to-know.

6 (vii) Advising the Secretary on meth-
7 ods to improve the counterintelligence pos-
8 ture of the Department.

9 (viii) Where appropriate, supporting
10 the Department's leadership in engaging
11 with the National Security Council.

12 (ix) In coordination with the National
13 Counterintelligence and Security Center,
14 establishing counterintelligence partner-
15 ships to improve the counterintelligence de-
16 fense of the Department.

17 (2) DEPUTY DIRECTOR.—There shall be within
18 the Intelligence Community Counterintelligence Of-
19 fice a Deputy Director who is appointed by the Sec-
20 retary, in coordination with the Director of National
21 Intelligence. The Deputy Director shall—

22 (A) be supervised and subject to perform-
23 ance evaluations by the Secretary, in consulta-
24 tion with the Director of the National Counter-
25 intelligence and Security Center;

1 (B) be a current or former employee of the
2 Department with significant experience within
3 the Department; and

4 (C) serve at the pleasure of the Secretary.

5 (3) OTHER EMPLOYEES.—

6 (A) JOINT DUTY ASSIGNMENT.—There
7 shall be within the Intelligence Community
8 Counterintelligence Office such other employees
9 as the Director of National Intelligence, in con-
10 sultation with the Secretary, determines appro-
11 priate. Employment at the Intelligence Commu-
12 nity Counterintelligence Office is an intelligence
13 community joint duty assignment. A permanent
14 change of station to the Intelligence Community
15 Counterintelligence Office shall be for a period
16 of not less than 2 years.

17 (B) SUPERVISION.—The Director of the
18 Intelligence Community Counterintelligence Of-
19 fice shall be responsible for the supervision and
20 management of employees assigned to the Intel-
21 ligence Community Counterintelligence Office,
22 including employees assigned by program ele-
23 ments of the intelligence community and other
24 Federal departments and agencies, as appro-
25 priate.

1 (C) JOINT DUTY OR ASSIGNED PERSONNEL
2 REIMBURSEMENT.—The Director of National
3 Intelligence shall reimburse a program element
4 of the intelligence community or a Federal de-
5 partment or agency for any permanent change
6 of station employee assigned to the Intelligence
7 Community Counterintelligence Office from
8 amounts authorized to be appropriated for the
9 Office of the Director of National Intelligence.

10 (D) OPERATION UNDER AUTHORITY OF DI-
11 RECTOR OF NATIONAL INTELLIGENCE.—Em-
12 ployees assigned to the Intelligence Community
13 Counterintelligence Office under this paragraph
14 shall operate under the authorities of the Direc-
15 tor of National Intelligence for the duration of
16 their assignment or period of employment with-
17 in the Intelligence Community Counterintel-
18 ligence Office, except for temporary duty as-
19 signment employees.

20 (E) INCENTIVE PAY.—

21 (i) IN GENERAL.—An employee who
22 accepts employment at the Intelligence
23 Community Counterintelligence Office dur-
24 ing the 120-day period after the date of
25 the establishment of the Intelligence Com-

1 community Counterintelligence Office shall re-
2 ceive an incentive payment, which shall be
3 payable by the Director of National Intel-
4 ligence, in an amount equal to 10 percent
5 of the base annual pay of the employee.
6 Such an employee who completes 2 years
7 of service in the Intelligence Community
8 Counterintelligence Office may receive an
9 incentive payment in an amount equal to
10 10 percent of the base annual pay of the
11 employee if the Director of the Intelligence
12 Community Counterintelligence Office de-
13 termines the performance of the employee
14 is exceptional.

15 (ii) ELIGIBILITY.—An employee is
16 only eligible for an incentive payment
17 under clause (i) if the employee enters into
18 an agreement with the Director of Na-
19 tional Intelligence to serve in the Intel-
20 ligence Community Counterintelligence Of-
21 fice for a period of at least 2 years.

22 (e) FUNDING.—To the extent and in such amounts
23 as specifically provided in advance in appropriations Acts
24 for the purposes detailed in this subsection, the Director
25 of National Intelligence may expend such sums as are au-

1 thORIZED within the National Intelligence Program of the
2 Office of the Director of National Intelligence for—

3 (1) the renovation, furnishing, and equipping of
4 a Federal building, as necessary, to meet the secu-
5 rity and operational requirements of the Intelligence
6 Community Counterintelligence Office;

7 (2) the provision of connectivity to the Intel-
8 ligence Community Counterintelligence Office to en-
9 able briefings, secure audio and video communica-
10 tions, and collaboration between employees of the
11 Department and the intelligence community at the
12 unclassified, secret, and top secret levels;

13 (3) the provision of other information tech-
14 nology systems and devices, such as computers,
15 printers, and phones, for use by employees of the In-
16 telligence Community Counterintelligence Office;

17 (4) the assignment of employees of the intel-
18 ligence community to support the operation of the
19 Intelligence Community Counterintelligence Office;
20 and

21 (5) the provision of other personal services nec-
22 essary for the operation of the Intelligence Commu-
23 nity Counterintelligence Office.

1 (f) DEADLINE FOR ESTABLISHMENT OF THE INTEL-
2 LIGENCE COMMUNITY COUNTERINTELLIGENCE OF-
3 FICE.—

4 (1) ESTABLISHMENT.—Not later than January
5 1, 2025, the Director of National Intelligence shall
6 seek to establish, in accordance with this section, the
7 Intelligence Community Counterintelligence Office
8 within the Department.

9 (2) REPORT.—Not later than 180 days after
10 the date of the enactment of this Act, the Director
11 of National Intelligence shall submit to the congress-
12 sional intelligence committees, the Committee on Ap-
13 propriations of the Senate, and the Committee on
14 Appropriations of the House of Representatives a re-
15 port on the plan to establish the Intelligence Com-
16 munity Counterintelligence Office required under
17 paragraph (1). Such report shall include the costs
18 and schedule associated with establishing the Intel-
19 ligence Community Counterintelligence Office.

20 **SEC. 7319. SUNSET OF CLIMATE SECURITY ADVISORY**
21 **COUNCIL.**

22 Section 120(e) of the National Security Act of 1947
23 (50 U.S.C. 3060(e)) is amended by striking “December
24 31, 2025” and inserting “December 31, 2024”.

1 **SEC. 7320. INCLUSION OF COUNTERNARCOTICS AS SPECIAL**
2 **TOPIC IN CERTAIN BUDGET JUSTIFICATION**
3 **MATERIALS.**

4 (a) INCLUSION OF COUNTERNARCOTICS AS SPECIAL
5 TOPIC.—For the purposes of the congressional budget jus-
6 tification book for the National Intelligence Program (as
7 such term is defined in section 3 of the National Security
8 Act of 1947 (50 U.S.C. 3003)) for each of fiscal years
9 2025 through 2027, and for any subsequent fiscal year
10 as the Director of National Intelligence determines appro-
11 priate, information with respect to the aggregate amount
12 of funding requested for counternarcotics required to be
13 included as part of the budget justification materials sub-
14 mitted to Congress under section 506(a)(3) of such Act
15 shall be included as a provision relating to a special topic
16 in such congressional budget justification book.

17 (b) CONTENTS.—With respect to a fiscal year, the
18 special topic provision included in the congressional budg-
19 et justification book pursuant to subsection (a) regarding
20 the aggregate amount of funding requested for counter-
21 narcotics shall include—

22 (1) a summary of the main activities and in-
23 vestments that such requested funding would sup-
24 port;

1 (2) a breakdown of such requested funding by
2 program, budget category, intelligence discipline,
3 and any other appropriate classification;

4 (3) a comparison of aggregate requested fund-
5 ing and aggregate enacted funding for counter-
6 narcotics for the current fiscal year and the previous
7 fiscal year;

8 (4) the number of full-time equivalent civilian
9 and military personnel assigned to the counter-
10 narcotics mission of the intelligence community; and

11 (5) such other information as the Director of
12 National Intelligence determines appropriate.

13 **SEC. 7321. DEVELOPMENT OF PLAN TO MAKE OPEN-**
14 **SOURCE INTELLIGENCE PRODUCTS AVAIL-**
15 **ABLE TO CERTAIN FEDERAL EMPLOYEES.**

16 (a) **PLAN REQUIREMENT.**—Not later than 180 days
17 after the date of the enactment of this Act, the Director
18 of National Intelligence, in consultation with such heads
19 of the elements of the intelligence community as the Direc-
20 tor considers appropriate, shall develop and submit to the
21 appropriate committees of Congress a plan to make avail-
22 able to covered individuals any covered open-source intel-
23 ligence product.

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

1 (1) Policies and procedures to make available to
2 covered individuals any covered open-source intel-
3 ligence product in a manner consistent with the pro-
4 tection of intelligence sources and methods.

5 (2) Policies and procedures to increase the
6 availability and accessibility to covered individuals of
7 publicly available foreign language material that is
8 translated by or within the intelligence community.

9 (3) Policies and procedures to ensure that the
10 head of each element of the intelligence community
11 that produces any covered open-source intelligence
12 product complies with all policies and procedures
13 issued to implement the plan submitted under sub-
14 section (a).

15 (4) Policies and procedures to ensure that any
16 covered open-source intelligence product that is
17 made available to covered individuals satisfies the re-
18 quirements under any policy, procedure, or standard
19 issued by the head of an element of the intelligence
20 community relating to the production and dissemina-
21 tion of intelligence products.

22 (5) Any obstacles to making available to cov-
23 ered individuals unclassified products derived from
24 open-source intelligence produced by the intelligence

1 community, including translated foreign language
2 material described in paragraph (2).

3 (6) With respect to implementation of the plan,
4 a discussion of the estimated timeline, any additional
5 funding or other resources, and any new authorities
6 that would be required for such implementation.

7 (7) A discussion of the feasibility and advis-
8 ability of making unclassified products derived from
9 open-source intelligence produced by the intelligence
10 community available to State and local government
11 officials who would derive value from such unclassi-
12 fied products.

13 (8) Policies and procedures relating to the dis-
14 semination of United States person information con-
15 tained in covered open-source intelligence products.

16 (c) FORM.—The plan required under subsection (a)
17 shall be submitted in unclassified form, but may include
18 a classified annex.

19 (d) INTELLIGENCE COMMUNITY DIRECTIVE WITH
20 RESPECT TO OPEN-SOURCE INTELLIGENCE.—Not later
21 than 180 days after the date of the enactment of this Act,
22 the Director of National Intelligence shall update Intel-
23 ligence Community Directive 208, Maximizing the Utility
24 of Analytic Products (or any successor directive) to spe-
25 cifically address—

1 (1) the production and dissemination of unclas-
2 sified intelligence products derived entirely from
3 open-source intelligence, including from unclassified
4 publicly available information, unclassified commer-
5 cially available information, or any other type of un-
6 classified information; and

7 (2) the needs and requirements of covered indi-
8 viduals who do not hold a security clearance or have
9 access to the classified systems on which such un-
10 classified intelligence products reside.

11 (e) DEFINITIONS.—In this section:

12 (1) APPROPRIATE COMMITTEES OF CON-
13 GRESS.—The term “appropriate committees of Con-
14 gress” means—

15 (A) the congressional intelligence commit-
16 tees;

17 (B) the Committee on Homeland Security
18 and Governmental Affairs, the Committee on
19 the Judiciary, and the Committee on Appro-
20 priations of the Senate; and

21 (C) the Committee on Oversight and Ac-
22 countability, the Committee on the Judiciary,
23 and the Committee on Appropriations of the
24 House of Representatives.

1 (2) COVERED INDIVIDUAL.—The term “covered
2 individual” means an employee of the Federal Gov-
3 ernment—

4 (A) who is not an employee or contractor
5 of an element of the intelligence community;
6 and

7 (B) who would derive value from a covered
8 open-source intelligence product.

9 (3) COVERED OPEN-SOURCE INTELLIGENCE
10 PRODUCT.—The term “covered open-source intel-
11 ligence product” means an unclassified product de-
12 rived from open-source intelligence that is produced
13 by the intelligence community.

14 **SEC. 7322. INTELLIGENCE COMMUNITY-WIDE POLICY ON**
15 **PREPUBLICATION REVIEW.**

16 Not later than 30 days after the date of the enact-
17 ment of this Act, the Director of National Intelligence
18 shall issue, and submit to the congressional intelligence
19 committees, the Committee on the Judiciary, the Com-
20 mittee on Homeland Security and Governmental Affairs,
21 and the Committee on Appropriations of the Senate, and
22 the Committee on the Judiciary, the Committee on Over-
23 sight and Accountability, and the Committee on Appro-
24 priations of the House of Representatives, an intelligence
25 community-wide policy regarding prepublication review.

1 **SEC. 7323. REVIEW RELATING TO CONFIDENTIAL HUMAN**
2 **SOURCE PROGRAM OF FEDERAL BUREAU OF**
3 **INVESTIGATION.**

4 (a) REVIEW.—The Inspector General of the Intel-
5 ligence Community, in coordination with the Inspector
6 General of the Department of Justice, shall conduct a re-
7 view of the policies and procedures governing the confiden-
8 tial human source program of the Federal Bureau of In-
9 vestigation (in this section referred to as the “program”)”
10 and the compliance by the Federal Bureau of Investigation
11 with such policies and procedures, including—

12 (1) the policy of the Department of Justice ti-
13 tled “The Attorney General’s Guidelines Regarding
14 the Use of FBI Confidential Sources” (or successor
15 policy); and

16 (2) Intelligence Community Directive 304 (or
17 successor directive).

18 (b) ELEMENTS.—The review under subsection (a)
19 shall include the following:

20 (1) An assessment of the compliance by the
21 Federal Bureau of Investigation with the policies
22 and procedures governing the program, including
23 with respect to the management and validation of
24 confidential human sources under such program.

25 (2) An assessment of the means by which the
26 Federal Bureau of Investigation conducts risk as-

1 assessments relating to the continual validation of
2 long-term confidential human sources under the pro-
3 gram.

4 (3) An assessment of the timeliness and com-
5 pletion rates of the reviews of confidential human
6 sources under the program.

7 (4) An identification of the data points assessed
8 by the Federal Bureau of Investigation during such
9 reviews and the State and local databases used in
10 conducting such reviews.

11 (5) A list containing an identification of each
12 incident of noncompliance with a policy or procedure
13 specified in paragraph (1).

14 (c) SUBMISSION.—Not later than 90 days after the
15 date on which the review under subsection (a) is com-
16 pleted, the Inspector General of the Intelligence Commu-
17 nity shall submit to the congressional intelligence commit-
18 tees, the Committee on the Judiciary and the Committee
19 on Appropriations of the Senate, and the Committee on
20 the Judiciary and the Committee on Appropriations of the
21 House of Representatives a report containing the results
22 of such review.

1 **SEC. 7324. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
2 **CERTAIN ACTIVITIES AND ASSESSMENT OF**
3 **THE OVERT HUMAN INTELLIGENCE AND**
4 **OPEN SOURCE INTELLIGENCE COLLECTION**
5 **PROGRAMS OF THE OFFICE OF INTEL-**
6 **LIGENCE AND ANALYSIS OF THE DEPART-**
7 **MENT OF HOMELAND SECURITY.**

8 (a) DEFINITIONS.—In this section:

9 (1) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES.—The term “appropriate congressional com-
11 mittees” means the following:

12 (A) The congressional intelligence commit-
13 tees.

14 (B) The Committee on Homeland Security
15 and Governmental Affairs of the Senate.

16 (C) The Committee on Homeland Security
17 of the House of Representatives.

18 (2) COVERED ACTIVITY.—The term “covered
19 activity” means—

20 (A) with respect to the Overt Human In-
21 telligence Collection Program, an interview for
22 intelligence collection purposes with any indi-
23 vidual, including a United States person, who
24 has been criminally charged, arraigned, or
25 taken into the custody of a Federal, State, or
26 local law enforcement agency, but whose guilt

1 with respect to such criminal matters has not
2 yet been adjudicated, unless the Office of Intel-
3 ligence and Analysis has obtained the consent
4 of the interviewee following consultation with
5 counsel;

6 (B) with respect to either the Overt
7 Human Intelligence Collection Program or the
8 Open Source Intelligence Collection Program,
9 any collection targeting journalists in the per-
10 formance of their journalistic functions; and

11 (C) with respect to the Overt Human In-
12 telligence Collection Program, an interview for
13 intelligence collection purposes with a United
14 States person where the Office of Intelligence
15 and Analysis lacks a reasonable belief based on
16 facts and circumstances that the United States
17 person may possess significant foreign intel-
18 ligence (as defined in section 3 of the National
19 Security Act of 1947 (50 U.S.C. 3003)).

20 (3) OVERT HUMAN INTELLIGENCE COLLECTION
21 PROGRAM.—The term “Overt Human Intelligence
22 Collection Program” means the program established
23 by the Under Secretary of Homeland Security for
24 Intelligence and Analysis pursuant to Policy Instruc-

1 tion 907 of the Office of Intelligence and Analysis,
2 issued on June 29, 2016, or any successor program.

3 (4) OPEN SOURCE INTELLIGENCE COLLECTION
4 PROGRAM.—The term “Open Source Collection In-
5 telligence Program” means the program established
6 by the Under Secretary of Homeland Security for
7 Intelligence and Analysis for the purpose of col-
8 lecting intelligence and information for potential pro-
9 duction and reporting in the form of Open Source
10 Information Reports as reflected in Policy Instruc-
11 tion 900 of the Office of Intelligence and Analysis,
12 issued on January 13, 2015, or any successor pro-
13 gram.

14 (5) UNITED STATES PERSON.—The term
15 “United States person” means—

16 (A) a United States citizen;

17 (B) an alien known by the Office of Intel-
18 ligence and Analysis to be a permanent resident
19 alien;

20 (C) an unincorporated association substan-
21 tially composed of United States citizens or per-
22 manent resident aliens; or

23 (D) a corporation incorporated in the
24 United States, except for a corporation directed

1 and controlled by a foreign government or gov-
2 ernments.

3 (6) UNITED STATES PERSON INFORMATION
4 (USPI).—The term “United States person informa-
5 tion”—

6 (A) means information that is reasonably
7 likely to identify 1 or more specific United
8 States persons; and

9 (B) may be either a single item of informa-
10 tion or information that, when combined with
11 other available information, is reasonably likely
12 to identify one or more specific United States
13 persons.

14 (b) PROHIBITION ON AVAILABILITY OF FUNDS FOR
15 COVERED ACTIVITIES OF OVERT HUMAN INTELLIGENCE
16 COLLECTION PROGRAM AND OPEN SOURCE INTEL-
17 LIGENCE COLLECTION PROGRAM.—None of the funds au-
18 thorized to be appropriated by this division may be made
19 available to the Office of Intelligence and Analysis of the
20 Department of Homeland Security to conduct a covered
21 activity.

22 (c) LIMITATION ON PERSONNEL.—None of the funds
23 authorized to be appropriated by this division may be used
24 by the Office of Intelligence and Analysis of the Depart-
25 ment of Homeland Security to increase, above the staffing

1 level in effect on the day before the date of the enactment
2 of this Act, the number of personnel assigned to the Open
3 Source Intelligence Division who work exclusively or pre-
4 dominantly on domestic terrorism issues.

5 (d) INSPECTOR GENERAL OF THE INTELLIGENCE
6 COMMUNITY ASSESSMENT OF OVERT HUMAN INTEL-
7 LIGENCE COLLECTION PROGRAM AND OPEN SOURCE IN-
8 TELLIGENCE COLLECTION PROGRAM.—

9 (1) REQUIREMENT.—The Inspector General of
10 the Intelligence Community shall conduct an assess-
11 ment of the Overt Human Intelligence Collection
12 Program and the Open Source Intelligence Collec-
13 tion Program.

14 (2) ELEMENTS.—The assessment under para-
15 graph (1) shall include findings and, as the Inspec-
16 tor General considers appropriate, recommendations
17 on the following:

18 (A) Whether the Overt Human Intelligence
19 Collection Program and the Open Source Intel-
20 ligence Collection Program are legally author-
21 ized, and if so, an identification of the legal au-
22 thorities.

23 (B) Whether, and to what extent, such
24 programs have provided valuable insights on
25 national intelligence priorities and intelligence

1 priorities of the Department of Homeland Secu-
2 rity, citing specific examples of such insights at
3 the appropriate classification level.

4 (C) Whether there is sufficient training
5 provided to, and sufficient oversight provided
6 of, personnel of the Office of Intelligence and
7 Analysis of the Department of Homeland Secu-
8 rity who conduct intelligence collection under
9 such programs.

10 (D) Whether the responsibilities and re-
11 quirements for such programs set forth in the
12 relevant policy instructions, intelligence over-
13 sight guidelines, and other governing documents
14 or standard operating procedures of the Office
15 of Intelligence and Analysis, particularly as
16 they relate to the obligation to safeguard the
17 privacy, civil liberties, and civil rights of United
18 States persons, are adequate, appropriate, and
19 consistently adhered to by such personnel.

20 (E) Whether such programs raise or have
21 raised legal, ethical, or operational concerns, in-
22 cluding concerns relating to the actual or poten-
23 tial violation of any applicable policies or proce-
24 dures for protecting the constitutional or statu-
25 tory rights of United States persons.

1 (F) Whether other Federal agencies, such
2 as the Federal Bureau of Investigation, conduct
3 similar programs and, if so, a comparison of
4 any similarities and differences between the re-
5 spective programs.

6 (G) With respect to non-analytic intel-
7 ligence reports produced by the Office of Intel-
8 ligence and Analysis derived in whole or in part
9 from such programs, whether such reports ap-
10 propriately minimize United States person in-
11 formation and use press reporting in an appro-
12 priate manner.

13 (H) With respect to the Open Source Intel-
14 ligence Collection Program, whether such pro-
15 gram is effective at identifying threats directed
16 against the United States, including true
17 threats, incitement to violence, and malign
18 cyber activity.

19 (I) Whether there have been any identified
20 instances in which State, local, territorial, or
21 Tribal government agencies have used, or
22 sought to use, the Office of Intelligence and
23 Analysis as an instrument to introduce political
24 or politicized information into the national in-
25 telligence collection and reporting stream.

1 (J) Any other matter the Inspector Gen-
2 eral of the Intelligence Community determines
3 appropriate.

4 (3) BRIEFING.—Not later than 120 days after
5 the date of the enactment of this Act, the Inspector
6 General of the Intelligence Community shall provide
7 to the appropriate congressional committees a brief-
8 ing on the preliminary findings and recommenda-
9 tions of the Inspector General with respect to the as-
10 sessment under paragraph (1).

11 (4) REPORT.—

12 (A) IN GENERAL.—Not later than 180
13 days after the date of the enactment of this
14 Act, the Inspector General of the Intelligence
15 Community shall submit to the appropriate con-
16 gressional committees a report containing the
17 findings and recommendations of the Inspector
18 General with respect to the assessment under
19 paragraph (1).

20 (B) FORM.—The report submitted pursu-
21 ant to subparagraph (A) shall be submitted
22 under that subparagraph in unclassified form,
23 but may include a classified annex.

24 (5) QUARTERLY BRIEFINGS.—The Under Sec-
25 retary of Homeland Security for Intelligence and

1 Analysis shall, not less than once per quarter, pro-
2 vide to the appropriate congressional committees a
3 briefing on the intelligence collection activities of the
4 Office of Intelligence and Analysis. These briefings
5 shall include—

6 (A) a description of any new activities, ini-
7 tiatives, or efforts undertaken pursuant to the
8 Overt Human Intelligence Collection Program
9 or the Open Source Intelligence Collection Pro-
10 gram;

11 (B) a description of any new policies, pro-
12 cedures, or guidance concerning the Overt
13 Human Intelligence Collection Program or the
14 Open Source Intelligence Collection Program;

15 (C) a description of any compliance-related
16 inquiries, investigations, reviews, checks, or au-
17 dits initiated concerning the Overt Human In-
18 telligence Collection Program or the Open
19 Source Intelligence Collection Program, as well
20 as an update on the outcome or status of any
21 preexisting inquiries, investigations, reviews,
22 checks, or audits concerning these programs;

23 (D) a comparison of the volume of intel-
24 ligence and information collected on United
25 States persons by the Office and used in fin-

1 ished intelligence products produced by the Of-
2 fice with the volume of intelligence or informa-
3 tion on United States persons that is—

4 (i) collected by State, local, and Tribal
5 territory governments, the private sector,
6 and other components of the Department
7 of Homeland Security;

8 (ii) provided directly or indirectly to
9 the Office; and

10 (iii) used in finished intelligence prod-
11 ucts produced by the Office; and

12 (E) information on the reports and prod-
13 ucts issued by the Overt Human Intelligence
14 Collection Program and the Open Source Intel-
15 ligence Collection Program for the quarter cov-
16 ered by the briefing, which shall reflect—

17 (i) the number of reports and prod-
18 ucts issued by each program;

19 (ii) the number of reports and prod-
20 ucts issued by type or format of the report
21 or product;

22 (iii) the number of reports and prod-
23 ucts based on information provided by rep-
24 resentatives of Federal, foreign or inter-
25 national, State, local, Tribal, territorial, or

1 private sector entities, respectively, and,
2 for each of these subcategories, the num-
3 ber of reports or products based on infor-
4 mation provided by known or presumed
5 United States persons;

6 (iv) the number of reports and prod-
7 ucts based on information provided by in-
8 dividuals in administrative custody and,
9 within that number, the number of reports
10 or products based on information provided
11 by known or presumed United States per-
12 sons;

13 (v) the number of reports and prod-
14 ucts based on information provided by con-
15 fidential informants and, within that num-
16 ber, the number of reports or products
17 based on information provided by known or
18 presumed United States persons;

19 (vi) the number of reports and prod-
20 ucts supporting different national or de-
21 partmental missions and, for each of these
22 subcategories, the number of reports or
23 products based on information provided by
24 known or presumed United States persons;
25 and

1 (vii) the number of reports and prod-
2 ucts identifying United States persons.

3 (e) RULES OF CONSTRUCTION.—

4 (1) EFFECT ON OTHER INTELLIGENCE OVER-
5 SIGHT.—Nothing in this section shall be construed
6 as limiting or superseding the authority of any offi-
7 cial within the Department of Homeland Security to
8 conduct legal, privacy, civil rights, or civil liberties
9 oversight of the intelligence activities of the Office of
10 Intelligence and Analysis.

