

Union Calendar No. 83

117TH CONGRESS
1ST SESSION

H. R. 4350

[Report No. 117-118]

To authorize appropriations for fiscal year 2022 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 2, 2021

Mr. SMITH of Washington (for himself and Mr. ROGERS of Alabama) (both by request) introduced the following bill; which was referred to the Committee on Armed Services

SEPTEMBER 10, 2021

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on July 2, 2021]

A BILL

To authorize appropriations for fiscal year 2022 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “National Defense Au-*
 5 *thorization Act for Fiscal Year 2022”.*

6 **SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF**
 7 **CONTENTS.**

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

10 *(1) Division A—Department of Defense Author-*
 11 *izations.*

12 *(2) Division B—Military Construction Author-*
 13 *izations.*

14 *(3) Division C—Department of Energy National*
 15 *Security Authorizations and Other Authorizations.*

16 *(4) Division D—Funding Tables.*

17 *(5) Division E—Non-Department of Defense*
 18 *Matters.*

19 *(b) TABLE OF CONTENTS.—The table of contents for*
 20 *this Act is as follows:*

Sec. 1. Short title.

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

Sec. 3. Congressional defense committees.

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Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

- Sec. 111. Multiyear procurement authority for AH-64E Apache helicopters.*
Sec. 112. Multiyear procurement authority for UH-60M and HH-60M Black Hawk helicopters.
Sec. 113. Continuation of Soldier Enhancement Program.
Sec. 114. Strategy for the procurement of accessories for the next generation squad weapon.

Subtitle C—Navy Programs

- Sec. 121. Extension of procurement authority for certain amphibious shipbuilding programs.*
Sec. 122. Inclusion of basic and functional design in assessments required prior to start of construction on first ship of a shipbuilding program.
Sec. 123. Multiyear procurement authority for Arleigh Burke class destroyers.
Sec. 124. Incorporation of advanced degaussing systems into DDG-51 class destroyers.

Subtitle D—Air Force Programs

- Sec. 131. Contract for logistics support for VC-25B aircraft.*
Sec. 132. Limitation on availability of funds for the B-52 Commercial Engine Replacement Program.
Sec. 133. Inventory requirements and limitations relating to certain air refueling tanker aircraft.
Sec. 134. Minimum inventory of tactical airlift aircraft and limitation on modification of Air National Guard tactical airlift flying missions.
Sec. 135. Procurement authority for certain parts of the ground-based strategic deterrent cryptographic device.

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- Sec. 141. Implementation of affordability, operational, and sustainment cost constraints for the F-35 aircraft program.*
Sec. 142. Limitation on availability of funds for aircraft systems for the armed overwatch program.
Sec. 143. Major weapon systems capability assessment process and procedure review and report.
Sec. 144. Reports on exercise of waiver authority with respect to certain aircraft ejection seats.

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- Sec. 201. Authorization of appropriations.*

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- Sec. 211. Duties and regional activities of the Defense Innovation Unit.*
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Sec. 213. Modification of mechanisms for expedited access to technical talent and expertise at academic institutions.
Sec. 214. Minority Institute for Defense Research.
Sec. 215. Test program for engineering plant of DDG(X) destroyer vessels.

- Sec. 216. Consortium to study irregular warfare.*
- Sec. 217. Development and implementation of digital technologies for survivability and lethality testing.*
- Sec. 218. Pilot program on the use of intermediaries to connect the Department of Defense with technology producers.*
- Sec. 219. Assessment and correction of deficiencies in the F-35 aircraft pilot breathing system.*
- Sec. 220. Identification of the hypersonics facilities and capabilities of the Major Range and Test Facility Base.*
- Sec. 221. Requirement to maintain access to category 3 subterranean training facility.*
- Sec. 222. Prohibition on reduction of naval aviation testing and evaluation capacity.*
- Sec. 223. Limitation on availability of funds for certain C-130 aircraft.*
- Sec. 224. Limitation on availability of funds for VC-25B aircraft program pending submission of documentation.*

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- Sec. 231. Modification to annual report of the Director of Operational Test and Evaluation.*
- Sec. 232. Adaptive engine transition program acquisition strategy for the F-35A aircraft.*
- Sec. 233. Advanced propulsion system acquisition strategy for the F-35B and F-35C aircraft.*
- Sec. 234. Assessment and report on airborne electronic attack capabilities and capacity.*
- Sec. 235. Strategy for autonomy integration in major weapon systems.*

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- Sec. 301. Authorization of appropriations.*

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- Sec. 312. Modification of authorities governing cultural and conservation activities of the Department of Defense.*
- Sec. 313. Modification of authority for environmental restoration projects of National Guard.*
- Sec. 314. Prohibition on use of open-air burn pits in contingency operations outside the United States.*
- Sec. 315. Maintenance of current analytical tools for evaluation of energy resilience measures.*
- Sec. 316. Energy efficiency targets for Department of Defense data centers.*
- Sec. 317. Modification of restriction on Department of Defense procurement of certain items containing perfluorooctane sulfonate or perfluorooctanoic acid.*
- Sec. 318. Temporary moratorium on incineration by Department of Defense of perfluoroalkyl substances, polyfluoroalkyl substances, and aqueous film forming foam.*
- Sec. 319. Public disclosure of results of Department of Defense testing of water for perfluoroalkyl or polyfluoroalkyl substances.*
- Sec. 320. PFAS testing requirements.*

- Sec. 321. Standards for response actions with respect to PFAS contamination.*
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- Sec. 323. Budget information for alternatives to burn pits.*
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- Sec. 325. Long-duration demonstration initiative and joint program.*
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- Sec. 327. Joint Department of Defense and Department of Agriculture study on bioremediation of PFAS using mycological organic matter.*

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- Sec. 342. Global bulk fuel management and delivery.*
- Sec. 343. Comptroller General annual reviews of F-35 sustainment efforts.*
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- Sec. 508. Access to Tour of Duty system.*

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- Sec. 523. Selection process for members to serve on courts-martial.*
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Sec. 1054. Report and briefing on United States equipment, property, and classified material that was destroyed, surrendered, and abandoned in the withdrawal from Afghanistan.
Sec. 1055. Report on defense utility of United States territories and possessions.
Sec. 1056. Report on Coast Guard explosive ordnance disposal.
Sec. 1057. Independent assessment with respect to the Arctic region.
Sec. 1058. Annual report and briefing on Global Force Management Allocation Plan.

Subtitle F—District of Columbia National Guard Home Rule

- Sec. 1066. Short title.*
Sec. 1067. Extension of National Guard authorities to Mayor of the District of Columbia.
Sec. 1068. Conforming amendments to title 10, United States Code.
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Sec. 1070. Conforming amendment to the District of Columbia Home Rule Act.

Subtitle G—Other Matters

- Sec. 1071. Technical, conforming, and clerical amendments.*
Sec. 1072. Assistant Secretary of Defense for Indo-Pacific Security Affairs.
Sec. 1073. Improvement of transparency and congressional oversight of civil reserve air fleet.
Sec. 1074. Enhancements to national mobilization exercises.
Sec. 1075. Providing end-to-end electronic voting services for absent uniformed services voters in locations with limited or immature postal service.
Sec. 1076. Responsibilities for national mobilization; personnel requirements.
Sec. 1077. Update of Joint Publication 3-68: Noncombatant Evacuation Operations.

- Sec. 1078. Treatment of operational data from Afghanistan.*
- Sec. 1079. Defense Resource Budgeting and Allocation Commission.*
- Sec. 1080. Commission on Afghanistan.*
- Sec. 1081. Technology pilot program to support ballot transmission for absent uniformed services and overseas votes.*
- Sec. 1082. Recognition of the Memorial, Memorial Garden, and K9 Memorial of the National Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national memorial, memorial garden, and K9 memorial, respectively, of Navy SEALs and their predecessors.*
- Sec. 1083. Sense of Congress on the legacy, contributions, and sacrifices of American Indian and Alaska Natives in the Armed Forces.*
- Sec. 1084. Name of Naval Medical Center Camp Lejeune.*
- Sec. 1085. Sense of Congress regarding naming a warship the USS Fallujah.*
- Sec. 1086. Name of Air Force Utah test and training range.*
- Sec. 1087. Name of Air Force Utah Test and Training Range Consolidated Mission Control Center.*
- Sec. 1088. Sense of Congress regarding crisis at the Southwest border.*
- Sec. 1089. Improvements and clarifications relating to unauthorized use of computers of Department of Defense.*

TITLE XI—CIVILIAN PERSONNEL MATTERS

- Sec. 1101. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.*
- Sec. 1102. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.*
- Sec. 1103. DARPA personnel management authority to attract science and engineering experts.*
- Sec. 1104. Civilian personnel management.*
- Sec. 1105. Comptroller General review of Naval Audit Service operations.*
- Sec. 1106. Implementation of GAO recommendations on tracking, response, and training for civilian employees of the Department of Defense regarding sexual harassment and assault.*
- Sec. 1107. Guidelines for reductions in civilian positions.*
- Sec. 1108. Repeal of 2-year probationary period.*
- Sec. 1109. Amendment to diversity and inclusion reporting.*
- Sec. 1110. Including active duty in the armed forces in meeting service requirement for Federal employee family and medical leave.*
- Sec. 1111. Treatment of hours worked under a qualified trade-of-time arrangement.*
- Sec. 1112. Modification of temporary authority to appoint retired members of the armed forces to positions in the Department of Defense.*
- Sec. 1113. Increase in allowance based on duty at remote worksites.*
- Sec. 1114. Limiting the number of local wage areas defined within a pay locality.*

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

- Sec. 1201. Extension of support of special operations for irregular warfare.*

Subtitle B—Matters Relating to Afghanistan and Pakistan

- Sec. 1211. Clarification of certain matters regarding protection of Afghan allies.*
- Sec. 1212. Afghanistan Security Forces Fund.*

- Sec. 1213. Prohibition on providing funds or material resources of the Department of Defense to the Taliban.*
- Sec. 1214. Prohibition on transporting currency to the Taliban and the Islamic Emirate of Afghanistan.*
- Sec. 1215. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.*
- Sec. 1216. Quarterly briefings on the security environment in Afghanistan and United States military operations related to the security of, and threats emanating from, Afghanistan.*
- Sec. 1217. Quarterly report on the threat potential of Al-Qaeda and related terrorist groups under a Taliban regime in Afghanistan.*
- Sec. 1218. Sense of Congress.*

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

- Sec. 1221. Extension and modification of authority to provide assistance to vetted Syrian groups and individuals.*
- Sec. 1222. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.*
- Sec. 1223. Extension and modification of authority to provide assistance to counter the Islamic State of Iraq and Syria.*
- Sec. 1224. Prohibition of transfers to Badr organization.*
- Sec. 1225. Prohibition on transfers to Iran.*
- Sec. 1226. Report on Iran-China military ties.*
- Sec. 1227. Report on Iranian military capabilities.*
- Sec. 1228. Report on Iranian terrorist proxies.*

Subtitle D—Matters Relating to Russia

- Sec. 1231. Extension of limitation on military cooperation between the United States and Russia.*
- Sec. 1232. Prohibition on availability of funds relating to sovereignty of Russia over Crimea.*
- Sec. 1233. Modification and extension of Ukraine Security Assistance Initiative.*
- Sec. 1234. Report on options for assisting the Government of Ukraine in addressing integrated air and missile defense gaps.*
- Sec. 1235. Biennial report on Russian influence operations and campaigns targeting military alliances and partnerships of which the United States is a member.*
- Sec. 1236. Sense of Congress on Georgia.*

Subtitle E—Matters Relating to the Indo-Pacific Region

- Sec. 1241. Sense of Congress on a free and open Indo-Pacific region.*
- Sec. 1242. Clarification of required budget information related to the Indo-Pacific.*
- Sec. 1243. Report on cooperation between the National Guard and Taiwan.*
- Sec. 1244. Report on military and security developments involving the People's Republic of China.*
- Sec. 1245. Biennial report on influence operations and campaigns of the Government of the People's Republic of China targeting military alliances and partnerships of which the United States is a member.*
- Sec. 1246. Report on efforts by the People's Republic of China to expand its presence and influence in Latin America and the Caribbean.*
- Sec. 1247. Sense of Congress on Taiwan defense relations.*

- Sec. 1248. Sense of Congress on inviting Taiwan to the Rim of the Pacific exercise.*
- Sec. 1249. Sense of Congress on enhancing defense and security cooperation with Singapore.*
- Sec. 1250. Sense of Congress.*
- Sec. 1251. Sense of Congress with respect to Qatar.*
- Sec. 1252. Statement of policy.*

TITLE XIII—OTHER MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Matters Relating to Europe and NATO

- Sec. 1301. Report on the state of United States military investment in Europe including the European Deterrence Initiative.*
- Sec. 1302. Sense of Congress on United States defense posture in Europe.*
- Sec. 1303. Sense of Congress on security assistance to the Baltic countries.*

Subtitle B—Security Cooperation and Assistance

- Sec. 1311. Extension of authority for certain payments to redress injury and loss.*
- Sec. 1312. Foreign Area Officer assessment and review.*
- Sec. 1313. Women, peace, and security act implementation at military service academies.*

Subtitle C—Other Matters

- Sec. 1321. Extension of authority for Department of Defense support for stabilization activities in national security interest of the United States.*
- Sec. 1322. Notification relating to overseas humanitarian, disaster, and civic aid funds obligated in support of Operation Allies Refuge.*
- Sec. 1323. Limitation on use of funds for the 2022 Olympic and Paralympic Winter games in China.*
- Sec. 1324. Report on hostilities involving United States Armed Forces.*

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

- Sec. 1401. Working capital funds.*
- Sec. 1402. Chemical Agents and Munitions Destruction, Defense.*
- Sec. 1403. Drug Interdiction and Counter-Drug Activities, Defense-Wide.*
- Sec. 1404. Defense Inspector General.*
- Sec. 1405. Defense Health Program.*

Subtitle B—Other Matters

- Sec. 1411. Acquisition of strategic and critical materials from the national technology and industrial base.*
- Sec. 1412. Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.*
- Sec. 1413. Authorization of appropriations for Armed Forces Retirement Home.*

TITLE XV—CYBERSPACE-RELATED MATTERS

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- Sec. 1501. Cyber threat information collaboration environment.*

Sec. 1502. Enterprise-wide procurement of commercial cyber threat information products.

Subtitle B—Cyber Systems and Operations

Sec. 1511. Legacy information technologies and systems accountability.

Sec. 1512. Update relating to responsibilities of Chief Information Officer.

Sec. 1513. Protective Domain Name System within the Department of Defense.

Subtitle C—Cyber Weapons

Sec. 1521. Notification requirements regarding cyber weapons.

Sec. 1522. Cybersecurity of weapon systems.

Subtitle D—Other Cyber Matters

Sec. 1531. Feasibility study regarding establishment within the Department of Defense a designated central program office, headed by a senior Department official, responsible for overseeing all academic engagement programs focusing on creating cyber talent across the Department.

Sec. 1532. Prohibition on Chief Information Officer of the Department of Defense serving as Principal Cyber Advisor of the Department.

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

Subtitle A—Space Activities

Sec. 1601. Improvements to tactically responsive space launch program.

Sec. 1602. National security space launch program.

Sec. 1603. Classification review of programs of the Space Force.

Sec. 1604. Report on Range of the Future initiative of the Space Force.

Sec. 1605. Norms of behavior for international rules-based order in space.

Sec. 1606. Programs of record of Space Force and commercial capabilities.

Sec. 1607. Clarification of domestic services and capabilities in leveraging commercial satellite remote sensing.

Sec. 1608. National Security Council briefing on potential harmful interference to Global Positioning System.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

Sec. 1611. Notification of certain threats to United States Armed Forces by foreign governments.

Sec. 1612. Strategy and plan to implement certain defense intelligence reforms.

Sec. 1613. Authority of Under Secretary of Defense for Intelligence and Security to engage in fundraising for certain nonprofit organizations.

Sec. 1614. Executive agent for explosive ordnance intelligence.

Sec. 1615. Inclusion of explosive ordnance intelligence in Defense Intelligence Agency activities.

Subtitle C—Nuclear Forces

Sec. 1621. Exercises of nuclear command, control, and communications system.

Sec. 1622. Independent review of nuclear command, control, and communications system.

Sec. 1623. Review of safety, security, and reliability of nuclear weapons and related systems.

- Sec. 1624. Review of engineering and manufacturing development contract for ground-based strategic deterrent program.*
- Sec. 1625. Long-range standoff weapon.*
- Sec. 1626. Prohibition on reduction of the intercontinental ballistic missiles of the United States.*
- Sec. 1627. Limitation on availability of certain funds until submission of information relating to proposed budget for nuclear-armed sea-launched cruise missile.*
- Sec. 1628. Limitation on availability of certain funds until submission of information relating to nuclear-armed sea-launched cruise missile.*
- Sec. 1629. Annual certification on readiness of Minuteman III intercontinental ballistic missiles.*
- Sec. 1630. Cost estimate to re-alert long-range bombers.*
- Sec. 1631. Notification regarding intercontinental ballistic missiles of China.*
- Sec. 1632. Information regarding review of Minuteman III service life extension program.*
- Sec. 1633. Sense of Congress regarding nuclear posture review.*

Subtitle D—Missile Defense Programs

- Sec. 1641. Directed energy programs for ballistic and hypersonic missile defense.*
- Sec. 1642. Notification of changes to non-standard acquisition and requirements processes and responsibilities of Missile Defense Agency.*
- Sec. 1643. Missile defense radar in Hawaii.*
- Sec. 1644. Guam integrated air and missile defense system.*
- Sec. 1645. Limitation on availability of funds until receipt of certain report on Guam.*
- Sec. 1646. Repeal of transition of ballistic missile defense programs to military departments .*
- Sec. 1647. Certification required for Russia and China to tour certain missile defense sites.*
- Sec. 1648. Sense of Congress on next generation interceptor program.*

Subtitle E—Other Matters

- Sec. 1651. Cooperative threat reduction funds.*
- Sec. 1652. Establishment of office to address unidentified aerial phenomena.*
- Sec. 1653. Matters regarding Integrated Deterrence Review.*
- Sec. 1654. Sense of Congress on indemnification and the conventional prompt global strike weapon system.*

TITLE XVII—TECHNICAL AMENDMENTS RELATED TO THE TRANSFER AND REORGANIZATION OF DEFENSE ACQUISITION STATUTES

- Sec. 1701. Technical, conforming, and clerical amendments related to the transfer and reorganization of defense acquisition statutes.*
- Sec. 1702. Conforming cross reference technical amendments related to the transfer and reorganization of defense acquisition statutes.*

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

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

TITLE XXI—ARMY MILITARY CONSTRUCTION

- Sec. 2101. Authorized Army construction and land acquisition projects.*
Sec. 2102. Family housing.
Sec. 2103. Authorization of appropriations, Army.
Sec. 2104. Extension of authority to carry out certain fiscal year 2017 project.
Sec. 2105. Modification of authority to carry out certain fiscal year 2021 project.
Sec. 2106. Additional authorized funding source for certain fiscal year 2022 project.

TITLE XXII—NAVY MILITARY CONSTRUCTION

- Sec. 2201. Authorized Navy construction and land acquisition projects.*
Sec. 2202. Family housing.
Sec. 2203. Authorization of appropriations, Navy.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

- Sec. 2301. Authorized Air Force construction and land acquisition projects.*
Sec. 2302. Family housing.
Sec. 2303. Authorization of appropriations, Air Force.
Sec. 2304. Extension of authority to carry out certain fiscal year 2017 projects.
Sec. 2305. Modification of authority to carry out military construction projects at Tyndall Air Force Base, Florida.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.*
Sec. 2402. Authorized Energy Resilience and Conservation Investment Program projects.
Sec. 2403. Authorization of appropriations, Defense Agencies.
Sec. 2404. Extension of authority to carry out certain fiscal year 2017 project.

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

- Sec. 2501. Authorized NATO construction and land acquisition projects.*
Sec. 2502. Authorization of appropriations, NATO.

Subtitle B—Host Country In-Kind Contributions

- Sec. 2511. Republic of Korea funded construction projects.*
Sec. 2512. Republic of Poland funded construction projects.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

- Sec. 2601. Authorized Army National Guard construction and land acquisition projects.*
Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
Sec. 2606. Authorization of appropriations, National Guard and Reserve.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

- Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account.*
- Sec. 2702. Conditions on closure of Pueblo Chemical Depot and Chemical Agent-Destruction Pilot Plant, Colorado.*

*TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS**Subtitle A—Military Construction Program Changes*

- Sec. 2801. Special construction authority to use operation and maintenance funds to meet certain United States military-related construction needs in friendly foreign countries.*
- Sec. 2802. Increase in maximum amount authorized for use of unspecified minor military construction project authority.*
- Sec. 2803. Increased transparency and public availability of information regarding solicitation and award of subcontracts under military construction contracts.*
- Sec. 2804. Public availability of information on Facilities Sustainment, Restoration, and Modernization projects and activities.*
- Sec. 2805. Limitations on authorized cost and scope of work variations.*
- Sec. 2806. Use of qualified apprentices by military construction contractors.*
- Sec. 2807. Modification and extension of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States.*

Subtitle B—Continuation of Military Housing Reforms

- Sec. 2811. Applicability of window fall prevention requirements to all military family housing whether privatized or Government-owned and Government-controlled.*
- Sec. 2812. Modification of military housing to accommodate tenants with disabilities.*
- Sec. 2813. Required investments in improving military unaccompanied housing.*
- Sec. 2814. Improvement of Department of Defense child development centers and increased availability of child care for children of military personnel.*

Subtitle C—Real Property and Facilities Administration

- Sec. 2821. Secretary of the Navy authority to support development and operation of National Museum of the United States Navy.*
- Sec. 2822. Expansion of Secretary of the Navy authority to lease and license United States Navy museum facilities to generate revenue to support museum administration and operations.*
- Sec. 2823. Department of Defense monitoring of real property ownership and occupancy in vicinity of military installations to identify foreign adversary ownership or occupancy.*

Subtitle D—Military Facilities Master Plan Requirements

- Sec. 2831. Cooperation with State and local governments in development of master plans for major military installations.*
- Sec. 2832. Prompt completion of military installation resilience component of master plans for at-risk major military installations.*

Sec. 2833. Congressional oversight of master plans for Army ammunition plants guiding future infrastructure, facility, and production equipment improvements.

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

Sec. 2841. Amendment of Unified Facilities Criteria to require inclusion of private nursing and lactation space in certain military construction projects.

Sec. 2842. Additional Department of Defense activities to improve energy resiliency of military installations.

Sec. 2843. Consideration of anticipated increased share of electric vehicles in Department of Defense vehicle fleet and owned by members of the Armed Forces and Department employees.

Sec. 2844. Conditions on revision of Unified Facilities Criteria or Unified Facilities Guide Specifications regarding use of variable refrigerant flow systems.

Subtitle F—Land Conveyances

Sec. 2851. Modification of restrictions on use of former Navy property conveyed to University of California, San Diego, California.

Sec. 2852. Land conveyance, Joint Base Cape Cod, Bourne, Massachusetts.

Sec. 2853. Land conveyance, Rosecrans Air National Guard Base, Saint Joseph, Missouri.

Sec. 2854. Land conveyance, Naval Air Station Oceana, Virginia Beach, Virginia.

Subtitle G—Authorized Pilot Programs

Sec. 2861. Pilot program on increased use of mass timber in military construction.

Sec. 2862. Pilot program on increased use of sustainable building materials in military construction.

Sec. 2863. Pilot program on establishment of account for reimbursement for use of testing facilities at installations of the Department of the Air Force.

Sec. 2864. Pilot program to expedite 5G telecommunications on military installations through deployment of telecommunications infrastructure.

Subtitle H—Asia-Pacific and Indo-Pacific Issues

Sec. 2871. Improved oversight of certain infrastructure services provided by Naval Facilities Engineering Systems Command Pacific.