11 (2) SHARING AND RECEIVING INTELLIGENCE
12 INFORMATION.—Nothing in this section shall be con-
13 strued to prohibit, or to limit the authority of, per-
14 sonnel of the Office of Intelligence and Analysis
15 from sharing intelligence information with, or receiv-
16 ing information from—

17 (A) foreign, State, local, Tribal, or terri-
18 torial governments (or any agency or subdivi-
19 sion thereof);

20 (B) the private sector; or

21 (C) other elements of the Federal govern-
22 ment, including the components of the Depart-
23 ment of Homeland Security.

1 **SEC. 7325. SENSE OF CONGRESS ON PRIORITY OF**
2 **FENTANYL IN NATIONAL INTELLIGENCE PRI-**
3 **ORITIES FRAMEWORK.**

4 It is the sense of Congress that the trafficking of il-
5 licit fentanyl, including precursor chemicals and manufac-
6 turing equipment associated with illicit fentanyl produc-
7 tion and organizations that traffic or finance the traf-
8 ficking of illicit fentanyl, originating from the People's Re-
9 public of China and Mexico should be among the highest
10 priorities in the National Intelligence Priorities Frame-
11 work of the Office of the Director of National Intelligence.

12 **SEC. 7326. REPORTS ON CIVILIAN CASUALTIES CAUSED BY**
13 **CERTAIN OPERATIONS OF FOREIGN GOVERN-**
14 **MENTS.**

15 (a) ANNUAL REPORTS.—Not later than 1 year after
16 the date of the enactment of this Act, and annually there-
17 after for 2 years, the Director of National Intelligence
18 shall submit to the congressional intelligence committees,
19 the Committee on Appropriations of the Senate, the Com-
20 mittee on Appropriations of the House of Representatives,
21 and, consistent with the protection of intelligence sources
22 and methods, the Foreign Relations Committee of the
23 Senate and the Foreign Affairs Committee of the House
24 of Representatives, a report on civilian casualties caused
25 by covered operations.

1 (b) ELEMENTS.—Each report under subsection (a)
2 shall include, for the year covered by the report, each of
3 the following:

4 (1) A list identifying each covered operation
5 during that year that has resulted in civilian casual-
6 ties that the Director of National Intelligence has
7 confirmed.

8 (2) An identification of the total number of ci-
9 vilian casualties resulting from covered operations
10 during that year that the Director of National Intel-
11 ligence has confirmed.

12 (3) For each covered operation identified in the
13 list under paragraph (1), an identification of the fol-
14 lowing:

15 (A) The date on which, and the location
16 where, the covered operation occurred.

17 (B) The element of the foreign government
18 that conducted the covered operation.

19 (C) The individual or entity against which
20 the covered operation was directed.

21 (D) Any other circumstances or facts that
22 the Director of National Intelligence determines
23 relevant.

1 (c) FORM.—Each report required under subsection
2 (a) may be submitted in classified form, but if so sub-
3 mitted shall include an unclassified executive summary.

4 (d) COVERED OPERATION DEFINED.—In this sec-
5 tion, the term “covered operation” means an operation—

6 (1) conducted by a foreign government;

7 (2) involving the use of force; and

8 (3) in which intelligence shared by an element
9 of the intelligence community plays a significant
10 role.

11 **SEC. 7327. MODIFICATION AND REPEAL OF REPORTING RE-**
12 **QUIREMENTS.**

13 (a) MODIFICATION OF FREQUENCY OF WHISTLE-
14 BLOWER NOTIFICATIONS TO INSPECTOR GENERAL OF
15 THE INTELLIGENCE COMMUNITY.—Section 5334(a) of the
16 Damon Paul Nelson and Matthew Young Pollard Intel-
17 ligence Authorization Act for Fiscal Years 2018, 2019,
18 and 2020 (Public Law 116–92; 50 U.S.C. 3033 note) is
19 amended by striking “in near real time” and inserting
20 “monthly”.

21 (b) REPEAL OF REQUIREMENT FOR INSPECTORS
22 GENERAL REVIEWS OF ENHANCED PERSONNEL SECUR-
23 RITY PROGRAMS.—

24 (1) IN GENERAL.—Section 11001 of title 5,
25 United States Code, is amended—

1 (A) by striking subsection (d); and

2 (B) by redesignating subsection (e) as sub-
3 section (d).

4 (2) TECHNICAL CORRECTIONS.—Subsection (d)
5 of section 11001 of such title, as redesignated by
6 paragraph (1)(B), is amended—

7 (A) in paragraph (3), by adding “and”
8 after the semicolon at the end; and

9 (B) in paragraph (4), by striking “; and”
10 and inserting a period.

11 (c) REPEAL OF CONGRESSIONAL NOTIFICATION RE-
12 QUIREMENT FOR DEGREE-GRANTING AUTHORITY OF THE
13 NATIONAL INTELLIGENCE UNIVERSITY.—Section 1032(c)
14 of the National Security Act of 1947 (50 U.S.C. 3225a(e))
15 is repealed.

16 (d) REPEAL OF REQUIREMENT FOR DIRECTOR OF
17 NATIONAL INTELLIGENCE TO UPDATE LIST IDENTIFYING
18 ONLINE VIOLENT EXTREMIST CONTENT.—Section
19 403(b) of the Intelligence Authorization Act for Fiscal
20 Year 2017 (50 U.S.C. 3368(b)) is amended by striking
21 “or more frequently as needed” and inserting “until the
22 date of the enactment of the Intelligence Authorization
23 Act for Fiscal Year 2024”.

24 (e) REPEAL OF REQUIREMENT FOR ANNUAL REPORT
25 ON ILLICIT FINANCING OF ESPIONAGE AND FOREIGN IN-

1 FLUENCE OPERATIONS.—Section 5722(d) of the Damon
2 Paul Nelson and Matthew Young Pollard Intelligence Au-
3 thorization Act for Fiscal Years 2018, 2019, and 2020
4 (Public Law 116–92; 133 Stat. 2176) is amended—

5 (1) in the heading, by striking “REPORTS” and
6 inserting “REPORT”;

7 (2) in the heading of paragraph (1), by striking
8 “INITIAL REPORT” and inserting “IN GENERAL”;

9 (3) by striking paragraph (2) and redesignating
10 paragraph (3) as paragraph (2); and

11 (4) in paragraph (2), as so redesignated, by
12 striking “Each report” and inserting “The report”.

13 **Subtitle B—Central Intelligence** 14 **Agency**

15 **SEC. 7331. CHANGE TO PENALTIES AND INCREASED AVAIL-** 16 **ABILITY OF MENTAL HEALTH TREATMENT** 17 **FOR UNLAWFUL CONDUCT ON CENTRAL IN-** 18 **TELLIGENCE AGENCY INSTALLATIONS.**

19 Section 15(b) of the Central Intelligence Agency Act
20 of 1949 (50 U.S.C. 3515(b)) is amended, in the second
21 sentence, by striking “those specified in section 1315(c)(2)
22 of title 40, United States Code” and inserting “the max-
23 imum penalty authorized for a Class B misdemeanor
24 under section 3559 of title 18, United States Code”.

1 **SEC. 7332. MODIFICATIONS TO PROCUREMENT AUTHORI-**
2 **TIES OF THE CENTRAL INTELLIGENCE AGEN-**
3 **CY.**

4 Section 3 of the Central Intelligence Agency Act of
5 1949 (50 U.S.C. 3503) is amended—

6 (1) in subsection (a), by striking “sections” and
7 all that follows through “session)” and inserting
8 “sections 3201, 3203, 3204, 3206, 3207, 3302
9 through 3306, 3321 through 3323, 3801 through
10 3808, 3069, 3134, 3841, and 4752 of title 10,
11 United States Code” and

12 (2) in subsection (d), by striking “in para-
13 graphs” and all that follows through “1947” and in-
14 serting “in sections 3201 through 3204 of title 10,
15 United States Code, shall not be delegable. Each de-
16 termination or decision required by sections 3201
17 through 3204, 3321 through 3323, and 3841 of title
18 10, United States Code”.

19 **SEC. 7333. INSPECTOR GENERAL OF THE CENTRAL INTEL-**
20 **LIGENCE AGENCY QUARTERLY EMPLOYEE**
21 **ENGAGEMENT SUMMARIES.**

22 (a) **DEFINITION OF APPROPRIATE CONGRESSIONAL**
23 **COMMITTEES.**—In this section, the term “appropriate
24 congressional committees” means—

1 (1) the Select Committee on Intelligence and
2 the Subcommittee on Defense of the Committee on
3 Appropriations of the Senate; and

4 (2) the Permanent Select Committee on Intel-
5 ligence and the Subcommittee on Defense of the
6 Committee on Appropriations of the House of Rep-
7 resentatives.

8 (b) IN GENERAL.—Not later than 30 days after the
9 last day of the first full fiscal quarter beginning after the
10 date of the enactment of this Act and not later than 30
11 days after the last day of each fiscal quarter thereafter
12 until the last fiscal quarter of fiscal year 2027, the Inspec-
13 tor General of the Central Intelligence Agency shall sub-
14 mit to the appropriate congressional committees a sum-
15 mary of the engagement of employees of the Central Intel-
16 ligence Agency with the Inspector General during that
17 quarter.

18 (c) CONTENTS.—Each summary submitted pursuant
19 to subsection (b) shall include each of the following for
20 the quarter covered by the summary:

21 (1) The total number of reports filed with the
22 Inspector General by employees of the Agency.

23 (2) An identification of the nature of the allega-
24 tion made in each such report, such as—

25 (A) fraud, waste, and abuse;

- 1 (B) harassment or other personnel issues;
2 (C) questionable intelligence activities; or
3 (D) threats to health and safety.

4 (3) For each such report—

5 (A) whether an investigation was initiated
6 because of the report;

7 (B) for any such investigation, whether the
8 status of the investigation is initiated, in
9 progress, or complete; and

10 (C) for any completed investigation, wheth-
11 er the allegation made in the report was found
12 to be substantiated or unsubstantiated, and
13 whether any recommendations or criminal refer-
14 rals were made as a result.

15 (4) A copy of any audit, assessment, inspection,
16 or other final report completed by the Inspector
17 General during the quarter covered by the summary.

18 **SEC. 7334. BENJAMIN TALLMADGE INSTITUTE AS PRIMARY**
19 **CENTRAL INTELLIGENCE AGENCY ENTITY**
20 **FOR EDUCATION AND TRAINING IN COUN-**
21 **TERINTELLIGENCE.**

22 (a) IN GENERAL.—The Director of the Central Intel-
23 ligence Agency shall maintain the Benjamin Tallmadge In-
24 stitute as the primary entity within the Central Intel-

1 ligence Agency for education and training related to all
2 aspects of counterintelligence.

3 (b) RESPONSIBILITIES OF DIRECTOR.—The Director
4 of the Central Intelligence Agency shall—

5 (1) ensure the Institute is fully and properly or-
6 ganized and has the resources necessary to provide
7 counterintelligence education and training for all ca-
8 reer fields within the Agency, including specialized
9 certifications for Agency counterintelligence per-
10 sonnel;

11 (2) develop appropriate certification courses
12 that are designed to educate, train, and certify
13 Agency personnel in—

14 (A) counterintelligence threats, insider
15 threats, and other counterintelligence processes
16 and issues;

17 (B) the conduct and support of counter-
18 intelligence inquiries and investigations;

19 (C) relevant skills necessary for coordina-
20 tion with Federal law enforcement; and

21 (D) any other skills as the Director deter-
22 mines necessary;

23 (3) identify and designate specific positions for
24 which an individual shall be required to have a cer-

1 tification described in paragraph (2) prior to filling
2 such a position; and

3 (4) develop necessary infrastructure and capac-
4 ity to support the availability of courses under sub-
5 section (c) to increase participation by personnel
6 from other components of the intelligence commu-
7 nity in the courses offered by the Institute.

8 (c) TRAINING AND FAMILIARIZATION COURSES.—

9 (1) IN GENERAL.—The head of the Institute
10 shall—

11 (A) develop training and familiarization
12 courses at different classification levels, includ-
13 ing courses at an unclassified level; and

14 (B) offer instruction in the courses devel-
15 oped under subparagraph (A) or make training
16 curricula available to other intelligence commu-
17 nity components, as appropriate, to support
18 outreach efforts.

19 (2) AVAILABILITY OF COURSES.—The training
20 and familiarization courses developed under para-
21 graph (1) shall be made available to any of the fol-
22 lowing that have a need and appropriate clearance,
23 as determined by the Director of the National Coun-
24 terintelligence and Security Center in consultation
25 with the Director of the Central Intelligence Agency,

1 for a general education on counterintelligence
2 threats, briefings on specific topics, or other training
3 related to counterintelligence:

4 (A) Federal departments and agencies that
5 are not elements of the intelligence community.

6 (B) State, local, and Tribal governments.

7 (C) Private sector entities.

8 (D) Such other personnel and entities as
9 appropriate.

10 (d) BASELINE CERTIFICATION COURSE.—

11 (1) IN GENERAL.—The Institute shall develop,
12 in coordination with the National Counterintelligence
13 and Security Center and the Defense Intelligence
14 Agency, and implement a baseline certification
15 course for all counterintelligence career professionals
16 that aligns the minimum certification requirements
17 of the course and the Defense Counterintelligence
18 Agent Course of the Joint Counterintelligence Train-
19 ing Activity.

20 (2) AVAILABILITY OF COURSE.—The baseline
21 certification course developed under paragraph (1)
22 shall be made available, on a space-available basis,
23 to all intelligence community professionals and ap-
24 propriate personnel with appropriate security clear-
25 ance from any other agency, committee, commission,

1 office, or other establishment in the executive, legis-
2 lative, or judicial branch of the Federal Government.

3 **SEC. 7335. CENTRAL INTELLIGENCE AGENCY INTEL-**
4 **LIGENCE ASSESSMENT OF SINALOA CARTEL**
5 **AND JALISCO CARTEL.**

6 (a) ASSESSMENT.—Not later than 90 days after the
7 date of the enactment of this Act, the Director of the Cen-
8 tral Intelligence Agency, in consultation with the heads of
9 the other elements of the intelligence community that the
10 Director determines appropriate, shall submit to the ap-
11 propriate committees of Congress an intelligence assess-
12 ment on the transnational criminal organizations known
13 as the Sinaloa Cartel and the Jalisco Cartel.

14 (b) ELEMENTS.—The intelligence assessment under
15 subsection (a) shall include, with respect to each
16 transnational criminal organization specified in such sub-
17 section, a description of the following:

18 (1) The key leaders, organizational structure,
19 subgroups, presence in the states within Mexico, and
20 cross-border illicit drug smuggling routes of the
21 transnational criminal organization.

22 (2) The practices used by the transnational
23 criminal organization to import the chemicals used
24 to make synthetic drugs, to produce such drugs, and

1 to smuggle such drugs across the border into the
2 United States.

3 (3) The main suppliers and the main brokers
4 that supply the transnational criminal organization
5 with precursor chemicals and equipment used in the
6 production of synthetic drugs.

7 (4) The manner in which the transnational
8 criminal organization is tailoring the fentanyl prod-
9 ucts of such organization to attract a wider variety
10 of United States consumers, including unwitting
11 users.

12 (5) The degree to which the transnational
13 criminal organization is using human and technical
14 operations to undermine counternarcotics efforts by
15 United States and Mexican security services.

16 (6) An estimate of the annual revenue received
17 by the transnational criminal organization from the
18 sale of illicit drugs, disaggregated by drug type.

19 (7) Any other information the Director of the
20 Central Intelligence Agency determines relevant.

21 (c) FORM.—The intelligence assessment under sub-
22 section (a) may be submitted in classified form.

23 (d) DEFINITION OF APPROPRIATE COMMITTEES OF
24 CONGRESS.—In this section, the term “appropriate com-
25 mittees of Congress” means—

1 (1) the congressional intelligence committees;

2 (2) the Committee on Foreign Relations, the
3 Committee on Homeland Security and Governmental
4 Affairs, the Committee on Banking, Housing, and
5 Urban Affairs, and the Committee on Appropria-
6 tions of the Senate; and

7 (3) the Committee on Foreign Affairs, the
8 Committee on Homeland Security, and the Com-
9 mittee on Appropriations of the House of Represent-
10 atives.

11 **SEC. 7336. CENTRAL INTELLIGENCE AGENCY INTEL-**
12 **LIGENCE ASSESSMENT WITH RESPECT TO EF-**
13 **FORTS BY PEOPLE'S REPUBLIC OF CHINA TO**
14 **INCREASE INFLUENCE IN MIDDLE EAST.**

15 (a) ASSESSMENT.—Not later than 90 days after the
16 date of the enactment of this Act, the Director of the Cen-
17 tral Intelligence Agency, in consultation with such heads
18 of the other elements of the intelligence community that
19 the Director of National Intelligence determines appro-
20 priate, shall submit to the appropriate congressional com-
21 mittees an intelligence assessment on efforts by the Peo-
22 ple's Republic of China to increase its influence, through
23 overt or covert means, with respect to the political, mili-
24 tary, economic, or other policies or activities of govern-
25 ments of countries and territories in the Middle East in

1 ways that are detrimental to the national security interests
2 of the United States.

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

5 (1) A summary of the key relationships that the
6 People’s Republic of China has developed, or is seek-
7 ing to develop, with countries and territories in the
8 Middle East, and the national security objectives
9 that the People’s Republic of China intends to ad-
10 vance through such established or emerging relation-
11 ships.

12 (2) A description of the relationship between
13 the People’s Republic of China and Iran, including
14 in the areas of security cooperation and intelligence
15 sharing.

16 (3) An identification of the countries and terri-
17 tories in the Middle East in which the People’s Re-
18 public of China has established, or is seeking to es-
19 tablish, a military or intelligence presence or military
20 or intelligence partnerships.

21 (4) An assessment of how the People’s Republic
22 of China seeks to weaken the role, influence, and re-
23 lationships of the United States with respect to
24 countries and territories in the Middle East, includ-
25 ing through the Global Security Initiative of the

1 People's Republic of China, including through com-
2 mercial engagements and agreements with state-
3 owned enterprises of the People's Republic of China.

4 (5) An analysis of whether, and to what degree,
5 efforts by the People's Republic of China to increase
6 its influence among countries and territories in the
7 Middle East are designed to support the broader
8 strategic interests of the People's Republic of China,
9 including with respect to Taiwan.

10 (c) FORM.—The intelligence assessment required
11 under subsection (a) may be submitted in classified form.

12 (d) DEFINITIONS.—In this section:

13 (1) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES.—The term “appropriate congressional com-
15 mittees” means the following:

16 (A) The congressional intelligence commit-
17 tees.

18 (B) The Committee on Foreign Relations,
19 the Committee on Armed Services, and the
20 Committee on Appropriations of the Senate.

21 (C) The Committee on Foreign Affairs, the
22 Committee on Armed Services, the Committee
23 on Appropriations, and the Select Committee on
24 the Strategic Competition Between the United

1 States and the Chinese Communist Party of the
2 House of Representatives.

3 (2) COUNTRIES AND TERRITORIES IN THE MID-
4 DLE EAST.—The term “countries and territories in
5 the Middle East” means—

- 6 (A) Algeria;
- 7 (B) Bahrain;
- 8 (C) Egypt;
- 9 (D) Iran;
- 10 (E) Iraq;
- 11 (F) Israel;
- 12 (G) Jordan;
- 13 (H) Kuwait;
- 14 (I) Lebanon;
- 15 (J) Libya;
- 16 (K) Morocco;
- 17 (L) Oman;
- 18 (M) the Palestinian territories;
- 19 (N) Qatar;
- 20 (O) Saudi Arabia;
- 21 (P) Syria;
- 22 (Q) Tunisia;
- 23 (R) the United Arab Emirates; and
- 24 (S) Yemen.

1 **SEC. 7337. ASSESSMENT OF AVAILABILITY OF MENTAL**
2 **HEALTH AND CHAPLAIN SERVICES TO AGEN-**
3 **CY EMPLOYEES.**

4 (a) **ASSESSMENT.**—The Director of the Central Intel-
5 ligence Agency shall conduct an assessment on the avail-
6 ability of the services of mental health professionals and
7 chaplains with appropriate security clearances to employ-
8 ees of the Agency. Such assessment shall include—

9 (1) an evaluation of the current availability of
10 and demand for such services globally;

11 (2) an assessment of the feasibility of expand-
12 ing the availability of such services;

13 (3) information, including a detailed schedule
14 and cost estimate, as to what would be required to
15 increase the availability of such services for Agency
16 employees located in the United States and abroad;
17 and

18 (4) information on the feasibility and advis-
19 ability of requiring that each employee returning
20 from a high risk or high threat tour, as designated
21 by the Director, access the services of a mental
22 health professional, chaplain, or both, at the option
23 of the employee.

24 (b) **REPORT.**—Not later than 210 days after the date
25 of the enactment of this Act, the Director shall submit

1 to the appropriate congressional committees a report on
2 the assessment required by subsection (a).

3 (c) DEFINITIONS.—In this section:

4 (1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—The term “appropriate congressional com-
6 mittees” means—

7 (A) the Permanent Select Committee on
8 Intelligence and the Subcommittee on Defense
9 of the Committee on Appropriations of the
10 House of Representatives; and

11 (B) the Select Committee on Intelligence
12 and the Subcommittee on Defense of the Com-
13 mittee on Appropriations of the Senate.

14 (2) CHAPLAIN.—The term “chaplain” means a
15 member of the Chaplain Corps, as established under
16 section 26 of the Central Intelligence Agency Act of
17 1949 (50 U.S.C. 3527), whom the Director has cer-
18 tified as meeting common standards for professional
19 chaplaincy and board certification by a national
20 chaplaincy and pastoral care organization or equiva-
21 lent.

22 (3) MENTAL HEALTH PROFESSIONAL.—The
23 term “mental health professional” means an appro-
24 priately trained and certified professional counselor,
25 medical professional, psychologist, psychiatrist, or

1 other appropriate employee, as determined by the
2 Director.

3 **SEC. 7338. ASSESSMENT BY DIRECTOR OF CENTRAL INTEL-**
4 **LIGENCE AGENCY ON CERTAIN EFFECTS OF**
5 **ABRAHAM ACCORDS.**

6 (a) ASSESSMENT.—Not later than 90 days after the
7 date of the enactment of this Act, the Director of the Cen-
8 tral Intelligence Agency, in consultation with the heads of
9 the other elements of the intelligence community that the
10 Director determines appropriate, shall submit to the ap-
11 propriate committees of Congress an assessment of the
12 current effects on the intelligence community of the agree-
13 ments between Israel and 4 other foreign countries, collec-
14 tively known as the Abraham Accords, and of the potential
15 effects on the intelligence community if the Abraham Ac-
16 cords were to be expanded to additional foreign countries.

17 (b) ELEMENTS.—The assessment under subsection
18 (a) shall include, with respect to the agreements referred
19 to in such subsection, the following:

20 (1) A description of whether, and in what re-
21 spects, the agreement between Israel and Bahrain
22 has resulted in the intelligence community obtaining
23 new and valuable insights regarding national intel-
24 ligence priorities.

1 (2) A description of whether, and in what re-
2 spects, the agreement between Israel and Morocco
3 has resulted in the intelligence community obtaining
4 new and valuable insights regarding national intel-
5 ligence priorities.

6 (3) A description of whether, and in what re-
7 spects, the agreement between Israel and the United
8 Arab Emirates has resulted in the intelligence com-
9 munity obtaining new and valuable insights regard-
10 ing national intelligence priorities.

11 (4) A description of whether, and in what re-
12 spects, the agreement between Israel and Sudan has
13 resulted in the intelligence community obtaining new
14 and valuable insights regarding national intelligence
15 priorities.

16 (5) An assessment of whether, and in what re-
17 spects, additional agreements between Israel and
18 other foreign countries to normalize or otherwise en-
19 hance relations would result in the intelligence com-
20 munity obtaining new and valuable insights regard-
21 ing national intelligence priorities.

22 (c) FORM.—The assessment under subsection (a)
23 may be submitted in classified form.

1 (d) DEFINITION OF APPROPRIATE COMMITTEES OF
2 CONGRESS.—In this section, the term “appropriate com-
3 mittees of Congress” means—

4 (1) the congressional intelligence committees;

5 (2) the Committee on Appropriations of the
6 Senate; and

7 (3) the Committee on Appropriations of the
8 House of Representatives.

9 **SEC. 7339. REPORTING AND INVESTIGATING ALLEGATIONS**
10 **OF SEXUAL ASSAULT AND SEXUAL HARASS-**
11 **MENT WITHIN THE CENTRAL INTELLIGENCE**
12 **AGENCY.**

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

15 (1) sexual assault and sexual harassment arise
16 from, and are often indicative of, an environment
17 where toxic, provocative, and sometimes significantly
18 inappropriate behavior is tolerated;

19 (2) when supervisors and senior leaders at
20 headquarters and in the field are among the offend-
21 ers and facilitate a work climate in which toxic and
22 disrespectful behavior is tolerated, harassment and
23 even assault will often go unaddressed and
24 unpunished;

1 aspects of the response of the Agency to allegations
2 of sexual assault and sexual harassment.

3 “(2) Developing and implementing policies and
4 procedures to protect the confidentiality of employ-
5 ees who report sexual assault or sexual harassment
6 and to mitigate negative effects on the reputation or
7 career of such an employee as a result of such a re-
8 port.

9 “(3) Developing and implementing documented
10 standards for—

11 “(A) appropriate mitigation and protection
12 measures for individuals who make allegations
13 of a sexual assault or sexual harassment to be
14 put in place while an investigation proceeds;

15 “(B) appropriate employee consequences to
16 be imposed based on the findings of an inquiry
17 or investigation into a substantiated allegation
18 of sexual assault or sexual harassment;

19 “(C) appropriate career path protection for
20 all employees involved in an incident resulting
21 in a reported allegation of sexual assault or sex-
22 ual harassment while an administrative or
23 criminal investigation or review of the allegation
24 is pending; and

1 “(D) mitigation measures to protect em-
2 ployees and mission execution while such allega-
3 tions are being addressed.

4 “(4) Articulating and enforcing norms, expecta-
5 tions, practices, and policies, including with respect
6 to employee promotions and assignments, that are
7 published for the workforce and designed to promote
8 a healthy workplace culture that is inhospitable to
9 sexual assault and sexual harassment.

10 “(5) Developing and issuing workforce mes-
11 saging to inform Agency employees of policies, pro-
12 cedures, resources, and points of contact to obtain
13 information related to, or to report, sexual assault or
14 sexual harassment globally.

15 “(6) Developing and implementing sexual as-
16 sault and sexual harassment training for all Agency
17 employees that—

18 “(A) is designed to strengthen individual
19 knowledge, skills, and capacity to prevent and
20 respond to sexual assault and sexual harass-
21 ment;

22 “(B) includes onboarding programs, an-
23 nual refresher training, and specialized leader-
24 ship training; and

1 “(C) includes details of the definitions of
2 sexual assault and sexual harassment, the dis-
3 tinction between such terms, and what does or
4 does not constitute each.

5 “(7) Developing and implementing processes
6 and procedures applicable to personnel involved in
7 providing the training referred to in paragraph (6)
8 that—

9 “(A) are designed to ensure seamless pol-
10 icy consistency and mechanisms for submitting
11 reports of sexual assault and sexual harassment
12 in all training environments; and

13 “(B) include requirements for in-person
14 training that—

15 “(i) covers the reporting processes for
16 sexual assault and sexual harassment that
17 are specific to training environments for
18 students and trainers; and

19 “(ii) shall be provided at an appro-
20 priate time during the first 5 days of any
21 extended or residential training course.

22 “(8) Developing and implementing, in consulta-
23 tion with the Victim Advocacy Specialists of the
24 Federal Bureau of Investigation, appropriate train-
25 ing requirements, policies, and procedures applicable

1 to all employees whose professional responsibilities
2 include interaction with people making reports alleg-
3 ing sexual assault or sexual harassment.

4 “(9) Developing and implementing procedures
5 under which current and former employees of the
6 Agency who have reported an allegation of sexual as-
7 sault or sexual harassment may obtain documents
8 and records related to such a report, as appropriate
9 and upon request.

10 “(10) Developing and implementing procedures
11 under which an employee who makes a restricted or
12 unrestricted report containing an allegation of a sex-
13 ual assault or sexual harassment may transfer out
14 of the current assignment or location of the em-
15 ployee, upon the request of the employee making the
16 report. Such procedures shall be consistent with the
17 privilege established in section 31.

18 “(11) Developing policies and procedures for
19 the Special Victim Investigator, as applicable, to fa-
20 cilitate outside engagement requests of employees re-
21 porting allegations of sexual assault or sexual har-
22 assment as described in sections 31 and 32.

23 “(12) Coordinating the response of the Agency
24 to allegations of sexual assault and sexual harass-
25 ment.

1 “(b) SEMIANNUAL REPORT.—Not less frequently
2 than once every 180 days, the Director shall submit to
3 the Select Committee on Intelligence of the Senate and
4 the Permanent Select Committee on Intelligence of the
5 House of Representatives a report on the activities of all
6 Agency offices responsible for preventing, investigating,
7 adjudicating, and addressing claims of sexual assault or
8 sexual harassment. The Director shall personally review,
9 approve, and submit each report under this subsection on
10 a nondelegable basis. Each such report shall include—

11 “(1) for the period covered by the report—

12 “(A) the number of new allegations of sex-
13 ual assault and sexual harassment reported to
14 any Agency office, disaggregated by restricted
15 and unrestricted reports;

16 “(B) the number of new or ongoing cases
17 in which the Sexual Harassment/Assault Re-
18 sponse and Prevention Office has provided vic-
19 tim advocacy services;

20 “(C) a description of all training activities
21 related to sexual assault and sexual harassment
22 carried out Agency-wide, and the number of
23 such trainings conducted; and

24 “(2) for the period beginning on the date of the
25 enactment of the Intelligence Authorization Act for

1 Fiscal Year 2024 and ending on the last day of the
2 period covered by the report—

3 “(A) the total number of allegations of sex-
4 ual assault and sexual harassment;

5 “(B) the disposition of each report of such
6 an allegation;

7 “(C) any corrective action taken in re-
8 sponse to each such report;

9 “(D) the number of such allegations that
10 were not substantiated; and

11 “(E) the number of employee reassignment
12 and relocation requests, including—

13 “(i) the number of such requests that
14 were granted;

15 “(ii) the number of such requests that
16 were denied; and

17 “(iii) for any such request that was
18 denied, the position of the individual who
19 denied the request and the reason for de-
20 nial.

21 “(c) APPLICABILITY.—

22 “(1) IN GENERAL.—The policies developed pur-
23 suant to this section shall apply to each of the fol-
24 lowing:

25 “(A) Any employee of the Agency.

1 “(B) Any person other than an Agency
2 employee who alleges they were sexually as-
3 saulted or harassed at a facility associated with
4 the Agency or during the performance of a
5 function associated with the Agency. If such
6 person is an employee of an industrial con-
7 tractor, the contracting officer for the relevant
8 contract shall coordinate with the contractually
9 identified representative for the prime con-
10 tractor in a manner consistent with section 31.

11 “(2) RELATION TO EXISTING REGULATIONS.—
12 The policies developed pursuant to this section for
13 handling allegations of sexual harassment shall be in
14 addition to the requirements of part 1614 of title
15 29, Code of Federal Regulations, or successor regu-
16 lations.”.

17 (c) REPORTING AND INVESTIGATION OF ALLEGA-
18 TIONS OF SEXUAL ASSAULT AND SEXUAL HARASS-
19 MENT.—Such Act is further amended by adding at the
20 end the following new section:

1 **“SEC. 31. REPORTING AND INVESTIGATION OF ALLEGA-**
2 **TIONS OF SEXUAL ASSAULT AND SEXUAL**
3 **HARASSMENT.**

4 “(a) **POLICIES RELATING TO RESTRICTED AND UN-**
5 **RESTRICTED REPORTING OF SEXUAL ASSAULT AND SEX-**
6 **UAL HARASSMENT.—**

7 “(1) **IN GENERAL.—**The Director shall develop
8 and implement policies, regulations, personnel train-
9 ing, and workforce education to establish and pro-
10 vide information about restricted reports and unre-
11 stricted reports of allegations of sexual assault and
12 sexual harassment within the Agency in accordance
13 with this subsection.

14 “(2) **WORKFORCE EDUCATION.—**Workforce
15 education developed under paragraph (1) shall be
16 designed to clearly inform Agency employees of the
17 differences between restricted and unrestricted re-
18 porting of allegations of sexual assault and sexual
19 harassment, and which individual or office within
20 the Agency is responsible for receiving each type of
21 report.

22 “(3) **RELATIONSHIP TO THE SEXUAL HARASS-**
23 **MENT/ASSAULT RESPONSE AND PREVENTION OF-**
24 **FICE.—**To the extent consistent with preserving a
25 victim’s complete autonomy, the policies, regulations,

1 training, and messaging described in this subsection
2 shall—

3 “(A) encourage Agency employees to make
4 restricted or unrestricted reports of sexual as-
5 sault and sexual harassment to the Sexual Har-
6 assment/Assault Response and Prevention Of-
7 fice;

8 “(B) encourage Agency employees to use
9 the Sexual Harassment/Assault Response and
10 Prevention Office as the primary point of con-
11 tact and entry point for Agency employees to
12 make restricted or unrestricted reports of sex-
13 ual assault and sexual harassment;

14 “(C) encourage Agency employees to seek
15 the victim advocacy services of the Sexual Har-
16 assment/Assault Response and Prevention Of-
17 fice after reporting an allegation of sexual as-
18 sault or sexual harassment, to the extent con-
19 sistent with the victim’s election; and

20 “(D) encourage Agency employees and in-
21 dividuals who receive disclosures of sexual as-
22 sault and sexual harassment to provide the re-
23 port to, and receive guidance from, the Sexual
24 Harassment/Assault Response and Prevention
25 Office.

1 “(b) ELECTION.—Any person making a report con-
2 taining an allegation of a sexual assault or sexual harass-
3 ment shall elect whether to make a restricted report or
4 an unrestricted report. Once an election is made to make
5 an unrestricted report, such election may not be changed.

6 “(c) UNRESTRICTED REPORTS.—

7 “(1) ASSISTANCE.—A person who elects to
8 make an unrestricted report containing an allegation
9 of sexual assault or sexual harassment may seek the
10 assistance of another employee of the Agency with
11 taking the action required under paragraph (2).

12 “(2) ACTION REQUIRED.—A person electing to
13 make an unrestricted report containing an allegation
14 of sexual assault or sexual harassment shall submit
15 the report to the Sexual Harassment/Assault Re-
16 sponse and Prevention Office. To the extent con-
17 sistent with the person’s election after consultation
18 with the Sexual Harassment/Assault Response and
19 Prevention Office, the Sexual Harassment/Assault
20 Response and Prevention Office may facilitate the
21 person’s contact with any other appropriate Agency
22 official or office, and make available to Agency em-
23 ployees the following:

24 “(A) A list of physicians and mental health
25 care providers (including from the private sec-

1 tor, as applicable) who have experience with the
2 physical and mental health care needs of the
3 Agency workforce.

4 “(B) A list of chaplains and religious coun-
5 selors who have experience with the needs of
6 the Agency workforce, including information re-
7 garding access to the Chaplain Corps estab-
8 lished under section 26.

9 “(C) Information regarding how to select
10 and retain private attorneys who have experi-
11 ence with the legal needs of the Agency work-
12 force, including detailed information on the
13 process for the appropriate sharing of informa-
14 tion with retained private attorneys.

15 “(3) RULE OF CONSTRUCTION.—The inclusion
16 of any person on a list maintained or made available
17 pursuant to subsection (c)(2) shall not be construed
18 as an endorsement of such person (or any service
19 furnished by such person), and neither the Sexual
20 Harassment/Assault Response and Prevention Office
21 nor the Agency shall be liable, as a result of such
22 inclusion, for any portion of compensable injury,
23 loss, or damage attributable to such person or serv-
24 ice.

25 “(d) RESTRICTED REPORTS.—

1 “(1) PROCESS FOR MAKING REPORTS.—A per-
2 son who elects to make a restricted report con-
3 taining an allegation of sexual assault or sexual har-
4 assment shall submit the report to the Sexual Har-
5 assment/Assault Response and Prevention Office.

6 “(2) ACTION REQUIRED.—A restricted report
7 containing an allegation of sexual assault or sexual
8 harassment—

9 “(A) shall be treated by the person who re-
10 ceives the report in the same manner as a com-
11 munication covered by the privilege set forth in
12 this section;

13 “(B) shall not result in a referral to law
14 enforcement or commencement of a formal ad-
15 ministrative investigation, unless the victim
16 elects to change the report from a restricted re-
17 port to an unrestricted report;

18 “(C) in a case requiring an employee reas-
19 signment, relocation, or other mitigation or pro-
20 tective measures, shall result only in actions
21 that are managed in a manner to limit, to the
22 extent possible, the disclosure of any informa-
23 tion contained in the report;

24 “(D) shall be exempt from any Federal or,
25 to the maximum extent permitted by the Con-

1 stitution, State reporting requirements, includ-
2 ing the requirements under section 535(b) of
3 title 28, United States Code, section 17(b)(5) of
4 this Act, relevant provisions of Executive Order
5 12333 (50 U.S.C. 3001 note; relating to United
6 States intelligence activities), or successor
7 order, Executive Order 13462 (50 U.S.C. 3001
8 note; relating to President’s intelligence advi-
9 sory board and intelligence oversight board), or
10 successor order, title VII of the Civil Rights Act
11 of 1964 (42 U.S.C. 2000e et seq.), the Age Dis-
12 crimination in Employment Act of 1967 (29
13 U.S.C. 621 et seq.), title I of the Americans
14 with Disabilities Act of 1990 (42 U.S.C. 12111
15 et seq.), and sections 501 and 505 of the Reha-
16 bilitation Act of 1973 (29 U.S.C. 791 and
17 794a), except when reporting is necessary to
18 prevent or mitigate an imminent threat of seri-
19 ous bodily harm.

20 “(3) RULE OF CONSTRUCTION.—The receipt of
21 a restricted report submitted under subsection (d)
22 shall not be construed as imputing actual or con-
23 structive knowledge of an alleged incident of sexual
24 assault or sexual harassment to the Agency for the
25 purpose of the Agency’s responsibility to exercise

1 reasonable care to take immediate and appropriate
2 corrective action to prevent and correct harassing
3 behavior.

4 “(e) PRIVILEGED COMMUNICATIONS WITH AGENCY
5 EMPLOYEES.—

6 “(1) IN GENERAL.—A victim shall be entitled to
7 maintain and assert a privilege against disclosure of,
8 and be able to prevent any other person from dis-
9 closing, any confidential communication made be-
10 tween the victim and any employee of the Sexual
11 Harassment/Assault Response and Prevention Of-
12 fice, if such communication was made for the pur-
13 pose of facilitating advice or assistance to the victim
14 in accordance with this section. A victim may con-
15 sent to additional disclosures.

16 “(2) WHEN A COMMUNICATION IS CONFIDEN-
17 TIAL.—A communication is confidential for the pur-
18 poses of this section if made in the course of the re-
19 lationship between the victim and any employee of
20 the Sexual Harassment/Assault Response and Pre-
21 vention Office and not intended to be disclosed to
22 third persons, other than those to whom disclosure
23 is made in furtherance of the provision of advice or
24 assistance to the victim or those reasonably nec-
25 essary for such transmission of the communication.

1 “(3) MAINTENANCE OF PRIVILEGE.—The privi-
2 lege is maintained by the victim. A victim may au-
3 thorize the Sexual Harassment/Assault Response
4 and Prevention Office employee who received the
5 communication to assert the privilege on his or her
6 behalf, with confidentiality. The Sexual Harassment/
7 Assault Response and Prevention Office employee
8 who received the communication may assert the
9 privilege on behalf of the victim. The authority of
10 such Sexual Harassment/Assault Response and Pre-
11 vention Office employee to so assert the privilege is
12 presumed in the absence of evidence to the contrary.

13 “(4) EXCEPTIONS.—The privilege shall not
14 apply to prevent limited disclosures necessary under
15 the following circumstances:

16 “(A) When the victim is deceased.

17 “(B) When the Sexual Harassment/Assault
18 Response and Prevention Office employee who
19 received the communication has a reasonable
20 belief that a victim’s mental or emotional condi-
21 tion makes the victim a danger to any person,
22 including the victim.

23 “(C) When the otherwise privileged com-
24 munication clearly contemplates the future com-
25 mission of a crime or breach of national secu-

1 rity, or aiding any individual to commit or plan
2 to commit what the victim knew or reasonable
3 should have known to be a crime or breach of
4 national security.

5 “(D) When disclosure of a communication
6 is constitutionally required.

7 “(5) HANDLING OF EXCEPTIONS.—When the
8 Sexual Harassment/Assault Response and Preven-
9 tion Office employee determines that information re-
10 quires an exception to the privilege, the Sexual Har-
11 assment/Assault Response and Prevention Office em-
12 ployee who received the communication will protect
13 information pertaining to the facts and cir-
14 cumstances surrounding the underlying sexual as-
15 sault or sexual harassment allegations to the great-
16 est extent possible.

17 “(f) INCIDENT REPORTS WHEN VICTIM OR ALLEGED
18 PERPETRATOR IS AN AGENCY EMPLOYEE.—

19 “(1) INCIDENT REPORTING POLICY.—The Di-
20 rector shall establish and maintain a policy under
21 which—

22 “(A) the head of the Sexual Harassment/
23 Assault Response and Prevention Office is re-
24 quired to submit a written incident report not
25 later than 8 days after receiving an unrestricted

1 report containing an allegation of sexual assault
2 or sexual harassment; and

3 “(B) each such incident report required
4 under subparagraph (A) shall be provided to—

5 “(i) the Director of the Agency;

6 “(ii) the Chief Operating Officer of
7 the Agency;

8 “(iii) the Special Victim Investigator;

9 and

10 “(iv) such other individuals as the Di-
11 rector determines appropriate.

12 “(2) PURPOSE.—The purpose of an incident re-
13 port required under paragraph (1) is—

14 “(A) to record the details about actions
15 taken or in progress to provide the necessary
16 care and support to the victim of the alleged in-
17 cident;

18 “(B) to document the referral of the alle-
19 gations to the appropriate investigatory or law
20 enforcement agency; and

21 “(C) to provide initial formal notification
22 of the alleged incident.

23 “(3) ELEMENTS.—Each incident report re-
24 quired under paragraph (1) shall include each of the
25 following:

1 “(A) The time, date, and location of the al-
2 leged sexual assault or sexual harassment.

3 “(B) An identification of the type of of-
4 fense or harassment alleged.

5 “(C) An identification of the assigned of-
6 fice and location of the victim.

7 “(D) An identification of the assigned of-
8 fice and location of the alleged perpetrator, in-
9 cluding information regarding whether the al-
10 leged perpetrator has been temporarily trans-
11 ferred or removed from an assignment or other-
12 wise restricted, if applicable.

13 “(E) A description of any post-incident ac-
14 tions taken in connection with the incident, in-
15 cluding—

16 “(i) referral to any services available
17 to victims, including the date of each refer-
18 ral;

19 “(ii) notification of the incident to ap-
20 propriate investigatory organizations, in-
21 cluding the organizations notified and
22 dates of notifications; and

23 “(iii) issuance of any personal protec-
24 tion orders or steps taken to separate the

1 victim and the alleged perpetrator within
2 their place of employment.

3 “(F) Such other elements as the Director
4 determines appropriate.

5 “(g) COMMON PERPETRATOR NOTICE REQUIRE-
6 MENT.—

7 “(1) UNRESTRICTED REPORTS.—Upon receipt
8 of an incident report under subsection (f)(1) con-
9 taining an allegation of sexual assault or sexual har-
10 assment against an individual known to be the sub-
11 ject of at least one allegation of sexual assault or
12 sexual harassment by another reporter, the Special
13 Victim Investigator shall notify each of the following
14 of all existing allegations against the individual:

15 “(A) The Director of the Agency.

16 “(B) The Chief Operating Officer of the
17 Agency.

18 “(C) The Sexual Harassment/Assault Re-
19 sponse and Prevention Office.

20 “(D) If the individual is an Agency em-
21 ployee, the head of the directorate employing
22 the individual and the first-level supervisor of
23 the individual.

24 “(E) If the individual is an Agency con-
25 tractor, the Acquisition Group Chief and the

1 contracting officer for the relevant contract.
2 For industrial contractor personnel, the con-
3 tracting officer shall notify the contractually
4 identified representative for the prime con-
5 tractor.

6 “(F) The Inspector General of the Agency.

7 “(G) Such other individuals as the Direc-
8 tor determines appropriate.

9 “(2) RESTRICTED REPORTS.—In the case of re-
10 stricted reports under subsection (d), the Sexual
11 Harassment/Assault Response and Prevention Office
12 shall notify any victims known to have filed a re-
13 stricted report against an individual known to be the
14 subject of at least one unrestricted allegation of sex-
15 ual assault or sexual harassment by another reporter
16 that another allegation has been made against the
17 same individual who is the alleged subject of the vic-
18 tim’s report at the time of the victim’s initial report
19 or any time thereafter upon receipt of any subse-
20 quent unrestricted report under subsection (c) or a
21 common perpetrator notice under paragraph (1) of
22 this subsection.

23 “(h) APPLICABILITY.—The policies developed pursu-
24 ant to this section shall apply to each of the following:

25 “(1) Any employee of the Agency.

1 “(2) Any person other than an Agency em-
2 ployee who alleges they were sexually assaulted or
3 harassed at a facility associated with the Agency or
4 during the performance of a function associated with
5 the Agency.

6 “(i) RECORDS.—

7 “(1) IN GENERAL.—The Director shall establish
8 a system for the tracking and, in accordance with
9 chapter 31 of title 44, United States Code (com-
10 monly known as the ‘Federal Records Act of 1950’),
11 long-term temporary retention of all Agency records
12 related to any investigation into an allegation of sex-
13 ual assault or sexual harassment made in an unre-
14 stricted report, including any related medical docu-
15 mentation.

16 “(2) RELATION TO PRIVILEGE.—Any Agency
17 records created under the authority of this section
18 are subject to the privileges described in this section.
19 Routine records management activities conducted by
20 authorized Agency personnel with respect to such
21 records, including maintaining, searching, or
22 dispositioning of records, shall not result in a waiver
23 of those privileges.

24 “(3) APPLICABILITY TO FOIA.—This section
25 shall constitute a withholding statute pursuant to

1 section 552(b)(3) of title 5, United States Code,
2 with respect to any information that may reveal the
3 identity of a victim of sexual assault or sexual har-
4 assment, or any information subject to the privileges
5 described in this section.

6 “(j) RELATIONSHIP TO THE OFFICE OF EQUAL EM-
7 PLOYMENT OPPORTUNITY.—In the case of a restricted re-
8 port of sexual harassment, such report shall not result in
9 a referral to the Office of Equal Employment Opportunity,
10 unless the victim elects to change the report from a re-
11 stricted report to an unrestricted report. In the case of
12 an unrestricted report, the Special Victim Investigator, the
13 Office of Equal Employment Opportunity, law enforce-
14 ment, or any other appropriate investigative body, or any
15 appropriate combination thereof, may investigate the un-
16 restricted report, as appropriate. Policies and procedures
17 developed pursuant to this section are intended to offer
18 victims options in addition to the process described in part
19 1614 of title 29, Code of Federal Regulations, or successor
20 regulations.

21 “(k) DEFINITIONS.—In this section:

22 “(1) REPORT.—The term ‘report’ means a com-
23 munication—

24 “(A) by a victim;

1 “(B) that describes information relating to
2 an allegation of sexual assault or sexual harass-
3 ment;

4 “(C) to an individual eligible to document
5 an unrestricted or restricted report; and

6 “(D) that the victim intends to result in
7 formal documentation of an unrestricted or re-
8 stricted report.

9 “(2) VICTIM.—The term ‘victim’ means a per-
10 son who alleges they have suffered direct physical or
11 emotional harm because they were subjected to sex-
12 ual assault or sexual harassment.”.

13 (d) SPECIAL VICTIM INVESTIGATOR.—Such Act is
14 further amended by adding at the end the following new
15 section:

16 **“SEC. 32. SPECIAL VICTIM INVESTIGATOR.**

17 “(a) ESTABLISHMENT.—The Director shall establish
18 in the Office of Security a Special Victim Investigator,
19 who shall be authorized to investigate or facilitate the in-
20 vestigation of unrestricted reports containing allegations
21 of sexual assault and sexual harassment. The person ap-
22 pointed as the Special Victim Investigator shall be an ap-
23 propriately credentialed Federal law enforcement officer
24 and may be detailed or assigned from a Federal law en-
25 forcement entity.

1 “(b) RESPONSIBILITIES.—The Investigator shall—

2 “(1) at the election of a victim (as defined in
3 section 31(k)), be authorized to conduct internal
4 Agency inquiries, investigations, and other fact-find-
5 ing activities related to allegations of sexual harass-
6 ment, which may be separate and in addition to any
7 inquiry or investigation conducted by the Office of
8 Equal Employment Opportunity;

9 “(2) conduct and manage internal Agency in-
10 quires, investigations, and other fact-finding activi-
11 ties related to specific allegations of sexual assault;

12 “(3) testify in a criminal prosecution in any
13 venue, where appropriate;

14 “(4) serve as the case agent for a criminal in-
15 vestigation in any venue, where appropriate;

16 “(5) facilitate engagement with other law en-
17 forcement relating to such allegations, where appro-
18 priate, including coordinating on the matter and any
19 related matters with other Federal, State, local, and
20 Tribal law enforcement agencies, as necessary and
21 appropriate, pursuant to regulations, requirements,
22 and procedures developed in consultation with the
23 Federal Bureau of Investigation, the Department of
24 State’s Diplomatic Security Service, or other Fed-
25 eral, State, local, or Tribal law enforcement authori-

1 ties, for any such inquiries, investigations, or other
2 fact-finding activities;

3 “(6) develop and implement policies and proce-
4 dures necessary for the Special Victim Investigator
5 or any law enforcement partner to conduct effective
6 investigations and also protect sensitive information;

7 “(7) serve as the primary internal investigative
8 body in the Agency for allegations of sexual assault,
9 except that, in the case of an allegation of a sexual
10 assault involving an employee of the Office of Secu-
11 rity, the Special Victim Investigator shall coordinate
12 with the Inspector General or appropriate criminal
13 investigators employed by a Federal, State, local, or
14 Tribal law enforcement entity, as necessary, to
15 maintain the integrity of the investigation and miti-
16 gate potential conflicts of interest;

17 “(8) establish and coordinate clear policies re-
18 garding which agency should take the lead on con-
19 ducting, or be the lead in coordinating with local law
20 enforcement when applicable, investigations of sexual
21 assault and sexual harassment overseas; and

22 “(9) sharing information with the Sexual Har-
23 assment/Assault Response and Prevention Office, in-
24 cluding providing a copy of materials related to in-
25 vestigations with such redactions as deemed nec-

1 essary, to facilitate the support and advocacy of such
2 Office for victims of alleged sexual assault or sexual
3 harassment.

4 “(c) TIMEFRAME FOR INVESTIGATIONS.—The Spe-
5 cial Victim Investigator shall—

6 “(1) ensure that any Special Victim Investi-
7 gator investigation into an allegation of a sexual as-
8 sault or sexual harassment contained in an unre-
9 stricted report submitted under section 31 is com-
10 pleted by not later than 60 days after the date on
11 which the report is referred to the Special Victim In-
12 vestigator; and

13 “(2) if the Special Victim Investigator deter-
14 mines that the completion of an investigation will
15 take longer than 60 days—

16 “(A) not later than 60 days after the date
17 on which the report is referred to the Special
18 Victim Investigator, submit to the Director a
19 request for an extension that contains a sum-
20 mary of the progress of the investigation, the
21 reasons why the completion of the investigation
22 requires additional time, and a plan for the
23 completion of the investigation; and

24 “(B) provide to the person who made the
25 report and the person against whom the allega-

1 tion in the report was made notice of the exten-
2 sion of the investigation.”.