Subtitle I—Miscellaneous Studies and Reports

Sec. 2881. Identification of organic industrial base gaps and vulnerabilities related to climate change and defensive cybersecurity capabilities.

Subtitle J—Other Matters

Sec. 2891. Clarification of installation and maintenance requirements regarding fire extinguishers in Department of Defense facilities.

*TITLE XXIX—ADDITIONAL MILITARY CONSTRUCTION PROJECTS
RELATED TO SCIENCE, TECHNOLOGY, TEST, AND EVALUATION*

- Sec. 2901. Authorized Army construction and land acquisition projects.*
Sec. 2902. Authorized Navy construction and land acquisition projects.
Sec. 2903. Authorized Air Force construction and land acquisition projects.
Sec. 2904. Authorization of appropriations.

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

*TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY
PROGRAMS*

Subtitle A—National Security Programs and Authorizations

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

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

- Sec. 3111. Improvements to annual reports on condition of the United States nuclear weapons stockpile.*
Sec. 3112. Modifications to certain reporting requirements.
Sec. 3113. Plutonium pit production capacity.
Sec. 3114. Report on Runit Dome and related hazards.
Sec. 3115. University-based nuclear nonproliferation collaboration program.
Sec. 3116. Prohibition on availability of funds to reconvert or retire W76-2 warheads.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

- Sec. 3201. Authorization.*
Sec. 3202. Technical amendments regarding Chair and Vice Chair of Defense Nuclear Facilities Safety Board.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

- Sec. 3401. Authorization of appropriations.*

TITLE XXXV—MARITIME MATTERS

Subtitle A—Maritime Administration

- Sec. 3501. Authorization of the Maritime Administration.*
Sec. 3502. Maritime Administration.

Subtitle B—Other Matters

- Sec. 3511. Effective period for issuance of documentation for recreational vessels.*
Sec. 3512. America's marine highway program.
Sec. 3513. Committees on maritime matters.
Sec. 3514. Port Infrastructure Development Program.
Sec. 3515. Uses of emerging marine technologies and practices.
Sec. 3516. Prohibition on participation of long term charters in Tanker Security Fleet.

- Sec. 3517. Coastwise endorsement.*
Sec. 3518. Report on efforts of combatant commands to combat threats posed by illegal, unreported, and unregulated fishing.
Sec. 3519. Coast Guard yard improvement.
Sec. 3520. Authorization to purchase duplicate medals.

DIVISION D—FUNDING TABLES

- Sec. 4001. Authorization of amounts in funding tables.*

TITLE XLI—PROCUREMENT

- Sec. 4101. Procurement.*

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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

TITLE XLIII—OPERATION AND MAINTENANCE

- Sec. 4301. Operation and maintenance.*

TITLE XLIV—MILITARY PERSONNEL

- Sec. 4401. Military personnel.*

TITLE XLV—OTHER AUTHORIZATIONS

- Sec. 4501. Other authorizations.*

TITLE XLVI—MILITARY CONSTRUCTION

- Sec. 4601. Military construction.*

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

- Sec. 4701. Department of Energy national security programs.*

DIVISION E—NON-DEPARTMENT OF DEFENSE MATTERS

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

- Sec. 5001. Short title.*
Sec. 5002. Clarifying amendments to definitions.
Sec. 5003. Barry Goldwater Scholarship and Excellence in Education Awards.
Sec. 5004. Stipends.
Sec. 5005. Scholarship and research internship conditions.
Sec. 5006. Sustainable investments of funds.
Sec. 5007. Administrative provisions.

TITLE LI—FINANCIAL SERVICES MATTERS

- Sec. 5101. Enhanced protection against debt collector harassment of servicemembers.*
Sec. 5102. Comptroller General study on enhanced protection against debt collector harassment of servicemembers.

- Sec. 5103. Support to enhance the capacity of International Monetary Fund members to evaluate the legal and financial terms of sovereign debt contracts.*
- Sec. 5104. Adverse information in cases of trafficking.*
- Sec. 5105. United States policy regarding international financial institution assistance with respect to advanced wireless technologies.*

TITLE LII—RECOMMENDATIONS OF THE NATIONAL SECURITY COMMISSION ON ARTIFICIAL INTELLIGENCE

- Sec. 5201. Modification of National Defense Science and Technology Strategy.*
- Sec. 5202. Department of Defense plan to compete in the global information environment.*
- Sec. 5203. Resourcing plan for digital ecosystem.*
- Sec. 5204. Digital Talent recruiting officer.*
- Sec. 5205. Occupational series for digital career fields.*
- Sec. 5206. Artificial intelligence readiness goals.*
- Sec. 5207. Pilot program to facilitate the agile acquisition of technologies for warfighters.*
- Sec. 5208. Short course on emerging technologies for senior civilian leaders.*

TITLE LIII—GREAT LAKES WINTER SHIPPING

- Sec. 5301. Great Lakes winter shipping.*

TITLE LX—OTHER MATTERS

- Sec. 6001. FAA rating of civilian pilots of the Department of Defense.*
- Sec. 6002. Property disposition for affordable housing.*
- Sec. 6003. Requirement to establish a national network for microelectronics research and development.*
- Sec. 6004. Definition of State for purposes of Omnibus Crime Control and Safe Streets Act of 1968.*
- Sec. 6005. Advancing Mutual Interests and Growing Our Success.*
- Sec. 6006. Department of Veterans Affairs Governors Challenge grant program.*
- Sec. 6007. Foreign Corruption Accountability.*
- Sec. 6008. Justice for Victims of Kleptocracy.*
- Sec. 6009. Expansion of scope of Department of Veterans Affairs open burn pit registry to include open burn pits in Egypt and Syria.*
- Sec. 6010. Extension of period of eligibility by reason of school closures due to emergency and other situations under Department of Veterans Affairs training and rehabilitation program for veterans with service-connected disabilities.*
- Sec. 6011. Extension of time limitation for use of entitlement under Department of Veterans Affairs educational assistance programs by reason of school closures due to emergency and other situations.*
- Sec. 6012. Exemption of certain Homeland Security fees for certain immediate relatives of an individual who received the Purple Heart.*

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 101(a)(16)*
- 4** *of title 10, United States Code.*

1 ***DIVISION A—DEPARTMENT OF***
2 ***DEFENSE AUTHORIZATIONS***
3 ***TITLE I—PROCUREMENT***
4 ***Subtitle A—Authorization of***
5 ***Appropriations***

6 ***SEC. 101. AUTHORIZATION OF APPROPRIATIONS.***

7 *Funds are hereby authorized to be appropriated for fis-*
8 *cal year 2022 for procurement for the Army, the Navy and*
9 *the Marine Corps, the Air Force and the Space Force, and*
10 *Defense-wide activities, as specified in the funding table in*
11 *section 4101.*

12 ***Subtitle B—Army Programs***

13 ***SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR AH-***
14 ***64E APACHE HELICOPTERS.***

15 *(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—*
16 *Subject to section 2306b of title 10, United States Code, the*
17 *Secretary of the Army may enter into one or more*
18 *multiyear contracts, beginning with the fiscal year 2022*
19 *program year, for the procurement of AH-64E Apache heli-*
20 *copters.*

21 *(b) CONDITION FOR OUT-YEAR CONTRACT PAY-*
22 *MENTS.—A contract entered into under subsection (a) shall*
23 *provide that any obligation of the United States to make*
24 *a payment under the contract for a fiscal year after fiscal*

1 *year 2022 is subject to the availability of appropriations*
2 *for that purpose for such later fiscal year.*

3 **SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR UH-**
4 **60M AND HH-60M BLACK HAWK HELICOPTERS.**

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

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

17 **SEC. 113. CONTINUATION OF SOLDIER ENHANCEMENT PRO-**
18 **GRAM.**

19 *(a) REQUIREMENT TO CONTINUE PROGRAM.—The Sec-*
20 *retary of the Army, acting through the Assistant Secretary*
21 *of the Army for Acquisition, Logistics, and Technology in*
22 *accordance with subsection (b), shall continue to carry out*
23 *the Soldier Enhancement Program established pursuant to*
24 *section 203 of the National Defense Authorization Act for*

1 *Fiscal Years 1990 and 1991 (Public Law 101–189; 103 Stat.*
2 *1394).*

3 (b) *RESPONSIBLE OFFICIAL.*—*The Secretary of the*
4 *Army shall designate the Assistant Secretary of the Army*
5 *for Acquisition, Logistics, and Technology as the official in*
6 *the Department of the Army with principal responsibility*
7 *for the management of the Soldier Enhancement Program*
8 *under subsection (a).*

9 (c) *DUTIES.*—*The duties of the Soldier Enhancement*
10 *Program shall include the identification, research, develop-*
11 *ment, test, and evaluation of commercially available off-the-*
12 *shelf items (as defined in section 104 of title 41, United*
13 *States Code) and software applications to accelerate the ef-*
14 *forts of the Army to integrate, modernize, and enhance*
15 *weapons and equipment for use by Army soldiers, includ-*
16 *ing—*

17 (1) *lighter, more lethal weapons; and*

18 (2) *support equipment, including lighter, more*
19 *comfortable load-bearing equipment, field gear, com-*
20 *bat clothing, survivability items, communications*
21 *equipment, navigational aids, night vision devices,*
22 *tactical power, sensors, and lasers.*

1 **SEC. 114. STRATEGY FOR THE PROCUREMENT OF ACCES-**
2 **SORIES FOR THE NEXT GENERATION SQUAD**
3 **WEAPON.**

4 (a) *STRATEGY REQUIRED.*—*The Secretary of the*
5 *Army shall develop and implement a strategy to identify,*
6 *test, qualify, and procure, on a competitive basis, acces-*
7 *sories for the next generation squad weapon of the Army,*
8 *including magazines and other components that could affect*
9 *the performance of such weapon.*

10 (b) *MARKET SURVEY AND QUALIFICATION ACTIVI-*
11 *TIES.*—

12 (1) *INITIAL MARKET SURVEY.*—*Not later than*
13 *one year after a decision is made to enter into full-*
14 *rate production for the next generation squad weapon,*
15 *the Secretary of the Army shall conduct a market sur-*
16 *vey to identify accessories for such weapon, including*
17 *magazines and other components, that could affect the*
18 *weapon's performance.*

19 (2) *QUALIFICATION ACTIVITIES.*—*After com-*
20 *pleting the market survey under paragraph (1), the*
21 *Secretary of the Army may compete, select, procure,*
22 *and conduct tests of such components to qualify such*
23 *components for purchase and use. A decision to qual-*
24 *ify such components shall be based on established*
25 *technical standards for operational safety and weapon*
26 *effectiveness.*

1 (c) *INFORMATION TO CONGRESS.*—Not later than 180
2 days after the date of the enactment of this Act, the Sec-
3 retary of the Army shall provide to the congressional defense
4 committees a briefing or a report on—

5 (1) the strategy developed and implemented by
6 the Secretary under subsection (a); and

7 (2) the results of the market survey and quali-
8 fication activities under subsection (b).

9 **Subtitle C—Navy Programs**

10 **SEC. 121. EXTENSION OF PROCUREMENT AUTHORITY FOR** 11 **CERTAIN AMPHIBIOUS SHIPBUILDING PRO-** 12 **GRAMS.**

13 Section 124(a)(1) of the William M. (Mac) Thornberry
14 National Defense Authorization Act for Fiscal Year 2021
15 (Public Law 116–283) is amended by striking “fiscal year
16 2021” and inserting “fiscal years 2021 and 2022”.

17 **SEC. 122. INCLUSION OF BASIC AND FUNCTIONAL DESIGN** 18 **IN ASSESSMENTS REQUIRED PRIOR TO START** 19 **OF CONSTRUCTION ON FIRST SHIP OF A** 20 **SHIPBUILDING PROGRAM.**

21 Section 124 of the National Defense Authorization Act
22 for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 28;
23 10 U.S.C. 8661 note) is amended—

24 (1) in subsection (a)—

1 (A) in the matter preceding paragraph (1),
2 by striking “Concurrent with approving the start
3 of construction of the first ship for any major
4 shipbuilding program, the Secretary of the Navy
5 shall” and inserting “The Secretary of the Navy
6 may not enter into a contract for the construc-
7 tion of the first ship for any major shipbuilding
8 program until a period of 30 days has elapsed
9 following the date on which the Secretary”;

10 (B) in paragraph (1)—

11 (i) by striking “submit” and inserting
12 “submits”; and

13 (ii) by striking “and” at the end;

14 (C) in paragraph (2)—

15 (i) by striking “certify” and inserting
16 “certifies”; and

17 (ii) by striking the period at the end
18 and inserting “; and”; and

19 (D) by adding at the end the following new
20 paragraph:

21 “(3) certifies to the congressional defense com-
22 mittees that the basic and functional design of the
23 vessel is complete.”; and

24 (2) in subsection (d), by adding at the end the
25 following new paragraph:

1 “(5) *BASIC AND FUNCTIONAL DESIGN.*—*The term*
2 *‘basic and functional design’, when used with respect*
3 *to a vessel, means design through computer-aided*
4 *models, that—*

5 “(A) *fixes the hull structure of the vessel;*

6 “(B) *sets the hydrodynamics of the vessel;*

7 “(C) *routes all major distributive systems of*
8 *the vessel, including electricity, water, and other*
9 *utilities; and*

10 “(D) *identifies the exact positioning of pip-*
11 *ing and other outfitting within each block of the*
12 *vessel.”.*

13 **SEC. 123. MULTIYEAR PROCUREMENT AUTHORITY FOR**
14 **ARLEIGH BURKE CLASS DESTROYERS.**

15 (a) *AUTHORITY FOR MULTIYEAR PROCUREMENT.*—
16 *Subject to section 2306b of title 10, United States Code, the*
17 *Secretary of the Navy may enter into one or more multiyear*
18 *contracts for the procurement of up to 15 Arleigh Burke*
19 *class Flight III guided missile destroyers.*

20 (b) *AUTHORITY FOR ADVANCE PROCUREMENT.*—*The*
21 *Secretary of the Navy may enter into one or more contracts,*
22 *beginning in fiscal year 2023, for advance procurement as-*
23 *sociated with the destroyers for which authorization to enter*
24 *into a multiyear procurement contract is provided under*
25 *subsection (a), and for systems and subsystems associated*

1 *with such destroyers in economic order quantities when cost*
2 *savings are achievable.*

3 (c) *CONDITION FOR OUT-YEAR CONTRACT PAY-*
4 *MENTS.—A contract entered into under subsection (a) shall*
5 *provide that any obligation of the United States to make*
6 *a payment under the contract for a fiscal year after fiscal*
7 *year 2023 is subject to the availability of appropriations*
8 *or funds for that purpose for such later fiscal year.*

9 (d) *LIMITATION.—The Secretary of the Navy may not*
10 *modify a contract entered into under subsection (a) if the*
11 *modification would increase the target price of the destroyer*
12 *by more than 10 percent above the target price specified*
13 *in the original contract awarded for the destroyer under*
14 *subsection (a).*

15 **SEC. 124. INCORPORATION OF ADVANCED DEGAUSSING**
16 **SYSTEMS INTO DDG-51 CLASS DESTROYERS.**

17 (a) *IN GENERAL.—The Secretary of the Navy shall en-*
18 *sure that an advanced degaussing system is incorporated*
19 *into any DDG-51 class destroyer procured pursuant to a*
20 *covered contract.*

21 (b) *COVERED CONTRACT DEFINED.—In this section,*
22 *the term “covered contract” means a multiyear contract for*
23 *the procurement of a DDG-51 destroyer that is entered into*
24 *by the Secretary of the Navy on or after the date of the*
25 *enactment of this Act.*

1 ***Subtitle D—Air Force Programs***

2 ***SEC. 131. CONTRACT FOR LOGISTICS SUPPORT FOR VC-25B***

3 ***AIRCRAFT.***

4 *Section 143 of the John S. McCain National Defense*
5 *Authorization Act for Fiscal Year 2019 (Public Law 115–*
6 *232; 132 Stat. 1668) is amended—*

7 (1) *in paragraph (1), by striking “, unless other-*
8 *wise approved in accordance with established proce-*
9 *dures”; and*

10 (2) *in paragraph (2), by inserting “such” before*
11 *“logistics support contract”.*

12 ***SEC. 132. LIMITATION ON AVAILABILITY OF FUNDS FOR***

13 ***THE B-52 COMMERCIAL ENGINE REPLACE-***
14 ***MENT PROGRAM.***

15 (a) *LIMITATION.—None of the funds authorized to be*
16 *appropriated by this Act or otherwise made available for*
17 *fiscal year 2022 for the research and development, design,*
18 *procurement, or advanced procurement of materials for the*
19 *B-52 Commercial Engine Replacement Program may be*
20 *obligated or expended until the date on which the Secretary*
21 *of Defense submits to the congressional defense committees*
22 *the report described in section 2432 of title 10, United*
23 *States Code, for the most recently concluded fiscal quarter*
24 *for the B-52 Commercial Engine Replacement Program in*
25 *accordance with subsection (b)(1).*

1 **(b) ADDITIONAL REQUIREMENTS.—**

2 **(1) TREATMENT OF BASELINE ESTIMATE.—***The*
3 *Secretary of Defense shall deem the Baseline Estimate*
4 *for the B–52 Commercial Engine Replacement Pro-*
5 *gram for fiscal year 2018 as the original Baseline Es-*
6 *timate for the Program.*

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

9 **(A)** *Subject to subparagraph (B), the Sec-*
10 *retary shall carry out sections 2433 and 2433a*
11 *of title 10, United States Code, with respect to*
12 *the B–52 Commercial Engine Replacement Pro-*
13 *gram, as if the Department had submitted a Se-*
14 *lected Acquisition Report for the Program that*
15 *included the Baseline Estimate for the Program*
16 *for fiscal year 2018 as the original Baseline Es-*
17 *timate, except that the Secretary shall not carry*
18 *out subparagraph (B) or subparagraph (C) of*
19 *section 2433a(c)(1) of such title with respect to*
20 *the Program.*

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

1 *transaction with respect to the B-52 Commercial*
2 *Engine Replacement Program except to the ex-*
3 *tent determined necessary by the milestone deci-*
4 *sion authority, on a non-delegable basis, to en-*
5 *sure that the program can be restructured as in-*
6 *tended by the Secretary without unnecessarily*
7 *wasting resources.*

8 (c) *DEFINITIONS.—In this section:*

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

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

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

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

1 **SEC. 133. INVENTORY REQUIREMENTS AND LIMITATIONS**
2 **RELATING TO CERTAIN AIR REFUELING**
3 **TANKER AIRCRAFT.**

4 (a) *MINIMUM INVENTORY REQUIREMENTS FOR KC-*
5 *10A AIRCRAFT.—*

6 (1) *FISCAL YEAR 2022.—During the period begin-*
7 *ning on October 1, 2021, and ending on October 1,*
8 *2022, the Secretary of the Air Force shall, except as*
9 *provided in paragraph (3), maintain a minimum of*
10 *36 KC-10A aircraft designated as primary mission*
11 *aircraft inventory.*

12 (2) *FISCAL YEAR 2023.—During the period begin-*
13 *ning on October 1, 2022, and ending on October 1,*
14 *2023, the Secretary of the Air Force shall, except as*
15 *provided in paragraph (3), maintain a minimum of*
16 *24 KC-10A aircraft designated as primary mission*
17 *aircraft inventory.*

18 (3) *EXCEPTION.—The requirements of para-*
19 *graphs (1) and (2) shall not apply to individual KC-*
20 *10A aircraft that the Secretary of the Air Force deter-*
21 *mines, on a case-by-case basis, to be no longer mission*
22 *capable because of mishaps, other damage, or being*
23 *uneconomical to repair.*

24 (b) *LIMITATION ON RETIREMENT OF KC-135 AIR-*
25 *CRAFT.—*

1 (1) *LIMITATION.*—*Except as provided in para-*
2 *graph (2), the Secretary of the Air Force may not re-*
3 *tire more than 18 KC-135 aircraft during the period*
4 *beginning on the date of the enactment of this Act*
5 *and ending on October 1, 2023.*

6 (2) *EXCEPTION.*—*The limitation in paragraph*
7 *(1) shall not apply to individual KC-135 aircraft*
8 *that the Secretary of the Air Force determines, on a*
9 *case-by-case basis, to be no longer mission capable be-*
10 *cause of mishaps, other damage, or being uneco-*
11 *nomical to repair.*

12 (c) *PROHIBITION ON REDUCTION OF KC-135 AIR-*
13 *CRAFT IN PMAI OF THE RESERVE COMPONENTS.*—*None of*
14 *the funds authorized to be appropriated by this Act or other-*
15 *wise made available for fiscal year 2022 for the Air Force*
16 *may be obligated or expended to reduce the number of KC-*
17 *135 aircraft designated as primary mission aircraft inven-*
18 *tory within the reserve components of the Air Force.*

19 (d) *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 section*
22 *9062(i)(2)(B) of title 10, United States Code.*

1 **SEC. 134. MINIMUM INVENTORY OF TACTICAL AIRLIFT AIR-**
2 **CRAFT AND LIMITATION ON MODIFICATION**
3 **OF AIR NATIONAL GUARD TACTICAL AIRLIFT**
4 **FLYING MISSIONS.**

5 (a) *MINIMUM INVENTORY REQUIREMENT.*—During the
6 period beginning on October 1, 2021, and ending on October
7 1, 2026, the Secretary of the Air Force shall maintain a
8 total inventory of tactical airlift aircraft of not less than
9 279 aircraft.

10 (b) *EXCEPTION.*—The Secretary of the Air Force may
11 reduce the number of tactical airlift aircraft in the Air
12 Force below the minimum number specified in subsection
13 (a) if the Secretary determines, on a case-by-case basis, that
14 an aircraft is no longer mission capable because of a mis-
15 hap or other damage.

16 (c) *LIMITATION ON MODIFICATION OF AIR NATIONAL*
17 *GUARD TACTICAL AIRLIFT FLYING MISSIONS.*—The Sec-
18 retary of the Air Force may not modify the flying mission
19 of a tactical airlift unit of the Air National Guard unless—

20 (1) the Secretary and the Governor of the State
21 concerned agree, in writing, to such modification; and

22 (2) the Secretary submits to the congressional de-
23 fense committees a copy of such agreement together
24 with an explanation of the reasons for such modifica-
25 tion.

1 **SEC. 135. PROCUREMENT AUTHORITY FOR CERTAIN PARTS**
2 **OF THE GROUND-BASED STRATEGIC DETER-**
3 **RENT CRYPTOGRAPHIC DEVICE.**

4 (a) *IN GENERAL.*—*The Secretary of the Air Force may*
5 *enter into contracts for the life-of-type procurement of cov-*
6 *ered parts supporting the KS-75 cryptographic device*
7 *under the Ground Based Strategic Deterrent program.*

8 (b) *COVERED PARTS DEFINED.*—*In this section the*
9 *term “covered parts” means commercially available off-the-*
10 *shelf items as defined in section 104 of title 41, United*
11 *States Code.*

12 (c) *AVAILABILITY OF FUNDS.*—*Notwithstanding sec-*
13 *tion 1502(a) of title 31, United States Code, of the amount*
14 *authorized to be appropriated for fiscal year 2022 by sec-*
15 *tion 101 and available for missile procurement, Air Force,*
16 *as specified in the corresponding funding table in section*
17 *4101, \$10,900,000 shall be available for the procurement of*
18 *covered parts pursuant to contracts entered into under sub-*
19 *section (a).*

20 ***Subtitle E—Defense-wide, Joint,***
21 ***and Multiservice Matters***

22 **SEC. 141. IMPLEMENTATION OF AFFORDABILITY, OPER-**
23 **ATIONAL, AND SUSTAINMENT COST CON-**
24 **STRAINTS FOR THE F-35 AIRCRAFT PROGRAM.**

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

1 (1) *LIMITATION.*—Beginning on October 1, 2028,
2 the total number of F-35A aircraft that the Secretary
3 of the Air Force may maintain in the aircraft inven-
4 tory of the Air Force may not exceed the lesser of—

5 (A) 1,763; or

6 (B) the number obtained by—

7 (i) multiplying 1,763 by the cost-per-
8 tail factor determined under paragraph (2);
9 and

10 (ii) rounding the product of the cal-
11 culation under clause (i) to the nearest
12 whole number.