3 (e) IMPLEMENTATION AND REPORTING REQUIRE-
4 MENTS.—

5 (1) DEADLINE FOR IMPLEMENTATION.—Not
6 later than 180 days after the date of the enactment
7 of this Act, the Director of the Central Intelligence
8 Agency shall—

9 (A) complete an Agency climate assess-
10 ment—

11 (i) which does not request any infor-
12 mation that would make an Agency em-
13 ployee or an Agency employee’s position
14 identifiable;

15 (ii) for the purposes of—

16 (I) preventing and responding to
17 sexual assault and sexual harassment;
18 and

19 (II) examining the prevalence of
20 sexual assault and sexual harassment
21 occurring among the Agency’s work-
22 force; and

23 (iii) that includes an opportunity for
24 Agency employees to express their opinions
25 regarding the manner and extent to which

1 the Agency responds to allegations of sex-
2 ual assault and complaints of sexual har-
3 assment, and the effectiveness of such re-
4 sponse;

5 (B) submit to the appropriate congres-
6 sional committees the findings of the Director
7 with respect to the climate assessment com-
8 pleted pursuant to subparagraph (A);

9 (C) establish and implement the policies
10 required under sections 30 and 31 of the Cen-
11 tral Intelligence Agency Act of 1949, as added
12 by subsections (b) and (c), respectively;

13 (D) consolidate the responsibilities of the
14 Director under section 30 of the Central Intel-
15 ligence Agency Act of 1949 in a single Office,
16 as determined by the Director; and

17 (E) establish the Special Victim Investi-
18 gator, as required by section 32 of the Central
19 Intelligence Agency Act of 1949, as added by
20 subsection (d).

21 (2) REPORT.—Not later than 90 days after the
22 date of the enactment of this Act, and not less fre-
23 quently than once every 90 days thereafter for 2
24 years, the Director of the Central Intelligence Agen-
25 cy shall submit to the appropriate congressional

1 committees a report on the implementation of this
2 section and the amendments made by this section.
3 The Director shall personally review, approve, and
4 submit each report under this paragraph on a non-
5 delegable basis.

6 (3) APPROPRIATE CONGRESSIONAL COMMIT-
7 TEES DEFINED.—In this subsection, the term “ap-
8 propriate congressional committees” means—

9 (A) the Select Committee on Intelligence
10 and the Subcommittee on Defense of the Com-
11 mittee on Appropriations of the Senate; and

12 (B) the Permanent Select Committee on
13 Intelligence and the Subcommittee on Defense
14 of the Committee on Appropriations of the
15 House of Representatives.

16 **Subtitle C—Matters Relating to De-**
17 **fense Intelligence and Overhead**
18 **Architecture**

19 **SEC. 7341. MODIFICATION OF REPORTING REQUIREMENT**
20 **FOR ALL-DOMAIN ANOMALY RESOLUTION OF-**
21 **FICE.**

22 Section 1683(k)(1) of the National Defense Author-
23 ization Act for Fiscal Year 2022 (50 U.S.C. 3373(k)(1)),
24 as amended by section 6802(a) of the Intelligence Author-

1 ization Act for Fiscal Year 2023 (Public Law 117–263),
2 is further amended—

3 (1) in the heading, by striking “DIRECTOR OF
4 NATIONAL INTELLIGENCE AND SECRETARY OF DE-
5 FENSE” and inserting “ALL-DOMAIN ANOMALY RES-
6 OLUTION OFFICE”; and

7 (2) in subparagraph (A), by striking “Director
8 of National Intelligence and the Secretary of De-
9 fense shall jointly” and inserting “Director of the
10 Office shall”.

11 **SEC. 7342. DEFENSE INTELLIGENCE AGENCY ASSESSMENT**
12 **OF STRATEGIC COMPETITION IN LATIN**
13 **AMERICA AND THE CARIBBEAN.**

14 (a) ASSESSMENT.—Not later than 120 days after the
15 date of the enactment of this Act, the Director of the De-
16 fense Intelligence Agency, in consultation with the heads
17 of the other elements of the intelligence community that
18 the Director determines appropriate, shall submit to the
19 appropriate congressional committees an intelligence as-
20 sessment on the level of intelligence and defense coopera-
21 tion between covered countries and—

22 (1) the People’s Republic of China; and

23 (2) the Russian Federation.

24 (b) ELEMENTS.—The intelligence assessment under
25 subsection (a) shall include a description of any security-

1 related cooperation or engagement between covered coun-
2 tries and the People's Republic of China or the Russian
3 Federation in the following areas:

- 4 (1) Strategic dialogue.
- 5 (2) Training or professional military education.
- 6 (3) Defense agreements.
- 7 (4) Intelligence sharing agreements.
- 8 (5) Arms transfers.
- 9 (6) Defense equipment transfers.
- 10 (7) Military exercises.
- 11 (8) Joint operations.
- 12 (9) Permanent military presence.
- 13 (10) Space cooperation.
- 14 (11) Any other area the Director of the Defense
15 Intelligence Agency determines appropriate.

16 (c) FORM.—The assessment under subsection (a)
17 may be provided in classified form.

18 (d) FORMAT.—To the extent practicable, the Director
19 shall present the information contained in the assessment
20 under subsection (a) in the format of a chart or other
21 graphic.

22 (e) DEFINITIONS.—In this section:

- 23 (1) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES.—The term “appropriate congressional com-
25 mittees” means the following:

1 (A) The congressional intelligence commit-
2 tees.

3 (B) The congressional defense committees,
4 as such term is defined in section 101(a) of
5 title 10, United States Code.

6 (C) The Committee on Foreign Relations
7 of the Senate and the Committee on Foreign
8 Affairs of the House of Representatives.

9 (2) COVERED COUNTRY.—The term “covered
10 country” means Mexico and each foreign country or
11 territory in Central or South America or in the Car-
12ibbean.

13 **SEC. 7343. FUNDING LIMITATIONS RELATING TO UNIDENTI-**
14 **FIED ANOMALOUS PHENOMENA.**

15 (a) DEFINITIONS.—In this section:

16 (1) APPROPRIATE COMMITTEES OF CON-
17GRESS.—The term “appropriate committees of Con-
18gress” means—

19 (A) the Select Committee on Intelligence,
20 the Committee on Armed Services, and the
21 Committee on Appropriations of the Senate;
22 and

23 (B) the Permanent Select Committee on
24 Intelligence, the Committee on Armed Services,

1 and the Committee on Appropriations of the
2 House of Representatives.

3 (2) CONGRESSIONAL LEADERSHIP.—The term
4 “congressional leadership” means—

5 (A) the majority leader of the Senate;

6 (B) the minority leader of the Senate;

7 (C) the Speaker of the House of Rep-
8 resentatives; and

9 (D) the minority leader of the House of
10 Representatives.

11 (3) UNIDENTIFIED ANOMALOUS PHENOMENA.—

12 The term “unidentified anomalous phenomena” has
13 the meaning given such term in section 1683(n) of
14 the National Defense Authorization Act for Fiscal
15 Year 2022 (50 U.S.C. 3373(n)).

16 (b) LIMITATIONS.—None of the funds authorized to
17 be appropriated or otherwise made available by this divi-
18 sion may be obligated or expended in support of any activ-
19 ity involving unidentified anomalous phenomena protected
20 under any form of special access or restricted access limi-
21 tation unless the Director of National Intelligence has pro-
22 vided the details of the activity to the appropriate commit-
23 tees of Congress and congressional leadership, including
24 for any activities described in a report released by the All-
25 domain Anomaly Resolution Office in fiscal year 2024.

1 (c) LIMITATION REGARDING INDEPENDENT RE-
2 SEARCH AND DEVELOPMENT.—Independent research and
3 development funding relating to unidentified anomalous
4 phenomena shall not be allowable as indirect expenses for
5 purposes of contracts covered by such instruction, unless
6 such material and information is made available to the ap-
7 propriate congressional committees and leadership.

8 **Subtitle D—Matters Relating to Na-**
9 **tional Security Agency, Cyber,**
10 **and Commercial Cloud Enter-**
11 **prise**

12 **SEC. 7351. CONGRESSIONAL NOTIFICATION BY NATIONAL**
13 **SECURITY AGENCY OF INTELLIGENCE COL-**
14 **LECTION ADJUSTMENTS.**

15 The National Security Agency Act of 1959 (50
16 U.S.C. 3601 et seq.) is amended by adding at the end
17 the following new section:

18 **“SEC. 22. CONGRESSIONAL NOTIFICATION OF INTEL-**
19 **LIGENCE COLLECTION ADJUSTMENTS.**

20 “(a) NOTIFICATION.—Not later than 30 days after
21 the date on which the Director of the National Security
22 Agency determines the occurrence of an intelligence collec-
23 tion adjustment, the Director shall submit to the congres-
24 sional intelligence committees, the Committee on Appro-
25 priations of the Senate, and the Committee on Appropria-

1 tions of the House of Representatives a notification of the
2 intelligence collection adjustment.

3 “(b) DEFINITIONS.—In this section:

4 “(1) CONGRESSIONAL INTELLIGENCE COMMIT-
5 TEES.—The term ‘congressional intelligence commit-
6 tees’ has the meaning given that term in section 3
7 of the National Security Act of 1947 (50 U.S.C.
8 3003).

9 “(2) INTELLIGENCE COLLECTION ADJUST-
10 MENT.—The term ‘intelligence collection adjustment’
11 includes a change by the United States Government
12 to a policy on intelligence collection or the
13 prioritization thereof that results in a significant
14 loss of intelligence.”.

15 **SEC. 7352. MODIFICATIONS TO ENFORCEMENT OF CYBER-**
16 **SECURITY REQUIREMENTS FOR NATIONAL**
17 **SECURITY SYSTEMS.**

18 Section 6309 of the Intelligence Authorization Act for
19 Fiscal Year 2023 (Public Law 117–263) is amended—

20 (1) by redesignating subsection (e) as sub-
21 section (f); and

22 (2) by inserting after subsection (d) the fol-
23 lowing new subsection:

24 “(e) IMPLEMENTATION REPORT.—Each head of an
25 element of the intelligence community that owns or oper-

1 ates a national security system shall submit to the con-
2 gressional intelligence committees not later than 90 days
3 after the date of the enactment of this subsection a plan
4 detailing the cost and schedule requirements necessary to
5 meet all of the cybersecurity requirements for national se-
6 curity systems by the end of fiscal year 2026.”.

7 **SEC. 7353. SUPPORT BY INTELLIGENCE COMMUNITY FOR**
8 **CERTAIN CROSS-FUNCTIONAL TEAM OF DE-**
9 **PARTMENT OF DEFENSE.**

10 (a) ACCESS TO INFORMATION.—Upon request by the
11 cross-functional team of the Department of Defense estab-
12 lished under section 910 of the National Defense Author-
13 ization Act of Fiscal Year 2022 (Public Law 117–81; 10
14 U.S.C. 111 note) (in this section referred to as the “cross-
15 functional team”), and consistent with the protection of
16 intelligence sources and methods, the head of any element
17 of the intelligence community shall provide such team with
18 access to any information (including any intelligence re-
19 porting, analysis, or finished intelligence product) of the
20 element potentially relevant to the duties of such team re-
21 quired under subsection (b)(1) of such section.

22 (b) RULE OF CONSTRUCTION.—Nothing in sub-
23 section (a) shall be construed as waiving the Health Insur-
24 ance Portability and Accountability Act of 1996 (Public

1 Law 104–191) or any other applicable law regarding pri-
2 vacy or the protection of health information.

3 (c) STAFFING OF CROSS-FUNCTIONAL TEAM BY CER-
4 TAIN ELEMENTS.—

5 (1) STAFFING.—

6 (A) COVERED ELEMENTS.—The head of
7 each covered element shall detail or assign to
8 the cross-functional team, including through a
9 joint duty assignment (as applicable), intel-
10 ligence or counterintelligence personnel of that
11 covered element in such numbers as the head,
12 in consultation with such team, determines nec-
13 essary to support such team in fulfilling the du-
14 ties required under section 910(b)(1) of the Na-
15 tional Defense Authorization Act of Fiscal Year
16 2022 (Public Law 117–81; 10 U.S.C. 111
17 note).

18 (B) OTHER ELEMENTS.—The head any
19 element that is not a covered element may only
20 detail or assign to the cross-functional team, in-
21 cluding through a joint duty assignment (as ap-
22 plicable), intelligence or counterintelligence per-
23 sonnel of such element if the head of such ele-
24 ment—

1 (i) receives written concurrence from
2 the Director of National Intelligence and
3 the Secretary of Defense regarding the
4 specific personnel to be detailed or as-
5 signed; and

6 (ii) submits to the congressional intel-
7 ligence committees, the Committee on
8 Armed Services of the Senate, and the
9 Committee on Armed Services of the
10 House of Representatives a notification de-
11 scribing the personnel to be detailed or as-
12 signed and the rationale for participation
13 in the cross functional team.

14 (2) NATIONAL SECURITY AGENCY.—In carrying
15 out paragraph (1) with respect to the National Secu-
16 rity Agency, the Director of the National Security
17 Agency shall ensure there is detailed or assigned to
18 the cross-functional team at least 1 individual deter-
19 mined appropriate by the Director, who, while so de-
20 tailed or assigned, shall provide such team with tech-
21 nical expertise of the National Security Agency rel-
22 evant to the fulfilment of the duties referred to in
23 paragraph (1).

24 (d) ADDITIONAL DETAIL AUTHORITY.—Upon re-
25 quest by the cross-functional team, the head of any ele-

1 ment of the intelligence community may detail to such
2 team personnel of the element to provide intelligence,
3 counterintelligence, or related support.

4 (e) COVERED ELEMENT DEFINED.—In this section,
5 the term “covered element” means the following:

6 (1) The National Security Agency.

7 (2) The Defense Intelligence Agency.

8 (3) The intelligence elements of the Army, the
9 Navy, the Air Force, and the Marine Corps.

10 **SEC. 7354. COMMERCIAL CLOUD ENTERPRISE NOTIFICA-**
11 **TION.**

12 (a) NOTIFICATION REQUIREMENT.—Not later than
13 90 days after the date of the enactment of this Act, and
14 on a quarterly basis thereafter, the Director of the Central
15 Intelligence Agency shall submit to the appropriate com-
16 mittees of Congress a notification relating to the Commer-
17 cial Cloud Enterprise contract entered into by the Director
18 of the Central Intelligence Agency in November 2020 for
19 commercial cloud services for the intelligence community,
20 which shall include—

21 (1) the number and value of all task orders
22 issued under such contract, broken down by vendor,
23 for each element of the intelligence community;

24 (2) the duration of each task order;

1 (3) the number of sole source task orders issued
2 compared to the number of task orders issued on a
3 competitive basis under such contract; and

4 (4) with respect to each vendor authorized to
5 provide commercial cloud services under such con-
6 tract, an update on the status of the security accred-
7 itation and authority to operate decision of each ven-
8 dor.

9 (b) DATA SHARING.—The head of each element of
10 the intelligence community shall share such data with the
11 Director of the Central Intelligence Agency as necessary
12 to prepare the notification required under subsection (a).

13 (c) SUNSET.—The requirement to submit the notifi-
14 cation under subsection (a) shall terminate on the date
15 that is 3 years after the date of the enactment of this
16 Act.

17 (d) DEFINITION OF APPROPRIATE COMMITTEES OF
18 CONGRESS.—In this section, the term “appropriate com-
19 mittees of Congress” means—

20 (1) the congressional intelligence committees;

21 (2) the Committee on Appropriations of the
22 Senate; and

23 (3) the Committee on Appropriations of the
24 House of Representatives.

1 **SEC. 7355. COMMERCIAL CLOUD ENTERPRISE SOLE**
2 **SOURCE TASK ORDER NOTIFICATION RE-**
3 **QUIREMENT.**

4 (a) NOTIFICATION REQUIREMENT.—Not later than
5 90 days after the date of the enactment of this Act, and
6 on a semiannual basis thereafter, the head of each element
7 of the intelligence community shall submit to the appro-
8 priate committees of Congress a notification with respect
9 to any sole source task order awarded by such head under
10 the contract relating to the Commercial Cloud Enterprise
11 entered into by the Director of the Central Intelligence
12 Agency in November 2020 for commercial cloud services
13 for the intelligence community.

14 (b) CONTENTS.—Each notification required under
15 subsection (a) shall include, with respect to the task order
16 concerned—

17 (1) a description of the order;

18 (2) the duration of the order;

19 (3) a summary of services provided under the
20 order;

21 (4) the value of the order;

22 (5) the justification for awarding the order on
23 a sole source basis; and

24 (6) an identification of the vendor awarded the
25 order.

1 (c) SUNSET.—The requirement to submit the notifi-
2 cation under subsection (a) shall terminate on the date
3 that is 3 years after the date of the enactment of this
4 Act.

5 (d) DEFINITION OF APPROPRIATE COMMITTEES OF
6 CONGRESS.—In this section, the term “appropriate com-
7 mittees of Congress” means—

8 (1) the congressional intelligence committees;

9 (2) the Committee on Appropriations of the
10 Senate; and

11 (3) the Committee on Appropriations of the
12 House of Representatives.

13 **SEC. 7356. ANALYSIS OF COMMERCIAL CLOUD INITIATIVES**
14 **OF INTELLIGENCE COMMUNITY.**

15 (a) IN GENERAL.—Not later than 90 days after the
16 date of the enactment of this Act, the Director of National
17 Intelligence shall, in coordination with such heads of ele-
18 ments of the intelligence community as the Director con-
19 siders appropriate—

20 (1) complete a comprehensive analysis of the
21 commercial cloud initiatives of the intelligence com-
22 munity relating to the Commercial Cloud Enterprise
23 contract entered into by the Director of the Central
24 Intelligence Agency in November 2020; and

1 (2) provide to the congressional intelligence
2 committees, the Committee on the Appropriations of
3 the Senate, and the Committee on Appropriations of
4 the House of Representatives a briefing on the find-
5 ings of the Director with respect to the analysis con-
6 ducted pursuant to paragraph (1).

7 (b) ELEMENTS.—The analysis conducted under sub-
8 section (a) shall include—

9 (1) the current year and 5-year projected costs
10 for commercial cloud utilization for each element of
11 the intelligence community, including costs related to
12 data storage, data migration, egress fees, and any
13 other commercial cloud services;

14 (2) the termination or planned termination, as
15 the case may be, of legacy data storage capacity of
16 an element of the intelligence community and the
17 projected cost savings resulting from such termi-
18 nation;

19 (3) efforts underway by the Office of the Direc-
20 tor of National Intelligence and elements of the in-
21 telligence community to utilize multiple commercial
22 cloud service providers;

23 (4) the operational value that elements of the
24 intelligence community are achieving through utiliza-

1 tion of commercial cloud analytic tools and services;
2 and
3 (5) how effectively the commercial cloud enter-
4 prise is currently postured to support artificial intel-
5 ligence workloads of intelligence community elements
6 and a description of criteria for continuing to rely on
7 legacy data centers for those artificial intelligence
8 requirements by an intelligence community element.

9 **TITLE IV—MATTERS CON-**
10 **CERNING FOREIGN COUN-**
11 **TRIES**

 Subtitle A—People’s Republic of China

- Sec. 7401. Intelligence community coordinator for accountability of atrocities of the People’s Republic of China.
- Sec. 7402. Interagency working group and report on the malign efforts of the People’s Republic of China in Africa.
- Sec. 7403. Amendment to requirement for annual assessment by intelligence community working group for monitoring the economic and technological capabilities of the People’s Republic of China.
- Sec. 7404. Assessments of reciprocity in the relationship between the United States and the People’s Republic of China.
- Sec. 7405. Assessment of threat posed to United States ports by cranes manufactured by countries of concern.
- Sec. 7406. Intelligence assessment of influence operations by People’s Republic of China toward Pacific Islands countries.
- Sec. 7407. Independent study on economic impact of military invasion of Taiwan by People’s Republic of China.
- Sec. 7408. Report by Director of National Intelligence on Uyghur genocide.

 Subtitle B—Other Foreign Countries

- Sec. 7411. Report on efforts to capture and detain United States citizens as hostages.
- Sec. 7412. Intelligence assessments regarding Haiti.
- Sec. 7413. Monitoring Iranian enrichment of uranium-235.

1 (A) a member, official, or employee of the
2 government of the People’s Republic of China;

3 (B) a member, official, or employee of the
4 Chinese Communist Party;

5 (C) a member of the armed forces, secu-
6 rity, or other defense services of the People’s
7 Republic of China; or

8 (D) an agent or contractor of a person
9 specified in subparagraph (A), (B), or (C).

10 (3) COMMIT.—The term “commit”, with respect
11 to an atrocity of the People’s Republic of China, in-
12 cludes the planning, committing, aiding, and abet-
13 ting of such atrocity of the People’s Republic of
14 China.

15 (4) FOREIGN PERSON.—The term “foreign per-
16 son” means—

17 (A) any person or entity that is not a
18 United States person; or

19 (B) any entity not organized under the
20 laws of the United States or of any jurisdiction
21 within the United States.

22 (5) GOVERNMENT OF THE PEOPLE’S REPUBLIC
23 OF CHINA.—The term “government of the People’s
24 Republic of China” includes the regional govern-
25 ments of Xinjiang, Tibet, and Hong Kong.

1 (6) UNITED STATES PERSON.—The term
2 “United States person” has the meaning given that
3 term in section 105A(c) of the National Security Act
4 of 1947 (50 U.S.C. 3039(c)).

5 (b) INTELLIGENCE COMMUNITY COORDINATOR FOR
6 ACCOUNTABILITY OF ATROCITIES OF THE PEOPLE’S RE-
7 PUBLIC OF CHINA.—

8 (1) DESIGNATION.—Not later than 30 days
9 after the date of the enactment of this Act, the Di-
10 rector of National Intelligence shall designate a sen-
11 ior official of the Office of the Director of National
12 Intelligence to serve as the intelligence community
13 coordinator for accountability of atrocities of the
14 People’s Republic of China (in this section referred
15 to as the “Coordinator”).

16 (2) DUTIES.—The Coordinator shall oversee the
17 efforts of the intelligence community relating to the
18 following:

19 (A) Identifying and, as appropriate, dis-
20 seminating within the United States Govern-
21 ment, intelligence relating to atrocities of the
22 People’s Republic of China.

23 (B) Identifying analytic and other intel-
24 ligence needs and priorities of the United States

1 Government with respect to the commitment of
2 atrocities of the People's Republic of China.

3 (C) Collaborating with appropriate coun-
4 terparts across the intelligence community to
5 ensure appropriate coordination on, and inte-
6 gration of the analysis of, the commitment of
7 atrocities of the People's Republic of China.

8 (D) Ensuring that relevant departments
9 and agencies of the United States Government
10 receive appropriate support from the intel-
11 ligence community with respect to the collec-
12 tion, analysis, preservation, and, as appropriate,
13 downgrade and dissemination of intelligence
14 products relating to the commitment of atroc-
15 ities of the People's Republic of China.

16 (3) PLAN REQUIRED.—Not later than 90 days
17 after the date of the enactment of this Act, the Di-
18 rector of National Intelligence shall submit to the
19 appropriate committees of Congress—

20 (A) the name of the official designated as
21 the Coordinator pursuant to paragraph (1);

22 (B) the strategy of the intelligence commu-
23 nity for the prioritization and integration of in-
24 telligence relating to atrocities of the People's
25 Republic of China, including a detailed descrip-

1 tion of how the Coordinator shall support the
2 implementation of such strategy; and

3 (C) the plan of the intelligence community
4 to conduct a review of classified and unclassi-
5 fied intelligence reporting regarding atrocities
6 of the People's Republic of China for down-
7 grading, dissemination, and, as appropriate,
8 public release.

9 (4) BRIEFINGS TO CONGRESS.—Not later than
10 120 days after the date of enactment of this Act,
11 and not less frequently than quarterly thereafter, the
12 Director of National Intelligence, acting through the
13 Coordinator, shall brief the appropriate committees
14 of Congress on—

15 (A) the analytical findings, changes in col-
16 lection, and other activities of the intelligence
17 community with respect to atrocities of the Peo-
18 ple's Republic of China; and

19 (B) the recipients of intelligence reporting
20 shared pursuant to this section in the prior
21 quarter, including for the purposes of ensuring
22 that the public is informed about atrocities of
23 the People's Republic of China and to support
24 efforts by the United States Government to
25 seek accountability for the atrocities of the Peo-

1 ple’s Republic of China, and the date of any
2 such sharing.

3 (c) SUNSET.—This section shall cease to have effect
4 on September 30, 2027.

5 **SEC. 7402. INTERAGENCY WORKING GROUP AND REPORT**
6 **ON THE MALIGN EFFORTS OF THE PEOPLE’S**
7 **REPUBLIC OF CHINA IN AFRICA.**

8 (a) ESTABLISHMENT.—

9 (1) IN GENERAL.—The Director of National In-
10 telligence, in consultation with such heads of ele-
11 ments of the intelligence community as the Director
12 considers appropriate, shall establish an interagency
13 working group within the intelligence community to
14 analyze the tactics and capabilities of the People’s
15 Republic of China in Africa.

16 (2) ESTABLISHMENT FLEXIBILITY.—The work-
17 ing group established under paragraph (1) may be—

18 (A) independently established; or

19 (B) to avoid redundancy, incorporated into
20 existing working groups or cross-intelligence ef-
21 forts within the intelligence community.

22 (b) REPORT.—

23 (1) DEFINITION OF APPROPRIATE COMMITTEES
24 OF CONGRESS.—In this subsection, the term “appro-
25 priate committees of Congress” means—

1 (A) the congressional intelligence commit-
2 tees;

3 (B) the Committee on Foreign Relations,
4 the Committee on Energy and Natural Re-
5 sources, and the Subcommittee on Defense of
6 the Committee on Appropriations of the Senate;
7 and

8 (C) the Committee on Foreign Affairs, the
9 Committee on Energy and Commerce, and the
10 Subcommittee on Defense of the Committee on
11 Appropriations of the House of Representatives.

12 (2) IN GENERAL.—Not later than 120 days
13 after the date of the enactment of this Act, the
14 working group established under subsection (a) shall
15 submit to the appropriate committees of Congress a
16 report on the specific tactics and capabilities of the
17 People’s Republic of China in Africa.

18 (3) ELEMENTS.—Each report required by para-
19 graph (2) shall include the following elements:

20 (A) An assessment and description of ef-
21 forts by the Government of the People’s Repub-
22 lic of China to exploit mining and reprocessing
23 operations in Africa.