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

16 (A) 4,100,000, divided by

17 (B) a number equal to the average cost-per-
18 tail-per-year of the F-35A aircraft of the Air
19 Force during fiscal year 2027 (as determined by
20 the Secretary of the Air Force in accordance
21 with subsection (e)).

22 (b) *F-35B QUANTITY LIMIT FOR THE MARINE*
23 *CORPS.*—

24 (1) *LIMITATION.*—Beginning on October 1, 2028,
25 the total number of F-35B aircraft that the Secretary

1 of the Navy may maintain in the aircraft inventory
2 of the Marine Corps may not exceed the lesser of—

3 (A) 353; or

4 (B) the number obtained by—

5 (i) multiplying 353 by the cost-per-tail
6 factor determined under paragraph (2); and

7 (ii) rounding the product of the cal-
8 culation under clause (i) to the nearest
9 whole number.

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

13 (A) 6,800,000, divided by

14 (B) a number equal to the average cost-per-
15 tail-per-year of the F-35B aircraft of the Marine
16 Corps during fiscal year 2027 (as determined by
17 the Secretary of the Navy in accordance with
18 subsection (e)).

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

20 (1) *LIMITATION.*—Beginning on October 1, 2028,
21 the total number of F-35C aircraft that the Secretary
22 of the Navy may maintain in the aircraft inventory
23 of the Navy may not exceed the lesser of—

24 (A) 273; or

25 (B) the number obtained by—

1 (i) multiplying 273 by the cost-per-tail
2 factor determined under paragraph (2); and
3 (ii) rounding the product of the cal-
4 culation under clause (i) to the nearest
5 whole number.

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

9 (A) 7,500,000, divided by
10 (B) a number equal to the average cost-per-
11 tail-per-year of the F-35C aircraft of the Navy
12 during fiscal year 2027 (as determined by the
13 Secretary of the Navy in accordance with sub-
14 section (e)).

15 (d) *F-35C QUANTITY LIMIT FOR THE MARINE*
16 *CORPS.*—

17 (1) *LIMITATION.*—Beginning on October 1, 2028,
18 the total number of F-35C aircraft that the Secretary
19 of the Navy may maintain in the aircraft inventory
20 of the Marine Corps may not exceed the lesser of—

21 (A) 67; or

22 (B) the number obtained by—

23 (i) multiplying 67 by the cost-per-tail
24 factor determined under paragraph (2); and

1 (ii) rounding the product of the cal-
2 culation under clause (i) to the nearest
3 whole number.

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

7 (A) 6,800,000, divided by

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

13 (e) *DETERMINATION OF COST-PER-TAIL-PER-YEAR FOR*
14 *FISCAL YEAR 2027.*—

15 (1) *IN GENERAL.*—Not later than 90 days after
16 the end of fiscal year 2027—

17 (A) the Secretary of the Air Force shall de-
18 termine the average cost-per-tail of the F-35A
19 aircraft of the Air Force during fiscal year 2027;
20 and

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

23 (i) the F-35B aircraft of the Marine
24 Corps during such fiscal year;

1 (ii) the F-35C aircraft of the Navy
2 during such fiscal year; and

3 (iii) the F-35C aircraft of the Marine
4 Corps during such fiscal year.

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

8 (A) adding the total amount expended for
9 fiscal year 2027 (in base year fiscal 2012 dol-
10 lars) for all such aircraft in the inventory of the
11 Armed Force for—

12 (i) unit level manpower;

13 (ii) unit operations;

14 (iii) maintenance;

15 (iv) sustaining support;

16 (v) continuing system support; and

17 (vi) modifications; and

18 (B) dividing the sum obtained under sub-
19 paragraph (A) by the average number of such
20 aircraft in the inventory of the Armed Force
21 during such fiscal year.

22 (f) WAIVER AUTHORITY.—The Secretary of Defense
23 may waive the quantity limits under any of subsections (a)
24 through (d) if, prior to issuing such a waiver, the Secretary
25 certifies to the congressional defense committees that pro-

1 *curing additional quantities of a variant of an F-35 air-*
2 *craft above the applicable quantity limit are required to*
3 *meet the national military strategy requirements of the*
4 *combatant commanders. The authority of the Secretary*
5 *under this subsection may not be delegated.*

6 (g) *AIRCRAFT DEFINED.*—*In this section, the term*
7 *“aircraft” means aircraft owned and operated by an Armed*
8 *Force of the United States and does not include aircraft*
9 *owned or operated by an armed force of a foreign country.*

10 **SEC. 142. LIMITATION ON AVAILABILITY OF FUNDS FOR**
11 **AIRCRAFT SYSTEMS FOR THE ARMED**
12 **OVERWATCH PROGRAM.**

13 (a) *LIMITATION.*—*Of the funds authorized to be appro-*
14 *priated by this Act or otherwise made available for fiscal*
15 *year 2022 for the Department of Defense for the procure-*
16 *ment of aircraft systems for the armed overwatch program*
17 *of the United States Special Operations Command, not*
18 *more than 50 percent may be obligated or expended until*
19 *the date on which the documentation described in subsection*
20 *(b) is submitted to the congressional defense committees.*

21 (b) *DOCUMENTATION DESCRIBED.*—*The documenta-*
22 *tion described in this subsection is the airborne intelligence,*
23 *surveillance, and reconnaissance acquisition roadmap for*
24 *the United States Special Operations Command required*
25 *to be submitted to the congressional defense committees*

1 *under section 165 of the William M. (Mac) Thornberry Na-*
2 *tional Defense Authorization Act for Fiscal Year 2021 (Pub-*
3 *lic Law 116–283).*

4 (c) *REQUIREMENT TO MAINTAIN CAPABILITIES.—*
5 *Until such time as the Secretary of Defense identifies a suit-*
6 *able replacement for the U–28 aircraft, the Secretary shall*
7 *maintain the U–28 aircraft platform to provide necessary*
8 *capabilities to sustain operations to meet the operational*
9 *intelligence, surveillance, and reconnaissance requirements*
10 *of combatant commanders.*

11 **SEC. 143. MAJOR WEAPON SYSTEMS CAPABILITY ASSESS-**
12 **MENT PROCESS AND PROCEDURE REVIEW**
13 **AND REPORT.**

14 (a) *REVIEW.—The Secretary of Defense shall review,*
15 *and modify as appropriate, the processes of the Department*
16 *for the management of strategic risk with respect to capa-*
17 *bilities of major weapon systems, including the processes*
18 *for—*

19 (1) *ensuring the suitability of major weapon sys-*
20 *tems to address current and emerging military*
21 *threats; and*

22 (2) *identifying for upgrade or replacement any*
23 *fielded major weapon system that is not capable of ef-*
24 *fectively meeting operational requirements.*

1 **(b) REPORT.**—*Not later than one year after the date*
2 *of the enactment of this section, the Secretary of Defense*
3 *shall submit to the congressional defense committees and the*
4 *Comptroller General of the United States a report con-*
5 *taining the following:*

6 (1) *A comprehensive description of the current*
7 *policies and processes of the Department of Defense*
8 *for—*

9 (A) *assessing the effectiveness, and the costs,*
10 *of fielded major weapon systems in addressing*
11 *the current, mid-term, and long-term threats*
12 *identified in the contingency plans of the com-*
13 *batant commands;*

14 (B) *assessing tradeoffs, including in terms*
15 *of resources, funding, time, capabilities, and pro-*
16 *grammatic and operational risk, between devel-*
17 *oping a new major weapon system compared*
18 *to—*

19 (i) *continued use of a fielded major*
20 *weapon system; and*

21 (ii) *replacing a fielded major weapon*
22 *system;*

23 (C) *developing strategies for the continued*
24 *use or replacement of fielded major weapon sys-*
25 *tems that ensure that the capabilities of major*

1 *weapon systems are viable and resilient against*
2 *evolving threats; and*

3 *(D) developing and implementing plans for*
4 *the replacement and divestment of fielded major*
5 *weapon systems that manage the related strategic*
6 *risk.*

7 *(2) The key factors considered by the Secretary*
8 *of Defense when applying the policies and processes*
9 *described in paragraph (1).*

10 *(3) An assessment of the extent to which the poli-*
11 *cies and processes described in paragraph (1) enable*
12 *the Secretary of Defense to—*

13 *(A) evaluate, at regular intervals, whether a*
14 *major weapon system—*

15 *(i) meets operational requirements;*

16 *and*

17 *(ii) is capable of addressing emerging*
18 *and evolving threats identified in the Na-*
19 *tional Defense Strategy;*

20 *(B) efficiently and effectively determine if a*
21 *fielded major weapon system should continue to*
22 *be used or replaced and divested and—*

23 *(i) with respect to a fielded major*
24 *weapon system that should continue to be*

1 *used, how long such use should continue;*
2 *and*

3 *(ii) with respect to a fielded major*
4 *weapon system that should be replaced and*
5 *divested—*

6 *(I) how long such replacement*
7 *will take;*

8 *(II) the period over which such di-*
9 *vestment should occur; and*

10 *(III) the expected improvements*
11 *in the effectiveness of the replacement*
12 *major weapon system to meet oper-*
13 *ational requirements;*

14 *(C) effectively implement the determinations*
15 *described in subparagraph (B); and*

16 *(D) manage strategic risk relative to the ef-*
17 *fectiveness of major weapon systems meeting*
18 *operational requirements.*

19 *(4) An identification of the fielded major weapon*
20 *systems with respect to which the Secretary of Defense*
21 *completed replacement or divestment during the pe-*
22 *riod beginning on January 1, 2010, and ending on*
23 *the date on which the report is submitted under this*
24 *subsection.*

1 (5) *An assessment of the processes involved in the*
2 *decisions of the Secretary of Defense to replace and*
3 *divest the fielded major weapon systems identified*
4 *under paragraph (4), including an assessment of the*
5 *effectiveness in meeting operational requirements and*
6 *the timeliness of those processes involved in making*
7 *replacement decisions.*

8 (6) *An identification of any fielded major weap-*
9 *on systems with respect to which, as of the date on*
10 *which the report is submitted under this subsection,*
11 *the Secretary of Defense plans to complete replace-*
12 *ment or divestment not later than December 31, 2035.*

13 (7) *An analysis of the plans of the Secretary of*
14 *Defense with respect to replacing or divesting the*
15 *fielded major weapon systems identified under para-*
16 *graph (6), including—*

17 (A) *the rationale supporting such replace-*
18 *ment or divestment plans;*

19 (B) *any anticipated challenges to carrying*
20 *out the replacement or divestments; and*

21 (C) *a description of how the Secretary of*
22 *Defense will manage at an appropriate level the*
23 *strategic risk relative to the availability and ef-*
24 *fectiveness of the fielded major weapons systems*

1 to be divested, including a description of any
2 risk mitigation plans.

3 (8) *An identification of the major weapon system*
4 *upgrade efforts and the research, development, and ac-*
5 *quisition programs to replace fielded major weapon*
6 *systems that the Secretary of Defense—*

7 (A) *began after December 31, 2009; or*

8 (B) *as of the date on which the report is*
9 *submitted under this subsection, plans to begin*
10 *not later than December 31, 2035.*

11 (9) *An assessment of how the replacement major*
12 *weapon systems from the programs identified under*
13 *paragraph (8) will meet current and future oper-*
14 *ational requirements in the National Defense Strat-*
15 *egy.*

16 (c) *COMPTROLLER GENERAL BRIEFING AND RE-*
17 *PORT.—*

18 (1) *ASSESSMENTS.—The Comptroller General of*
19 *the United States shall conduct a preliminary assess-*
20 *ment and a detailed assessment of the report required*
21 *under subsection (b).*

22 (2) *BRIEFING.—Not later than 180 days after*
23 *the date on which the Secretary of Defense submits to*
24 *the Comptroller General the report required under*
25 *subsection (b), the Comptroller General shall brief the*

1 *congressional defense committees on the preliminary*
2 *assessment of such report required under paragraph*
3 *(1).*

4 (3) *REPORT.—The Comptroller General shall*
5 *submit to the congressional defense committees a re-*
6 *port on the findings of the detailed assessment re-*
7 *quired under paragraph (1).*

8 (d) *DEFINITIONS.—In this section:*

9 (1) *The term “National Defense Strategy” means*
10 *the strategy required under section 113(g) of title 10,*
11 *United States Code.*

12 (2) *The term “major weapon system” has the*
13 *meaning given such term under section 2379(f) of*
14 *title 10, United States Code.*

15 (3) *The term “strategic risk” means a risk aris-*
16 *ing from updating or replacing a major weapon sys-*
17 *tem, or the decision to not update or replace a major*
18 *weapon system.*

19 **SEC. 144. REPORTS ON EXERCISE OF WAIVER AUTHORITY**
20 **WITH RESPECT TO CERTAIN AIRCRAFT EJEC-**
21 **TION SEATS.**

22 *Not later than February 1, 2022, and on a semiannual*
23 *basis thereafter through February 1, 2024, the Secretary of*
24 *the Air Force and the Secretary of the Navy shall each sub-*
25 *mit to the congressional defense committees a report that*

1 *includes, with respect to each location at which active flying*
2 *operations are conducted or planned as of the date report—*

3 *(1) the number of aircrew ejection seats installed*
4 *in the aircraft used, or expected to be used, at such*
5 *location;*

6 *(2) of the ejection seats identified under para-*
7 *graph (1), the number that have been, or are expected*
8 *to be, placed in service subject to a waiver due to—*

9 *(A) deferred maintenance; or*

10 *(B) the inability to obtain parts to make re-*
11 *pairs or to fulfill time-compliance technical or-*
12 *ders; and*

13 *(3) for each ejection seat subject to a waiver as*
14 *described in paragraph (2)—*

15 *(A) the date on which the waiver was*
16 *issued; and*

17 *(B) the name and title of the official who*
18 *authorized the waiver.*

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

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

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

7 *Funds are hereby authorized to be appropriated for fis-*
8 *cal year 2022 for the use of the Department of Defense for*
9 *research, development, test, and evaluation, as specified in*
10 *the funding table in section 4201.*

11 **Subtitle B—Program Requirements,**
12 **Restrictions, and Limitations**

13 **SEC. 211. DUTIES AND REGIONAL ACTIVITIES OF THE DE-**
14 **FENSE INNOVATION UNIT.**

15 *(a) DUTIES OF DIU JOINT RESERVE DETACHMENT.—*
16 *Clause (ii) of section 2358b(c)(2)(B) of title 10, United*
17 *States Code, is amended to read as follows:*

18 *“(ii) the technology requirements of the*
19 *Department of Defense, as identified in the*
20 *most recent—*

21 *“(I) National Defense Strategy;*

22 *“(II) National Defense Science*
23 *and Technology Strategy as directed*
24 *under section 218 of the John S.*
25 *McCain National Defense Authoriza-*

1 *tion Act for Fiscal Year 2019 (Public*
2 *Law 115–232; 132 Stat. 1679); and*
3 *“(III) policy and guidance from*
4 *the Under Secretary of Defense for Re-*
5 *search and Engineering and the Under*
6 *Secretary of Defense for Acquisition*
7 *and Sustainment; and”.*

8 *(b) REGIONAL ACTIVITIES.—Subject to the availability*
9 *of appropriations for such purpose, the Secretary of Defense*
10 *may expand the efforts of the Defense Innovation Unit to*
11 *engage and collaborate with private-sector industry and*
12 *communities in various regions of the United States—*

13 *(1) to accelerate the adoption of commercially*
14 *developed advanced technology in the areas of manu-*
15 *facturing, space, energy, materials, autonomy, and*
16 *such other key technology areas as may be identified*
17 *by the Secretary; and*

18 *(2) to expand outreach to communities that do*
19 *not otherwise have a Defense Innovation Unit pres-*
20 *ence, including economically disadvantaged commu-*
21 *nities.*

1 **SEC. 212. MODIFICATION OF MECHANISMS FOR EXPEDITED**
2 **ACCESS TO TECHNICAL TALENT AND EXPER-**
3 **TISE AT ACADEMIC INSTITUTIONS TO SUP-**
4 **PORT DEPARTMENT OF DEFENSE MISSIONS.**

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

8 *(1) by amending subsection (c) to read as fol-*
9 *lows:*

10 *“(c) CONSULTATION WITH OTHER ORGANIZATIONS.—*
11 *For the purposes of providing technical expertise and reduc-*
12 *ing costs and duplicative efforts, the Secretary of Defense*
13 *and the Secretaries of the military departments shall work*
14 *to ensure and support the sharing of information on the*
15 *research and consulting that is being carried out across the*
16 *Federal Government in Department-wide shared informa-*
17 *tion systems including the Defense Technical Information*
18 *Center.”;*

19 *(2) in subsection (e)—*

20 *(A) by redesignating paragraph (31) as*
21 *paragraph (33); and*

22 *(B) by inserting after paragraph (30) the*
23 *following new paragraphs:*

24 *“(31) Nuclear science, security, and non-*
25 *proliferation.*

1 “(32) Chemical, biological, radiological, and nu-
2 clear defense.”; and

3 (3) in subsection (g), by striking “2026” and in-
4 serting “2028”.

5 **SEC. 213. MODIFICATION OF MECHANISMS FOR EXPEDITED**
6 **ACCESS TO TECHNICAL TALENT AND EXPER-**
7 **TISE AT ACADEMIC INSTITUTIONS.**

8 Section 217(e) of the National Defense Authorization
9 Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.
10 2358 note), as amended by section 212 of this title, is fur-
11 ther amended—

12 (1) by redesignating paragraph (33) as para-
13 graph (34); and

14 (2) by inserting after paragraph (32) the fol-
15 lowing new paragraph:

16 “(33) Spectrum activities.”.

17 **SEC. 214. MINORITY INSTITUTE FOR DEFENSE RESEARCH.**

18 (a) **PLAN TO ESTABLISH MINORITY INSTITUTE FOR**
19 **DEFENSE RESEARCH.**—

20 (1) **IN GENERAL.**—Not later than 1 year after
21 the date of the enactment of this section, the Secretary
22 shall submit to the congressional defense committees a
23 plan (in this section referred to as the “Plan”) for the
24 establishment of the Minority Institute for Defense

1 *Research (in this section referred to as the “Consortium”).*
2

3 (2) *ELEMENTS.—The Plan shall include the following:*
4

5 (A) *Information relating to the projected*
6 *needs of the Department for the next twenty*
7 *years with respect to essential engineering, re-*
8 *search, or development capability.*

9 (B) *An assessment relating to the engineer-*
10 *ing, research, and development capability of each*
11 *minority institution.*

12 (C) *Information relating to the advance-*
13 *ments and investments necessary to elevate a mi-*
14 *nority institution or a consortium of minority*
15 *institutions to the research capacity of a Univer-*
16 *sity Affiliated Research Center.*

17 (D) *Recommendations relating to actions*
18 *that may be taken by the Department, Congress,*
19 *and minority institutions to establish the Con-*
20 *sortium within 10 years.*

21 (3) *PUBLICLY AVAILABLE.—The Plan shall be*
22 *posted on a publicly available website of the Depart-*
23 *ment.*

24 (b) *NAMING OF THE CONSORTIUM.—With respect to*
25 *the naming of the Consortium, the Secretary shall—*

1 (1) *establish a process to solicit and review pro-*
2 *posals of names from—*

3 (A) *minority institutions;*

4 (B) *nonprofit institutions that advocate on*
5 *behalf of minority institutions; and*

6 (C) *members of the public;*

7 (2) *develop a list of all names received pursuant*
8 *to paragraph (1);*

9 (3) *provide opportunity for public comment on*
10 *the names included on such list; and*

11 (4) *choose a name from such list to name the*
12 *Consortium.*

13 (c) *GRANT PROGRAM FOR MINORITY INSTITUTIONS.—*

14 (1) *IN GENERAL.—The Secretary may establish a*
15 *program to award grants, on a competitive basis, to*
16 *minority institutions for the purposes described in*
17 *paragraph (2).*

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

20 (A) *Establishing a legal entity for the pur-*
21 *pose of entering into research contracts or agree-*
22 *ments with the Federal Government or the Con-*
23 *sortium.*

24 (B) *Developing the capability to bid on*
25 *Federal Government or Consortium contracts.*

1 (C) *Requesting technical assistance from the*
2 *Federal Government or a private entity with re-*
3 *spect to contracting with the Federal Govern-*
4 *ment or the Consortium.*

5 (D) *Recruiting and retaining research fac-*
6 *ulty.*

7 (E) *Advancing research capabilities relating*
8 *to the national security of the United States.*

9 (F) *Any other matter determined appro-*
10 *priate by the Secretary.*

11 (3) *APPLICATION.—To be eligible to receive a*
12 *grant under this section, a minority institution shall*
13 *submit to the Secretary an application in such form,*
14 *and containing such information, as the Secretary*
15 *may require.*

16 (4) *PREFERENCE.—In awarding grants pursu-*
17 *ant to paragraph (1), the Secretary may give pref-*
18 *erence to a minority institution with a R1 or R2 sta-*
19 *tus on the Carnegie Classification of Institutions of*
20 *Higher Education.*

21 (d) *SUBCONTRACTING REQUIREMENTS FOR MINORITY*
22 *INSTITUTIONS.—*

23 (1) *IN GENERAL.—Section 2304 of title 10,*
24 *United States Code, is amended by adding at the end*
25 *the following new subsection:*

1 “(m)(1) *The head of an agency shall require that a*
2 *contract awarded to Department of Defense Federally*
3 *Funded Research and Development Center or University*
4 *Affiliated Research Center includes a requirement to estab-*
5 *lish a partnership to develop the capacity of minority insti-*
6 *tutions to address the research and development needs of*
7 *the Department. Such partnerships shall be through a sub-*
8 *contract with one or more minority institutions for a total*
9 *amount of not less than 5 percent of the amount awarded*
10 *in the contract.*

11 “(2) *For the purposes of this subsection, a minority*
12 *institution means—*

13 “(A) *a part B institution (as such term is de-*
14 *finied in section 322(2) of the Higher Education Act*
15 *of 1965 (20 U.S.C. 1061(2))); or*

16 “(B) *any other institution of higher education*
17 *(as such term is defined in section 101 of such Act*
18 *(20 U.S.C. 1001)) at which not less than 50 percent*
19 *of the total student enrollment consists of students*
20 *from ethnic groups that are underrepresented in the*
21 *fields of science and engineering.”.*

22 (2) *EFFECTIVE DATE.—The amendments made*
23 *by paragraph (1) shall—*

24 (A) *take effect on October 1, 2026; and*

1 (B) apply with respect to funds that are
2 awarded by the Department of Defense on or
3 after such date.

4 (e) *DEFINITIONS.*—*In this section:*

5 (1) The term “Department” means the Depart-
6 ment of Defense.

7 (2) The term “institution of higher education”
8 has the meaning given such term in section 101 of the
9 Higher Education Act of 1965 (20 U.S.C. 1001).

10 (3) The term “minority institution” means—

11 (A) a part B institution (as such term is
12 defined in section 322(2) of the Higher Edu-
13 cation Act of 1965 (20 U.S.C. 1061(2))); or

14 (B) any institution of higher education at
15 which not less than 50 percent of the total stu-
16 dent enrollment consists of students from ethnic
17 groups that are underrepresented in the fields of
18 science and engineering.

19 (4) The term “Secretary” means the Secretary of
20 Defense.

21 (5) The term “University Affiliated Research
22 Center” means a research organization within an in-
23 stitution of higher education that—

1 (A) provides or maintains Department es-
2 sential engineering, research, or development ca-
3 pabilities; and

4 (B) receives sole source contract funding
5 from the Department pursuant to section
6 2304(c)(3)(B) of title 10, United States Code.

7 **SEC. 215. TEST PROGRAM FOR ENGINEERING PLANT OF**
8 **DDG(X) DESTROYER VESSELS.**

9 (a) *TEST PROGRAM REQUIRED.*—During the detailed
10 design period and prior to the construction start date of
11 the lead ship in the DDG(X) destroyer class of vessels, the
12 Secretary of the Navy shall commence a land-based test pro-
13 gram for the engineering plant of such class of vessels.

14 (b) *ADMINISTRATION.*—The test program required by
15 subsection (a) shall be administered by the Senior Technical
16 Authority for the DDG(X) destroyer class of vessels.

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

20 (1) *Main reduction gear.*

21 (2) *Electrical propulsion motors.*

22 (3) *Other propulsion drive train components.*

23 (4) *Main propulsion system.*

24 (5) *Auxiliary propulsion unit.*

1 (6) *Electrical generation and distribution sys-*
2 *tems.*

3 (7) *Shipboard control systems.*

4 (8) *Power control modules.*

5 (d) *TEST OBJECTIVES.*—*The test program required by*
6 *subsection (a) shall include, at a minimum, the following*
7 *test objectives demonstrated across the full range of engi-*
8 *neering plant operations for the DDG(X) destroyer class of*
9 *vessels:*

10 (1) *Test of the full propulsion drive train.*

11 (2) *Test and facilitation of machinery control*
12 *systems integration.*

13 (3) *Simulation of the full range of electrical de-*
14 *mands to enable the investigation of load dynamics*
15 *between the hull, mechanical and electrical equip-*
16 *ment, the combat system, and auxiliary equipment.*

17 (e) *COMPLETION DATE.*—*The Secretary of the Navy*
18 *shall complete the test program required by subsection (a)*
19 *by not later than the delivery date of the lead ship in the*
20 *DDG(X) destroyer class of vessels.*

21 (f) *DEFINITIONS.*—*In this section:*

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

1 (2) *SENIOR TECHNICAL AUTHORITY.*—*The term*
2 *“Senior Technical Authority” means the official des-*
3 *ignated as the Senior Technical Authority for the*
4 *DDG(X) destroyer class of vessels pursuant to section*
5 *8669b of title 10, United States Code.*

6 **SEC. 216. CONSORTIUM TO STUDY IRREGULAR WARFARE.**

7 (a) *ESTABLISHMENT.*—*The Secretary of Defense, act-*
8 *ing through the Under Secretary of Defense for Research*
9 *and Engineering, shall establish a research consortium of*
10 *institutions of higher education to study irregular warfare*
11 *and the responses to irregular threats.*

12 (b) *PURPOSES.*—*The purposes of the consortium under*
13 *subsection (a) are as follows:*

14 (1) *To shape the formulation and application of*
15 *policy through the conduct of research and analysis*
16 *regarding irregular warfare.*

17 (2) *To maintain open-source databases on issues*
18 *relevant to understanding terrorism, irregular threats,*
19 *and social and environmental change.*

20 (3) *To serve as a repository for datasets regard-*
21 *ing research on security, social change, and irregular*
22 *threats developed by institutions of higher education*
23 *that receive Federal funding.*

1 (4) *To support basic research in social science on*
2 *emerging threats and stability dynamics relevant to*
3 *irregular threat problem sets.*

4 (5) *To transition promising basic research—*

5 (A) *to higher stages of research and develop-*
6 *ment, and*

7 (B) *into operational capabilities, as appro-*
8 *priate, by supporting applied research and devel-*
9 *oping tools to counter irregular threats.*

10 (6) *To facilitate the collaboration of research cen-*
11 *ters of excellence relating to irregular threats to better*
12 *distribute expertise to specific issues and scenarios re-*
13 *garding such threats.*

14 (7) *To enhance educational outreach and teach-*
15 *ing at professional military education schools to im-*
16 *prove—*

17 (A) *the understanding of irregular threats;*
18 *and*

19 (B) *the integration of data-based responses*
20 *to such threats.*

21 (8) *To support classified research when necessary*
22 *in appropriately controlled physical spaces.*

23 (c) *COORDINATION.—The Under Secretary of Defense*
24 *for Research and Engineering shall coordinate activities*

1 *conducted under this section with the Commander of the*
2 *United States Special Operations Command.*

3 (d) *PARTNERSHIPS.*—*The Under Secretary of Defense*
4 *for Research and Engineering shall encourage partnerships*
5 *between the consortium and university-affiliated research*
6 *centers and other research institutions.*

7 (e) *INSTITUTION OF HIGHER EDUCATION DEFINED.*—
8 *In this section, the term “institution of higher education”*
9 *has the meaning given that term in section 101 of the High-*
10 *er Education Act of 1965 (20 U.S.C. 1001).*

11 **SEC. 217. DEVELOPMENT AND IMPLEMENTATION OF DIG-**
12 **ITAL TECHNOLOGIES FOR SURVIVABILITY**
13 **AND LETHALITY TESTING.**

14 (a) *EXPANSION OF SURVIVABILITY AND LETHALITY*
15 *TESTING.*—

16 (1) *IN GENERAL.*—*The Secretary, in coordina-*
17 *tion with covered officials, shall—*

18 (A) *expand the survivability and lethality*
19 *testing of covered systems to include testing*
20 *against non-kinetic threats; and*

21 (B) *develop digital technologies to test such*
22 *systems against such threats throughout the life*
23 *cycle of each such system.*

24 (2) *DEVELOPMENT OF DIGITAL TECHNOLOGIES*
25 *FOR LIVE FIRE TESTING.*—

1 (A) *IN GENERAL.*—*The Secretary, in coordi-*
2 *nation with covered officials, shall develop—*

3 (i) *digital technologies to enable the*
4 *modeling and simulation of the live fire*
5 *testing required under section 2366 of title*
6 *10, United States Code; and*

7 (ii) *a process to use data from physical*
8 *live fire testing to inform and refine the*
9 *digital technologies described in clause (i).*

10 (B) *OBJECTIVES.*—*In carrying out sub-*
11 *paragraph (A), the Secretary shall seek to*
12 *achieve the following objectives:*

13 (i) *Enable assessments of full spectrum*
14 *survivability and lethality of each covered*
15 *system with respect to kinetic and non-ki-*
16 *netic threats.*

17 (ii) *Inform the development and refine-*
18 *ment of digital technology to test and im-*
19 *prove covered systems.*

20 (iii) *Enable survivability and lethality*
21 *assessments of the warfighting capabilities*
22 *of a covered system with respect to—*

23 (I) *communications;*

24 (II) *firepower;*

25 (III) *mobility;*

- 1 (IV) catastrophic survivability;
2 and
3 (V) lethality.

4 (C) DEMONSTRATION ACTIVITIES.—

5 (i) IN GENERAL.—The Secretary, act-
6 ing through the Director, shall carry out ac-
7 tivities to demonstrate the digital tech-
8 nologies for full spectrum survivability test-
9 ing developed under subparagraph (A).

10 (ii) PROGRAM SELECTION.—The Sec-
11 retary shall assess and select not fewer than
12 three and not more than ten programs of
13 the Department to participate in the dem-
14 onstration activities required under clause
15 (i).

16 (iii) ARMED FORCES PROGRAMS.—Of
17 the programs selected pursuant to clause
18 (ii), the Director shall select—

19 (I) at least one such program
20 from the Army;

21 (II) at least one such program
22 from the Navy or the Marine Corps;
23 and

24 (III) at least one such program
25 from the Air Force or the Space Force.

1 (3) *REGULAR SURVIVABILITY AND LETHALITY*
2 *TESTING THROUGHOUT LIFE CYCLE.—*

3 (A) *IN GENERAL.—The Secretary, in coordi-*
4 *nation with covered officials, shall—*

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

11 (ii) *establish guidance for such testing.*

12 (B) *ELEMENTS.—In carrying out subpara-*
13 *graph (A), the Secretary shall determine the fol-*
14 *lowing:*

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

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

22 (b) *REPORTS AND BRIEFING.—*

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

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

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

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

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

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

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

19 (II) *the risks, benefits, and costs*
20 *of traditional physical live fire testing*
21 *approaches that—*

22 (aa) *are not supported by*
23 *digital technologies;*

24 (bb) *do not include testing*
25 *against non-kinetic threats; and*

1 (cc) do not include full spec-
2 trum survivability.

3 (iii) an explanation of—

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

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

14 (III) the contribution of such data
15 to the decision-support processes for
16 managing and overseeing acquisition
17 programs of the Department;

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

23 (v) an assessment of the processes im-
24 plemented by the Department to manage

1 *digital technologies developed pursuant to*
2 *subsection (a); and*

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

9 *(B) BRIEFING.—Not later than April 14,*
10 *2023, the Director shall provide to the congres-*
11 *sional defense committees a briefing that identi-*
12 *fies any changes to existing law that may be nec-*
13 *essary to implement subsection (a).*

14 *(c) DEFINITIONS.—In this section:*

15 *(1) COVERED OFFICIALS.—The term “covered of-*
16 *ficials” means—*

17 *(A) the Under Secretary of Defense for Re-*
18 *search and Engineering;*

19 *(B) the Under Secretary of Defense for Ac-*
20 *quisition and Sustainment;*

21 *(C) the Chief Information Officer;*

22 *(D) the Director;*

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

25 *(F) the Service Acquisition Executives;*

- 1 (G) the Service testing commands;
- 2 (H) the Director of the Defense Digital
- 3 Service; and
- 4 (I) representatives from—
- 5 (i) the Department of Defense Test Re-
- 6 source Management Center;
- 7 (ii) the High Performance Computing
- 8 Modernization Program Office; and
- 9 (iii) the Joint Technical Coordination
- 10 Group for Munitions Effectiveness.

11 (2) COVERED SYSTEM.—The term “covered sys-

12 tem” means any warfighting capability that can de-

13 grade, disable, deceive, or destroy forces or missions.

14 (3) DEPARTMENT.—The term “Department”

15 means the Department of Defense.

16 (4) DIGITAL TECHNOLOGIES.—The term “digital

17 technologies” includes digital models, digital simula-

18 tions, and digital twin capabilities that may be used

19 to test the survivability and lethality of a covered sys-

20 tem.

21 (5) DIRECTOR.—The term “Director” means the

22 Director of Operational Test and Evaluation.

23 (6) FULL SPECTRUM SURVIVABILITY AND

24 LETHALITY TESTING.—The term “full spectrum sur-

25 vivability and lethality testing” means a series of as-

1 *sessments of the effects of kinetic and non-kinetic*
2 *threats on the communications, firepower, mobility,*
3 *catastrophic survivability, and lethality of a covered*
4 *system.*

5 (7) *NON-KINETIC THREATS.*—*The term “non-ki-*
6 *netic threats” means unconventional threats, includ-*
7 *ing—*

8 (A) *cyber attacks;*

9 (B) *electromagnetic spectrum operations;*

10 (C) *chemical, biological, radiological, nu-*
11 *clear effects and high yield explosives; and*

12 (D) *directed energy weapons.*

13 (8) *SECRETARY.*—*The term “Secretary” means*
14 *the Secretary of Defense.*

15 **SEC. 218. PILOT PROGRAM ON THE USE OF INTER-**
16 **MEDIARIES TO CONNECT THE DEPARTMENT**
17 **OF DEFENSE WITH TECHNOLOGY PRO-**
18 **DUCERS.**

19 (a) *IN GENERAL.*—*The Secretary of Defense shall*
20 *carry out a pilot program to foster the transition of the*
21 *science and technology programs, projects, and activities of*
22 *the Department of Defense from the research, development,*
23 *pilot, and prototyping phases to full-scale implementation.*
24 *Under the pilot program, the Secretary shall seek to enter*

1 *into agreements with qualified intermediaries pursuant to*
2 *which the intermediaries will—*

3 (1) *match technology producers with programs,*
4 *projects, and activities of the Department that may*
5 *have a use for the technology developed by such pro-*
6 *ducers; and*

7 (2) *provide technical assistance to such tech-*
8 *nology producers on participating in the procurement*
9 *programs and acquisition processes of the Depart-*
10 *ment.*

11 (b) *ACTIVITIES.—A qualified intermediary that enters*
12 *into an agreement with the Secretary of Defense under sub-*
13 *section (a) shall, pursuant to such agreement—*

14 (1) *guide and advise technology producers on*
15 *participating in the procurement programs and ac-*
16 *quisition processes of the Department, including—*

17 (A) *planning, programing, budgeting, and*
18 *execution processes of the Department.*

19 (B) *requirements processes;*

20 (C) *the Federal Acquisition Regulation and*
21 *the Department of Defense Supplement to the*
22 *Federal Acquisition Regulation;*

23 (D) *other procurement programs and au-*
24 *thorities, including—*

1 *(i) the Small Business Innovation Re-*
2 *search Program and the Small Business*
3 *Technology Transfer Program, as defined in*
4 *section 9(e) of the Small Business Act (15*
5 *U.S.C. 638(e));*

6 *(ii) other transaction authority under*
7 *sections 2371 and 2371b of title 10, United*
8 *States Code;*

9 *(iii) cooperative agreements;*

10 *(iv) prizes for advanced technology*
11 *achievements under section 2374a of title*
12 *10, United States Code; and*

13 *(v) grant programs; and*

14 *(E) new entrant barriers and challenges, in-*
15 *cluding—*

16 *(i) accessing secure computing and in-*
17 *formation technology infrastructure; and*

18 *(ii) securing clearances for personnel*
19 *and facilities; and*

20 *(2) match technology producers with programs,*
21 *projects, and activities of the Department that may*
22 *have a use for the technology developed by such pro-*
23 *ducers, including programs, projects, and activities*
24 *carried out by—*

1 (A) program executive officers (as defined
2 in section 1737(a)(4)) of title 10, United States
3 Code);

4 (B) program management offices;

5 (C) combatant commands with a command
6 acquisition executive;

7 (D) Defense Agencies and Department of
8 Defense Field Activities (as such terms are de-
9 fined, respectively, in section 101 of title 10,
10 United States Code); and

11 (E) such other elements of the Department
12 as the Secretary considers appropriate.

13 (c) *PRIORITY.*—In carrying out the activities described
14 in subsection (b), a qualified intermediary shall give pri-
15 ority to technology producers that are small business con-
16 cerns (as defined under section 3 of the Small Business Act
17 (15 U.S.C. 632)), research institutions (as defined in sec-
18 tion 9(e) of such Act), or institutions of higher education
19 (as defined in section 101 of the Higher Education Act of
20 1965 (20 U.S.C 1001)).

21 (d) *TERMS OF AGREEMENTS.*—

22 (1) *IN GENERAL.*—The terms of an agreement
23 under subsection (a) shall be determined by the Sec-
24 retary of Defense.

1 (2) *METHODS OF SERVICE DELIVERY.*—*In enter-*
2 *ing into agreements under subsection (a), the Sec-*
3 *retary may consider, on a case by case basis, whether*
4 *the needs of the Department of Defense and technology*
5 *producers would best be served by a qualified inter-*
6 *mediary that provides services in a specific geo-*
7 *graphic region, serves a particular technology sector,*
8 *or uses another method of service delivery.*

9 (3) *INCENTIVES.*—*The Secretary of Defense may*
10 *include terms in an agreement under subsection (a)*
11 *to incentivize a qualified intermediary to successfully*
12 *facilitate the transition of science and technology*
13 *from the research, development, pilot, and prototyping*
14 *phases to full-scale implementation within the De-*
15 *partment of Defense.*

16 (4) *LIMITATION ON USE OF FUNDS.*—*The Sec-*
17 *retary of Defense may not use any amounts required*
18 *to be expended under section 9(f)(1) of the Small*
19 *Business Act (15 U.S.C. 638(f)(1)) for any adminis-*
20 *trative costs incurred by a qualified intermediary as-*
21 *sociated with the pilot program under this section.*

22 (e) *PROTECTION OF PROPRIETARY INFORMATION.*—
23 *The Secretary of Defense shall implement policies and pro-*
24 *cedures to protect the intellectual property and any other*

1 *proprietary information of technology producers that par-*
2 *ticipate in the pilot program under this section.*

3 *(f) DATA COLLECTION.—*

4 *(1) PLAN REQUIRED BEFORE IMPLEMENTA-*
5 *TION.—The Secretary of Defense may not enter into*
6 *an agreement under subsection (a) until the date on*
7 *which the Secretary—*

8 *(A) completes a plan to for carrying out the*
9 *data collection required under paragraph (2);*
10 *and*

11 *(B) submits the plan to the appropriate*
12 *congressional committees.*

13 *(2) DATA COLLECTION REQUIRED.—The Sec-*
14 *retary of Defense shall collect and analyze data on the*
15 *pilot program under this section for the purposes of—*

16 *(A) developing and sharing best practices*
17 *for facilitating the transition of science and tech-*
18 *nology from the research, development, pilot, and*
19 *prototyping phases to full-scale implementation*
20 *within the Department of Defense;*

21 *(B) providing information to the leadership*
22 *of the Department on the implementation of the*
23 *pilot program and related policy issues; and*

1 (C) providing information to the appro-
2 priate congressional committees as required
3 under subsection (g).

4 (g) BRIEFING.—Not later than December 31, 2022, the
5 Secretary of Defense shall provide to the appropriate con-
6 gressional committees a briefing on the progress of the Sec-
7 retary in implementing the pilot program under this sec-
8 tion and any related policy issues.

9 (h) CONSULTATION.—In carrying out the pilot pro-
10 gram under this section, the Secretary of Defense shall con-
11 sult with—

12 (1) service acquisition executives (as defined in
13 section 101 of title 10, United States Code);

14 (2) the heads of appropriate Defense Agencies
15 and Department of Defense Field Activities;

16 (3) procurement technical assistance centers (as
17 described in chapter 142 of title 10, United States
18 Code);

19 (4) the Administrator of Federal Procurement
20 Policy; and

21 (5) such other individuals and organizations as
22 the Secretary determines appropriate.

23 (i) TERMINATION.—The pilot program under this sec-
24 tion shall terminate on the date that is five years after the
25 date on which Secretary of Defense enters into the first

1 *agreement with a qualified intermediary under subsection*
2 *(a).*

3 *(j) COMPTROLLER GENERAL ASSESSMENT AND RE-*
4 *PORT.—*

5 *(1) ASSESSMENT.—The Comptroller General of*
6 *the United States shall conduct an assessment of the*
7 *pilot program under this section. The assessment shall*
8 *include an evaluation of the effectiveness of the pilot*
9 *program with respect to—*

10 *(A) facilitating the transition of science and*
11 *technology from the research, development, pilot,*
12 *and prototyping phases to full-scale implementa-*
13 *tion within the Department of Defense; and*

14 *(B) protecting sensitive information shared*
15 *among the Department of Defense, qualified*
16 *intermediaries, and technology producers in the*
17 *course of the pilot program.*

18 *(2) REPORT.—Not later than the date specified*
19 *in paragraph (3), the Comptroller General shall sub-*
20 *mit to the appropriate congressional committees a re-*
21 *port on the results of the assessment conducted under*
22 *paragraph (1).*

23 *(3) DATE SPECIFIED.—The date specified in this*
24 *paragraph is the earlier of—*

1 (A) *four years after the date on which the*
2 *Secretary of Defense enters into the first agree-*
3 *ment with a qualified intermediary under sub-*
4 *section (a): or*

5 (B) *five years after the date of the enact-*
6 *ment of this Act.*

7 (k) *DEFINITIONS.—In this section:*

8 (1) *The term “appropriate congressional com-*
9 *mittees” means—*

10 (A) *the congressional defense committees;*

11 (B) *the Committee on Homeland Security*
12 *and Governmental Affairs of the Senate; and*

13 (C) *the Committee on Oversight and Reform*
14 *of the House of Representatives.*

15 (2) *The term “qualified intermediary” means a*
16 *nonprofit, for-profit, or State or local government en-*
17 *tity that assists, counsels, advises, evaluates, or other-*
18 *wise cooperates with technology producers that need*
19 *or can make demonstrably productive use of the serv-*
20 *ices provided by the intermediary pursuant to the*
21 *pilot program under this section.*

22 (3) *The term “technology producer” means an*
23 *individual or entity engaged in the research, develop-*
24 *ment, production, or distribution of science or tech-*

1 *nology that the Secretary of Defense determines may*
2 *be of use to the Department of Defense.*

3 **SEC. 219. ASSESSMENT AND CORRECTION OF DEFICIENCIES**
4 **IN THE F-35 AIRCRAFT PILOT BREATHING**
5 **SYSTEM.**

6 *(a) TESTING AND EVALUATION REQUIRED.—Begin-*
7 *ning not later than 120 days after the date of the enactment*
8 *of this Act, the Secretary of Defense, in consultation with*
9 *the Administrator of the National Aeronautics and Space*
10 *Administration, shall commence operational testing and*
11 *evaluation of the F-35 aircraft pilot breathing system (in*
12 *this section referred to as the “breathing system”) to—*

13 *(1) determine whether the breathing system com-*
14 *plies with Military Standard 3050 (MIL-STD-*
15 *3050), titled “Aircraft Crew Breathing Systems Using*
16 *On-Board Oxygen Generating System (OBOGS)”;*
17 *and*

18 *(2) assess the safety and effectiveness of the*
19 *breathing system for all pilots of F-35 aircraft.*

20 *(b) REQUIREMENTS.—The following shall apply to the*
21 *testing and evaluation conducted under subsection (a):*

22 *(1) The pilot, aircraft systems, and operational*
23 *flight environment of the F-35 aircraft shall not be*
24 *assessed in isolation but shall be tested and evaluated*
25 *as integrated parts of the breathing system.*

1 (2) *The testing and evaluation shall be conducted*
2 *under a broad range of operating conditions, includ-*
3 *ing variable weather conditions, low-altitude flight,*
4 *high-altitude flight, during weapons employment, at*
5 *critical phases of flight such as take-off and landing,*
6 *and in other challenging environments and operating*
7 *flight conditions.*

8 (3) *The testing and evaluation shall assess oper-*
9 *ational flight environments for the pilot that replicate*
10 *expected conditions and durations for high gravita-*
11 *tional force loading, rapid changes in altitude, rapid*
12 *changes in airspeed, and varying degrees of moderate*
13 *gravitational force loading.*

14 (4) *A diverse group of F-35 pilots shall partici-*
15 *cate in the testing and evaluation, including—*

16 (A) *pilots who are test-qualified and pilots*
17 *who are not test-qualified*

18 (B) *pilots who vary in gender, physical con-*
19 *ditioning, height, weight, and age, and any other*
20 *attributes that the Secretary determines to be ap-*
21 *propriate.*

22 (5) *The F-35A, F-35B, and F-35C aircraft in-*
23 *volved in the testing and evaluation shall perform op-*
24 *erations with operationally representative and real-*
25 *istic aircraft configurations.*

1 (6) *The testing and evaluation shall include as-*
2 *sessments of pilot life support gear and relevant*
3 *equipment, including the pilot breathing mask appa-*
4 *ratus.*

5 (7) *The testing and evaluation shall include test-*
6 *ing data from pilot reports, measurements of breath-*
7 *ing pressures and air delivery response timing and*
8 *flow, cabin pressure, air-speed, acceleration, measure-*
9 *ments of hysteresis during all phases of flight, meas-*
10 *urements of differential pressure between mask and*
11 *cabin altitude, and measurements of spirometry and*
12 *specific oxygen saturation levels of the pilot imme-*
13 *diately before and immediately after each flight.*

14 (8) *The analysis of the safety and effectiveness of*
15 *the breathing system shall thoroughly assess any*
16 *physiological effects reported by pilots, including ef-*
17 *fects on health, fatigue, cognition, and perception of*
18 *any breathing difficulty.*