24 (B) An assessment and description of ef-
25 forts by the Government of the People’s Repub-

1 lic of China to provide or fund technologies in
2 Africa, including—

3 (i) telecommunications and energy
4 technologies, such as advanced reactors,
5 transportation, and other commercial prod-
6 ucts; and

7 (ii) by requiring that the People's Re-
8 public of China be the sole provider of such
9 technologies.

10 (C) An assessment of opportunities for
11 mitigation.

12 (4) FORM.—The report required by paragraph
13 (2) shall be submitted in unclassified form, but may
14 include a classified annex if necessary.

15 (c) SUNSET.—The requirements of this section shall
16 terminate on the date that is 5 years after the date of
17 the enactment of this Act.

18 **SEC. 7403. AMENDMENT TO REQUIREMENT FOR ANNUAL**
19 **ASSESSMENT BY INTELLIGENCE COMMUNITY**
20 **WORKING GROUP FOR MONITORING THE**
21 **ECONOMIC AND TECHNOLOGICAL CAPABILI-**
22 **TIES OF THE PEOPLE'S REPUBLIC OF CHINA.**

23 Section 6503(c)(3)(D) of the Intelligence Authoriza-
24 tion Act for Fiscal Year 2023 (division F of Public Law

1 117–263) is amended by striking “the top 200” and in-
2 serting “all the known”.

3 **SEC. 7404. ASSESSMENTS OF RECIPROCITY IN THE RELA-**
4 **TIONSHIP BETWEEN THE UNITED STATES**
5 **AND THE PEOPLE’S REPUBLIC OF CHINA.**

6 (a) IN GENERAL.—Not later than 1 year after the
7 date of the enactment of this Act, the Assistant Secretary
8 of State for Intelligence and Research, in consultation
9 with the Director of National Intelligence and such other
10 heads of elements of the intelligence community as the As-
11 sistant Secretary considers relevant, shall submit to Con-
12 gress the following:

13 (1) A comprehensive assessment that identifies
14 critical areas in the security, diplomatic, economic,
15 financial, technological, scientific, commercial, aca-
16 demic, and cultural spheres in which the United
17 States does not enjoy a reciprocal relationship with
18 the People’s Republic of China.

19 (2) A comprehensive assessment that describes
20 how the lack of reciprocity between the People’s Re-
21 public of China and the United States in the areas
22 identified in the assessment required by paragraph
23 (1) provides advantages to the People’s Republic of
24 China.

25 (b) FORM OF ASSESSMENTS.—

1 (1) CRITICAL AREAS.—The assessment required
2 by subsection (a)(1) shall be submitted in unclassi-
3 fied form.

4 (2) ADVANTAGES.—The assessment required by
5 subsection (a)(2) shall be submitted in classified
6 form.

7 **SEC. 7405. ASSESSMENT OF THREAT POSED TO UNITED**
8 **STATES PORTS BY CRANES MANUFACTURED**
9 **BY COUNTRIES OF CONCERN.**

10 (a) DEFINITIONS.—In this section:

11 (1) APPROPRIATE COMMITTEES OF CON-
12 GRESS.—The term “appropriate committees of Con-
13 gress” means—

14 (A) the congressional intelligence commit-
15 tees;

16 (B) the Committee on Armed Services, the
17 Committee on Homeland Security and Govern-
18 mental Affairs, the Committee on Banking,
19 Housing, and Urban Affairs, the Committee on
20 Commerce, Science, and Transportation, and
21 the Subcommittee on Defense of the Committee
22 on Appropriations of the Senate; and

23 (C) the Committee on Armed Services, the
24 Committee on Oversight and Accountability, the
25 Committee on Financial Services, the Com-

1 committee on Energy and Commerce, and the Sub-
2 committee on Defense of the Committee on Ap-
3 propriations of the House of Representatives.

4 (2) COUNTRY OF CONCERN.—The term “coun-
5 try of concern” has the meaning given that term in
6 section 1(m)(1) of the State Department Basic Au-
7 thorities Act of 1956 (22 U.S.C. 2651a(m)(1)).

8 (b) ASSESSMENT.—The Director of National Intel-
9 ligence, in coordination with such other heads of the ele-
10 ments of the intelligence community as the Director con-
11 siders appropriate and the Secretary of Defense, shall con-
12 duct an assessment of the threat posed to United States
13 ports by cranes manufactured by countries of concern and
14 commercial entities of those countries, including the
15 Shanghai Zhenhua Heavy Industries Co. (ZPMC).

16 (c) REPORT AND BRIEFING.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of this Act, the Di-
19 rector of National Intelligence shall submit a report
20 and provide a briefing to the appropriate committees
21 of Congress on the findings of the assessment re-
22 quired by subsection (b).

23 (2) ELEMENTS.—The report and briefing re-
24 quired by paragraph (1) shall outline the potential
25 for the cranes described in subsection (b) to collect

1 intelligence, disrupt operations at United States
2 ports, and impact the national security of the United
3 States.

4 (3) FORM OF REPORT.—The report required by
5 paragraph (1) shall be submitted in unclassified
6 form, but may include a classified annex.

7 **SEC. 7406. INTELLIGENCE ASSESSMENT OF INFLUENCE OP-**
8 **ERATIONS BY PEOPLE’S REPUBLIC OF CHINA**
9 **TOWARD PACIFIC ISLANDS COUNTRIES.**

10 (a) ASSESSMENT.—Not later than 180 days after the
11 date of the enactment of this Act, the Assistant Secretary
12 of State for Intelligence and Research, in consultation
13 with the heads of the other elements of the intelligence
14 community that the Assistant Secretary determines appro-
15 priate, shall submit to the appropriate congressional com-
16 mittees an assessment of influence operations by the Peo-
17 ple’s Republic of China toward Pacific Islands countries.

18 (b) ELEMENTS.—The intelligence assessment under
19 subsection (a) shall include the following:

20 (1) A description of recent and potential future
21 efforts by the People’s Republic of China, using ei-
22 ther overt or covert means, to enhance its security,
23 political, diplomatic, or economic ties with Pacific Is-
24 lands countries.

1 (2) An assessment of how the People’s Republic
2 of China views the success of its efforts to expand
3 influence in Pacific Islands countries, and the impor-
4 tance of such efforts to its national security, foreign
5 policy, and economic development objectives.

6 (3) An identification of Pacific Islands coun-
7 tries in which the People’s Republic of China has es-
8 tablished, or is seeking to establish, an intelligence
9 presence or intelligence partnerships.

10 (4) An assessment of the degree to which the
11 People’s Republic of China is using economic or
12 other forms of coercion to pressure the Pacific Is-
13 lands countries that diplomatically recognize Taiwan
14 (the Republic of the Marshall Islands, Palau, Nauru,
15 and Tuvalu) into instead recognizing the People’s
16 Republic of China.

17 (5) An analysis of how specific Pacific Islands
18 countries are responding to efforts by the People’s
19 Republic of China to increase bilateral engagement.

20 (6) An assessment of the influence of the Peo-
21 ple’s Republic of China in the Pacific Islands Forum
22 (the main multilateral organization of the region)
23 and of the efforts of the People’s Republic of China
24 to establish parallel regional organizations and re-
25 cruit Pacific Islands countries to participate.

1 (7) An analysis of opportunities for the United
2 States to counter influence operations by the Peo-
3 ple’s Republic of China in the Pacific Islands region
4 that undermine the national security or economic in-
5 terests of the United States.

6 (c) FORM.—The intelligence assessment under sub-
7 section (a) may be submitted in classified form.

8 (d) DEFINITIONS.—In this section:

9 (1) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES.—The term “appropriate congressional com-
11 mittees” means—

12 (A) the congressional intelligence commit-
13 tees;

14 (B) the Committee on Foreign Relations,
15 the Committee on Armed Services, and the
16 Committee on Appropriations of the Senate;
17 and

18 (C) the Committee on Foreign Affairs, the
19 Committee on Armed Services, the Committee
20 on Appropriations, and the Select Committee on
21 the Strategic Competition Between the United
22 States and the Chinese Communist Party of the
23 House of Representatives.

24 (2) PACIFIC ISLANDS COUNTRIES.—The term
25 “Pacific Islands countries” includes the Federated

1 States of Micronesia, Fiji, French Polynesia,
2 Kiribati, the Republic of the Marshall Islands,
3 Nauru, Palau, Solomon Islands, Tonga, Samoa,
4 Niue, Tuvalu, and Vanuatu.

5 **SEC. 7407. INDEPENDENT STUDY ON ECONOMIC IMPACT OF**
6 **MILITARY INVASION OF TAIWAN BY PEOPLE'S**
7 **REPUBLIC OF CHINA.**

8 (a) REQUIREMENT.—Not later than 60 days after the
9 date of the enactment of this Act, the Director of National
10 Intelligence shall seek to enter into a contract with an eli-
11 gible entity to conduct a comprehensive study on the glob-
12 al economic impact of a military invasion of Taiwan by
13 the People's Republic of China or certain other aggressive
14 or coercive actions taken by the People's Republic of
15 China with respect to Taiwan.

16 (b) MATTERS INCLUDED.—The study required under
17 subsection (a) shall include the following:

18 (1) An assessment of the economic impact glob-
19 ally, in the United States, and in the People's Re-
20 public of China that would result from an invasion
21 of Taiwan by the People's Republic of China under
22 various potential invasion and response scenarios, in-
23 cluding with respect to the impact on—

24 (A) supply chains;

25 (B) trade flows;

- 1 (C) financial markets;
2 (D) sovereign debt; and
3 (E) gross domestic product, unemploy-
4 ment, and other key economic indicators.

5 (2) An assessment of the economic impact glob-
6 ally, in the United States, and in the People's Re-
7 public of China that would result from of an aggres-
8 sive or coercive military, economic, or other action
9 taken by the People's Republic of China with respect
10 to Taiwan that falls short of an invasion, including
11 as a result of a blockade of Taiwan.

12 (3) The development of economic policy options,
13 to include sanctions and supply chain restrictions,
14 designed to cause escalating impacts on the economy
15 of the People's Republic of China during a
16 preconflict phase.

17 (c) REPORT.—

18 (1) IN GENERAL.—Not later than 270 days
19 after the date of the enactment of this Act, the eligi-
20 ble entity that the Director of National Intelligence
21 enters into an agreement with under subsection (a)
22 shall submit to the Director a report containing the
23 results of the study conducted under such sub-
24 section.

1 (2) SUBMISSION TO CONGRESS.—Not later than
2 30 days after the date the Director receives the re-
3 port under paragraph (1), the Director shall submit
4 the report to—

5 (A) the congressional intelligence commit-
6 tees;

7 (B) the Committee on Armed Services, the
8 Committee on Foreign Relations, the Com-
9 mittee on Banking, Housing, and Urban Af-
10 fairs, and the Committee on Appropriations of
11 the Senate; and

12 (C) the Committee on Armed Services, the
13 Committee on Foreign Affairs, and the Com-
14 mittee on Appropriations of the House of Rep-
15 resentatives.

16 (3) FORM OF REPORT.—The report required
17 under this subsection shall be submitted in unclassi-
18 fied form, but may include a classified annex.

19 (d) ELIGIBLE ENTITY DEFINED.—In this section,
20 the term “eligible entity” means a federally funded re-
21 search and development center or nongovernmental entity
22 which has—

23 (1) a primary focus on studies and analysis;

24 (2) experience and expertise relevant to the
25 study required under subsection (a); and

1 (3) a sufficient number of personnel with the
2 appropriate security clearance to conduct such
3 study.

4 **SEC. 7408. REPORT BY DIRECTOR OF NATIONAL INTEL-**
5 **LIGENCE ON UYGHUR GENOCIDE.**

6 (a) REPORT ON UYGHUR GENOCIDE.—

7 (1) SUBMISSION.—Not later than 180 days
8 after the date of the enactment of this Act, the Di-
9 rector of National Intelligence, in coordination with
10 the relevant heads of the elements of the intelligence
11 community, shall submit to the appropriate commit-
12 tees of Congress a report on the Uyghur genocide.

13 (2) MATTERS.—The report under paragraph
14 (1) shall address the following matters:

15 (A) Forced sterilization, forced birth con-
16 trol, and forced abortion of Uyghurs.

17 (B) Forced transfer of Uyghur children
18 from their families.

19 (C) Forced labor of Uyghurs, inside and
20 outside of Xinjiang.

21 (D) The work conditions of Uyghur labor-
22 ers (including laborers in the textile, automobile
23 and electric vehicle, solar panel, polyvinyl chlo-
24 ride, and rare earth metals sectors), including
25 an identification of any company that is—

1 (i) organized under the laws of the
2 People's Republic of China or otherwise
3 subject to the jurisdiction of (or over which
4 control is exercised or exercisable by) the
5 Government of the People's Republic of
6 China; and

7 (ii) employing forced Uyghur laborers
8 from Xinjiang.

9 (E) Any other forms of physical or psycho-
10 logical torture against Uyghurs.

11 (F) Any other actions that infringe on the
12 rights of Uyghurs to live freely in accordance
13 with their customs, culture, and religious prac-
14 tices.

15 (G) The methods of surveillance of
16 Uyghurs, including surveillance via technology,
17 law enforcement notifications, and forcing
18 Uyghurs to live with other individuals for moni-
19 toring purposes.

20 (H) Such other matters as the Director of
21 National Intelligence may determine appro-
22 priate.

23 (3) FORM.—The report under paragraph (1)
24 shall be submitted in unclassified form, but may in-
25 clude a classified annex.

1 (b) DEFINITIONS.—In this section:

2 (1) APPROPRIATE COMMITTEES OF CON-
3 GRESS.—The term “appropriate committees of Con-
4 gress” means—

5 (A) the congressional intelligence commit-
6 tees;

7 (B) the Committee on Foreign Relations
8 and the Committee on Appropriations of the
9 Senate; and

10 (C) the Committee on Foreign Affairs and
11 the Committee on Appropriations of the House
12 of Representatives.

13 (2) INTELLIGENCE; NATIONAL INTEL-
14 LIGENCE.—The terms “intelligence” and “national
15 intelligence” have the meanings given those terms in
16 section 3 of the National Security Act of 1947 (50
17 U.S.C. 3003).

18 **Subtitle B—Other Foreign** 19 **Countries**

20 **SEC. 7411. REPORT ON EFFORTS TO CAPTURE AND DETAIN** 21 **UNITED STATES CITIZENS AS HOSTAGES.**

22 (a) DEFINITION OF APPROPRIATE COMMITTEES OF
23 CONGRESS.—In this section, the term “appropriate com-
24 mittees of Congress” means—

25 (1) the congressional intelligence committees;

1 (2) the Committee on Foreign Relations, the
2 Committee on the Judiciary, and the Committee on
3 Appropriations of the Senate; and

4 (3) the Committee on Foreign Affairs, the
5 Committee on the Judiciary, and the Committee on
6 Appropriations of the House of Representatives.

7 (b) IN GENERAL.—Not later than 120 days after the
8 date of the enactment of this Act, the Director of National
9 Intelligence shall submit to the appropriate committees of
10 Congress a report on efforts by the Maduro regime in Ven-
11 ezuela to detain United States citizens and lawful perma-
12 nent residents.

13 (c) ELEMENTS.—The report required by subsection
14 (b) shall include, regarding the arrest, capture, detain-
15 ment, or imprisonment of United States citizens and law-
16 ful permanent residents, the following:

17 (1) The names, positions, and institutional af-
18 filiation of Venezuelan individuals, or those acting
19 on their behalf, who have engaged in such activities.

20 (2) A description of any role played by
21 transnational criminal organizations, and an identi-
22 fication of such organizations.

23 (3) Where relevant, an assessment of whether
24 and how United States citizens and lawful perma-
25 nent residents have been lured to Venezuela.

1 to the United States, the increased use of Haiti
2 as a transshipment point for illicit drugs des-
3 tined for the United States, or any other rel-
4 evant factor or trend.

5 (2) A description of opportunities available to
6 improve or stabilize the security, political, and eco-
7 nomic situation in Haiti.

8 (3) An identification of specific events or ac-
9 tions in Haiti that, were they to occur individually
10 or in combination, would serve as signposts indi-
11 cating the further deterioration or collapse of the se-
12 curity, political, and economic situation in Haiti.

13 (b) INTELLIGENCE ASSESSMENT.—The Director of
14 National Intelligence shall produce an intelligence assess-
15 ment based on a review of the intelligence products per-
16 taining to Haiti that were written by elements of the intel-
17 ligence community and provided to policymakers during
18 the period of time beginning on January 1, 2021, and end-
19 ing on July 7, 2021. Such assessment shall include each
20 of the following:

21 (1) An analysis of whether, during the time pe-
22 riod covered by the assessment, the intelligence com-
23 munity provided policymakers with adequate indica-
24 tions and warning of the assassination of Haitian
25 President Jovenal Moise on July 7, 2021.

1 (2) An analysis of whether, during such time
2 period, the intelligence community provided policy-
3 makers with useful and unique insights, derived
4 from both covertly collected and open-source intel-
5 ligence, that policymakers would not otherwise have
6 been able to obtain from sources outside of the intel-
7 ligence community.

8 (3) Based on the analyses conducted under
9 paragraphs (1) and (2), any recommendations to im-
10 prove indications and warning or to otherwise en-
11 hance the utility for policymakers of intelligence
12 products that the intelligence community prepares
13 on Haiti, specifically, or on other countries charac-
14 terized by chronic insecurity, instability, and pov-
15 erty.

16 (c) SUBMISSION TO CONGRESS.—

17 (1) IN GENERAL.—Not later than 1 year after
18 the date of the enactment of this Act, the Director
19 shall concurrently submit to the appropriate commit-
20 tees of Congress the intelligence community assess-
21 ment produced under subsection (a) and the intel-
22 ligence assessment produced under subsection (b).

23 (2) FORM.— The assessments submitted under
24 paragraph (1) shall be submitted in classified form.

1 (3) DEFINITION OF APPROPRIATE COMMITTEES
2 OF CONGRESS.—In this subsection, the term “appro-
3 priate committees of Congress” means—

4 (A) the congressional intelligence commit-
5 tees;

6 (B) the Committee on Foreign Relations
7 and the Committee on Appropriations of the
8 Senate; and

9 (C) the Committee on Foreign Affairs and
10 the Committee on Appropriations of the House
11 of Representatives.

12 **SEC. 7413. MONITORING IRANIAN ENRICHMENT OF URA-**
13 **NIUM-235.**

14 (a) SIGNIFICANT ENRICHMENT ACTIVITY DE-
15 FINED.—In this section, the term “significant enrichment
16 activity” means—

17 (1) any enrichment of any amount of uranium-
18 235 to a purity percentage that is 5 percent higher
19 than the purity percentage indicated in the prior
20 submission to Congress under subsection (b)(1); or

21 (2) any enrichment of uranium-235 in a quan-
22 tity exceeding 10 kilograms.

23 (b) SUBMISSION TO CONGRESS.—

24 (1) IN GENERAL.—Not later than 48 hours
25 after the Director of National Intelligence assesses

1 that the Islamic Republic of Iran has produced or
2 possesses any amount of uranium-235 enriched to
3 greater than 60 percent purity or has engaged in
4 significant enrichment activity, the Director shall
5 submit to Congress such assessment, consistent with
6 the protection of intelligence sources and methods.

7 (2) DUPLICATION.—For any submission re-
8 quired by this subsection, the Director of National
9 Intelligence may rely upon existing products that re-
10 flect the current analytic judgment of the intel-
11 ligence community, including reports or products
12 produced in response to congressional mandate or
13 requests from executive branch officials.

14 **TITLE V—MATTERS PERTAINING**
15 **TO UNITED STATES ECO-**
16 **NOMIC AND EMERGING TECH-**
17 **NOLOGY COMPETITION WITH**
18 **UNITED STATES ADVER-**
19 **SARIES**

Subtitle A—General Matters

- Sec. 7501. Detail of individuals from intelligence community to Department of Commerce.
- Sec. 7502. Intelligence Community Innovation Unit.
- Sec. 7503. Establishment of Office of Engagement.
- Sec. 7504. Designation of a chief technology officer within certain elements of the intelligence community.
- Sec. 7505. Requirement to authorize additional security clearances for certain contractors.
- Sec. 7506. Intelligence Innovation Board.
- Sec. 7507. Programs for next-generation microelectronics in support of artificial intelligence.
- Sec. 7508. Program for Beyond 5G.

Sec. 7509. Intelligence community commercial remote sensing requirements.

Sec. 7510. Requirement to ensure intelligence community directives appropriately account for artificial intelligence and machine learning tools in intelligence products.

Subtitle B—Next-generation Energy, Biotechnology, and Artificial Intelligence

Sec. 7511. Expanded annual assessment of economic and technological capabilities of the People's Republic of China and related briefing.

Sec. 7512. Assessment of using civil nuclear energy for intelligence community capabilities.

Sec. 7513. Policies established by Director of National Intelligence for artificial intelligence capabilities.

1 **Subtitle A—General Matters**

2 **SEC. 7501. DETAIL OF INDIVIDUALS FROM INTELLIGENCE**

3 **COMMUNITY TO DEPARTMENT OF COM-**

4 **MERCE.**

5 (a) **AUTHORITY.**—In order to better facilitate the
6 sharing of actionable intelligence on foreign adversary in-
7 tent, capabilities, threats, and operations that pose a
8 threat to the interests or security of the United States,
9 particularly as they relate to the procurement, develop-
10 ment, and use of dual-use and emerging technologies, the
11 Director of National Intelligence may, acting through the
12 Intelligence Community Civilian Joint Duty Program and
13 in consultation with the Secretary of Commerce, advertise
14 joint duty positions and detail or facilitate the detail of
15 civilian employees from across the intelligence community
16 to the Bureau of Industry and Security of the Department
17 of Commerce.

18 (b) **DETAIL.**—Detailees on a joint duty assignment
19 (JDA) assigned pursuant to subsection (a) shall be drawn

1 from such elements of the intelligence community as the
2 Director considers appropriate, in consultation with the
3 Secretary of Commerce.

4 (c) EXPERTISE.—The Director shall ensure that
5 detailees referred to in subsection (a) have subject matter
6 expertise on countries of concern, including China, Iran,
7 North Korea, and Russia, as well as functional areas such
8 as illicit procurement, counterproliferation, emerging and
9 foundational technology, economic and financial intel-
10 ligence, information and communications technology sys-
11 tems, supply chain vulnerability, and counterintelligence.

12 (d) DUTY CREDIT.—The detail of an employee of the
13 intelligence community to the Department of Commerce
14 under subsection (a) shall be without interruption or loss
15 of civil service status or privilege.

16 **SEC. 7502. INTELLIGENCE COMMUNITY INNOVATION UNIT.**

17 (a) ESTABLISHMENT.—Title I of the National Secu-
18 rity Act of 1947 (50 U.S.C. 3021 et seq.) is amended
19 by inserting after section 103K the following new section
20 (and conforming the table of contents at the beginning of
21 such Act accordingly):

22 **“§ 103L. Intelligence Community Innovation Unit**

23 “(a) DEFINITIONS.—In this section:

24 “(1) EMERGING TECHNOLOGY.—the term
25 ‘emerging technology’ has the meaning given that

1 term in section 6701 of the Intelligence Authoriza-
2 tion Act for Fiscal Year 2023 (Public Law 117–263;
3 50 U.S.C. 3024 note).

4 “(2) UNIT.—The term ‘Unit’ means the Intel-
5 ligence Community Innovation Unit.

6 “(b) PLAN FOR IMPLEMENTATION OF INTELLIGENCE
7 COMMUNITY INNOVATION UNIT.—

8 “(1) PLAN REQUIRED.—Not later than 180
9 days after the date of the enactment of the Intel-
10 ligence Authorization Act for Fiscal Year 2024, the
11 Director of National Intelligence shall develop a plan
12 for how to implement the Intelligence Community
13 Innovation Unit within the intelligence community.

14 “(2) MATTERS COVERED.—The plan developed
15 pursuant to paragraph (1) shall cover how the Unit
16 will—

17 “(A) benefit heads of the elements of the
18 intelligence community in identifying commer-
19 cial emerging technologies and associated capa-
20 bilities to address critical mission needs of ele-
21 ments of the intelligence community;

22 “(B) provide to the heads of the elements
23 of the intelligence community seeking to field
24 commercial emerging technologies technical ex-
25 pertise with respect to such technologies.

1 “(C) facilitate the transition of potential
2 prototypes and solutions to critical mission
3 needs of the intelligence community from re-
4 search and prototype projects to production;
5 and

6 “(D) serve as a liaison between the intel-
7 ligence community and the private sector, in
8 which capacity such liaison shall focus on small-
9 and medium-sized companies and other organi-
10 zations that do not have significant experience
11 engaging with the intelligence community.

12 “(3) REQUIREMENTS.—The plan developed pur-
13 suant to paragraph (1) shall—

14 “(A) plan for not more than 50 full-time
15 equivalent personnel; and

16 “(B) include an assessment as to how the
17 establishment of the Unit would benefit the
18 identification and evaluation of commercial
19 emerging technologies for prototyping and po-
20 tential adoption by the intelligence community
21 to fulfill critical mission needs.

22 “(4) SUBMISSION TO CONGRESS.—Upon com-
23 pleting development of the plan pursuant to para-
24 graph (1), the Director shall—

1 “(A) submit to the congressional intel-
2 ligence committees, the Subcommittee on De-
3 fense of the Committee on Appropriations of
4 the Senate, and the Subcommittee on Defense
5 of the Committee on Appropriations of the
6 House of Representatives a copy of the plan;
7 and

8 “(B) provide such committees and sub-
9 committees a briefing on the plan.

10 “(c) ESTABLISHMENT.—To the extent and in such
11 amounts as specifically provided in advance in appropria-
12 tions Acts for the purposes detailed in this section, not
13 later than 180 days after the date on which the Director
14 of National Intelligence submits the plan pursuant to sub-
15 section (b)(4)(A), the Director of National Intelligence
16 shall establish the Unit within the Office of the Director
17 of National Intelligence.

18 “(d) LIMITATION.—The Unit shall not abrogate or
19 otherwise constrain any element of the intelligence com-
20 munity from conducting authorized activities.

21 “(e) DIRECTOR OF THE INTELLIGENCE COMMUNITY
22 INNOVATION UNIT.—

23 “(1) APPOINTMENT; REPORTING.—The head of
24 the Unit is the Director of the Intelligence Commu-
25 nity Innovation Unit, who shall be appointed by the

1 Director of National Intelligence and shall report di-
2 rectly to the Director of National Intelligence.

3 “(2) QUALIFICATIONS.—In selecting an indi-
4 vidual for appointment as the Director of the Intel-
5 ligence Community Innovation Unit, the Director of
6 National Intelligence shall give preference to individ-
7 uals who the Director of National Intelligence deter-
8 mines have—

9 “(A) significant relevant experience involv-
10 ing commercial emerging technology within the
11 private sector; and

12 “(B) a demonstrated history of fostering
13 the adoption of commercial emerging tech-
14 nologies by the United States Government or
15 the private sector.

16 “(f) STAFF.—

17 “(1) IN GENERAL.—In addition to the Director
18 of the Intelligence Community Innovation Unit, the
19 Unit shall be composed of not more than 50 full-
20 time equivalent positions.

21 “(2) STAFF WITH CERTAIN EXPERTISE.—The
22 Director of National Intelligence shall ensure that
23 there is a sufficient number of staff of the Unit, as
24 determined by the Director, with expertise in—

1 “(A) other transaction authorities and
2 nontraditional and rapid acquisition pathways
3 for emerging technology;

4 “(B) engaging and evaluating small- and
5 medium-sized emerging technology companies;

6 “(C) the mission needs of the intelligence
7 community; and

8 “(D) such other skills or experiences as the
9 Director determines necessary.

10 “(g) AUTHORITY RELATING TO DETAILEES.—Upon
11 request of the Unit, each head of an element of the intel-
12 ligence community may detail to the Unit any of the per-
13 sonnel of that element to assist in carrying out the duties
14 under subsection (b) on a reimbursable or a nonreimburs-
15 able basis.

16 “(h) ENSURING TRANSITION FROM PROTOTYPING TO
17 PRODUCTION.—The Director of the Intelligence Commu-
18 nity Innovation Unit shall transition research and proto-
19 type projects to products in a production stage upon iden-
20 tifying a demonstrated critical mission need of one or more
21 elements of the intelligence community and a potential
22 mission partner likely to field and further fund upon mat-
23 uration, including by designating projects as Emerging
24 Technology Transition Projects under the pilot program
25 required by section 6713 of the Intelligence Authorization

1 Act for Fiscal Year 2023 (Public Law 117–263; 50 U.S.C.
2 3024 note).

3 “(i) ENCOURAGEMENT OF USE BY ELEMENTS.—The
4 Director of National Intelligence shall take such steps as
5 may be necessary to encourage the use of the Unit by the
6 heads of the other elements of the intelligence community.

7 “(j) RULES OF CONSTRUCTION.—

8 “(1) NO PREFERENTIAL TREATMENT FOR PRI-
9 VATE SECTOR.—Nothing in this section shall be con-
10 strued to require any element of the intelligence
11 community to provide preferential treatment for any
12 private sector entity with regard to procurement of
13 technology construed as restricting or preempting
14 any activities of the intelligence community.

15 “(2) NO ADDITIONAL AUTHORITY.—The Unit
16 established pursuant to subsection (c) will be limited
17 to the existing authorities possessed by the Director
18 of National Intelligence.

19 “(k) SUNSET.—The authorities and requirements of
20 this section shall terminate on the date that is 5 years
21 after the date of the establishment of the Unit.”.

22 (b) CLARIFICATION OF EMERGING TECHNOLOGY
23 DEFINITION.—Section 6701(8)(A) of the Intelligence Au-
24 thorization Act for Fiscal Year 2023 (Public Law 117–
25 263; 50 U.S.C. 3024 note) is amended by striking “during

1 the 10-year period beginning on January 1, 2022” and
2 inserting “during the subsequent 10-year period”.

3 (c) BRIEFINGS.—Not later than 180 days after the
4 date of the establishment of the Intelligence Community
5 Innovation Unit pursuant to section 103L of the National
6 Security Act of 1947, as added by subsection (a), and on
7 a semiannual basis thereafter for 5 years, the Director of
8 National Intelligence shall provide to the appropriate con-
9 gressional committees a briefing on the status of the Intel-
10 ligence Community Innovation Unit, the staffing levels of
11 such Unit, and the progress of such Unit in identifying
12 and facilitating the adoption of commercial emerging tech-
13 nologies capable of advancing the mission needs of the in-
14 telligence community.

15 (d) DEFINITIONS.—In this section:

16 (1) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term “appropriate congressional com-
18 mittees” means the congressional intelligence com-
19 mittees, the Subcommittee on Defense of the Com-
20 mittee on Appropriations of the Senate, and the
21 Subcommittee on Defense of the Committee on Ap-
22 propriations of the House of Representatives.

23 (2) EMERGING TECHNOLOGY.—The term
24 “emerging technology” has the meaning given such

1 term in section 103L of the National Security Act
2 of 1947, as added by subsection (a).

3 **SEC. 7503. ESTABLISHMENT OF OFFICE OF ENGAGEMENT.**

4 (a) ESTABLISHMENT.—Title I of the National Secu-
5 rity Act of 1947 (50 U.S.C. 3021 et seq.), as amended
6 by section 901, is further amended by adding at the end
7 the following new section (and conforming the table of
8 contents at the beginning of such Act accordingly):

9 **“SEC. 122. OFFICE OF ENGAGEMENT.**

10 “(a) ESTABLISHMENT.—There is within the Office of
11 the Director of National Intelligence an Office of Engage-
12 ment (in this section referred to as the ‘Office’).

13 “(b) HEAD; STAFF.—

14 “(1) HEAD.—The Director of National Intel-
15 ligence shall appoint as head of the Office an indi-
16 vidual with requisite experience in matters relating
17 to the duties of the Office, as determined by the Di-
18 rector of National Intelligence. Such head of the Of-
19 fice shall report directly to the Director of National
20 Intelligence.

21 “(2) STAFF.—To assist the head of the Office
22 in fulfilling the duties of the Office, the head shall
23 employ full-time equivalent staff in such number,
24 and with such requisite expertise in matters relating
25 to such duties, as may be determined by the head.

1 “(c) DUTIES.—The duties of the Office shall be as
2 follows:

3 “(1) To ensure coordination across the elements
4 of the intelligence community efforts regarding out-
5 reach, relationship development, and associated
6 knowledge and relationship management, with cov-
7 ered entities, consistent with the protection of intel-
8 ligence sources and methods.

9 “(2) To assist in sharing best practices regard-
10 ing such efforts among the elements of the intel-
11 ligence community.

12 “(3) To establish and implement metrics to as-
13 sess the effectiveness of such efforts.

14 “(d) COVERED ENTITY DEFINED.—In this section,
15 the term ‘covered entity’ means an entity that is not an
16 entity of the United States Government, including private
17 sector companies, institutions of higher education, trade
18 associations, think tanks, laboratories, international orga-
19 nizations, and foreign partners and allies.”.

20 “(b) DEADLINE.—To the extent and in such amounts
21 as specifically provided in advance in appropriations Acts
22 for the purposes detailed in section 122 of the National
23 Security Act of 1947, as added by subsection (a), the Di-
24 rector of National Intelligence shall establish the Office

1 of Engagement by not later than 1 year after the date
2 of the enactment of this Act.

3 (c) TRANSFER.—The Director shall transfer to the
4 Office of Engagement all functions within the Office of
5 the Director of National Intelligence that, on the day be-
6 fore the date of the enactment of this Act, performed du-
7 ties set forth in section 122 of the National Security Act
8 of 1947, as added by subsection (a).

9 (d) PLAN AND BRIEFINGS.—

10 (1) PLAN.—Not later than 180 days after the
11 date of the enactment of this Act, the Director of
12 National Intelligence shall submit to the congress-
13 sional intelligence committees a plan for the estab-
14 lishment of the Office of Engagement.

15 (2) QUARTERLY BRIEFINGS.—Not later than 1
16 year after the date of the establishment of the Office
17 of Engagement, and on a quarterly basis for 5 years
18 thereafter, the Director of National Intelligence shall
19 submit to the congressional intelligence committees,
20 the Committee on Homeland Security and Govern-
21 mental Affairs and the Committee on Appropriations
22 of the Senate, and the Committee on Oversight and
23 Accountability and the Committee on Appropriations
24 of the House of Representatives a briefing on the
25 status of the Office, including with respect to the

1 staffing levels, activities, and fulfilment of duties of
2 the Office.

3 (e) **RULE OF CONSTRUCTION.**—Nothing in this sec-
4 tion, or an amendment made by this section, shall be con-
5 strued as restricting or preempting engagement or out-
6 reach activities of elements of the intelligence community.

7 (f) **DEFINITIONS.**—In this section, the term “Office
8 of Engagement” means the Office of Engagement estab-
9 lished under section 122 of the National Security Act of
10 1947, as added by subsection (a).

11 **SEC. 7504. DESIGNATION OF A CHIEF TECHNOLOGY OFFI-
12 CER WITHIN CERTAIN ELEMENTS OF THE IN-
13 TELLIGENCE COMMUNITY.**

14 (a) **DESIGNATION AUTHORITY.**—The head of each
15 covered element of the intelligence community shall des-
16 ignate a senior official to serve as the chief technology offi-
17 cer of such element.

18 (b) **COVERED ELEMENTS.**—For purposes of this sec-
19 tion, the covered elements of the intelligence community
20 are the following:

- 21 (1) The Central Intelligence Agency.
- 22 (2) The Defense Intelligence Agency.
- 23 (3) The Federal Bureau of Investigation.
- 24 (4) The National Geospatial-Intelligence Agen-
25 cy.

1 (5) The National Security Agency.

2 (6) The National Reconnaissance Office.

3 (c) RESPONSIBILITY.—The chief technology officer of
4 each covered element of the intelligence community shall
5 be responsible for assisting the head of such element in
6 the identification and adoption of technology to advance
7 mission needs.

8 (d) PROHIBITION OF DUAL APPOINTMENT.—Any
9 chief technology officer designated pursuant to subsection
10 (a) may not concurrently serve as the chief information
11 officer, the chief data officer, or the principal science offi-
12 cer of any element of the intelligence community.

13 **SEC. 7505. REQUIREMENT TO AUTHORIZE ADDITIONAL SE-**
14 **CURITY CLEARANCES FOR CERTAIN CON-**
15 **TRACTORS.**

16 (a) DEFINITIONS.—In this section:

17 (1) APPROPRIATE COMMITTEES OF CON-
18 GRESS.—The term “appropriate committees of Con-
19 gress” means—

20 (A) the congressional intelligence commit-
21 tees;

22 (B) the Subcommittee on Defense of the
23 Committee on Appropriations of the Senate;
24 and

1 (C) the Subcommittee on Defense of the
2 Committee on Appropriations of the House of
3 Representatives.

4 (2) COVERED CONTRACT OR AGREEMENT.—The
5 term “covered contract or agreement”, with respect
6 to an entity, means a contract or other agreement
7 between that entity and an element of the intel-
8 ligence community the performance of which re-
9 quires a specified number of covered persons to hold
10 a security clearance.

11 (3) COVERED PERSON.—The term “covered
12 person”, with respect to an entity, means a con-
13 tractor or employee of that entity.

14 (b) PLAN AND STUDY.—

15 (1) IN GENERAL.—No later than April 1, 2024,
16 the Director of National Intelligence shall—

17 (A) complete a study on the feasibility and
18 advisability of implementing a program to au-
19 thorize additional security clearances for certain
20 contractors as described in subsection (c);

21 (B) develop a plan to implement the pro-
22 gram described in subparagraph (A); and

23 (C) submit to the appropriate committees
24 of Congress—

1 (i) a report on the findings of the Di-
2 rector with respect to the study completed
3 pursuant to subparagraph (A); and

4 (ii) the plan developed pursuant to
5 subparagraph (B).

6 (2) STUDY ELEMENTS.—The study completed
7 pursuant to paragraph (1)(A) shall address the fol-
8 lowing:

9 (A) For contracts agreed to after the date
10 of the enactment of this Act, how private enti-
11 ties that contract with the intelligence commu-
12 nity would make payments for additional clear-
13 ances for their employees and how the intel-
14 ligence community would receive payments.

15 (B) A list of and changes to provisions of
16 law required in order to fully implement the
17 program required by subsection (c) and achieve
18 the intent indicated in subparagraph (A) of this
19 paragraph.

20 (C) Such considerations as the Director
21 may have for carrying out the program required
22 by subsection (c) and achieving the intent indi-
23 cated in subparagraph (A) of this paragraph.

24 (c) PROGRAM TO AUTHORIZE ADDITIONAL SECURITY
25 CLEARANCES FOR CERTAIN CONTRACTORS.— Subject to

1 the limitations described in subsection (d), the Director
2 shall establish a program under which—

3 (1) any entity that enters into a covered con-
4 tract or agreement with an element of the intel-
5 ligence community may designate an additional
6 number of covered persons who may submit an ap-
7 plication for a security clearance;

8 (2) the appropriate authorized investigative
9 agency and authorized adjudicative agency, as such
10 terms are defined in section 3001(a) of the Intel-
11 ligence Reform and Terrorism Prevention Act of
12 2004 (50 U.S.C. 3341(a)), shall—

13 (A) upon receiving such an application—

14 (i) conduct an appropriate investiga-
15 tion of the background of the additional
16 covered person; and

17 (ii) make a determination as to
18 whether the additional covered person is el-
19 igible for access to classified information;
20 and

21 (B) if the determination under subpara-
22 graph (A)(ii) is favorable, upon any of the spec-
23 ified number of covered persons required to
24 hold a security clearance for the performance of
25 work under that covered contract or agreement

1 becoming unable to perform such work, make a
2 determination as to whether the additional cov-
3 ered person has a demonstrated need-to-know
4 under Executive Order 12968 (60 Fed. Reg.
5 40245; relating to access to classified informa-
6 tion), or any successor thereto, or Executive
7 Order 10865 (25 Fed. Reg. 1583; relating to
8 safeguarding classified information within in-
9 dustry), or any successor thereto (without re-
10 quiring an additional investigation to be con-
11 ducted under subparagraph (A)(i)); and

12 (3) if the additional covered person receives a
13 favorable determination regarding the need-to-know
14 under paragraph (2)(B) and signs an approved non-
15 disclosure agreement, the additional covered person
16 may perform such work in lieu of such covered per-
17 son.

18 (d) LIMITATIONS.—The limitations described in this
19 subsection are as follows:

20 (1) LIMITATION ON NUMBER DESIGNATED PER
21 CONTRACT.—The additional number designated by
22 an entity under the program established pursuant to
23 subsection (c) for each covered contract or agree-
24 ment may not exceed the greater of the following:

1 (A) 10 percent of the number of security
2 clearances required to be held by covered per-
3 sons to perform work under the covered con-
4 tract or agreement.

5 (B) 1 person.

6 (2) LIMITATION ON NUMBER DESIGNATED PER
7 ENTITY.—The total additional number designated by
8 an entity under the program established pursuant to
9 subsection (c) may not exceed the greater of the fol-
10 lowing:

11 (A) 10 percent of the sum total number of
12 security clearances required to be held by cov-
13 ered persons to perform work under all covered
14 contracts or agreements of the entity.

15 (B) 1 person.

16 (e) PROHIBITIONS.—

17 (1) IN GENERAL.—No application for a security
18 clearance may be submitted by a covered person of
19 an entity or granted pursuant to the program estab-
20 lished under subsection (c) in excess of the limita-
21 tions under subsection (d) applicable to such entity.

22 (2) PROHIBITION ON BEARING COSTS.—No
23 head of an element of the intelligence community
24 may bear any cost associated with granting or main-

1 taining a security clearance the application for which
2 is submitted pursuant to subsection (c)(1).

3 (f) **RULE OF CONSTRUCTION.**—Nothing in this sec-
4 tion may be construed as requiring the head of an element
5 of the intelligence community to grant any covered person
6 access to classified information if a favorable determina-
7 tion of eligibility to access such classified information is
8 not made with respect to such person.

9 **SEC. 7506. INTELLIGENCE INNOVATION BOARD.**

10 (a) **ESTABLISHMENT OF INTELLIGENCE INNOVATION**
11 **BOARD.**—There is established in the executive branch of
12 the Federal Government a board to be known as the Intel-
13 ligence Innovation Board (in this section referred to as
14 the “Board”).

15 (b) **PURPOSE.**—The purpose of the Board is to pro-
16 vide to the Director of National Intelligence and the heads
17 of the other elements of the intelligence community advice
18 and recommendations on changes to the culture, organiza-
19 tional structures, processes, and functions of the intel-
20 ligence community necessary to address the adoption of
21 emerging technologies by the intelligence community and
22 to accelerate such adoption.

23 (c) **MEMBERSHIP.**—

24 (1) **APPOINTMENT OF MEMBERS.**—The Board
25 shall be composed of 9 members appointed by the

1 Director of National Intelligence, after consultation
2 with the Chair and Ranking Member of the Perma-
3 nent Select Committee on Intelligence of the House
4 of Representatives and the Chair and Vice Chair of
5 the Select Committee on Intelligence of the Senate,
6 from among citizens of the United States—

7 (A) who are not officers or employees of an
8 element of the intelligence community;

9 (B) who are eligible to hold an appropriate
10 security clearance;

11 (C) who have demonstrated academic, gov-
12 ernment, business, or other expertise relevant to
13 the mission and functions of the intelligence
14 community; and

15 (D) who the Director of National Intel-
16 ligence determines—

17 (i) meet at least 1 of the qualifica-
18 tions described in paragraph (2); and

19 (ii) do not present any active or po-
20 tential conflict of interest.

21 (2) QUALIFICATIONS.—

22 (A) IN GENERAL.—The qualifications de-
23 scribed in this paragraph are the following:

24 (i) A proven track record of sound
25 judgment in leading or governing a large

1 and complex private sector corporation or
2 organization.

3 (ii) A proven track record as a distin-
4 guished academic or researcher at an ac-
5 credited institution of higher education (as
6 defined in section 101 of the Higher Edu-
7 cation Act of 1965 (20 U.S.C. 1001)).

8 (iii) Demonstrated experience in iden-
9 tifying emerging technologies and facili-
10 tating the adoption of such technologies
11 into the operations of large organizations
12 in either the public or private sector.

13 (iv) Demonstrated experience in devel-
14 oping new technology.

15 (v) Demonstrated experience in tech-
16 nical evaluations of commercial products.

17 (vi) Demonstrated expertise in privacy
18 and civil liberties implications associated
19 with emerging technologies.

20 (B) MEMBERSHIP STRUCTURE.—The Di-
21 rector shall ensure that no more than 4 concur-
22 rently serving members of the Board qualify for
23 membership on the Board based predominately
24 on a single qualification set forth under sub-
25 paragraph (A).

1 (3) CHAIR.—The Board shall have a Chair, who
2 shall be appointed by the Director of National Intel-
3 ligence from among the members of the Board, after
4 consultation with the Chair and Ranking Member of
5 the Permanent Select Committee on Intelligence of
6 the House of Representatives and the Chair and
7 Vice Chair of the Select Committee on Intelligence
8 of the Senate.

9 (4) NOTIFICATIONS.—Not later than 30 days
10 after the date on which the Director of National In-
11 telligence appoints a member to the Board under
12 paragraph (1), or appoints a member of the Board
13 as Chair under paragraph (3), the Director shall no-
14 tify the congressional intelligence committees, the
15 Committee on Appropriations of the Senate, and the
16 Committee on Appropriations of the House of Rep-
17 resentatives of such appointment in writing.

18 (5) TERMS.—

19 (A) IN GENERAL.—Except as provided in
20 subparagraph (B), each member of the Board
21 shall be appointed for a term of 2 years.

22 (B) VACANCIES.—A member of the Board
23 appointed to fill a vacancy occurring before the
24 expiration of the term for which the predecessor
25 of the member was appointed shall be appointed

1 only for the remainder of that term. A vacancy
2 in the Board shall not affect the powers of the
3 Board and shall be filled in the manner in
4 which the original appointment was made.

5 (C) REAPPOINTMENTS.—A member of the
6 Board may not be reappointed for an additional
7 term, unless the Director of National Intel-
8 ligence certifies to the congressional intelligence
9 committees, the Committee on Appropriations
10 of the Senate, and the Committee on Appro-
11 priations of the House of Representatives that
12 reappointment for a single additional term is
13 vital to the completion of an ongoing project or
14 initiative of the Board.

15 (6) PROHIBITION ON COMPENSATION.—Mem-
16 bers of the Board shall serve without pay.

17 (7) TRAVEL EXPENSES.—Each member of the
18 Board may reimbursement of reasonable travel ex-
19 penses, subject to a process established by the Direc-
20 tor and in accordance with applicable provisions
21 under subchapter I of chapter 57 of title 5, United
22 States Code.

23 (8) MEETINGS.—

24 (A) IN GENERAL.—The Board shall meet
25 as necessary to carry out its purpose and duties

1 under this section, but shall meet in person not
2 less frequently than on a quarterly basis. A ma-
3 jority of the members of the Board shall con-
4 stitute a quorum.

5 (B) CLOSED MEETINGS.—Meetings of the
6 Board may be closed to the public only to pro-
7 tect national security.

8 (d) STAFF.—

9 (1) COMPOSITION.—To the extent and in such
10 amounts as specifically provided in advance in ap-
11 propriations Act for the purposes detailed in this
12 section, the Board shall be supported by full-time
13 staff with requisite experience to assist the Board in
14 carrying out its purpose and duties under this sec-
15 tion in such number as the Director of National In-
16 telligence determines appropriate. Such staff may be
17 appointed by the Director of National Intelligence or
18 detailed or otherwise assigned from another element
19 of the intelligence community.

20 (2) SECURITY CLEARANCES.—Staff of the
21 Board, shall, as a condition of appointment, detail,
22 or assignment to the Board, as the case may be,
23 hold appropriate security clearances for access to the
24 classified records and materials to be reviewed by
25 the staff, and shall follow the guidance and practices

1 on security under applicable Executive orders and
2 Presidential or agency directives.

3 (e) REPORTS.—

4 (1) SUBMISSION.—Beginning on the date that
5 is 2 years after the date on which the Board is es-
6 tablished, and once every 2 years thereafter until the
7 date on which the Board terminates under sub-
8 section (i), the Board shall submit to the Director
9 of National Intelligence and the congressional intel-
10 ligence committees, the Committee on Appropria-
11 tions of the Senate, and the Committee on Appro-
12 priations of the House of Representatives a report
13 on the activities of the Board, which shall include,
14 with respect to the period covered by the report, the
15 following:

16 (A) An assessment of the efforts of the in-
17 telligence community taken during such period
18 to accelerate the adoption of competitive emerg-
19 ing technologies by the intelligence community,
20 including such efforts taken with respect to the
21 culture, organizational structures, processes, or
22 functions of the intelligence community.

23 (B) Recommendations on how the intel-
24 ligence community may make further progress
25 to accelerate such adoption, including rec-

1 ommendations on changes to the culture, orga-
2 nizational structures, processes, and functions
3 of the intelligence community necessary for
4 such accelerated adoption.

5 (C) Any other matters the Board or the
6 Director of National Intelligence determines ap-
7 propriate.

8 (2) FORM.—Each report under paragraph (1)
9 may be submitted in classified form, but if so sub-
10 mitted shall include an unclassified executive sum-
11 mary.

12 (f) TERMINATION.—

13 (1) IN GENERAL.—Except as provided in para-
14 graph (2), the Board shall terminate on September
15 30, 2026.

16 (2) RENEWAL.—The Director of National Intel-
17 ligence may renew the Board for an additional 2-
18 year period following the date of termination speci-
19 fied in paragraph (1) if the Director notifies the
20 congressional intelligence committees, the Committee
21 on Appropriations of the Senate, and the Committee
22 on Appropriations of the House of Representatives
23 of such renewal.

24 (g) CHARTER.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the date of the enactment of this Act, the Director
3 of National Intelligence shall establish a charter for
4 the Board, consistent with this section.

5 (2) ELEMENTS.—The charter established pur-
6 suant to paragraph (1) shall include the following:

7 (A) Mandatory processes for identifying
8 potential conflicts of interest, including the sub-
9 mission of initial and periodic financial disclo-
10 sures by Board members.

11 (B) The vetting of potential conflicts of in-
12 terest by the Inspector General of the Intel-
13 ligence Community.

14 (C) The establishment of a process and as-
15 sociated protections for any whistleblower alleg-
16 ging a violation of applicable conflict of interest,
17 Federal contracting, or other provision of law.

18 **SEC. 7507. PROGRAMS FOR NEXT-GENERATION MICRO-**
19 **ELECTRONICS IN SUPPORT OF ARTIFICIAL**
20 **INTELLIGENCE.**

21 (a) PROGRAM ESTABLISHMENT.—Subject to the
22 availability of appropriations, the Director of National In-
23 telligence, acting through the Director of the Intelligence
24 Advanced Research Projects Activity, shall establish or

1 otherwise oversee a program to advance microelectronics
2 research.

3 (b) RESEARCH FOCUS.—The Director of National In-
4 telligence shall ensure that the research carried out under
5 the program established under subsection (a) is focused
6 on the following:

7 (1) Advanced engineering and applied research
8 into next-generation computing models, materials,
9 devices, architectures, and algorithms to enable the
10 advancement of artificial intelligence and machine
11 learning.

12 (2) Efforts to—

13 (A) overcome challenges with engineering
14 and applied research of microelectronics, includ-
15 ing with respect to the physical limits on tran-
16 sistors, electrical interconnects, and memory
17 elements;

18 (B) promote long-term advancements in
19 computing technologies, including by fostering a
20 unified and multidisciplinary approach encom-
21 passing research and development into—

22 (i) next-generation algorithm design;

23 (ii) next-generation compute capa-
24 bility;

- 1 (iii) generative and adaptive artificial
2 intelligence for design applications;
- 3 (iv) photonics-based microprocessors,
4 including electrophotonics;
- 5 (v) the chemistry and physics of new
6 materials;
- 7 (vi) optical communication networks,
8 including electrophotonics; and
- 9 (vii) safety and controls for generative
10 artificial intelligence applications for the
11 intelligence community.

12 (3) Any other activity the Director determines
13 would promote the development of microelectronics
14 research for future technologies, including optical
15 communications or quantum technologies.