19 (9) *The testing and evaluation shall include the*
20 *participation of subject matter experts who have fa-*
21 *miliarity and technical expertise regarding design*
22 *and functions of the F-35 aircraft, its propulsion sys-*
23 *tem, pilot breathing system, life support equipment,*
24 *human factors, and any other systems or subject mat-*
25 *ter the Secretary determines necessary to conduct ef-*

1 *fective testing and evaluation. At a minimum, such*
2 *subject matter experts shall include aerospace physi-*
3 *ologists, engineers, flight surgeons, and scientists.*

4 *(10) In carrying out the testing and evaluation,*
5 *the Secretary of Defense may seek technical support*
6 *and subject matter expertise from the Naval Air Sys-*
7 *tems Command, the Air Force Research Laboratory,*
8 *the Office of Naval Research, the National Aero-*
9 *navitics and Space Administration, and any other or-*
10 *ganization or element of the Department of Defense or*
11 *the National Aeronautics and Space Administration*
12 *that the Secretary, in consultation with the Adminis-*
13 *trator of the National Aeronautics and Space Admin-*
14 *istration, determines appropriate to support the test-*
15 *ing and evaluation.*

16 *(c) CORRECTIVE ACTIONS.—Not later than 90 days*
17 *after the submittal of the final report under subsection (e),*
18 *the Secretary of Defense shall take such actions as are nec-*
19 *essary to correct all deficiencies, shortfalls, and gaps in the*
20 *breathing system that were discovered or reported as a re-*
21 *sult of the testing and evaluation under subsection (a).*

22 *(d) PRELIMINARY REPORT.—Not later than one year*
23 *after the commencement of the testing and evaluation under*
24 *subsection (a), the Secretary of Defense shall submit to the*
25 *congressional defense committees a preliminary report,*

1 *based on the initial results of such testing and evaluation,*
2 *that includes findings, recommendations, and potential cor-*
3 *rective actions to address deficiencies in the breathing sys-*
4 *tem.*

5 *(e) FINAL REPORT.—Not later than two years after the*
6 *commencement of the testing and evaluation under sub-*
7 *section (a), the Secretary of Defense shall submit to the con-*
8 *gressional defense committees a final report that includes,*
9 *based on the final results of such testing and evaluation—*

10 *(1) findings and recommendations with respect*
11 *to the breathing system; and*

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

15 *(f) INDEPENDENT REVIEW OF FINAL REPORT.—*

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

23 *(2) REPORT TO SECRETARY.—Not later than*
24 *seven months after the date on which the Secretary of*
25 *Defense enters into an agreement with a federally*

1 *funded research and development center under para-*
2 *graph (1), the center shall submit to the Secretary a*
3 *report on the results of the review conducted under*
4 *such paragraph.*

5 (3) *REPORT TO CONGRESS.—Not later than 30*
6 *days after the date on which the Secretary of Defense*
7 *receives the report under paragraph (2), the Secretary*
8 *shall submit the report to the congressional defense*
9 *committees.*

10 **SEC. 220. IDENTIFICATION OF THE HYPERSONICS FACILI-**
11 **TIES AND CAPABILITIES OF THE MAJOR**
12 **RANGE AND TEST FACILITY BASE.**

13 (a) *IDENTIFICATION REQUIRED.—Not later than 180*
14 *days after the date of the enactment of this Act, the Sec-*
15 *retary of Defense shall—*

16 (1) *identify each facility and capability of the*
17 *Major Range and Test Facility Base that is pri-*
18 *marily concerned with the ground-based simulation of*
19 *hypersonic atmospheric flight conditions and the test*
20 *and evaluation of hypersonic technology in open air*
21 *flight; and*

22 (2) *identify such facilities and capabilities that*
23 *the Secretary would propose to designate, collectively,*
24 *as the “Hypersonics Facility Base”.*

1 (b) *MAJOR RANGE AND TEST FACILITY BASE.*—*In this*
2 *section, the term “Major Range and Test Facility Base”*
3 *has the meaning given that term in section 196(i) of title*
4 *10, United States Code.*

5 **SEC. 221. REQUIREMENT TO MAINTAIN ACCESS TO CAT-**
6 **EGORY 3 SUBTERRANEAN TRAINING FACIL-**
7 **ITY.**

8 (a) *REQUIREMENT TO MAINTAIN ACCESS.*—*The Sec-*
9 *retary of Defense shall ensure that the Department of De-*
10 *fense maintains access to a covered category 3 subterranean*
11 *training facility on a continuing basis.*

12 (b) *AUTHORITY TO ENTER INTO LEASE.*—*The Sec-*
13 *retary of Defense is authorized to enter into a short-term*
14 *lease with a provider of a covered category 3 subterranean*
15 *training facility for purposes of compliance with subsection*
16 *(a).*

17 (c) *COVERED CATEGORY 3 SUBTERRANEAN TRAINING*
18 *FACILITY DEFINED.*—*In this section, the term “covered cat-*
19 *egory 3 subterranean training facility” means a category*
20 *3 subterranean training facility that is—*

21 (1) *operational as of the date of the enactment*
22 *of this Act; and*

23 (2) *deemed safe for use as of such date.*

1 **SEC. 222. PROHIBITION ON REDUCTION OF NAVAL AVIA-**
2 **TION TESTING AND EVALUATION CAPACITY.**

3 (a) *PROHIBITION.*—During the period beginning on
4 the date of the enactment of this Act and ending on October
5 1, 2022, the Secretary of the Navy may not take any action
6 that would reduce, below the levels authorized and in effect
7 on October 1, 2020, any of the following:

8 (1) *The aviation-related operational testing and*
9 *evaluation capacity of the Department of the Navy.*

10 (2) *The billets assigned to support such capacity.*

11 (3) *The aviation force structure, aviation inven-*
12 *tory, or quantity of aircraft assigned to support such*
13 *capacity, including rotorcraft and fixed-wing air-*
14 *craft.*

15 (b) *REPORT REQUIRED.*—Not later than June 30,
16 2022, the Director of Operational Test and Evaluation shall
17 submit to the congressional defense committees a report that
18 assesses each of the following as of the date of the report:

19 (1) *The design and effectiveness of the testing*
20 *and evaluation infrastructure and capacity of the De-*
21 *partment of the Navy, including an assessment of*
22 *whether such infrastructure and capacity is sufficient*
23 *to carry out the acquisition and sustainment testing*
24 *required for the aviation-related programs of the De-*
25 *partment of Defense and the naval aviation-related*
26 *programs of the Department of the Navy*

1 (2) *The plans of the Secretary of the Navy to re-*
2 *duce the testing and evaluation capacity and infra-*
3 *structure of the Navy with respect to naval aviation*
4 *in fiscal year 2022 and subsequent fiscal years, as*
5 *specified in the budget of the President submitted to*
6 *Congress on May 28, 2021.*

7 (3) *The technical, fiscal, and programmatic*
8 *issues and risks associated with the plans of the Sec-*
9 *retary of the Navy to delegate and task operational*
10 *naval aviation units and organizations to efficiently*
11 *and effectively execute testing and evaluation master*
12 *plans for various aviation-related programs and*
13 *projects of the Department of the Navy.*

14 **SEC. 223. LIMITATION ON AVAILABILITY OF FUNDS FOR**
15 **CERTAIN C-130 AIRCRAFT.**

16 *None of the funds authorized to be appropriated by this*
17 *Act or otherwise made available for fiscal year 2022 for the*
18 *Navy may be obligated or expended to procure a C-130 air-*
19 *craft for testing and evaluation as a potential replacement*
20 *for the E-6B aircraft until the date on which the Secretary*
21 *of the Navy submits to the congressional defense committees*
22 *a report that includes the following information:*

23 (1) *The unit cost of each such C-130 test air-*
24 *craft.*

1 (2) *The life cycle sustainment plan for such C-*
2 *130 aircraft.*

3 (3) *A statement indicating whether such C-130*
4 *aircraft will be procured using multiyear contracting*
5 *authority under section 2306b of title 10, United*
6 *States Code.*

7 (4) *The total amount of funds needed to complete*
8 *the procurement of such C-130 aircraft.*

9 **SEC. 224. LIMITATION ON AVAILABILITY OF FUNDS FOR VC-**
10 **25B AIRCRAFT PROGRAM PENDING SUBMIS-**
11 **SION OF DOCUMENTATION.**

12 (a) *DOCUMENTATION REQUIRED.—The Secretary of*
13 *the Air Force shall submit to the congressional defense com-*
14 *mittees an integrated master schedule for the VC-25B presi-*
15 *dential aircraft recapitalization program of the Air Force.*

16 (b) *LIMITATION.—Of the funds authorized to be appro-*
17 *priated by this Act or otherwise made available for fiscal*
18 *year 2022 for the Air Force for the VC-25B aircraft, not*
19 *more than 50 percent may be obligated or expended until*
20 *the date on which the Secretary of the Air Force submits*
21 *to the congressional defense committees the documentation*
22 *required under subsection (a).*

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

3 ***SEC. 231. MODIFICATION TO ANNUAL REPORT OF THE DI-***
4 ***RECTOR OF OPERATIONAL TEST AND EVAL-***
5 ***UATION.***

6 *Section 139(h)(2) of title 10, United States Code, is*
7 *amended by striking “, through January 31, 2026”.*

8 ***SEC. 232. ADAPTIVE ENGINE TRANSITION PROGRAM ACQUI-***
9 ***SITION STRATEGY FOR THE F-35A AIRCRAFT.***

10 *(a) IN GENERAL.—Not later than 14 days after the*
11 *date on which the budget of the President for fiscal year*
12 *2023 is submitted to Congress pursuant to section 1105 of*
13 *title 31, United States Code, the Under Secretary of Defense*
14 *for Acquisition and Sustainment shall submit to the con-*
15 *gressional defense committees a report on the integration*
16 *of the Adaptive Engine Transition Program propulsion sys-*
17 *tem into the F-35A aircraft.*

18 *(b) ELEMENTS.—The report required under subsection*
19 *(a) shall include the following:*

20 *(1) A competitive acquisition strategy, informed*
21 *by fiscal considerations, to—*

22 *(A) integrate the Adaptive Engine Transi-*
23 *tion Program propulsion system into the F-35A*
24 *aircraft; and*

1 (B) begin, in fiscal year 2027, activities to
2 retrofit all F-35A aircraft with such propulsion
3 system.

4 (2) An implementation plan to implement such
5 strategy.

6 (3) A schedule annotating pertinent milestones
7 and yearly fiscal resource requirements for the imple-
8 mentation of such strategy.

9 **SEC. 233. ADVANCED PROPULSION SYSTEM ACQUISITION**
10 **STRATEGY FOR THE F-35B AND F-35C AIR-**
11 **CRAFT.**

12 (a) *IN GENERAL.*—Not later than 14 days after the
13 date on which the budget of the President for fiscal year
14 2023 is submitted to Congress pursuant to section 1105 of
15 title 31, United States Code, the Secretary of the Navy, in
16 consultation with the Under Secretary of Defense for Acqui-
17 sition and Sustainment, shall submit to the congressional
18 defense committees a report on the integration of the Adapt-
19 ive Engine Transition Program (referred to in this section
20 as “AETP”) propulsion system or other advanced propul-
21 sion system into F-35B and F-35C aircraft.

22 (b) *ELEMENTS.*—The report required under subsection
23 (a) shall include the following:

24 (1) An analysis of the impact on combat effec-
25 tiveness and sustainment cost from increased thrust,

1 *fuel efficiency, and thermal capacity for each variant*
2 *of the F-35, to include the improvements on accelera-*
3 *tion, speed, range, and overall mission effectiveness, of*
4 *each advanced propulsion system.*

5 *(2) An assessment in the reduction on the de-*
6 *pendency on support assets, to include air refueling*
7 *and replenishment tankers, and the overall cost bene-*
8 *fits to the Department from reduced acquisition and*
9 *sustainment of such support assets, from the integra-*
10 *tion of each advanced propulsion system.*

11 *(3) A competitive acquisition strategy, informed*
12 *by fiscal considerations, the assessment on combat ef-*
13 *fectiveness, and technical limitations, to—*

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

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

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

1 (4) *An implementation plan to implement the*
2 *strategy described in paragraph (3).*

3 (5) *A schedule annotating pertinent milestones*
4 *and yearly fiscal resource requirements for the imple-*
5 *mentation of such strategy.*

6 (c) *DEFINITIONS.—In this section:*

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

8 (A) *the F-35B; and*

9 (B) *the F-35C.*

10 (2) *The term “advanced propulsion system”*
11 *means:*

12 (A) *the Adaptive Engine Transition Pro-*
13 *gram propulsion system; or*

14 (B) *a derivative of a propulsion system de-*
15 *veloped for the F-35.*

16 **SEC. 234. ASSESSMENT AND REPORT ON AIRBORNE ELEC-**
17 **TRONIC ATTACK CAPABILITIES AND CAPAC-**
18 **ITY.**

19 (a) *ASSESSMENT.—The Secretary of the Air Force*
20 *shall conduct an assessment of—*

21 (1) *the status of the airborne electronic attack ca-*
22 *pacilities and capacity of the Air Force; and*

23 (2) *the feasibility and advisability of adapting*
24 *the ALQ-249 Next Generation Jammer for use on Air*
25 *Force tactical aircraft, including an analysis of—*

1 (A) the suitability of the jammer for use on
2 such aircraft; and

3 (B) the compatibility of the jammer with
4 such aircraft; and

5 (C) identification of any unique hardware,
6 software, or interface modifications that may be
7 required to integrate the jammer with such air-
8 craft.

9 (b) *REPORT*.—Not later than February 15, 2022, the
10 Secretary of the Air Force shall submit to the Committees
11 on Armed Services of the Senate and the House of Rep-
12 resentatives a report on the results of the assessment con-
13 ducted under subsection (a).

14 **SEC. 235. STRATEGY FOR AUTONOMY INTEGRATION IN**
15 **MAJOR WEAPON SYSTEMS.**

16 (a) *STRATEGY REQUIRED*.—Not later than one year
17 after the date of the enactment of this Act the Secretary
18 of Defense shall submit to the Committees on Armed Serv-
19 ices of the Senate and House of Representatives a strategy
20 to resource and integrate, to the maximum extent possible,
21 autonomy software that enables full operational capability
22 in high threat, communications and GPS-denied environ-
23 ments into major weapons systems of the Department of De-
24 fense by fiscal year 2025.

1 (b) *ELEMENTS.*—*The strategy required under sub-*
2 *section (a) shall include—*

3 (1) *a list of weapon systems and programs, to be*
4 *selected by the Secretary of Defense, which can be in-*
5 *tegrated with autonomy software as described in sub-*
6 *section (a) by fiscal year 2025;*

7 (2) *timelines for autonomy software integration*
8 *into the weapon systems and programs as identified*
9 *under paragraph (1);*

10 (3) *funding requirements related to the develop-*
11 *ment, acquisition, and testing of autonomy software;*

12 (4) *plans to leverage commercially-available ar-*
13 *tificial intelligence software, universal common con-*
14 *trol software, and autonomy software and related self-*
15 *driving or self-piloting technologies, where appro-*
16 *priate; and*

17 (5) *plans to include autonomy software, artifi-*
18 *cial intelligence, and universal common control.*

19 (c) *CONSULTATION.*—*The Secretary shall develop the*
20 *strategy required under subsection (a) in consultation*
21 *with—*

22 (1) *the Under Secretary of Defense for Research*
23 *and Engineering;*

24 (2) *the Secretaries of the military departments;*
25 *and*

1 (3) *such other organizations and elements of the*
2 *Department of Defense as the Secretary determines*
3 *appropriate.*

4 (d) *REPORT.—*

5 (1) *IN GENERAL.—Not later than one year after*
6 *the date on which the strategy required under sub-*
7 *section (a) is submitted to the Committees on Armed*
8 *Services of the Senate and House of Representatives,*
9 *and not later than October 1 of each of the five years*
10 *thereafter, the Secretary of Defense shall submit to the*
11 *Committees on Armed Services of the Senate and*
12 *House of Representatives a report that describes the*
13 *status of the implementation of the strategy.*

14 (2) *CONTENTS.—The report required under*
15 *paragraph (1) shall—*

16 (A) *identify any substantial changes made*
17 *in the strategy during the preceding calendar*
18 *year; and*

19 (B) *describe the progress made in imple-*
20 *menting the strategy.*

21 (e) *FORM.—The strategy required under subsection (a)*
22 *and the report required under subsection (d) shall be sub-*
23 *mitted in unclassified form but may contain a classified*
24 *annex.*

1 **TITLE III—OPERATION AND**
2 **MAINTENANCE**

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

5 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

6 *Funds are hereby authorized to be appropriated for fis-*
7 *cal year 2022 for the use of the Armed Forces and other*
8 *activities and agencies of the Department of Defense for ex-*
9 *penses, not otherwise provided for, for operation and main-*
10 *tenance, as specified in the funding table in section 4301.*

11 **Subtitle B—Energy and**
12 **Environment**

13 **SEC. 311. INCLUSION OF IMPACTS ON MILITARY INSTALLA-**
14 **TION RESILIENCE IN THE NATIONAL DE-**
15 **FENSE STRATEGY AND ASSOCIATED DOCU-**
16 **MENTS.**

17 *(a) NATIONAL DEFENSE STRATEGY AND DEFENSE*
18 *PLANNING GUIDANCE.—Section 113(g) of title 10, United*
19 *States Code, is amended—*

20 *(1) in paragraph (1)(B)—*

21 *(A) in clause (ii), by striking “actors,” and*
22 *inserting “actors, and the current or projected*
23 *threats to military installation resilience,” and*

24 *(B) by inserting after clause (ix), the fol-*
25 *lowing new clause:*

1 “(x) *Strategic goals to address or miti-*
2 *gate the current and projected risks to mili-*
3 *tary installation resilience.*”

4 (2) *in paragraph (2)(A), in the matter preceding*
5 *clause (i), by striking “priorities,” and inserting*
6 *“priorities, including priorities relating to the cur-*
7 *rent or projected risks to military installation resil-*
8 *ience.”.*

9 (b) *NATIONAL DEFENSE SUSTAINMENT AND LOGISTICS*
10 *REVIEW.—*

11 (1) *IN GENERAL.—The first section 118a of such*
12 *title is amended—*

13 (A) *in subsection (a), by striking “capabili-*
14 *ties,” and inserting “capabilities, response to*
15 *risks to military installation resilience,”;*

16 (B) *by redesignating such section, as*
17 *amended by subparagraph (A), as section 118b;*
18 *and*

19 (C) *by moving such section so as to appear*
20 *after section 118a.*

21 (2) *CLERICAL AND CONFORMING AMENDMENTS.—*

22 (A) *CLERICAL AMENDMENTS.—The table of*
23 *sections for chapter 2 of such title is amended—*

24 (i) *by striking the first item relating to*
25 *section 118a; and*

1 (ii) by inserting after the item relating
2 to section 118a the following new item:

“118b. National Defense Sustainment and Logistics Review.”.

3 (B) CONFORMING AMENDMENT.—Section
4 314(c) of the William M. (Mac) Thornberry Na-
5 tional Defense Authorization Act for Fiscal Year
6 2021 (Public Law 116–283) is amended by strik-
7 ing “section 118a” and inserting “section 118b”.

8 (c) CHAIRMAN’S RISK ASSESSMENT.—Section
9 153(b)(2)(B) of title 10, United States Code, is amended
10 by inserting after clause (vi) the following new clause:

11 “(vii) Identify and assess risk resulting
12 from, or likely to result from, current or pro-
13 jected effects on military installation resilience.”.

14 (d) STRATEGIC DECISIONS RELATING TO MILITARY
15 INSTALLATIONS.—The Secretary of each military depart-
16 ment, with respect to any installation under the jurisdic-
17 tion of that Secretary, and the Secretary of Defense, with
18 respect to any installation of the Department of Defense
19 that is not under the jurisdiction of the Secretary of a mili-
20 tary department, shall consider the risks associated with
21 military installation resilience when making any strategic
22 decision relating to such installation, including where to
23 locate such installation and where to position equipment,
24 infrastructure, and other military assets on such installa-
25 tion.

1 (e) *NATIONAL DEFENSE STRATEGY AND NATIONAL*
2 *MILITARY STRATEGY.*—*The Secretary of Defense, in coordi-*
3 *nation with the heads of such other Federal agencies as the*
4 *Secretary determines appropriate, shall incorporate the se-*
5 *curity implications of military installation resilience into*
6 *the National Defense Strategy and the National Military*
7 *Strategy.*

8 (f) *NATIONAL SECURITY PLANNING DOCUMENTS.*—*The*
9 *Secretary of Defense and the Chairman of the Joint Chiefs*
10 *of Staff shall consider the security implications associated*
11 *with military installation resilience in developing the De-*
12 *fense Planning Guidance under section 113(g)(2) of title 10,*
13 *United States Code, the Risk Assessment of the Chairman*
14 *of the Joint Chiefs of Staff under section 153(b)(2) of such*
15 *title, and other relevant strategy, planning, and program-*
16 *ming documents and processes.*

17 (g) *CAMPAIGN PLANS OF COMBATANT COMMANDS.*—
18 *The Secretary of Defense shall ensure that the national secu-*
19 *rity implications associated with military installation re-*
20 *silience are integrated into the campaign plans of the com-*
21 *batant commands.*

22 (h) *REPORT ON SECURITY IMPLICATIONS ASSOCIATED*
23 *WITH MILITARY INSTALLATION RESILIENCE.*—

24 (1) *REPORT.*—*Not later than 90 days after the*
25 *date of the enactment of this Act, the Secretary of De-*

1 *fense shall submit to the Committees on Armed Serv-*
2 *ices of the Senate and the House of Representatives a*
3 *report describing how the aspects of military installa-*
4 *tion resilience have been incorporated into modeling,*
5 *simulation, war-gaming, and other analyses by the*
6 *Department of Defense.*

7 (2) *FORM.—The report required by paragraph*
8 *(1) shall be submitted in unclassified form, but may*
9 *include a classified annex.*

10 (i) *ANNUAL REPORT ON READINESS IMPACTS OF MILI-*
11 *TARY INSTALLATION RESILIENCE ON MILITARY ASSETS*
12 *AND CAPABILITIES.—*

13 (1) *IN GENERAL.—Not later than one year after*
14 *the date of the enactment of this Act, and annually*
15 *thereafter, the Secretary of Defense shall submit to the*
16 *congressional defense committees a report containing*
17 *information (disaggregated by military department)*
18 *as follows:*

19 (A) *A description of the effects on military*
20 *readiness, and an estimate of the financial costs*
21 *to the Department of Defense, reasonably attrib-*
22 *uted to adverse impacts to military installation*
23 *resilience during the year preceding the submis-*
24 *sion of the report, including loss of or damage to*
25 *military networks, systems, installations, facili-*

1 *ties, and other assets and capabilities of the De-*
2 *partment; and*

3 *(B) An assessment of vulnerabilities to mili-*
4 *tary installation resilience.*

5 *(2) USE OF ASSESSMENT TOOL.—The Secretary*
6 *shall use the Climate Vulnerability and Risk Assess-*
7 *ment Tool of the Department (or such successor tool)*
8 *in preparing each report under paragraph (1).*

9 *(j) DEFINITIONS.—In this section:*

10 *(1) The term “military installation resilience”*
11 *has the meaning given that term in section 101(e) of*
12 *title 10, United States Code.*

13 *(2) The term “National Defense Strategy” means*
14 *the national defense strategy under section 113(g)(1)*
15 *of such title.*

16 *(3) The term “National Military Strategy”*
17 *means the national military strategy under section*
18 *153(b) of such title.*

19 **SEC. 312. MODIFICATION OF AUTHORITIES GOVERNING**
20 **CULTURAL AND CONSERVATION ACTIVITIES**
21 **OF THE DEPARTMENT OF DEFENSE.**

22 *(a) IN GENERAL.—Section 2694 of title 10, United*
23 *States Code, is amended—*

24 *(1) in subsection (b)—*

25 *(A) in paragraph (1)—*

1 (i) in subparagraph (A), by inserting
2 “or Sentinel Landscape” after “military de-
3 partment”; and

4 (ii) in subparagraph (B), by inserting
5 “or that would contribute to maintaining or
6 improving military installation resilience”
7 after “military operations”;

8 (B) in paragraph (2)—

9 (i) in subparagraph (A), by inserting
10 “or nature-based climate resilience plans”
11 after “land management plans”; and

12 (ii) by amending subparagraph (F) to
13 read as follows:

14 “(F) The implementation of ecosystem-wide land
15 management plans—

16 “(i) for a single ecosystem that—

17 “(I) encompasses at least two non-con-
18 tiguous military installations, if those mili-
19 tary installations are not all under the ad-
20 ministrative jurisdiction of the same Sec-
21 retary of a military department; and

22 “(II) provides synergistic benefits un-
23 available if the installations acted sepa-
24 rately; or

1 “(ii) for one or more ecosystems within a
2 designated Sentinel Landscape.”; and

3 (2) by adding at the end the following new sub-
4 section:

5 “(e) *DEFINITION OF SENTINEL LANDSCAPE.*—In this
6 section, the term ‘Sentinel Landscape’ means a landscape-
7 scale area encompassing—

8 “(1) one or more military installations or State-
9 owned National Guard installations and associated
10 airspace; and

11 “(2) the working or natural lands that serve to
12 protect and support the rural economy, the natural
13 environment, outdoor recreation, and the national de-
14 fense test and training missions of the military or
15 State-owned National Guard installation or installa-
16 tions.”.

17 (b) *PRESERVATION OF SENTINEL LANDSCAPES.*—Sec-
18 tion 317 of the National Defense Authorization Act for Fis-
19 cal Year 2018 (10 U.S.C. 2684a note) is amended—

20 (1) in subsection (c)—

21 (A) by inserting “resilience,” after “mutual
22 benefit of conservation,”;

23 (B) by inserting “, resilience,” after “vol-
24 untary land management”; and

1 (C) by adding at the end the following new
2 sentence: “The Secretary of Defense shall include
3 information concerning the activities taken pur-
4 suant to the Sentinel Landscapes Partnership in
5 the annual report to Congress submitted pursu-
6 ant to section 2684a(g) of title 10, United States
7 Code.”;

8 (2) in subsection (d), in the second sentence, by
9 inserting “by an eligible landowner or agricultural
10 producer” after “Participation”;

11 (3) by redesignating subsection (e) as subsection
12 (f);

13 (4) by inserting after subsection (d) the following
14 new subsection (e):

15 “(e) *PARTICIPATION BY OTHER AGENCIES.*—To the ex-
16 tent practicable, the Secretary of Defense shall seek the par-
17 ticipation of other Federal agencies in the Sentinel Land-
18 scape Partnership and encourage such agencies to become
19 full partners in the Partnership.”; and

20 (5) in subsection (f), by adding at the end the
21 following new paragraph:

22 “(4) *RESILIENCE.*—The term ‘resilience’ means
23 the capability to avoid, prepare for, minimize the ef-
24 fect of, adapt to, and recover from extreme weather

1 *events, flooding, wildfires, or other anticipated or un-*
2 *anticipated changes in environmental conditions.”.*

3 **SEC. 313. MODIFICATION OF AUTHORITY FOR ENVIRON-**
4 **MENTAL RESTORATION PROJECTS OF NA-**
5 **TIONAL GUARD.**

6 *Section 2707(e)(1) of title 10, United States Code, is*
7 *amended by striking “in response to perfluorooctanoic acid*
8 *or perfluorooctane sulfonate contamination under this*
9 *chapter or CERCLA”.*

10 **SEC. 314. PROHIBITION ON USE OF OPEN-AIR BURN PITS IN**
11 **CONTINGENCY OPERATIONS OUTSIDE THE**
12 **UNITED STATES.**

13 *(a) IN GENERAL.—Chapter 160 of title 10, United*
14 *States Code, is amended by adding at the end the following*
15 *new section:*

16 **“§ 2714. Prohibition on use of open-air burn pits**

17 *“(a) IN GENERAL.—Except as provided in subsection*
18 *(b), beginning on January 1, 2023, the disposal of covered*
19 *waste by the Department of Defense in an open-air burn*
20 *pit located outside of the United States during a contin-*
21 *gency operation is prohibited.*

22 *“(b) WAIVER.—The President may exempt a location*
23 *from the prohibition under subsection (a) if the President*
24 *determines such an exemption is in the paramount interest*
25 *of the United States.*

1 “(c) *REPORT.—(1) Not later than 30 days after grant-*
2 *ing an exemption under subsection (b) with respect to the*
3 *use of an open-air burn pit at a location, the President*
4 *shall submit to Congress a written report that identifies—*

5 “(A) *the location of the open-air burn pit;*

6 “(B) *the number of personnel of the United*
7 *States assigned to the location where the open-air*
8 *burn pit is being used;*

9 “(C) *the size and expected duration of use of the*
10 *open-air burn pit;*

11 “(D) *the personal protective equipment or other*
12 *health risk mitigation efforts that will be used by*
13 *members of the armed forces when airborne hazards*
14 *are present, including how such equipment will be*
15 *provided when required; and*

16 “(E) *the need for the open-air burn pit and ra-*
17 *tionale for granting the exemption.*

18 “(2) *A report submitted under paragraph (1) shall be*
19 *submitted in unclassified form, but may include a classified*
20 *annex.*

21 “(d) *DEFINITION OF COVERED WASTE.—In this sec-*
22 *tion, the term ‘covered waste’ includes—*

23 “(1) *hazardous waste, as defined by section*
24 *1004(5) of the Solid Waste Disposal Act (42 U.S.C.*
25 *6903(5));*

1 “(2) *medical waste;*

2 “(3) *tires;*

3 “(4) *treated wood;*

4 “(5) *batteries;*

5 “(6) *plastics, except insignificant amounts of*
6 *plastic remaining after a good-faith effort to remove*
7 *or recover plastic materials from the solid waste*
8 *stream;*

9 “(7) *munitions and explosives, except when dis-*
10 *posed of in compliance with guidance on the destruc-*
11 *tion of munitions and explosives contained in the De-*
12 *partment of Defense Ammunition and Explosives*
13 *Safety Standards, DoD Manual 6055.09-M;*

14 “(8) *compressed gas cylinders, unless empty with*
15 *valves removed;*

16 “(9) *fuel containers, unless completely evacuated*
17 *of its contents;*

18 “(10) *aerosol cans;*

19 “(11) *polychlorinated biphenyls;*

20 “(12) *petroleum, oils, and lubricants products*
21 *(other than waste fuel for initial combustion);*

22 “(13) *asbestos;*

23 “(14) *mercury;*

24 “(15) *foam tent material;*

1 “(16) any item containing any of the materials
2 referred to in a preceding paragraph; and

3 “(17) other waste as designated by the Sec-
4 retary.”.

5 **(b) CLERICAL AMENDMENT.**—*The table of sections at*
6 *the beginning of such chapter is amended by adding at the*
7 *end the following new item:*

“2714. Prohibition on use of open-air burn pits.”.

8 **(c) CONFORMING REPEAL.**—*Effective January 1,*
9 *2023, section 317 of the National Defense Authorization Act*
10 *for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2701*
11 *note) is repealed.*

12 **SEC. 315. MAINTENANCE OF CURRENT ANALYTICAL TOOLS**
13 **FOR EVALUATION OF ENERGY RESILIENCE**
14 **MEASURES.**

15 **(a) IN GENERAL.**—*Section 2911 of title 10, United*
16 *States Code, is amended by adding at the end the following*
17 *new subsection:*

18 **“(i) ANALYTICAL TOOLS FOR EVALUATION OF ENERGY**
19 **RESILIENCE MEASURES.**—*(1) The Secretary of Defense*
20 *shall develop and implement a process to ensure that the*
21 *Department of Defense, in the evaluation of energy resil-*
22 *ience measures on military installations, uses analytical*
23 *tools that are accurate and effective in projecting the costs*
24 *and performance of such measures.*

1 “(2) *Analytical tools specified in paragraph (1) shall*
2 *be—*

3 “(A) *designed to—*

4 “(i) *provide an accurate projection of the*
5 *costs and performance of the energy resilience*
6 *measure being analyzed;*

7 “(ii) *be used without specialized training;*
8 *and*

9 “(iii) *produce resulting data that is under-*
10 *standable and usable by the typical source selec-*
11 *tion official;*

12 “(B) *consistent with standards and analytical*
13 *tools commonly applied by the Department of Energy*
14 *and by commercial industry;*

15 “(C) *adaptable to accommodate a rapidly chang-*
16 *ing technological environment;*

17 “(D) *peer-reviewed for quality and precision and*
18 *measured against the highest level of development for*
19 *such tools; and*

20 “(E) *periodically reviewed and updated, but not*
21 *less frequently than once every three years.”.*

22 (b) *REPORT.—Not later than September 30, 2022, the*
23 *Secretary of Defense shall submit to the Committees on*
24 *Armed Services of the House of Representatives and the*
25 *Senate a report on the implementation of the requirements*

1 *under section 2911(i) of title 10, United States Code, as*
2 *added by subsection (a).*

3 **SEC. 316. ENERGY EFFICIENCY TARGETS FOR DEPARTMENT**
4 **OF DEFENSE DATA CENTERS.**

5 *(a) ENERGY EFFICIENCY TARGETS FOR DATA CEN-*
6 *TERS.—*

7 *(1) IN GENERAL.—Subchapter I of chapter 173*
8 *of title 10, United States Code, is amended by adding*
9 *at the end the following new section:*

10 **“§ 2921. Energy efficiency targets for data centers**

11 *“(a) COVERED DATA CENTERS.—(1) For each covered*
12 *data center, the Secretary shall—*

13 *“(A) develop a power usage effectiveness target*
14 *for the data center, based on location, resiliency, in-*
15 *dustry standards, and best practices;*

16 *“(B) develop a water usage effectiveness target*
17 *for the data center, based on location, resiliency, in-*
18 *dustry standards, and best practices;*

19 *“(C) develop other energy efficiency or water*
20 *usage targets for the data center based on industry*
21 *standards and best practices, as applicable to meet*
22 *energy efficiency and resiliency goals;*

23 *“(D) identify potential renewable or clean energy*
24 *resources to enhance resiliency at the data center, in-*

1 *cluding potential renewable or clean energy purchase*
2 *targets based on the location of the data center; and*

3 *“(E) identify any statutory, regulatory, or pol-*
4 *icy barriers to meeting any target under any of sub-*
5 *paragraphs (A) through (C).*

6 *“(2) In this subsection, the term ‘covered data center’*
7 *means a data center of the Department that—*

8 *“(A) is one of the 50 data centers of the Depart-*
9 *ment with the highest annual power usage rates; and*

10 *“(B) has been established before the date of the*
11 *enactment of this section.*

12 *“(b) NEW DATA CENTERS.—(1) Except as provided in*
13 *paragraph (2), in the case of any Department data center*
14 *established on or after the date of the enactment of this sec-*
15 *tion, the Secretary shall establish energy, water usage, and*
16 *resiliency-related standards that the data center shall be re-*
17 *quired to meet based on location, resiliency, industry stand-*
18 *ards, and best practices. Such standards shall include—*

19 *“(A) power usage effectiveness standards;*

20 *“(B) water usage effectiveness standards; and*

21 *“(C) any other energy or resiliency standards the*
22 *Secretary determines are appropriate.*

23 *“(2) The Secretary may waive the requirement for a*
24 *Department data center established on or after the date of*

1 *the enactment of this section to meet the standards estab-*
2 *lished under paragraph (1) if the Secretary—*

3 *“(A) determines that such waiver is in the na-*
4 *tional security interest of the United States; and*

5 *“(B) submits to the Committee on Armed Serv-*
6 *ices of the House of Representatives notice of such*
7 *waiver and the reasons for such waiver.”.*

8 *(2) CLERICAL AMENDMENT.—The table of sec-*
9 *tions at the beginning of such subchapter is amended*
10 *by inserting after the item relating to section 2920 the*
11 *following new item:*

“2921. Energy efficiency targets for data centers.”.

12 *(b) INVENTORY OF DATA FACILITIES.—*

13 *(1) INVENTORY REQUIRED.—By not later than*
14 *180 days after the date of the enactment of this Act,*
15 *the Secretary of Defense shall conduct an inventory of*
16 *all data centers owned or operated by the Department*
17 *of Defense. Such survey shall include the following:*

18 *(A) A list of data centers owned or operated*
19 *by the Department of Defense.*

20 *(B) For each such data center, the earlier of*
21 *the following dates:*

22 *(i) The date on which the data center*
23 *was established.*

1 (ii) *The date of the most recent capital*
2 *investment in new power, cooling, or com-*
3 *pute infrastructure at the data center.*

4 (C) *The total average annual power use, in*
5 *kilowatts, for each such data center.*

6 (D) *The number of data centers that meas-*
7 *ure power usage effectiveness (hereinafter in this*
8 *section referred to as “PUE”) and for each such*
9 *data center, the PUE for the center.*

10 (E) *The number of data centers that meas-*
11 *ure water usage effectiveness (hereinafter in this*
12 *section “WUE”) and, for each such data center,*
13 *the WUE for the center.*

14 (F) *A description of any other existing en-*
15 *ergy efficiency or efficient water usage metrics*
16 *used by any data center and the applicable*
17 *measurements for any such center.*

18 (G) *An assessment of the facility resiliency*
19 *of each data center, including redundant power*
20 *and cooling facility infrastructure.*

21 (H) *Any other matters the Secretary deter-*
22 *mines are relevant.*

23 (2) *DATA CENTER DEFINED.—In this section, the*
24 *term “data center” has the meaning given such term*

1 *in the most recent Integrated Data Collection guid-*
2 *ance of the Office of Management and Budget.*

3 *(c) REPORT.—Not later than 180 days after the com-*
4 *pletion of the inventory required under subsection (b), the*
5 *Secretary of Defense shall submit to the Committee on*
6 *Armed Services of the House of Representatives a report on*
7 *the inventory and the energy assessment targets under sec-*
8 *tion 2921(a) of title 10, United States Code, as added by*
9 *subsection (a). Such report shall include each of the fol-*
10 *lowing:*

11 *(1) A timeline of necessary actions required to*
12 *meet the energy assessment targets for covered data*
13 *centers.*

14 *(2) The estimated costs associated with meeting*
15 *such targets.*

16 *(3) An assessment of the business case for meet-*
17 *ing such targets, including any estimated savings in*
18 *operational energy and water costs and estimated re-*
19 *duction in energy and water usage if the targets are*
20 *met.*

21 *(4) An analysis of any statutory, regulatory, or*
22 *policy barriers to meeting such targets identified pur-*
23 *suant to section 2921(a)(E) of title 10, United States*
24 *Code, as added by subsection (a).*

1 **SEC. 317. MODIFICATION OF RESTRICTION ON DEPART-**
2 **MENT OF DEFENSE PROCUREMENT OF CER-**
3 **TAIN ITEMS CONTAINING**
4 **PERFLUOROCTANE SULFONATE OR**
5 **PERFLUOROCTANOIC ACID.**

6 *Section 333 of the William M. (Mac) Thornberry Na-*
7 *tional Defense Authorization Act for Fiscal Year 2021 (Pub-*
8 *lic Law 116–283) is amended—*

9 *(1) in the section heading—*

10 *(A) by inserting “**OR PURCHASE**” after*
11 *“**PROCUREMENT**”; and*

12 *(B) by striking “**PERFLUOROCTANE***
13 ***SULFONATE OR PERFLUOROCTANOIC***
14 ***ACID**” and inserting “**PERFLUOROALKYL***
15 ***SUBSTANCES OR POLYFLUOROALKYL SUB-***
16 ***STANCES**”;*

17 *(2) in subsection (a), by striking*
18 *“perfluorooctane sulfonate (PFOS) or*
19 *perfluorooctanoic acid (PFOA)” and inserting “any*
20 *perfluoroalkyl substance or polyfluoroalkyl substance”;*
21 *and*

22 *(3) by striking subsection (b) and inserting the*
23 *following new subsection (b):*

24 *“(b) DEFINITIONS.—In this section:*

25 *“(1) The term ‘covered item’ means—*

1 “(A) *nonstick cookware or cooking utensils*
2 *for use in galleys or dining facilities;*

3 “(B) *upholstered furniture, carpets, and*
4 *rugs that have been treated with stain-resistant*
5 *coatings;*

6 “(C) *food packaging materials;*

7 “(D) *furniture or floor waxes;*

8 “(E) *sunscreen;*

9 “(F) *umbrellas, luggage, or bags;*

10 “(G) *car wax and car window treatments;*

11 “(H) *cleaning products; and*

12 “(I) *shoes and clothing for which treatment*
13 *with a perfluoroalkyl substance or*
14 *polyfluoroalkyl substance is not necessary for an*
15 *essential function.*

16 “(2) *The term ‘perfluoroalkyl substance’ means a*
17 *man-made chemical of which all of the carbon atoms*
18 *are fully fluorinated carbon atoms.*

19 “(3) *The term ‘polyfluoroalkyl substance’ means*
20 *a man-made chemical containing at least one fully*
21 *fluorinated carbon atom and at least one*
22 *nonfluorinated carbon atom.’.*

1 **SEC. 318. TEMPORARY MORATORIUM ON INCINERATION BY**
2 **DEPARTMENT OF DEFENSE OF**
3 **PERFLUOROALKYL SUBSTANCES,**
4 **POLYFLUOROALKYL SUBSTANCES, AND AQUE-**
5 **OUS FILM FORMING FOAM.**

6 (a) *TEMPORARY MORATORIUM.*—Beginning not later
7 than 90 days after the date of the enactment of this Act,
8 the Secretary of Defense shall prohibit the incineration of
9 covered materials until the earlier of the following:

10 (1) *The date on which the Secretary submits to*
11 *Committees on Armed Services of the House of Rep-*
12 *resentatives and the Senate a certification that the*
13 *Secretary is implementing the interim guidance on*
14 *the destruction and disposal of PFAS and materials*
15 *containing PFAS published by the Administrator of*
16 *the Environmental Protection Agency under section*
17 *7361 of the National Defense Authorization Act for*
18 *Fiscal Year 2020 (15 U.S.C. 8961).*

19 (2) *The date on which the Administrator of the*
20 *Environmental Protection Agency publishes in the*
21 *Federal Register a final rule regarding the destruc-*
22 *tion and disposal of such materials pursuant to such*
23 *section.*

24 (b) *REQUIRED ADOPTION OF FINAL RULE.*—Upon
25 publication of the final rule specified in subsection (a)(2),
26 the Secretary shall adopt such final rule, regardless of

1 *whether the Secretary previously implemented the interim*
2 *guidance specified in subsection (a)(1).*

3 *(c) REPORT.—Not later than one year after the date*
4 *on which the Administrator of the Environmental Protec-*
5 *tion Agency publishes the final rule specified in subsection*
6 *(a)(2), and annually thereafter for three years, the Sec-*
7 *retary shall submit to the Administrator a report on all*
8 *incineration by the Department of Defense of covered mate-*
9 *rials during the year covered by the report, including—*

10 *(1) the total amount of covered materials incin-*
11 *erated;*

12 *(2) the temperature range at which the covered*
13 *materials were incinerated; and*

14 *(3) the locations and facilities where the covered*
15 *materials were incinerated.*

16 *(d) DEFINITIONS.—In this section:*

17 *(1) The term “AFFF” means aqueous film form-*
18 *ing foam.*

19 *(2) The term “covered material” means any leg-*
20 *acy AFFF formulation containing PFAS, material*
21 *contaminated by AFFF release, or spent filter or*
22 *other PFAS-contaminated material resulting from*
23 *site remediation or water filtration that—*

24 *(A) has been used by the Department of De-*
25 *fense or a military department;*

1 (B) is being discarded for disposal by the
2 Department of Defense or a military depart-
3 ment; or

4 (C) is being removed from sites or facilities
5 owned or operated by the Department of Defense.

6 (3) The term “PFAS” means per- or
7 polyfluoroalkyl substances.

8 **SEC. 319. PUBLIC DISCLOSURE OF RESULTS OF DEPART-**
9 **MENT OF DEFENSE TESTING OF WATER FOR**
10 **PERFLUOROALKYL OR POLYFLUOROALKYL**
11 **SUBSTANCES.**

12 (a) *PUBLIC DISCLOSURE OF PFAS TESTING OF*
13 *WATER.*—

14 (1) *IN GENERAL.*—*Except as provided in para-*
15 *graph (2), not later than 10 days after the receipt of*
16 *a validated result of testing water for perfluoroalkyl*
17 *or polyfluoroalkyl substances (commonly referred to*
18 *as “PFAS”) in a covered area, the Secretary of De-*
19 *fense shall publicly disclose such validated result, in-*
20 *cluding—*

21 (A) *the results of all such testing conducted*
22 *in the covered area by the Department of De-*
23 *fense; and*

24 (B) *the results of all such testing conducted*
25 *in the covered area by a non-Department entity*

1 *(including any Federal agency and any public*
2 *or private entity) under a contract, or pursuant*
3 *to an agreement, with the Department of De-*
4 *fense.*

5 (2) *CONSENT BY PRIVATE PROPERTY OWNERS.—*
6 *The Secretary of Defense may not publicly disclose*
7 *the results of testing for perfluoroalkyl or*
8 *polyfluoroalkyl substances conducted on private prop-*
9 *erty without the consent of the property owner.*

10 (b) *PUBLIC DISCLOSURE OF PLANNED PFAS TESTING*
11 *OF WATER.—Not later than 180 days after the date of the*
12 *enactment of the Act, and every 90 days thereafter, the Sec-*
13 *retary of Defense shall publicly disclose the anticipated*
14 *timeline for, and general location of, any planned testing*
15 *for perfluoroalkyl or polyfluoroalkyl substances proposed to*
16 *be conducted in a covered area, including—*

17 (1) *all such testing to be conducted by the De-*
18 *partment of Defense; and*

19 (2) *all such testing to be conducted by a non-De-*
20 *partment entity (including any Federal agency and*
21 *any public or private entity) under a contract, or*
22 *pursuant to an agreement, with the Department.*

23 (c) *NATURE OF DISCLOSURE.—The Secretary of De-*
24 *fense may satisfy the disclosure requirements under sub-*

1 sections (a) and (b) by publishing the results and informa-
2 tion referred to in such subsections—

3 (1) on the publicly available website established
4 under section 331(b) of the National Defense Author-
5 ization Act for Fiscal Year 2020 (Public Law 116–
6 92; 10 U.S.C 2701 note);

7 (2) on another publicly available website of the
8 Department of Defense; or

9 (3) in the Federal Register.

10 (d) LOCAL NOTIFICATION.—Prior to conducting any
11 testing of water for perfluoroalkyl or polyfluoroalkyl sub-
12 stances, including any testing which has not been planned
13 or publicly disclosed pursuant to subsection (b), the Sec-
14 retary of Defense shall provide notice of the testing to—

15 (1) the managers of the public water system serv-
16 ing the covered area where such testing is to occur;

17 (2) the heads of the municipal government serv-
18 ing the covered area where such testing is to occur;

19 and

20 (3) as applicable, the members of the restoration
21 advisory board for the military installation where
22 such testing is to occur.