16 (c) CONSIDERATION, CONSULTATION, AND COLLABO-
17 RATION.—In carrying out the program established under
18 subsection (a), the Director of National Intelligence
19 shall—

- 20 (1) consider the national strategy developed
21 pursuant to subsection (a)(3)(A)(i) of section 9906
22 of the William M. (Mac) Thornberry National De-
23 fense Authorization Act for Fiscal Year 2021 (15
24 U.S.C. 4656);

1 (2) consult with the Secretary of Commerce;
2 and

3 (3) actively collaborate with relevant Govern-
4 ment agencies and programs, including the pro-
5 grams established under subsection (c), (d), (e), and
6 (f) of such section 9906 (15 U.S.C. 4656), academic
7 institutions, and private industry to leverage exper-
8 tise and resources in conducting research.

9 (d) AUTHORIZATION OF APPROPRIATIONS.—
10 Amounts authorized to be appropriated for the National
11 Intelligence Program of the Office of the Director of Na-
12 tional Intelligence may be made available to carry out the
13 program established under subsection (a).

14 (e) BRIEFING REQUIREMENTS.—The Director of the
15 Intelligence Advanced Research Projects Activity shall
16 provide to the congressional intelligence committees, the
17 Committee on Appropriations of the Senate, the Com-
18 mittee on Appropriations of the House of Representatives,
19 and, consistent with the protection of intelligence sources
20 and methods, the Committee on Commerce, Science, and
21 Transportation of the Senate and the Committee on En-
22 ergy and Commerce of the House of Representatives, reg-
23 ular briefings on—

24 (1) the progress, achievements, and outcomes of
25 the program established under subsection (a);

1 (2) the collaborations conducted pursuant to
2 subsection (c); and

3 (3) recommendations for future research prior-
4 ities.

5 **SEC. 7508. PROGRAM FOR BEYOND 5G.**

6 (a) ESTABLISHMENT.—The Director of National In-
7 telligence, acting through the Director of the Intelligence
8 Advanced Research Projects Activity, may initiate or oth-
9 erwise carry out a program dedicated to research and de-
10 velopment efforts relevant to 6G technology and any suc-
11 cessor technologies, but only if such efforts are specific
12 to potential applications of 6G technology (or any suc-
13 cessor technologies) for the intelligence community or for
14 other national security purposes.

15 (b) CONSULTATION AND COORDINATION.—In car-
16 rying out any program under subsection (a), the Director
17 shall consult and coordinate with—

18 (1) relevant—

19 (A) heads of Federal departments and
20 agencies, including the Administrator of the
21 National Telecommunications and Information
22 Administration;

23 (B) interagency bodies, such as the Com-
24 mittee for the Assessment of Foreign Participa-

1 tion in the United States Telecommunications
2 Sector;

3 (C) private sector entities;

4 (D) institutions of higher learning; and

5 (E) federally funded research and develop-
6 ment centers; and

7 (2) such other individuals and entities as the
8 Director determines appropriate.

9 (c) 6G TECHNOLOGY DEFINED.—In this section, the
10 term “6G technology” means hardware, software, or other
11 technologies relating to sixth-generation wireless net-
12 works.

13 **SEC. 7509. INTELLIGENCE COMMUNITY COMMERCIAL RE-**
14 **MOTE SENSING REQUIREMENTS.**

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

17 (1) the United States benefits from a robust
18 commercial remote sensing industry that supports a
19 science, technology, engineering, and mathematics
20 academic pipeline, enables skilled manufacturing
21 jobs, and fosters technological innovation;

22 (2) commercial remote sensing capabilities com-
23 plement and augment dedicated Government remote
24 sensing capabilities, both when integrated into Gov-

1 ernment architectures and leveraged as stand-alone
2 services;

3 (3) the Director of National Intelligence and
4 Under Secretary of Defense for Intelligence and Se-
5 curity should serve as the United States Government
6 leads for commercial remote sensing procurement
7 and seek to accommodate commercial remote sensing
8 needs of the intelligence community, the Department
9 of Defense, and Federal civil organizations under
10 the preview of the cognizant functional managers;
11 and

12 (4) a transparent, sustained investment by the
13 United States Government in commercial remote
14 sensing capabilities—

15 (A) is required to strengthen the United
16 States commercial remote sensing commercial
17 industry; and

18 (B) should include electro-optical, synthetic
19 aperture radar, hyperspectral, and radio fre-
20 quency detection and other innovative
21 phenemonology that may have national security
22 applications.

23 (b) **GUIDANCE REQUIRED.**—Not later than 180 days
24 after the date of the enactment of this Act, the Director
25 of National Intelligence and the Under Secretary of De-

1 fense for Intelligence and Security shall jointly develop
2 guidance requiring the Commercial Strategy Board or, if
3 that is not feasible, such other entities within the intel-
4 ligence community and the Department of Defense that
5 the Director and the Under Secretary determine appro-
6 priate, to perform, on a recurring basis, the following
7 functions related to commercial remote sensing:

8 (1) Validation of the current and long-term
9 commercial remote sensing capability needs, as de-
10 termined by the relevant functional managers, of the
11 Department of Defense, the intelligence community,
12 and Federal civil users under the preview of the cog-
13 nizant functional managers.

14 (2) Development of commercial remote sensing
15 requirements documents that are unclassified and
16 releasable to United States commercial industry.

17 (3) Development of a cost estimate that is un-
18 classified and releasable to United States commercial
19 industry, covering at least 5 years, associated with
20 fulfilling the requirements contained in the commer-
21 cial remote sensing requirements documents referred
22 developed under paragraph (2).

23 (c) FUNDING LEVELS.—In the case of any fiscal year
24 for which a cost estimate is developed under subsection
25 (b)(3) and for which the budget of the President (as sub-

1 mitted to Congress pursuant to section 1105 of title 31,
2 United States Code) requests a level of funding for the
3 procurement of commercial remote sensing requirements
4 that is less than the amount identified in the cost esti-
5 mate, the President shall include with the budget an expla-
6 nation for the difference.

7 (d) REPORT.—

8 (1) IN GENERAL.—Not later than 180 days
9 after the date of the enactment of this Act, the Di-
10 rector of National Intelligence and the Under Sec-
11 retary of Defense for Intelligence and Security shall
12 jointly submit to the appropriate congressional com-
13 mittees a report on the implementation of subsection
14 (b).

15 (2) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES DEFINED.—In this subsection, the term “ap-
17 propriate congressional committees” means—

18 (A) the congressional intelligence commit-
19 tees;

20 (B) the congressional defense committees;

21 (C) the Subcommittee on Defense of the
22 Committee on Appropriations of the House of
23 Representatives; and

24 (D) the Subcommittee on Defense of the
25 Committee on Appropriations of the Senate.

1 **SEC. 7510. REQUIREMENT TO ENSURE INTELLIGENCE COM-**
2 **MUNITY DIRECTIVES APPROPRIATELY AC-**
3 **COUNT FOR ARTIFICIAL INTELLIGENCE AND**
4 **MACHINE LEARNING TOOLS IN INTEL-**
5 **LIGENCE PRODUCTS.**

6 (a) REQUIREMENT.—Not later than 120 days after
7 the date of the enactment of this Act, the Director of Na-
8 tional Intelligence shall provide to the appropriate commit-
9 tees of Congress a briefing on whether intelligence commu-
10 nity directives in effect as of the date such briefing is pro-
11 vided furnish intelligence community analysts with suffi-
12 cient guidance and direction with respect to the use of ar-
13 tificial intelligence and machine learning tools in intel-
14 ligence products produced by the intelligence community.

15 (b) ELEMENTS.—The briefing required under sub-
16 section (a) shall include—

17 (1) a determination by the Director as to—

18 (A) whether Intelligence Community Direc-
19 tive 203, Analytic Standards, Intelligence Com-
20 munity Directive 206, Sourcing Requirements
21 for Disseminated Analytic Products, and any
22 other intelligence community directive related to
23 the production and dissemination of intelligence
24 products by the intelligence community in effect
25 as of the date the briefing under subsection (a)
26 is provided furnish intelligence community ana-

1 lysts with sufficient guidance and direction on
2 how to properly use, provide sourcing informa-
3 tion about, and otherwise provide transparency
4 to customers regarding the use of artificial in-
5 telligence and machine learning tools in intel-
6 ligence products produced by the intelligence
7 community; and

8 (B) whether any intelligence community di-
9 rective described in subparagraph (A) requires
10 an update to provide such guidance and direc-
11 tion; and

12 (2) with respect to the determination under
13 paragraph (1)—

14 (A) in the case the Director makes a deter-
15 mination that no update to an intelligence com-
16 munity directive described in such paragraph is
17 required, an explanation regarding why such in-
18 telligence community directives currently pro-
19 vide sufficient guidance and direction to intel-
20 ligence community analysts; and

21 (B) in the case the Director makes a deter-
22 mination that an update to an intelligence com-
23 munity directive described in such paragraph is
24 required, a plan and proposed timeline to up-
25 date any such intelligence community directive.

1 (c) DEFINITION OF APPROPRIATE COMMITTEES OF
2 CONGRESS.—In this section, the term “appropriate com-
3 mittees of Congress” means—

4 (1) the congressional intelligence committees;

5 (2) the Committee on Appropriations of the
6 Senate; and

7 (3) the Committee on Appropriations of the
8 House of Representatives.

9 **Subtitle B—Next-generation En-**
10 **ergy, Biotechnology, and Artifi-**
11 **cial Intelligence**

12 **SEC. 7511. EXPANDED ANNUAL ASSESSMENT OF ECONOMIC**
13 **AND TECHNOLOGICAL CAPABILITIES OF THE**
14 **PEOPLE’S REPUBLIC OF CHINA AND RE-**
15 **LATED BRIEFING.**

16 (a) BRIEFING REQUIRED.—Not later than 45 days
17 after the date of the enactment of this Act, the Director
18 of National Intelligence shall provide to the congressional
19 intelligence committees a briefing on the status of the im-
20 plementation by the Director of section 6503 of the Intel-
21 ligence Authorization Act for Fiscal Year 2023 (division
22 F of Public Law 117–263), including—

23 (1) the expected timeline for establishing the
24 working group required by subsection (a) of such
25 section;

1 (2) the expected timeline for such working
2 group to submit to Congress the first assessment re-
3 quired by subsection (c)(2) of such section; and

4 (3) whether any elements of the assessment de-
5 scribed in subsection (c)(3) of such section, as
6 amended by subsection (b), should be prepared in
7 consultation with other working groups or entities
8 within the Office of the Director of National Intel-
9 ligence.

10 (b) MODIFICATIONS.—Section 6503(c) of the Intel-
11 ligence Authorization Act for Fiscal Year 2023 (division
12 F of Public Law 117–263) is amended—

13 (1) in paragraph (1)—

14 (A) in subparagraph (B), by inserting “the
15 Committee on Energy and Natural Resources,
16 the Committee on Homeland Security and Gov-
17 ernmental Affairs,” after “Transportation,”;
18 and

19 (B) in subparagraph (C), by inserting “the
20 Committee on Oversight and Accountability,”
21 after “and Means,”; and

22 (2) in paragraph (3), by adding at the end the
23 following:

1 “(I) A detailed assessment, prepared in
2 consultation with all elements of the working
3 group—

4 “(i) of the investments made by the
5 People’s Republic of China in—

6 “(I) artificial intelligence;

7 “(II) next-generation energy
8 technologies, especially small modular
9 reactors and advanced batteries; and

10 “(III) biotechnology; and

11 “(ii) that identifies—

12 “(I) competitive practices of the
13 People’s Republic of China relating to
14 the technologies described in clause
15 (i);

16 “(II) opportunities to counter the
17 practices described in subclause (I);

18 “(III) countries the People’s Re-
19 public of China is targeting for ex-
20 ports of civil nuclear technology;

21 “(IV) countries best positioned to
22 utilize civil nuclear technologies from
23 the United States in order to facilitate
24 the commercial export of those tech-
25 nologies;

1 “(V) United States vulnerabilities
2 in the supply chain of these tech-
3 nologies; and

4 “(VI) opportunities to counter
5 the export by the People’s Republic of
6 China of civil nuclear technologies
7 globally.

8 “(J) An identification and assessment of
9 any unmet resource or authority needs of the
10 working group that affect the ability of the
11 working group to carry out this section.”.

12 **SEC. 7512. ASSESSMENT OF USING CIVIL NUCLEAR ENERGY**
13 **FOR INTELLIGENCE COMMUNITY CAPABILI-**
14 **TIES.**

15 (a) **ASSESSMENT REQUIRED.**—The Director of Na-
16 tional Intelligence shall, in consultation with the heads of
17 such other elements of the intelligence community as the
18 Director considers appropriate, conduct an assessment of
19 capabilities identified by the Intelligence Community Con-
20 tinuity Program established pursuant to section E(3) of
21 Intelligence Community Directive 118, or any successor
22 directive, or such other intelligence community facilities
23 or intelligence community capabilities as may be deter-
24 mined by the Director to be critical to United States na-
25 tional security, that have unique energy needs—

1 (1) to ascertain the feasibility and advisability
2 of using civil nuclear reactors to meet such needs;
3 and

4 (2) to identify such additional technologies, in-
5 frastructure, or authorities needed, or other poten-
6 tial obstacles, to commence use of a nuclear reactor
7 to meet such needs.

8 (b) REPORT.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of the enactment of this Act, the Di-
11 rector shall submit to the appropriate committees of
12 Congress a report, which may be in classified form,
13 on the findings of the Director with respect to the
14 assessment conducted pursuant to subsection (a).

15 (2) APPROPRIATE COMMITTEES OF CON-
16 GRESS.—In this subsection, the term “appropriate
17 committees of Congress” means—

18 (A) the congressional intelligence commit-
19 tees;

20 (B) the Committee on Homeland Security
21 and Governmental Affairs, the Committee on
22 Energy and Natural Resources, and the Com-
23 mittee on Appropriations of the Senate; and

24 (C) the Committee on Oversight and Ac-
25 countability, the Committee on Energy and

1 Commerce, and the Committee on Appropria-
2 tions of the House of Representatives.

3 **SEC. 7513. POLICIES ESTABLISHED BY DIRECTOR OF NA-**
4 **TIONAL INTELLIGENCE FOR ARTIFICIAL IN-**
5 **TELLIGENCE CAPABILITIES.**

6 (a) IN GENERAL.—Section 6702 of the Intelligence
7 Authorization Act for Fiscal Year 2023 (50 U.S.C.
8 3334m) is amended—

9 (1) in subsection (a), in the matter preceding
10 paragraph (1), by striking “subsection (b)” and in-
11 serting “subsection (c)”;

12 (2) by redesignating subsection (b) as sub-
13 section (c); and

14 (3) by inserting after subsection (a) the fol-
15 lowing:

16 “(b) POLICIES.—

17 “(1) IN GENERAL.—In carrying out subsection
18 (a)(1), not later than 1 year after the date of the
19 enactment of the Intelligence Authorization Act for
20 Fiscal Year 2024, the Director of National Intel-
21 ligence, in consultation with the heads of the ele-
22 ments of the intelligence community, the Director of
23 the Office of Management and Budget, and such
24 other officials as the Director of National Intel-

1 ligence determines appropriate, shall establish the
2 policies described in paragraph (2).

3 “(2) POLICIES DESCRIBED.—The policies de-
4 scribed in this paragraph are policies for the acqui-
5 sition, adoption, development, use, coordination, and
6 maintenance of artificial intelligence capabilities
7 that—

8 “(A) establish a lexicon relating to the use
9 of machine learning and artificial intelligence
10 developed or acquired by elements of the intel-
11 ligence community;

12 “(B) establish minimum guidelines for
13 evaluating the performance of models developed
14 or acquired by elements of the intelligence com-
15 munity, such as by—

16 “(i) specifying conditions for the con-
17 tinuous monitoring of artificial intelligence
18 capabilities for performance, including the
19 conditions for retraining or retiring models
20 based on performance;

21 “(ii) documenting performance objec-
22 tives, including specifying how performance
23 objectives shall be developed and contrac-
24 tually enforced for capabilities procured
25 from third parties;

1 “(iii) specifying the manner in which
2 models should be audited, as necessary, in-
3 cluding the types of documentation that
4 should be provided to any auditor; and

5 “(iv) specifying conditions under
6 which models used by elements of the intel-
7 ligence community should be subject to
8 testing and evaluation for vulnerabilities to
9 techniques meant to undermine the avail-
10 ability, integrity, or privacy of an artificial
11 intelligence capability;

12 “(C) establish minimum guidelines for
13 tracking dependencies in adjacent systems, ca-
14 pabilities, or processes impacted by the retrain-
15 ing or sunseting of any model described in sub-
16 paragraph (B);

17 “(D) establish minimum documentation re-
18 quirements for capabilities procured from third
19 parties, aligning such requirements, as nec-
20 essary, with existing documentation require-
21 ments applicable to capabilities developed by
22 elements of the intelligence community;

23 “(E) establish minimum standards for the
24 documentation of imputed, augmented, or syn-
25 thetic data used to train any model developed,

1 procured, or used by an element of the intel-
2 ligence community; and

3 “(F) provide guidance on the acquisition
4 and usage of models that have previously been
5 trained by a third party for subsequent modi-
6 fication and usage by such an element.

7 “(3) POLICY REVIEW AND REVISION.—The Di-
8 rector of National Intelligence shall annually review
9 or revise each policy established under paragraph
10 (1).”.

11 (b) CONFORMING AMENDMENT.—Section 6712(b)(1)
12 of such Act (50 U.S.C. 3024 note) is amended by striking
13 “section 6702(b)” and inserting “section 6702(c)”.

14 **TITLE VI—CLASSIFICATION**
15 **REFORM**

Sec. 7601. Short title.

Sec. 7602. Promoting efficient declassification review.

Sec. 7603. Training to promote sensible classification.

Sec. 7604. Improvements to Public Interest Declassification Board.

Sec. 7605. Implementation of technology for classification and declassification.

Sec. 7606. Studies and recommendations on necessity of security clearances.

16 **SEC. 7601. SHORT TITLE.**

17 This title may be cited as the “Sensible Classification
18 Act of 2023”.

19 **SEC. 7602. PROMOTING EFFICIENT DECLASSIFICATION RE-**
20 **VIEW.**

21 (a) IN GENERAL.—Whenever an agency is processing
22 a request pursuant to section 552 of title 5, United States

1 Code (commonly known as the “Freedom of Information
2 Act”) or the mandatory declassification review provisions
3 of Executive Order 13526 (50 U.S.C. 3161 note; relating
4 to classified national security information), or successor
5 order, and identifies responsive classified records that are
6 more than 25 years of age as of December 31 of the year
7 in which the request is received, the head of the agency
8 shall, in accordance with existing processes to protect na-
9 tional security under the Freedom of Information Act and
10 the mandatory review provisions of Executive Order
11 12526, review the record and process the record for de-
12 classification and release by the National Declassification
13 Center of the National Archives and Records Administra-
14 tion, unless the head of agency—

15 (1) makes a certification to Congress, including
16 the congressional intelligence committees, the Com-
17 mittee on Armed Services, the Committee on Home-
18 land Security and Governmental Affairs, the Com-
19 mittee on Foreign Relations, the Committee on the
20 Judiciary of the Senate, and the Committee on
21 Armed Services, the Committee on Oversight and
22 Accountability, the Committee on Foreign Affairs,
23 and the Committee on the Judiciary of the House of
24 Representatives, that the declassification of certain
25 components within the record would be harmful to

1 the protection of sources and methods or national
2 security, pursuant to existing processes; and

3 (2) provides an explanation to Congress, includ-
4 ing the congressional intelligence committees, the
5 Committee on Armed Services, the Committee on
6 Homeland Security and Governmental Affairs, the
7 Committee on Foreign Relations, the Committee on
8 the Judiciary of the Senate, and the Committee on
9 Armed Services, the Committee on Oversight and
10 Accountability, the Committee on Foreign Affairs,
11 and the Committee on the Judiciary of the House of
12 Representatives, for such certification.

13 (b) APPLICATION.—Subsection (a) shall apply re-
14 gardless of whether or not the record described in such
15 subsection is in the legal custody of the National Archives
16 and Records Administration.

17 **SEC. 7603. TRAINING TO PROMOTE SENSIBLE CLASSIFICA-**
18 **TION.**

19 (a) DEFINITIONS.—In this section:

20 (1) OVER-CLASSIFICATION.—The term “over-
21 classification” means classification at a level that ex-
22 ceeds the minimum level of classification that is suf-
23 ficient to protect the national security of the United
24 States.

1 (2) SENSIBLE CLASSIFICATION.—The term
2 “sensible classification” means classification at a
3 level that is the minimum level of classification that
4 is sufficient to protect the national security of the
5 United States.

6 (b) TRAINING REQUIRED.—Each head of an agency
7 with classification authority shall conduct training for em-
8 ployees of the agency with classification authority to hold
9 employees accountable for over-classification and to pro-
10 mote sensible classification.

11 **SEC. 7604. IMPROVEMENTS TO PUBLIC INTEREST DECLASSI-**
12 **SIFICATION BOARD.**

13 Section 703 of the Public Interest Declassification
14 Act of 2000 (50 U.S.C. 3355a) is amended—

15 (1) in subsection (c), by adding at the end the
16 following:

17 “(5) A member of the Board whose term has expired
18 may continue to serve until the earlier of—

19 “(A) the date that a successor is appointed and
20 sworn in; and

21 “(B) the date that is 1 year after the date of
22 the expiration of the term.

23 “(6) Not later than 30 days after the date on which
24 the term of a member of the Board ends, the appointing

1 authority of the member shall submit to Congress a plan
2 to appoint a successor.”; and

3 (2) in subsection (f)—

4 (A) by inserting “(1)” before “Any em-
5 ployee”; and

6 (B) by adding at the end the following:

7 “(2) In addition to any employees detailed to the
8 Board under paragraph (1), the Board may, subject to
9 the availability of funds, hire not more than 12 staff mem-
10 bers.”.

11 **SEC. 7605. IMPLEMENTATION OF TECHNOLOGY FOR CLAS-**
12 **SIFICATION AND DECLASSIFICATION.**

13 (a) IN GENERAL.—Not later than 1 year after the
14 date of the enactment of this Act, the Administrator of
15 the Office of Electronic Government (in this section re-
16 ferred to as the “Administrator”) shall, in consultation
17 with the Secretary of Defense, the Director of the Central
18 Intelligence Agency, the Director of National Intelligence,
19 the Public Interest Declassification Board, the Director of
20 the Information Security Oversight Office, and the head
21 of the National Declassification Center of the National Ar-
22 chives and Records Administration—

23 (1) research a technology-based solutions—

24 (A) to support efficient and effective sys-
25 tems for classification and declassification; and

1 (B) to be implemented on an interoperable
2 and federated basis across the Federal Govern-
3 ment; and

4 (2) submit to the President and Congress, in-
5 cluding the congressional intelligence committees,
6 the Committee on Armed Services, the Committee
7 on Homeland Security and Governmental Affairs,
8 the Committee on Foreign Relations, the Committee
9 on the Judiciary of the Senate, and the Committee
10 on Armed Services, the Committee on Oversight and
11 Accountability, the Committee on Foreign Affairs,
12 and the Committee on the Judiciary of the House of
13 Representatives, recommendations regarding a tech-
14 nology-based solutions described in paragraph (1).

15 (b) REPORT.—Not later than 540 days after the date
16 of the enactment of this Act, the President shall submit
17 to Congress a classified report describing actions taken to
18 implement the recommendations under subsection (a)(2).

19 **SEC. 7606. STUDIES AND RECOMMENDATIONS ON NECES-**
20 **SITY OF SECURITY CLEARANCES.**

21 (a) AGENCY STUDIES ON NECESSITY OF SECURITY
22 CLEARANCES.—

23 (1) STUDIES REQUIRED.—The head of each
24 agency that grants security clearances to personnel

1 of such agency shall conduct a study on the neces-
2 sity of such clearances.

3 (2) REPORTS REQUIRED.—

4 (A) IN GENERAL.—Not later than 1 year
5 after the date of the enactment of this Act,
6 each head of an agency that conducts a study
7 under paragraph (1) shall submit to Congress,
8 including the congressional intelligence commit-
9 tees, the Committee on Armed Services, the
10 Committee on Homeland Security and Govern-
11 mental Affairs, the Committee on Foreign Rela-
12 tions, the Committee on the Judiciary of the
13 Senate, and the Committee on Armed Services,
14 the Committee on Oversight and Accountability,
15 the Committee on Foreign Affairs, and the
16 Committee on the Judiciary of the House of
17 Representatives, a report on the findings of the
18 agency head with respect to such study, which
19 the agency head may classify as appropriate.

20 (B) REQUIRED ELEMENTS.—Each report
21 submitted by the head of an agency under sub-
22 paragraph (A) shall include, for such agency,
23 the following:

1 (i) The number of personnel eligible
2 for access to information up to the “Top
3 Secret” level.

4 (ii) The number of personnel eligible
5 for access to information up to the “Se-
6 cret” level.

7 (iii) Information on any reduction in
8 the number of personnel eligible for access
9 to classified information based on the
10 study conducted under paragraph (1).

11 (iv) A description of how the agency
12 head will ensure that the number of secu-
13 rity clearances granted by such agency will
14 be kept to the minimum required for the
15 conduct of agency functions, commensurate
16 with the size, needs, and mission of the
17 agency.

18 (3) INDUSTRY.—This subsection shall apply to
19 the Secretary of Defense in the Secretary’s capacity
20 as the Executive Agent for the National Industrial
21 Security Program, and the Secretary shall treat con-
22 tractors, licensees, and grantees as personnel of the
23 Department of Defense for purposes of the studies
24 and reports required by this subsection.

1 (b) DIRECTOR OF NATIONAL INTELLIGENCE REVIEW
2 OF SENSITIVE COMPARTMENTED INFORMATION.—Not
3 later than 1 year after the date of the enactment of this
4 Act, the Director of National Intelligence shall—

5 (1) review the number of personnel eligible for
6 access to sensitive compartmented information; and

7 (2) submit to Congress, including the congress-
8 sional intelligence committees, the Committee on
9 Armed Services, the Committee on Homeland Secu-
10 rity and Governmental Affairs, the Committee on
11 Foreign Relations, the Committee on the Judiciary
12 of the Senate, and the Committee on Armed Serv-
13 ices, the Committee on Oversight and Account-
14 ability, the Committee on Foreign Affairs, and the
15 Committee on the Judiciary of the House of Rep-
16 resentatives, a report on how the Director will en-
17 sure that the number of such personnel is limited to
18 the minimum required.