23 (e) METHODS FOR TESTING.—In testing water for
24 perfluoroalkyl or polyfluoroalkyl substances, the Secretary
25 of Defense shall adhere to methods for measuring the

1 *amount of such substances in drinking water that have been*
2 *validated by the Administrator of the Environmental Pro-*
3 *tection Agency.*

4 (f) *DEFINITIONS.—In this section:*

5 (1) *The term “covered area” means an area in*
6 *the United States that is located immediately adja-*
7 *cent to and down gradient from a military installa-*
8 *tion, a formerly used defense site, or a facility where*
9 *military activities are conducted by the National*
10 *Guard of a State pursuant to section 2707(e) of title*
11 *10, United States Code.*

12 (2) *The term “formerly used defense site” means*
13 *any site formerly used by the Department of Defense*
14 *or National Guard eligible for environmental restora-*
15 *tion by the Secretary of Defense funded under the*
16 *“Environmental Restoration Account, Formerly Used*
17 *Defense Sites” account established under section*
18 *2703(a)(5) of title 10, United States Code.*

19 (3) *The term “military installation” has the*
20 *meaning given such term in section 2801(c)(4) of title*
21 *10, United States Code.*

22 (4) *The term “perfluoroalkyl or polyfluoroalkyl*
23 *substance” means any man-made chemical with at*
24 *least one fully fluorinated carbon atom.*

1 (5) *The term “public water system” has the*
2 *meaning given such term under section 1401(4) of the*
3 *Safe Drinking Water Act (42 U.S.C. 300f(4)).*

4 (6) *The term “restoration advisory board” means*
5 *a restoration advisory board established pursuant to*
6 *section 2705(d) of title 10, United States Code.*

7 **SEC. 320. PFAS TESTING REQUIREMENTS.**

8 *Not later than two years after the date of the enact-*
9 *ment of this Act, the Secretary of Defense shall complete*
10 *a preliminary assessment and site inspection for PFAS, in-*
11 *cluding testing for PFAS, at all military installations, for-*
12 *merly used defense sites, and State-owned facilities of the*
13 *National Guard in the United States that have been identi-*
14 *fied by the Secretary as of the date of the enactment of the*
15 *Act.*

16 **SEC. 321. STANDARDS FOR RESPONSE ACTIONS WITH RE-**
17 **SPECT TO PFAS CONTAMINATION.**

18 (a) *IN GENERAL.*—*In conducting a response action to*
19 *address perfluoroalkyl or polyfluoroalkyl substance con-*
20 *tamination from Department of Defense or National Guard*
21 *activities, the Secretary of Defense shall conduct such ac-*
22 *tions to achieve a level of such substances in the environ-*
23 *mental media that meets or exceeds the most stringent of*
24 *the following standards for each applicable covered PFAS*
25 *substance in any environmental media:*

1 (1) *A State standard, in effect in the State in*
2 *which the response action is being conducted, as de-*
3 *scribed in section 121(d)(2)(A)(ii) of the Comprehen-*
4 *sive Environmental Response, Compensation, and Li-*
5 *ability Act of 1980 (42 U.S.C. 9621(d)(2)(A)(ii)).*

6 (2) *A Federal standard, as described in section*
7 *121(d)(2)(A)(i) of the Comprehensive Environmental*
8 *Response, Compensation, and Liability Act of 1980*
9 *(42 U.S.C. 9621(d)(2)(A)(i)).*

10 (3) *A health advisory under section*
11 *1412(b)(1)(F) of the Safe Drinking Water Act (42*
12 *U.S.C. 300g-1(b)(1)(F)).*

13 **(b) DEFINITIONS.—***In this section:*

14 (1) *The term “covered PFAS substance” means*
15 *any of the following:*

16 (A) *Perfluorononanoic acid (PFNA).*

17 (B) *Perfluorooctanoic acid (PFOA).*

18 (C) *Perfluorohexanoic acid (PFHxA).*

19 (D) *Perfluorooctane sulfonic acid (PFOS).*

20 (E) *Perfluorohexane sulfonate (PFHxS).*

21 (F) *Perfluorobutane sulfonic acid (PFBS).*

22 (G) *GenX.*

23 (2) *The term “response action” means an action*
24 *taken pursuant to section 104 of the Comprehensive*

1 *Environmental Response, Compensation, and Liability*
2 *Act of 1980 (42 U.S.C. 9601).*

3 (c) *SAVINGS CLAUSE.*—*Except with respect to the spe-*
4 *cific level required to be met under subsection (a), nothing*
5 *in this section affects the application of the Comprehensive*
6 *Environmental Response, Compensation, and Liability Act*
7 *of 1980 (42 U.S.C. 9607).*

8 **SEC. 322. REVIEW AND GUIDANCE RELATING TO PREVEN-**
9 **TION AND MITIGATION OF SPILLS OF AQUE-**
10 **OUS FILM-FORMING FOAM.**

11 (a) *REVIEW REQUIRED.*—*Not later than 180 days of*
12 *after the date of the enactment of this Act, the Secretary*
13 *of Defense shall complete a review of the efforts of the De-*
14 *partment of Defense to prevent or mitigate spills of aqueous*
15 *film-forming foam (in this section referred to as “AFFF”).*
16 *Such review shall assess the following:*

17 (1) *The preventative maintenance guidelines for*
18 *fire trucks of the Department and fire suppression*
19 *systems in buildings of the Department, to mitigate*
20 *the risk of equipment failure that may result in a*
21 *spill of AFFF.*

22 (2) *Any requirements for the use of personal pro-*
23 *TECTIVE equipment by personnel when conducting a*
24 *MATERIAL transfer or maintenance activity of the De-*
25 *partment that may result in a spill of AFFF, or*

1 *when conducting remediation activities for such a*
2 *spill, including requirements for side-shield safety*
3 *glasses, latex gloves, and respiratory protection equip-*
4 *ment.*

5 *(3) The methods by which the Secretary ensures*
6 *compliance with guidance specified in material safety*
7 *data sheets with respect to the use of such personal*
8 *protective equipment.*

9 *(b) GUIDANCE.—Not later than 90 days after the date*
10 *on which the Secretary completes the review under sub-*
11 *section (a), the Secretary shall issue guidance on the pre-*
12 *vention and mitigation of spills of AFFF based on the re-*
13 *sults of such review that includes, at a minimum, best prac-*
14 *tices and recommended requirements to ensure the fol-*
15 *lowing:*

16 *(1) The supervision by personnel trained in re-*
17 *sponding to spills of AFFF of each material transfer*
18 *or maintenance activity of the Department of Defense*
19 *that may result in such a spill.*

20 *(2) The use of containment berms and the cov-*
21 *ering of storm drains and catch basins by personnel*
22 *performing maintenance activities for the Department*
23 *in the vicinity of such drains or basins.*

24 *(3) The storage of materials for the cleanup and*
25 *containment of AFFF in close proximity to fire sup-*

1 *pression systems in buildings of the Department and*
2 *the presence of such materials during any transfer or*
3 *activity specified in paragraph (1).*

4 *(c) BRIEFING.—Not later than 30 days after the date*
5 *on which the Secretary issues the guidance under subsection*
6 *(b), the Secretary shall provide to the congressional defense*
7 *committees a briefing that summarizes the results of the re-*
8 *view conducted under subsection (a) and the guidance*
9 *issued under subsection (b).*

10 **SEC. 323. BUDGET INFORMATION FOR ALTERNATIVES TO**
11 **BURN PITS.**

12 *The Secretary of Defense shall include in the budget*
13 *submission of the President under section 1105(a) of title*
14 *31, United States Code, for fiscal year 2022 a dedicated*
15 *budget line item for incinerators and waste-to-energy waste*
16 *disposal alternatives to burn pits.*

17 **SEC. 324. ESTABLISHMENT OF EMISSIONS CONTROL STAND-**
18 **ARD OPERATING PROCEDURES.**

19 *(a) REVIEW.—Not later than 180 days after the date*
20 *of the enactment of this Act, the Secretary of Defense shall*
21 *conduct a review of current electromagnetic spectrum emis-*
22 *sions control standard operating procedures across the joint*
23 *force.*

24 *(b) STANDARDS REQUIRED.—Not later than 60 days*
25 *after completing the review under subsection (a), the Sec-*

1 *retary of Defense shall direct the Secretary of each of the*
2 *military departments to establish standard operating proce-*
3 *dures, down to the battalion or equivalent level, pertaining*
4 *to emissions control discipline during all manner of oper-*
5 *ations.*

6 *(c) REPORT.—Not later than one year after the date*
7 *of the enactment of this Act, the Secretary of Defense shall*
8 *submit to the Committees on Armed Services of the Senate*
9 *and House of Representatives a report on the implementa-*
10 *tion status of the standards required under subsection (b)*
11 *by each of the military departments, including—*

12 *(1) incorporation into doctrine of the military*
13 *departments;*

14 *(2) integration into training of the military de-*
15 *partments; and*

16 *(3) efforts to coordinate with the militaries of*
17 *partner countries and allies to develop similar stand-*
18 *ards and associated protocols, including through the*
19 *use of working groups.*

20 **SEC. 325. LONG-DURATION DEMONSTRATION INITIATIVE**
21 **AND JOINT PROGRAM.**

22 *(a) ESTABLISHMENT OF INITIATIVE.—Not later than*
23 *March 1, 2022, the Secretary of Defense shall establish a*
24 *demonstration initiative composed of demonstration*

1 *projects focused on the development of long-duration energy*
2 *storage technologies.*

3 (b) *SELECTION OF PROJECTS.—To the maximum ex-*
4 *tent practicable, in selecting demonstration projects to par-*
5 *ticipate in the demonstration initiative under subsection*
6 *(a), the Secretary of Defense shall—*

7 (1) *ensure a range of technology types;*

8 (2) *ensure regional diversity among projects; and*

9 (3) *consider bulk power level, distribution power*
10 *level, behind-the-meter, microgrid (grid-connected or*
11 *islanded mode), and off-grid applications.*

12 (c) *JOINT PROGRAM.—*

13 (1) *ESTABLISHMENT.—As part of the demonstra-*
14 *tion initiative under subsection (a), the Secretary of*
15 *Defense, in consultation with the Secretary of Energy,*
16 *shall establish within the Department of Defense a*
17 *joint program to carry out projects—*

18 (A) *to demonstrate promising long-duration*
19 *energy storage technologies at different scales to*
20 *promote energy resiliency; and*

21 (B) *to help new, innovative long-duration*
22 *energy storage technologies become commercially*
23 *viable.*

24 (2) *MEMORANDUM OF UNDERSTANDING.—Not*
25 *later than 180 days after the date of the enactment*

1 of this Act, the Secretary of Defense shall enter into
2 a memorandum of understanding with the Secretary
3 of Energy to administer the joint program.

4 (3) *INFRASTRUCTURE.*—In carrying out the joint
5 program, the Secretary of Defense and the Secretary
6 of Energy shall—

7 (A) use existing test-bed infrastructure at—

8 (i) installations of the Department of
9 Defense; and

10 (ii) facilities of the Department of En-
11 ergy; and

12 (B) develop new infrastructure for identi-
13 fied projects, if appropriate.

14 (4) *GOALS AND METRICS.*—The Secretary of De-
15 fense and the Secretary of Energy shall develop goals
16 and metrics for technological progress under the joint
17 program consistent with energy resilience and energy
18 security policies.

19 (5) *SELECTION OF PROJECTS.*—

20 (A) *IN GENERAL.*—To the maximum extent
21 practicable, in selecting projects to participate in
22 the joint program, the Secretary of Defense and
23 the Secretary of Energy may—

24 (i) ensure that projects are carried out
25 under conditions that represent a variety of

1 *environments with different physical condi-*
2 *tions and market constraints; and*

3 *(ii) ensure an appropriate balance*
4 *of—*

5 *(I) larger, operationally-scaled*
6 *projects, adapting commercially-proven*
7 *technology that meets military service*
8 *defined requirements; and*

9 *(II) smaller, lower-cost projects.*

10 *(B) PRIORITY.—In carrying out the joint*
11 *program, the Secretary of Defense and the Sec-*
12 *retary of Energy shall give priority to dem-*
13 *onstration projects that—*

14 *(i) make available to the public project*
15 *information that will accelerate deployment*
16 *of long-duration energy storage technologies*
17 *that promote energy resiliency; and*

18 *(ii) will be carried out as field dem-*
19 *onstrations fully integrated into the instal-*
20 *lation grid at an operational scale.*

21 **SEC. 326. PILOT PROGRAM ON USE OF SUSTAINABLE AVIA-**
22 **TION FUEL.**

23 *(a) IN GENERAL.—The Secretary of Defense shall con-*
24 *duct a pilot program at two or more geographically diverse*

1 *Department of Defense facilities for the use of sustainable*
2 *aviation fuel. Such program shall be designed to—*

3 *(1) identify any logistical challenges with respect*
4 *to the use of sustainable aviation fuel by the Depart-*
5 *ment of Defense;*

6 *(2) promote understanding of the technical and*
7 *performance characteristics of sustainable aviation*
8 *fuel when used in a military setting; and*

9 *(3) engage nearby commercial airports to explore*
10 *opportunities and challenges to partner on increased*
11 *use of sustainable aviation fuel.*

12 *(b) SELECTION OF FACILITIES.—*

13 *(1) SELECTION.—Not later than one year after*
14 *the date of the enactment of this Act, the Secretary of*
15 *Defense shall select at least two geographically diverse*
16 *Department facilities at which to carry out the pilot*
17 *program. At least one such facility shall be a facility*
18 *with an onsite refinery that is located in proximity*
19 *to at least one major commercial airport that is also*
20 *actively seeking to increase the use of sustainable*
21 *aviation fuel.*

22 *(2) NOTICE TO CONGRESS.—Upon the selection*
23 *of each facility under paragraph (1), the Secretary*
24 *shall submit to the Committee on Armed Services and*
25 *the Committee on Transportation and Infrastructure*

1 *of the House of Representatives notice of the selection,*
2 *including an identification of the facility selected.*

3 *(c) USE OF SUSTAINABLE AVIATION FUEL.—*

4 *(1) PLANS.—For each facility selected under sub-*
5 *section (b), not later than one year after the selection*
6 *of the facility, the Secretary shall—*

7 *(A) develop a plan on how to implement, by*
8 *September 30, 2028, a target of exclusively using*
9 *at the facility aviation fuel that is blended to*
10 *contain at least 10 percent sustainable aviation*
11 *fuel;*

12 *(B) submit the plan to the Committee on*
13 *Armed Services and the Committee on Transpor-*
14 *tation and Infrastructure of the House of Rep-*
15 *resentatives; and*

16 *(C) provide to such Committees a briefing*
17 *on the plan that includes, at a minimum—*

18 *(i) a description of any operational,*
19 *infrastructure, or logistical requirements*
20 *and recommendations for the blending and*
21 *use of sustainable aviation fuel; and*

22 *(ii) a description of any stakeholder*
23 *engagement in the development of the plan,*
24 *including any consultations with nearby*
25 *commercial airport owners or operators.*

1 (2) *IMPLEMENTATION OF PLANS.*—*For each facil-*
2 *ity selected under subsection (b), during the period be-*
3 *ginning on a date that is not later than September*
4 *30, 2028, and for five years thereafter, the Secretary*
5 *shall require, in accordance with the respective plan*
6 *developed under paragraph (1), the exclusive use at*
7 *the facility of aviation fuel that is blended to contain*
8 *at least 10 percent sustainable aviation fuel.*

9 (d) *CRITERIA FOR SUSTAINABLE AVIATION FUEL.*—
10 *Sustainable aviation fuel used under the pilot program*
11 *shall meet the following criteria:*

12 (1) *Such fuel shall be produced in the United*
13 *States from non-agricultural and non-food-based do-*
14 *mestic feedstock sources.*

15 (2) *Such fuel shall constitute drop-in fuel that*
16 *meets all specifications and performance requirements*
17 *of the Department of Defense and the Armed Forces.*

18 (e) *WAIVER.*—*The Secretary may waive the use of sus-*
19 *tainable aviation fuel at a facility under the pilot program*
20 *if the Secretary—*

21 (1) *determines such use is not feasible due to a*
22 *lack of domestic availability of sustainable aviation*
23 *fuel or a national security contingency; and*

1 (2) *submits to the congressional defense commit-*
2 *tees notice of such waiver and the reasons for such*
3 *waiver.*

4 (f) *FINAL REPORT.*—*At the conclusion of the pilot pro-*
5 *gram, the Assistant Secretary of Defense for Energy, Instal-*
6 *lations, and Environment shall submit to the Committee*
7 *on Armed Services and the Committee on Transportation*
8 *and Infrastructure of the House of Representatives a final*
9 *report on the pilot program. Such report shall include each*
10 *of the following:*

11 (1) *An assessment of the effect of using sustain-*
12 *able aviation fuel on the overall fuel costs of blended*
13 *fuel.*

14 (2) *A description of any operational, infrastruc-*
15 *ture, or logistical requirements and recommendations*
16 *for the blending and use of sustainable aviation fuel,*
17 *with a focus on scaling up military-wide adoption of*
18 *such fuel.*

19 (3) *Recommendations with respect to how mili-*
20 *tary installations can leverage proximity to commer-*
21 *cial airports and other jet fuel consumers to increase*
22 *the rate of use of sustainable aviation fuel, for both*
23 *military and non-military use, including potential*
24 *collaboration on innovative financing or purchasing*
25 *and shared supply chain infrastructure.*

1 (4) *A description of the effects on performance*
2 *and operation aircraft using sustainable aviation fuel*
3 *including—*

4 (A) *if used, considerations of various blend-*
5 *ing ratios and their associated benefits;*

6 (B) *efficiency and distance improvements of*
7 *flights fuels using sustainable aviation fuel;*

8 (C) *weight savings on large transportation*
9 *aircraft and other types of aircraft with using*
10 *blended fuel with higher concentrations of sus-*
11 *tainable aviation fuel;*

12 (D) *maintenance benefits of using sustain-*
13 *able aviation fuel, including engine longevity;*

14 (E) *the effect of the use of sustainable avia-*
15 *tion fuel on emissions and air quality;*

16 (F) *the effect of the use of sustainable avia-*
17 *tion fuel on the environment and on surrounding*
18 *communities, including environmental justice*
19 *factors that are created by the demand for and*
20 *use of sustainable aviation fuel by the Depart-*
21 *ment of Defense; and*

22 (G) *benefits with respect to job creation in*
23 *the sustainable aviation fuel production and*
24 *supply chain.*

1 (g) *SUSTAINABLE AVIATION FUEL DEFINED.*—*In this*
2 *section, the term “sustainable aviation fuel” means liquid*
3 *fuel that—*

4 (1) *consists of synthesized hydrocarbon;*

5 (2) *meets the requirements of—*

6 (A) *ASTM International Standard D7566*

7 *(or such successor standard); or*

8 (B) *the co-processing provisions of ASTM*

9 *International Standard D1655, Annex A1 (or*

10 *such successor standard);*

11 (3) *is derived from biomass (as such term is de-*

12 *finied in section 45K(c)(3) of the Internal Revenue*

13 *Code of 1986), waste streams, renewable energy*

14 *sources, or gaseous carbon oxides;*

15 (4) *is not derived from palm fatty acid dis-*

16 *tillates; and*

17 (5) *conforms to the standards, recommended*

18 *practices, requirements and criteria, supporting docu-*

19 *ments, implementation elements, and any other tech-*

20 *anical guidance, for sustainable aviation fuels that are*

21 *adopted by the International Civil Aviation Organi-*

22 *zation with the agreement of the United States.*

1 **SEC. 327. JOINT DEPARTMENT OF DEFENSE AND DEPART-**
2 **MENT OF AGRICULTURE STUDY ON BIO-**
3 **REMEDIATION OF PFAS USING MYCOLOGICAL**
4 **ORGANIC MATTER.**

5 (a) *STUDY.*—*The Secretary of Defense, acting through*
6 *the Assistant Secretary of Defense for Energy, Installations,*
7 *and Environment, Strategic Environmental Research and*
8 *Development Program, and the Secretary of Agriculture,*
9 *acting through the Administrator of the Agricultural Re-*
10 *search Service, shall jointly carry out a study on the bio-*
11 *remediation of PFAS using mycological organic matter.*
12 *Such study shall commence not later than one year after*
13 *the date of the enactment of this Act.*

14 (b) *REPORT.*—*Not later than one year after the date*
15 *of the enactment of this Act, the Secretary of Defense and*
16 *the Secretary of Agriculture shall jointly submit to the Com-*
17 *mittee on Agriculture and the Committee on Armed Services*
18 *of the House or Representatives and the Committee on Agri-*
19 *culture, Forestry, and Nutrition and the Committee on*
20 *Armed Services of the Senate a report on the study con-*
21 *ducted pursuant to subsection (a).*

22 (c) *PFAS.*—*In this section, the term “PFAS” means*
23 *per- and polyfluoroalkyl substances.*

1 ***Subtitle C—Logistics and***
2 ***Sustainment***

3 ***SEC. 341. MITIGATION OF CONTESTED LOGISTICS CHAL-***
4 ***LENGES OF THE DEPARTMENT OF DEFENSE***
5 ***THROUGH REDUCTION OF OPERATIONAL EN-***
6 ***ERGY DEMAND.***

7 (a) *CLARIFICATION OF OPERATIONAL ENERGY RE-*
8 *SPONSIBILITIES.*—*Section 2926 of title 10, United States*
9 *Code, is amended—*

10 (1) *in subsection (a), by inserting “in contested*
11 *logistics environments” after “missions”; and*

12 (2) *in subsection (b)—*

13 (A) *in the heading, by striking “AUTHORI-*
14 *TIES” and inserting “RESPONSIBILITIES”;*

15 (B) *in the matter preceding paragraph (1),*
16 *by striking “may” and inserting “shall”;*

17 (C) *by amending paragraph (1) to read as*
18 *follows:*

19 “(1) *require the Secretaries concerned and the*
20 *commanders of the combatant commands to assess the*
21 *energy supportability in contested logistics environ-*
22 *ments of systems, capabilities, and plans;”;*

23 (D) *in paragraph (2), by inserting “*
24 *supportability in contested logistics environ-*
25 *ments,” after “power,”; and*

1 (E) in paragraph (3), by inserting “in con-
2 tested logistics environments” after
3 “vulnerabilities”.