19 (c) AGENCY REVIEW OF SPECIAL ACCESS PRO-
20 GRAMS.—Not later than 1 year after the date of the enact-
21 ment of this Act, each head of an agency who is authorized
22 to establish a special access program by Executive Order
23 13526 (50 U.S.C. 3161 note; relating to classified na-
24 tional security information), or successor order, shall—

1 (1) review the number of personnel of the agen-
2 cy eligible for access to such special access pro-
3 grams; and

4 (2) submit to Congress, including the congress-
5 sional intelligence committees, the Committee on
6 Armed Services, the Committee on Homeland Secu-
7 rity and Governmental Affairs, the Committee on
8 Foreign Relations, the Committee on the Judiciary
9 of the Senate, and the Committee on Armed Serv-
10 ices, the Committee on Oversight and Account-
11 ability, the Committee on Foreign Affairs, and the
12 Committee on the Judiciary of the House of Rep-
13 resentatives, a report on how the agency head will
14 ensure that the number of such personnel is limited
15 to the minimum required.

16 (d) SECRETARY OF ENERGY REVIEW OF Q AND L
17 CLEARANCES.—Not later than 1 year after the date of
18 enactment of this Act, the Secretary of Energy shall—

19 (1) review the number of personnel of the De-
20 partment of Energy granted Q and L access; and

21 (2) submit to Congress, including the congress-
22 sional intelligence committees, the Committee on
23 Armed Services, the Committee on Homeland Secu-
24 rity and Governmental Affairs, the Committee on
25 Foreign Relations, the Committee on the Judiciary

1 of the Senate, and the Committee on Armed Serv-
2 ices, the Committee on Oversight and Account-
3 ability, the Committee on Foreign Affairs, and the
4 Committee on the Judiciary of the House of Rep-
5 resentatives, a report on how the Secretary will en-
6 sure that the number of such personnel is limited to
7 the minimum required

8 (e) INDEPENDENT REVIEWS.—Not later than 180
9 days after the date on which a study is completed under
10 subsection (a) or a review is completed under subsections
11 (b) through (d), the Director of the Office of Management
12 and Budget shall each review the study or review, as the
13 case may be.

14 **TITLE VII—SECURITY CLEAR-**
15 **ANCE AND TRUSTED WORK-**
16 **FORCE**

Sec. 7701. Review of shared information technology services for personnel vet-
ting.

Sec. 7702. Timeliness standard for rendering determinations of trust for per-
sonnel vetting.

Sec. 7703. Annual report on personnel vetting trust determinations.

Sec. 7704. Survey to assess strengths and weaknesses of Trusted Workforce
2.0.

17 **SEC. 7701. REVIEW OF SHARED INFORMATION TECH-**
18 **NOLOGY SERVICES FOR PERSONNEL VET-**
19 **TING.**

20 (a) DEFINITION OF APPROPRIATE COMMITTEES OF
21 CONGRESS.—In this section, the term “appropriate com-
22 mittees of Congress” means—

1 (1) the congressional intelligence committees;

2 (2) the Committee on Armed Services and the
3 Subcommittee on Defense of the Committee on Ap-
4 propriations of the Senate; and

5 (3) the Committee on Armed Services and the
6 Subcommittee on Defense of the Committee on Ap-
7 propriations of the House of Representatives.

8 (b) IN GENERAL.—Not later than 1 year after the
9 date of the enactment of this Act, the Director of National
10 Intelligence shall submit to the appropriate committees of
11 Congress a review of the extent to which the intelligence
12 community can use information technology services shared
13 among the intelligence community for purposes of per-
14 sonnel vetting, including with respect to human resources,
15 suitability, and security.

16 **SEC. 7702. TIMELINESS STANDARD FOR RENDERING DE-**
17 **TERMINATIONS OF TRUST FOR PERSONNEL**
18 **VETTING.**

19 (a) TIMELINESS STANDARD.—

20 (1) IN GENERAL.—The President shall, acting
21 through the Security Executive Agent and the Suit-
22 ability and Credentialing Executive Agent, establish
23 and publish in such public venue as the President
24 considers appropriate, new timeliness performance
25 standards for processing personnel vetting trust de-

1 terminations in accordance with the Federal per-
2 sonnel vetting performance management standards.

3 (2) QUINQUENNIAL REVIEWS.—Not less fre-
4 quently than once every 5 years, the President shall,
5 acting through the Security Executive Agent and the
6 Suitability and Credentialing Executive Agent—

7 (A) review the standards established pur-
8 suant to paragraph (1); and

9 (B) pursuant to such review—

10 (i) update such standards as the
11 President considers appropriate; and

12 (ii) publish in the Federal Register
13 such updates as may be made pursuant to
14 clause (i).

15 (3) CONFORMING AMENDMENT.—Section 3001
16 of the Intelligence Reform and Terrorism Prevention
17 Act of 2004 (50 U.S.C. 3341) is amended by strik-
18 ing subsection (g).

19 (b) QUARTERLY REPORTS ON IMPLEMENTATION.—

20 (1) IN GENERAL.—Not less frequently than
21 quarterly, the Security Executive Agent and the
22 Suitability and Credentialing Executive Agent shall
23 jointly make available to the public a quarterly re-
24 port on the compliance of Executive agencies (as de-
25 fined in section 105 of title 5, United States Code)

1 with the standards established pursuant to sub-
2 section (a).

3 (2) DISAGGREGATION.—Each report made
4 available pursuant to paragraph (1) shall
5 disaggregate, to the greatest extent practicable, data
6 by appropriate category of personnel risk and be-
7 tween Government and contractor personnel.

8 (c) COMPLEMENTARY STANDARDS FOR INTEL-
9 LIGENCE COMMUNITY.—The Director of National Intel-
10 ligence may, in consultation with the Security, Suitability,
11 and Credentialing Performance Accountability Council es-
12 tablished pursuant to Executive Order 13467 (50 U.S.C.
13 3161 note; relating to reforming processes related to suit-
14 ability for Government employment, fitness for contractor
15 employees, and eligibility for access to classified national
16 security information) establish for the intelligence commu-
17 nity standards complementary to those established pursu-
18 ant to subsection (a).

19 **SEC. 7703. ANNUAL REPORT ON PERSONNEL VETTING**
20 **TRUST DETERMINATIONS.**

21 (a) DEFINITION OF PERSONNEL VETTING TRUST
22 DETERMINATION.—In this section, the term “personnel
23 vetting trust determination” means any determination
24 made by an executive branch agency as to whether an indi-

1 vidual can be trusted to perform job functions or to be
2 granted access necessary for a position.

3 (b) ANNUAL REPORT.—Not later than March 30,
4 2024, and annually thereafter for 5 years, the Director
5 of National Intelligence, acting as the Security Executive
6 Agent, and the Director of the Office of Personnel Man-
7 agement, acting as the Suitability and Credentialing Exec-
8 utive Agent, in coordination with the Security, Suitability,
9 and Credentialing Performance Accountability Council,
10 shall jointly make available to the public a report on spe-
11 cific types of personnel vetting trust determinations made
12 during the fiscal year preceding the fiscal year in which
13 the report is made available, disaggregated, to the greatest
14 extent possible, by the following:

15 (1) Determinations of eligibility for national se-
16 curity-sensitive positions, separately noting—

17 (A) the number of individuals granted ac-
18 cess to classified national security information;

19 and

20 (B) the number of individuals determined
21 to be eligible for but not granted access to clas-
22 sified national security information.

23 (2) Determinations of suitability or fitness for
24 a public trust position.

Sec. 7803. Intelligence community implementation of HAVANA Act of 2021 authorities.

Sec. 7804. Report and briefings on Central Intelligence Agency handling of anomalous health incidents.

1 **SEC. 7801. IMPROVED FUNDING FLEXIBILITY FOR PAY-**
2 **MENTS MADE BY THE CENTRAL INTEL-**
3 **LIGENCE AGENCY FOR QUALIFYING INJU-**
4 **RIES TO THE BRAIN.**

5 Section 19A(d) of the Central Intelligence Agency
6 Act of 1949 (50 U.S.C. 3519b(d)) is amended by striking
7 paragraph (3) and inserting the following new paragraph:

8 “(3) FUNDING.—

9 “(A) IN GENERAL.—Payment under para-
10 graph (2) in a fiscal year may be made using
11 any funds—

12 “(i) appropriated specifically for pay-
13 ments under such paragraph; or

14 “(ii) reprogrammed in accordance
15 with section 504 of the National Security
16 Act of 1947 (50 U.S.C. 3094).

17 “(B) BUDGET.—For each fiscal year, the
18 Director shall include with the budget justifica-
19 tion materials submitted to Congress in support
20 of the budget of the President for that fiscal
21 year pursuant to section 1105(a) of title 31,
22 United States Code, an estimate of the funds

1 required in that fiscal year to make payments
2 under paragraph (2).”.

3 **SEC. 7802. CLARIFICATION OF REQUIREMENTS TO SEEK**
4 **CERTAIN BENEFITS RELATING TO INJURIES**
5 **TO THE BRAIN.**

6 (a) IN GENERAL.—Section 19A(d)(5) of the Central
7 Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)(5))
8 is amended—

9 (1) by striking “Payments made” and inserting
10 the following:

11 “(A) IN GENERAL.—Payments made”; and
12 (2) by adding at the end the following:

13 “(B) RELATION TO CERTAIN FEDERAL
14 WORKERS COMPENSATION LAWS.—Without re-
15 gard to the requirements in sections (b) and
16 (c), covered employees need not first seek bene-
17 fits provided under chapter 81 of title 5, United
18 States Code, to be eligible solely for payment
19 authorized under paragraph (2) of this sub-
20 section.”.

21 (b) REGULATIONS.—Not later than 90 days after the
22 date of the enactment of this Act, the Director of the Cen-
23 tral Intelligence Agency shall—

24 (1) revise applicable regulations to conform
25 with the amendment made by subsection (a); and

1 (2) submit to the congressional intelligence
2 committees, the Subcommittee on Defense of the
3 Committee on Appropriations of the Senate, and the
4 Subcommittee on Defense of the Committee on Ap-
5 propriations of the House of Representatives copies
6 of such regulations, as revised pursuant to para-
7 graph (1).

8 **SEC. 7803. INTELLIGENCE COMMUNITY IMPLEMENTATION**
9 **OF HAVANA ACT OF 2021 AUTHORITIES.**

10 (a) REGULATIONS.—Except as provided in subsection
11 (c), not later than 180 days after the date of the enact-
12 ment of this Act, each head of an element of the intel-
13 ligence community that has not already done so shall—

14 (1) issue regulations and procedures to imple-
15 ment the authorities provided by section 19A(d) of
16 the Central Intelligence Agency Act of 1949 (50
17 U.S.C. 3519b(d)) and section 901(i) of title IX of
18 division J of the Further Consolidated Appropria-
19 tions Act, 2020 (22 U.S.C. 2680b(i)) to provide pay-
20 ments under such sections, to the degree that such
21 authorities are applicable to the head of the element;
22 and

23 (2) submit to the congressional intelligence
24 committees, the Committee on Armed Services and
25 the Subcommittee on Defense of the Committee on

1 Appropriations of the Senate, and the Committee on
2 Armed Services and the Subcommittee on Defense of
3 the Committee on Appropriations of the House of
4 Representatives copies of such regulations.

5 (b) REPORTING.—Not later than 210 days after the
6 date of the enactment of this Act, each head of an element
7 of the intelligence community shall submit to the congress-
8 sional intelligence committees, the Committee on Armed
9 Services and the Subcommittee on Defense of the Com-
10 mittee on Appropriations of the Senate, and the Com-
11 mittee on Armed Services and the Subcommittee on De-
12 fense of the Committee on Appropriations of the House
13 of Representatives a report on—

14 (1) the estimated number of individuals associ-
15 ated with their element that may be eligible for pay-
16 ment under the authorities described in subsection
17 (a)(1);

18 (2) an estimate of the obligation that the head
19 of the intelligence community element expects to
20 incur in fiscal year 2025 as a result of establishing
21 the regulations pursuant to subsection (a)(1); and

22 (3) any perceived barriers or concerns in imple-
23 menting such authorities.

24 (c) ALTERNATIVE REPORTING.—Not later than 180
25 days after the date of the enactment of this Act, each head

1 of an element of the intelligence community (other than
2 the Director of the Central Intelligence Agency) who be-
3 lieves that the authorities described in subsection (a)(1)
4 are not currently relevant for individuals associated with
5 their element, or who are not otherwise in position to issue
6 the regulations and procedures required by subsection
7 (a)(1) shall provide written and detailed justification to
8 the congressional intelligence committees, the Committee
9 on Armed Services and the Subcommittee on Defense of
10 the Committee on Appropriations of the Senate, and the
11 Committee on Armed Services and the Subcommittee on
12 Defense of the Committee on Appropriations of the House
13 of Representatives to explain this position.

14 **SEC. 7804. REPORT AND BRIEFINGS ON CENTRAL INTEL-**
15 **LIGENCE AGENCY HANDLING OF ANOMA-**
16 **LOUS HEALTH INCIDENTS.**

17 (a) DEFINITIONS.—In this section:

18 (1) AGENCY.—The term “Agency” means the
19 Central Intelligence Agency.

20 (2) APPROPRIATE COMMITTEES OF CON-
21 GRESS.—The term “appropriate committees of Con-
22 gress” means—

23 (A) the congressional intelligence commit-
24 tees;

1 (B) the Committee on Appropriations of
2 the Senate; and

3 (C) the Committee on Appropriations of
4 the House of Representatives.

5 (3) QUALIFYING INJURY.—The term “quali-
6 fying injury” has the meaning given such term in
7 section 19A(d)(1) of the Central Intelligence Agency
8 Act of 1949 (50 U.S.C. 3519b(d)(1)).

9 (b) IN GENERAL.—Not later than 60 days after the
10 date of the enactment of this Act, the Director of the Cen-
11 tral Intelligence Agency shall submit to the appropriate
12 committees of Congress a report on the handling of anom-
13 alous health incidents by the Agency.

14 (c) CONTENTS.—The report required by subsection
15 (b) shall include the following:

16 (1) PRIORITY CASES.—

17 (A) A detailed list of priority cases of
18 anomalous health incidents, including any cases
19 that the Agency has assessed as potentially re-
20 sulting from an external stimulus or the actions
21 of a foreign actor, including, for each case, loca-
22 tions, dates, times, and circumstances of the
23 anomalous health incidents.

24 (B) For each priority case listed in accord-
25 ance with subparagraph (A)—

1 (i) an explanation as to why such case
2 was determined to be a priority case;

3 (ii) a description of each entity as-
4 signed to investigate the case;

5 (iii) a detailed explanation of each
6 credible alternative explanation that the
7 Agency assigned to the incident, including
8 whether each individual affected by the in-
9 cident was informed about and provided
10 with an opportunity to appeal such credible
11 alternative explanation; and

12 (iv) a detailed account of the input,
13 data, evidence, or opinions the Agency has
14 received from other agencies or compo-
15 nents of the Federal Government that the
16 Agency may have used to reach a conclu-
17 sion on such case.

18 (C) For each priority case of an anomalous
19 health incident determined to largely display
20 the core characteristics of an anomalous health
21 incident established by the Intelligence Commu-
22 nity Experts Panel, including each case for
23 which the Agency does not have a credible al-
24 ternative explanation, a detailed description of
25 such case.

1 (2) ANOMALOUS HEALTH INCIDENT SEN-
2 SORS.—

3 (A) A list of all types of sensors that the
4 Agency has developed or deployed with respect
5 to reports of anomalous health incidents, in-
6 cluding, for each type of sensor, the deployment
7 location, the date and the duration of the em-
8 ployment of such type of sensor, and, if applica-
9 ble, the reason for removal.

10 (B) A list of entities to which the Agency
11 has provided unrestricted access to data from
12 sensors associated with anomalous health inci-
13 dents.

14 (C) A list of requests for support the
15 Agency has received from elements of the Fed-
16 eral Government regarding sensor development,
17 testing, or deployment, and a description of the
18 support provided in each case.

19 (D) A description of each emitter signature
20 that the Agency prioritizes as a threat obtained
21 by sensors associated with anomalous health in-
22 cidents in Agency holdings since 2016, and an
23 explanation of such prioritization.

24 (d) ADDITIONAL SUBMISSIONS.—Concurrent with
25 the submission of the report required by subsection (b),

1 the Director of the Central Intelligence Agency shall sub-
2 mit to the appropriate committees of Congress—

3 (1) a report on the length of time, from the
4 time of initial application, for an applicant for pay-
5 ment under the Expanded Care Program of the Cen-
6 tral Intelligence Agency to receive a determination
7 from the Agency, disaggregated by qualifying inju-
8 ries and qualifying injuries to the brain;

9 (2) copies of all informational and instructional
10 materials provided to employees of and other individ-
11 uals affiliated with the Agency, with respect to ap-
12 plying for the Expanded Care Program; and

13 (3) copies of Agency guidance provided to em-
14 ployees of and other individuals affiliated with the
15 Agency, with respect to reporting and responding to
16 a suspected anomalous health incident, and the roles
17 and responsibilities of each element of the Agency
18 tasked with responding to a report of an anomalous
19 health incident.

20 (e) BRIEFING REQUIREMENT.—

21 (1) IN GENERAL.—Not later than 90 days after
22 the date of the enactment of this Act, the Director
23 of the Central Intelligence Agency shall brief the ap-
24 propriate committees of Congress on the report re-
25 quired by subsection (b).

1 (2) **ADDITIONAL BRIEFINGS.**—Upon request of
2 the appropriate committees of Congress, the Direc-
3 tor shall brief such committees on anomalous health
4 incidents.

5 (3) **AVAILABILITY.**—The Director shall ensure
6 that employees and other personnel of the Agency
7 are made available for briefings under this sub-
8 section.

9 **TITLE IX—OTHER MATTERS**

Sec. 7901. Technical corrections.

Sec. 7902. Extension of title VII of FISA.

10 **SEC. 7901. TECHNICAL CORRECTIONS.**

11 (a) **NATIONAL SECURITY ACT OF 1947.**—The Na-
12 tional Security Act of 1947 (50 U.S.C. 3001 et seq.) is
13 amended—

14 (1) in section 102A(n) (50 U.S.C. 3024(n)) by
15 redesignating the second paragraph (5) as para-
16 graph (6);

17 (2) in section 503(c)(3) (50 U.S.C. 3093(c)(3)),
18 by striking “section” and inserting “subsection”;

19 (3) in section 805(6) (50 U.S.C. 3164(6)), by
20 striking “sections 101 (a) and (b)” and inserting
21 “subsections (a) and (b) of section 101”; and

22 (4) in section 1102A (50 U.S.C. 3232a)—

23 (A) in subsection (b)(3), by striking “sub-
24 section (2)” and inserting “paragraph (1)”; and

1 (B) in subsection (c)(4)(C)(iv), by striking
2 “wavier” and inserting “waiver”.

3 (b) INTELLIGENCE AUTHORIZATION ACT FOR FISCAL
4 YEAR 2023.—The Intelligence Authorization Act for Fis-
5 cal Year 2023 (division F of Public Law 117–263) is
6 amended—

7 (1) in section 6422(b) (50 U.S.C. 3334l(b)), by
8 striking “Congressional” and inserting “congres-
9 sional”; and

10 (2) in section 6732(b) (50 U.S.C. 3024 note;
11 136 Stat. 3583), by striking “paragraph (5)” and
12 inserting “paragraph (6)”.

13 (c) DAVID L. BOREN NATIONAL SECURITY EDU-
14 CATION ACT OF 1991.—The David L. Boren National Se-
15 curity Education Act of 1991 (50 U.S.C. 1901 et seq.)
16 is amended—

17 (1) in section 802(j)(6) (50 U.S.C.
18 1902(j)(6))—

19 (A) by redesignating subparagraphs (C)
20 and (D) as subparagraphs (B) and (C), respec-
21 tively; and

22 (B) in subparagraph (B), as so redesign-
23 ated, by striking “subparagraph (D)” and in-
24 serting “subparagraph (C)”;

1 (2) in section 803(d)(9)(D) (50 U.S.C.
2 1903(d)(9)(D)), by striking “Local” and inserting
3 “local”; and

4 (3) in section 808(4)(A) (50 U.S.C.
5 1908(4)(A)), by striking “a agency” and inserting
6 “an agency”.

7 (d) CENTRAL INTELLIGENCE AGENCY RETIREMENT
8 ACT.—The Central Intelligence Agency Retirement Act
9 (50 U.S.C. 2001 et seq.) is amended—

10 (1) in section 211(c)(2)(B) (50 U.S.C.
11 2021(c)(2)(B)), by striking “subsection 241(c)” and
12 inserting “section 241(c)”;

13 (2) in section 263(g)(1) (50 U.S.C.
14 2093(g)(1)), by striking “Fund” and inserting
15 “fund”;

16 (3) in section 271(b) (50 U.S.C. 2111(b)), by
17 striking “section 231(b)” and inserting “section
18 231(c)”;

19 (4) in section 304(c) (50 U.S.C. 2154(c))—

20 (A) in paragraph (1)(B)(i), by striking
21 “title 50” and inserting “title 5”; and

22 (B) in paragraph (5)(A)(ii), by striking
23 “sections” and inserting “section”.

24 (e) INTELLIGENCE REFORM AND TERRORISM PRE-
25 VENTION ACT OF 2004.—Section 3001 of the Intelligence

1 Reform and Terrorism Prevention Act of 2004 (50 U.S.C.
2 3341) is amended—

3 (1) in subsection (a)—

4 (A) in paragraph (4)(B)(i), by striking the
5 semicolon and inserting “);”; and

6 (B) in paragraph (9)(A), by striking “with
7 industry” and inserting “within industry”; and

8 (2) in subsection (j)(1)(C)(i), by striking “(d),”
9 and all that follows through “section 8H” and in-
10 serting “(d), and (h) of section 8H”.

11 (f) INTELLIGENCE AUTHORIZATION ACT FOR FISCAL
12 YEAR 2003.—The Intelligence Authorization Act for Fis-
13 cal Year 2003 (Public Law 107–306; 116 Stat. 2383) is
14 amended—

15 (1) in section 313(d)(3)(B) (50 U.S.C.
16 3361(d)(3)(B)), by adding a period at the end; and

17 (2) in section 343(d)(1) (50 U.S.C.
18 3363(d)(1)), by striking “Not later then” and in-
19 serting “Not later than”.

20 (g) CENTRAL INTELLIGENCE AGENCY ACT OF
21 1949.—The Central Intelligence Agency Act of 1949 (50
22 U.S.C. 3501 et seq.) is amended—

23 (1) in section 4—

1 (A) in subsection (a)(1)(E) (50 U.S.C.
2 3505(a)(1)(E)), by striking the period at the
3 end and inserting “; and”; and

4 (B) in subsection (b)(2) (50 U.S.C.
5 3505(b)(2)), by striking “authorized by sec-
6 tion” and inserting “authorized by sections”;

7 (2) in section 6 (50 U.S.C. 3507), by striking
8 “or of the, names” and inserting “or of the names”;

9 (3) in section 12(a)(2)(A) (50 U.S.C.
10 3512(a)(2)(A)), by striking “used only for—” and
11 inserting “used only for—”;

12 (4) in section 17—

13 (A) in subsection (d)(5)(B)(ii) (50 U.S.C.
14 3517(d)(5)(B)(ii)), by adding a period at the
15 end; and

16 (B) in subsection (e)(4) (50 U.S.C.
17 3517(e)(4)), by striking “which oath affirma-
18 tion, or affidavit” and inserting “which oath,
19 affirmation, or affidavit”; and

20 (5) in section 19(a)(2) (50 U.S.C. 3519(a)(2)),
21 by striking “, as a participant” and inserting “as a
22 participant”.

23 (h) CENTRAL INTELLIGENCE AGENCY VOLUNTARY
24 SEPARATION PAY ACT.—Section 2(a)(1) of the Central
25 Intelligence Agency Voluntary Separation Pay Act (50

1 U.S.C. 3519a(a)(1)) is amended by adding “and” at the
2 end.

3 (i) NATIONAL SECURITY AGENCY ACT OF 1959.—
4 Section 16(d)(1) of the National Security Agency Act of
5 1959 (50 U.S.C. 3614(d)(1)) is amended by striking “pro-
6 gram participant,” and inserting “program participant”.

7 (j) INTELLIGENCE AUTHORIZATION ACT FOR FISCAL
8 YEAR 1995.—Section 811(e)(7) of the Intelligence Au-
9 thorization Act for Fiscal Year 1995 (50 U.S.C.
10 3381(e)(7)) is amended by striking “sections 101 (a) and
11 (b)” and inserting “subsections (a) and (b) of section
12 101”.

13 (k) COORDINATION WITH OTHER AMENDMENTS
14 MADE BY THIS ACT.—For purposes of applying amend-
15 ments made by provisions of this Act other than this sec-
16 tion, the amendments made by this section shall be treated
17 as having been enacted immediately before any such
18 amendments by other provisions of this Act.

19 **SEC. 7902. EXTENSION OF TITLE VII OF FISA.**

20 (a) IN GENERAL.—Section 403(b) of the Foreign In-
21 telligence Surveillance Act of 1978 Amendments Act of
22 2008 is amended—

23 (1) in paragraph (1) (Public Law 110–261; 50
24 U.S.C. 1881 note), by striking “December 31,
25 2023” and inserting “April 19, 2024”; and

1 (2) in paragraph (2) (Public Law 110–261; 18
2 U.S.C. 2511 note), in the matter preceding subpara-
3 graph (A), by striking “December 31, 2023” and in-
4 serting “April 19, 2024”.

5 (b) CONFORMING AMENDMENT.—Section 404(b) of
6 the Foreign Intelligence Surveillance Act of 1978 Amend-
7 ments Act of 2008 is amended in paragraph (1) in the
8 paragraph heading, by striking “DECEMBER 31, 2023” and
9 inserting “APRIL 19, 2024”.

 And the Senate agree to the same.