4 (b) *ESTABLISHMENT OF WORKING GROUP.*—Such sec-
5 tion is further amended—

6 (1) in subsection (c)—

7 (A) in the matter preceding paragraph (1),
8 by inserting “ and in coordination with the
9 working group under subsection (d)” after “com-
10 ponents”;

11 (B) in paragraph (1), by striking “Defense
12 and oversee” and inserting “Defense, including
13 the activities of the working group established
14 under subsection (d), and oversee”;

15 (C) in paragraph (2), by inserting “, taking
16 into account the findings of the working group
17 under subsection (d)” after “Defense”; and

18 (D) paragraph (3), by inserting “, taking
19 into account the findings of the working group
20 under subsection (d)” after “resilience”;

21 (2) by redesignating subsections (d) through (f)
22 as subsections (e) through (g), respectively;

23 (3) by inserting after subsection (c), as amended
24 by paragraph (1), the following new subsection:

1 “(d) *WORKING GROUP.*—(1) *The Secretary of Defense*
2 *shall establish a working group to integrate efforts to miti-*
3 *gate contested logistics challenges through the reduction of*
4 *operational energy demand that are carried out within each*
5 *armed force, across the armed forces, and with the Office*
6 *of the Secretary of Defense and to conduct other coordinated*
7 *functions relating to such efforts.*

8 “(2) *The head of the working group under paragraph*
9 *(1) shall be the Assistant Secretary of Defense for Energy,*
10 *Installations, and Environment. The Assistant Secretary*
11 *shall supervise the members of the working group and pro-*
12 *vide guidance to such members with respect to specific oper-*
13 *ational energy plans and programs to be carried out pursu-*
14 *ant to the strategy under subsection (e).*

15 “(3) *The members of the working group under para-*
16 *graph (1) shall be appointed as follows:*

17 “(A) *A senior official of each armed force, who*
18 *shall be nominated by the Secretary concerned and*
19 *confirmed by the Senate to represent such armed*
20 *force.*

21 “(B) *A senior official from each geographic and*
22 *functional combatant command, who shall be ap-*
23 *pointed by the commander of the respective combatant*
24 *command to represent such combatant command.*

1 “(C) *A senior official under the jurisdiction of*
2 *the Chairman of the Joint Chiefs of Staff, who shall*
3 *be appointed by the Chairman to represent the Joint*
4 *Chiefs of Staff and the Joint Staff.*

5 “(4) *Each member of the working group shall be re-*
6 *sponsible for carrying out operational energy plans and*
7 *programs and implementing coordinated initiatives pursu-*
8 *ant to the strategy under subsection (e) for the respective*
9 *component of the Department that the member represents.*

10 “(5) *The duties of the working group under paragraph*
11 *(1) shall be as follows:*

12 “(A) *Planning for the integration of efforts to*
13 *mitigate contested logistics challenges through the re-*
14 *duction of operational energy demand carried out*
15 *within each armed force, across the armed forces, and*
16 *with the Office of the Secretary of Defense.*

17 “(B) *Developing recommendations regarding the*
18 *strategy for operational energy under subsection (e).*

19 “(C) *Developing recommendations relating to the*
20 *development of, and modernization efforts for, plat-*
21 *forms and weapons systems of the armed forces.*

22 “(D) *Developing recommendations to ensure that*
23 *such development and modernization efforts lead to*
24 *increased lethality, extended range, and extended on-*
25 *station time for tactical assets.*

1 “(E) *Developing recommendations to mitigate*
2 *the effects of hostile action by a near-peer adversary*
3 *targeting operational energy storage and operations of*
4 *the armed forces, including through the use of innova-*
5 *tive delivery systems, distributed storage, flexible con-*
6 *tracting, and improved automation.”; and*

7 (4) *in subsection (g), as redesignated by para-*
8 *graph (2)—*

9 (A) *in paragraph (1)—*

10 (i) *by striking “The Secretary of a*
11 *military department” and inserting “Each*
12 *member of the working group under sub-*
13 *section (d)”;* and

14 (ii) *by striking “conducted by the mili-*
15 *tary department” and inserting “conducted*
16 *by the respective component of the Depart-*
17 *ment that the member represents for pur-*
18 *poses of the working group”;* and

19 (B) *in paragraph (2), by striking “military*
20 *department” and inserting “armed force”.*

21 (c) *MODIFICATIONS TO OPERATIONAL ENERGY STRAT-*
22 *EGY.—Subsection (e) of such section, as redesignated by*
23 *subsection (b)(2), is amended to read as follows:*

24 “(1) *The Assistant Secretary of Defense for Energy,*
25 *Installations, and Environment, in coordination with the*

1 *working group under subsection (d), shall be responsible for*
2 *the establishment and maintenance of a department-wide*
3 *transformational strategy for operational energy. The strat-*
4 *egy shall be updated every five years and shall establish*
5 *near-term, mid-term, and long-term goals, performance*
6 *metrics to measure progress in meeting the goals, and a*
7 *plan for implementation of the strategy within each armed*
8 *force, across the armed forces, and with the Office of the*
9 *Secretary of Defense.*

10 “(2) *The strategy required under paragraph (1) shall*
11 *include the following:*

12 “(A) *A plan to integrate efforts to mitigate con-*
13 *tested logistics challenges through the reduction of*
14 *operational energy demand within each armed force.*

15 “(B) *An assessment of how industry trends*
16 *transitioning from the production of internal combus-*
17 *tion engines to the development and production of al-*
18 *ternative propulsion systems may affect the long-term*
19 *availability of parts for military equipment, the fuel*
20 *costs for such equipment, and the sustainability of*
21 *such equipment.*

22 “(C) *An assessment of any fossil fuel reduction*
23 *technologies, including electric, hydrogen, or other*
24 *sustainable fuel technologies, that may reduce oper-*
25 *ational energy demand in the near-term or long-term.*

1 “(D) *An assessment of any risks or opportunities*
2 *related to the development of tactical vehicles or other*
3 *military equipment that use alternative propulsion*
4 *systems, including any such risks or opportunities*
5 *with respect the supply chain or resupply capabilities*
6 *of the armed forces or the congruence of such systems*
7 *with the systems used by allies of the United States.*

8 “(E) *An assessment of how the Secretaries con-*
9 *cerned and the commanders of the combatant com-*
10 *mands can better plan for challenges presented by*
11 *near-peer adversaries in a contested logistics environ-*
12 *ment, including through innovative delivery systems,*
13 *distributed storage, flexible contracting, and improved*
14 *automation.*

15 “(F) *An assessment of any infrastructure invest-*
16 *ments of allied and partner countries that may affect*
17 *operational energy availability in the event of a con-*
18 *flict with a near-peer adversary.*

19 “(3) *By authority of the Secretary of Defense, and tak-*
20 *ing into consideration the findings of the working group,*
21 *the Assistant Secretary shall prescribe policies and proce-*
22 *dures for the implementation of the strategy and make rec-*
23 *ommendations to the Secretary of Defense and Deputy Sec-*
24 *retary of Defense with respect to specific operational energy*

1 *plans and programs to be carried out pursuant to the strat-*
2 *egy.*

3 “(4) *Not later than 30 days after the date on which*
4 *the budget for fiscal year 2024 is submitted to Congress pur-*
5 *suant to section 1105 of title 31, and every five years there-*
6 *after, the Assistant Secretary shall submit to the congres-*
7 *sional defense committees the strategy required under para-*
8 *graph (1).”*

9 (d) *DEFINITIONS.—Such section is further amended by*
10 *adding at the end the following new subsection:*

11 “(h) *DEFINITIONS.—In this section:*

12 “(1) *The term ‘contested logistics environment’*
13 *means an environment in which the armed forces en-*
14 *gage in conflict with an adversary that presents chal-*
15 *lenges in all domains and directly targets logistics op-*
16 *erations, facilities, and activities in the United*
17 *States, abroad, or in transit from one location to the*
18 *other.*

19 “(2) *The term ‘tactical vehicle’ means a vehicle*
20 *owned by the Department of Defense or the armed*
21 *forces and used in combat, combat support, combat*
22 *service support, tactical, or relief operations, or in*
23 *training for such operations.”*

1 (e) *CONFORMING AMENDMENT.*—Section 2926(c)(5) of
2 title 10, United States Code, is amended by striking “sub-
3 section (e)(4)” and inserting “subsection (f)(4)”.

4 (f) *INTERIM REPORT.*—Not later than 180 days after
5 the date of the enactment of this Act, the Assistant Secretary
6 of Defense for Energy, Installations, and Environment shall
7 submit to the congressional defense committees an interim
8 report on any actions taken pursuant to the amendments
9 made by this section. Such report shall include an update
10 regarding the establishment of the working group under sec-
11 tion 2926(d) of title 10, United States Code, as amended
12 by subsection (b).

13 **SEC. 342. GLOBAL BULK FUEL MANAGEMENT AND DELIV-**
14 **ERY.**

15 (a) *DESIGNATION OF RESPONSIBLE COMBATANT COM-*
16 *MAND.*—

17 (1) *DESIGNATION REQUIRED.*—Subchapter III of
18 chapter 173 of title 10, United States Code, is amend-
19 ed by adding at the end the following new section:

20 **“§ 2927. Global bulk fuel management and delivery**

21 “The Secretary of Defense shall designate a combatant
22 command to be responsible for bulk fuel management and
23 delivery of the Department on a global basis.”

1 (2) *CLERICAL AMENDMENT.*—*The table of con-*
2 *tents for such subchapter is amended by adding at the*
3 *end the following new item:*

“2927. Global bulk fuel management and delivery.”.

4 (3) *DEADLINE FOR DESIGNATION; NOTICE.*—*Not*
5 *later than 30 days after the date of the enactment of*
6 *this Act, the Secretary of Defense shall—*

7 (A) *make the designation required under*
8 *section 2927 of title 10, United States Code (as*
9 *added by paragraph (1)); and*

10 (B) *provide to the Committees on Armed*
11 *Services of the Senate and the House of Rep-*
12 *resentatives notice of the combatant command so*
13 *designated.*

14 (b) *GLOBAL BULK FUEL MANAGEMENT STRATEGY.*—

15 (1) *STRATEGY REQUIRED.*—*The commander of*
16 *the combatant command designated under section*
17 *2927 of title 10, United States Code (as added by sub-*
18 *section (a)), shall prepare and submit to the congres-*
19 *sional defense committees a strategy to develop the in-*
20 *frastructure and programs necessary to optimally*
21 *support global bulk fuel management of the Depart-*
22 *ment of Defense.*

23 (2) *ADDITIONAL ELEMENTS.*—*The strategy under*
24 *paragraph (1) shall include the following additional*
25 *elements:*

1 (A) A description of the current organiza-
2 tional responsibility for bulk fuel management of
3 the Department, organized by geographic com-
4 batant command, including with respect to or-
5 dering, storage, and strategic and tactical trans-
6 portation.

7 (B) A description of any legacy bulk fuel
8 management assets of each of the geographic
9 combatant commands.

10 (C) A description of the operational plan to
11 exercise such assets to ensure full functionality
12 and to repair, upgrade, or replace such assets as
13 necessary.

14 (D) An identification of the resources re-
15 quired for any such repairs, upgrades, or re-
16 placements.

17 (E) A description of the current programs
18 relating to platforms, weapon systems, or re-
19 search and development, that are aimed at man-
20 aging fuel constraints by decreasing demand for
21 fuel.

22 (F) An assessment of current and projected
23 threats to forward-based bulk fuel delivery, stor-
24 age, and distribution systems, and an assess-
25 ment, based on such current and projected

1 *threats, of attrition to bulk fuel infrastructure,*
2 *including storage and distribution systems, in a*
3 *conflict involving near-peer foreign countries.*

4 *(G) An assessment of current days of supply*
5 *guidance, petroleum war reserve requirements,*
6 *and prepositioned war reserve stocks, based on*
7 *operational tempo associated with distributed*
8 *operations in a contested environment.*

9 *(H) An identification of the resources re-*
10 *quired to address any changes to such guidance,*
11 *requirements, or stocks recommended as the re-*
12 *sult of such assessment.*

13 *(I) An identification of any global shortfall*
14 *with respect to bulk fuel management, organized*
15 *by geographic combatant command, and a*
16 *prioritized list of investment recommendations to*
17 *address each shortfall identified.*

18 *(3) COORDINATION.—In preparing the strategy*
19 *under paragraph (1), the commander of the combat-*
20 *ant command specified in such paragraph shall co-*
21 *ordinate with subject matter experts of the Joint*
22 *Staff, the geographic combatant commands, the*
23 *United States Transportation Command, the Defense*
24 *Logistics Agency, and the military departments.*

1 (c) *LIMITATION ON AVAILABILITY OF FUNDS FOR DE-*
2 *FENSE LOGISTICS AGENCY (ENERGY).*—Of the funds au-
3 *thorized to be appropriated by this Act or otherwise made*
4 *available for fiscal year 2022 for the Defense Logistics*
5 *Agency (Energy), not more than 50 percent may be obli-*
6 *gated or expended before the date on which the notice under*
7 *subsection (a)(3)(B) is provided.*

8 (d) *CONFORMING AMENDMENTS.*—Section 2854 of the
9 *Military Construction Authorization Act for Fiscal Year*
10 *2021 (Public Law 116–283) is amended—*

11 (1) *in subsection (b), by striking “The organiza-*
12 *tional element designated pursuant to subsection (a)”*
13 *and inserting “The Secretary of Defense”;*

14 (2) *in subsection (c), by striking “subsection (b)”*
15 *and inserting “subsection (a)”;*

16 (3) *by striking subsections (a) and (d); and*

17 (4) *by redesignating subsections (b) and (c), as*
18 *amended by paragraphs (1) and (2), as subsections*
19 *(a) and (b), respectively.*

20 **SEC. 343. COMPTROLLER GENERAL ANNUAL REVIEWS OF F-**
21 **35 SUSTAINMENT EFFORTS.**

22 (a) *ANNUAL REVIEWS AND BRIEFINGS.*—Not later
23 *than March 1 of each year of 2022, 2023, 2024, and 2025,*
24 *the Comptroller General of the United States shall—*

1 (1) *conduct an annual review of the sustainment*
2 *efforts of the Department of Defense with respect to*
3 *the F-35 aircraft program (including the air vehicle*
4 *and propulsion elements of such program); and*

5 (2) *provide to the Committee on Armed Services*
6 *of the House of Representatives a briefing on such re-*
7 *view, including any findings of the Comptroller Gen-*
8 *eral as a result of such review.*

9 (b) *ELEMENTS.—Each review under subsection (a)(1)*
10 *shall include an assessment of the following:*

11 (1) *The status of the sustainment strategy of the*
12 *Department for the F-35 Lightning II aircraft pro-*
13 *gram.*

14 (2) *The Department oversight and prime con-*
15 *tractor management of key sustainment functions*
16 *with respect to the F-35 aircraft program.*

17 (3) *The ability of the Department to reduce the*
18 *costs, or otherwise maintain the affordability, of the*
19 *sustainment of the F-35 fleet.*

20 (4) *Any other matters regarding the sustainment*
21 *or affordability of the F-35 aircraft program that the*
22 *Comptroller General determines to be of critical im-*
23 *portance to the long-term viability of such program.*

24 (c) *REPORTS.—Following the provision of each brief-*
25 *ing under subsection (a)(2), at such time as is mutually*

1 *agreed upon by the Committee on Armed Services of the*
2 *House of Representatives and the Comptroller General, the*
3 *Comptroller General shall submit to such committee a re-*
4 *port on the matters covered by the briefing.*

5 **SEC. 344. PILOT PROGRAM ON BIOBASED CORROSION CON-**
6 **TROL AND MITIGATION.**

7 (a) *PILOT PROGRAM.*—*Not later than 120 days after*
8 *the date of the enactment of this Act, the Secretary of De-*
9 *fense shall commence a one-year pilot program to test and*
10 *evaluate the use of covered biobased solutions as alternatives*
11 *to current solutions for the control and mitigation of corro-*
12 *sion.*

13 (b) *SELECTION.*—*In carrying out the pilot program*
14 *under subsection (a), the Secretary shall select for test and*
15 *evaluation under the pilot program at least one existing*
16 *covered biobased solution.*

17 (c) *TEST AND EVALUATION.*—*Following the test and*
18 *evaluation of a covered biobased solution under the pilot*
19 *program, the Secretary shall determine, based on such test*
20 *and evaluation, whether the solution meets the following re-*
21 *quirements:*

22 (1) *The solution is capable of being produced do-*
23 *mestically.*

1 (2) *The solution is at least as effective at the*
2 *control and mitigation of corrosion as current alter-*
3 *native solutions.*

4 (3) *The solution reduces environmental expo-*
5 *sures.*

6 (d) *RECOMMENDATIONS.*—*Upon termination of the*
7 *pilot program under subsection (a), the Secretary shall de-*
8 *velop recommendations for the Department of Defense-wide*
9 *deployment of covered biobased solutions that the Secretary*
10 *has determined meet the requirements under subsection (c).*

11 (e) *COVERED BIOBASED SOLUTION DEFINED.*—*In this*
12 *section, the term “covered biobased solution” means a solu-*
13 *tion for the control and mitigation of corrosion that is do-*
14 *mestically produced, commercial, and biobased.*

15 **SEC. 345. PILOT PROGRAM ON DIGITAL OPTIMIZATION OF**
16 **ORGANIC INDUSTRIAL BASE MAINTENANCE**
17 **AND REPAIR OPERATIONS.**

18 (a) *IN GENERAL.*—*Beginning not later than 180 days*
19 *after the date of the enactment of this Act, The Secretary*
20 *of the Defense shall initiate a pilot program under which*
21 *the Secretary shall provide for the digitization of the facili-*
22 *ties and operations of at least one covered depot.*

23 (b) *ELEMENTS OF PILOT PROGRAM.*—*In carrying out*
24 *the pilot program under this section, the Secretary shall*

1 *provide for each of the following at the covered depot or*
2 *depots at which the Secretary carries out the program:*

3 (1) *The delivery of a digital twin model of the*
4 *maintenance, repair, and remanufacturing infra-*
5 *structure and activities.*

6 (2) *The modeling and simulation of optimized*
7 *facility configuration, logistics systems, and processes.*

8 (3) *The analysis of material flow and resource*
9 *use to achieve key performance metrics for all levels*
10 *of maintenance and repair.*

11 (4) *An assessment of automated, advanced, and*
12 *additive manufacturing technologies that could im-*
13 *prove maintenance, repair, and remanufacturing op-*
14 *erations.*

15 (5) *The identification of investments necessary to*
16 *achieve the efficiencies identified by the digital twin*
17 *model required under paragraph (1).*

18 (c) *REPORT.*—*Not later than 60 days after the comple-*
19 *tion of the digital twin model and associated analysis, the*
20 *Secretary of Defense shall submit to the Committees on*
21 *Armed Services of the Senate and the House of Representa-*
22 *tives a report on the pilot program. Such report shall in-*
23 *clude—*

24 (1) *a description of the efficiencies identified*
25 *under the pilot program;*

1 (2) *a description of the infrastructure, workforce,*
2 *and capital equipment investments necessary to*
3 *achieve such efficiencies;*

4 (3) *the plan of the Secretary to undertake such*
5 *investments; and*

6 (4) *the assessment of the Secretary of the poten-*
7 *tial applicability of the findings of the pilot program*
8 *to other covered depots.*

9 (d) *COVERED DEPOT DEFINED.*—*In this section, the*
10 *term “covered depot” includes any depot covered under sec-*
11 *tion 2476(e) of title 10, United States Code, except for the*
12 *following:*

13 (1) *Portsmouth Naval Shipyard, Maine.*

14 (2) *Pearl Harbor Naval Shipyard, Hawaii.*

15 (3) *Puget Sound Naval Shipyard, Washington.*

16 (4) *Norfolk Naval Shipyard, Virginia.*

17 **SEC. 346. PILOT PROGRAM ON IMPLEMENTATION OF MITI-**
18 **GATING ACTIONS TO ADDRESS**
19 **VULNERABILITIES TO CRITICAL DEFENSE FA-**
20 **CILITIES AND ASSOCIATED DEFENSE CRIT-**
21 **ICAL ELECTRIC INFRASTRUCTURE.**

22 (a) *TWO-YEAR PILOT AUTHORIZED.*—

23 (1) *IN GENERAL.*—*The Secretary of Defense, in*
24 *coordination with the Secretary of Energy, the Secre-*
25 *taries of each of the military departments, and the*

1 *Secretary of the department in which the Coast*
2 *Guard is operating, shall carry out a two-year pilot*
3 *program under which the Secretary shall implement*
4 *mitigating actions to address vulnerabilities assessed*
5 *under section 215A of the Federal Power Act (16*
6 *U.S.C. 8240–1) at critical defense facilities and their*
7 *associated defense critical electric infrastructure, after*
8 *consultation with, and with the consent of, the owners*
9 *of such facilities and infrastructure.*

10 (2) *USE OF GRANT AUTHORITY.—In carrying*
11 *out the pilot program, the Secretary of Defense may*
12 *make grants, enter into cooperative agreements, and*
13 *supplement funds available under Federal programs*
14 *administered by agencies other than the Department*
15 *of Defense to support mitigating actions under this*
16 *section.*

17 (b) *SELECTION OF INSTALLATIONS.—The Secretary of*
18 *Defense shall select at least three military installations des-*
19 *ignated as critical defense facilities at which to carry out*
20 *the pilot program under this section. In selecting such in-*
21 *stallations, the Secretary shall—*

22 (1) *ensure that at least one of the military in-*
23 *stallations selected is an installation of each of Armed*
24 *Forces;*

1 (2) *select installations that represent different*
2 *challenges or severities with respect to electric infra-*
3 *structure vulnerability;*

4 (3) *select at least one critical defense facility*
5 *within the service territory of a Power Marketing Ad-*
6 *ministration;*

7 (4) *provide particular consideration for critical*
8 *defense facilities and the associated defense critical*
9 *electric infrastructure that use rural cooperatives or*
10 *municipal entities for their electricity needs; and*

11 (5) *provide particular consideration for critical*
12 *defense facilities and defense critical electric infra-*
13 *structure that have completed an assessment of*
14 *vulnerabilities and resilience requirements in coordi-*
15 *nation with the Secretary of Defense and the Sec-*
16 *retary of Energy.*

17 (c) *COMPTROLLER GENERAL REVIEW.—*

18 (1) *IN GENERAL.—Not later than two years after*
19 *the date of the enactment of this Act, the Comptroller*
20 *General of the United States shall—*

21 (A) *conduct a review of the pilot program*
22 *under this section; and*

23 (B) *submit to the appropriate congressional*
24 *committees a report on the results of the review.*

1 (2) *CONTENTS.*—*The review required under this*
2 *subsection shall include an assessment of the effective-*
3 *ness of the mitigating actions taken under the pilot*
4 *program and the feasibility of expanding the imple-*
5 *mentation of such mitigating actions at other instal-*
6 *lations identified under section 215A(a)(4) of the Fed-*
7 *eral Power Act (16 U.S.C. 8240–1(a)(4)).*

8 (d) *DEFINITIONS.*—*In this section:*

9 (1) *The term “appropriate congressional com-*
10 *mittees” means—*

11 (A) *the Committee on Armed Services and*
12 *the Committee on Energy and Commerce of the*
13 *House of Representatives; and*

14 (B) *the Committee on Armed Services and*
15 *the Committee on Energy and Natural Resources*
16 *of the Senate.*

17 (2) *The term “defense critical electric infrastruc-*
18 *ture” has the meaning given such term under section*
19 *215A(a)(4) of the Federal Power Act (16 U.S.C.*
20 *8240–1(a)(4)).*

21 (3) *The term “critical defense facility” means a*
22 *facility designated as a critical defense facility under*
23 *section 215A(c) of the Federal Power Act (16 U.S.C.*
24 *8240–1(c)).*

1 (4) *The term “mitigating action” means any en-*
2 *ergy resiliency solution applied that is consistent with*
3 *an assessed strategy to reduce vulnerabilities at crit-*
4 *ical defense facilities and associated defense critical*
5 *electric infrastructure.*

6 **SEC. 347. REPORT AND CERTIFICATION REQUIREMENTS RE-**
7 **GARDING SUSTAINMENT COSTS FOR F-35 AIR-**
8 **CRAFT PROGRAM.**

9 (a) *REPORT.*—*Not later than March 1, 2022, the Sec-*
10 *retary of Defense shall submit to the congressional defense*
11 *committees a report on sustainment costs for the F-35 air-*
12 *craft program. Such report shall include the following:*

13 (1) *A detailed description and explanation of,*
14 *and the actual cost data related to, sustainment costs*
15 *for the F-35 aircraft program, including an identi-*
16 *fication and assessment of cost elements attributable*
17 *to the Federal Government or to contractors*
18 *(disaggregated by the entity responsible for each por-*
19 *tion of the cost element, including at the prime con-*
20 *tractor and major subcontractor levels) with respect to*
21 *such sustainment costs.*

22 (2) *An identification of the affordability targets*
23 *of the Air Force, Navy, and Marine Corps, respec-*
24 *tively, for sustainment costs for the F-35 aircraft*
25 *program (expressed in cost per tail per year format*

1 *and disaggregated by aircraft variant) for the fol-*
2 *lowing years:*

3 *(A) With respect to the affordability target*
4 *of the Air Force, for the year in which the Sec-*
5 *retary of the Air Force completes the procure-*
6 *ment of the program of record number of F-35*
7 *aircraft for the Air Force.*

8 *(B) With respect to the affordability target*
9 *of the Navy, for the year in which the Secretary*
10 *of the Navy completes the procurement of the*
11 *program of record number of F-35 aircraft for*
12 *the Navy; and*

13 *(C) With respect to the affordability target*
14 *of the Marine Corps, for the year in which the*
15 *Secretary of the Navy completes the procurement*
16 *of the program of record number of F-35 air-*
17 *craft for the Marine Corps.*

18 *(3) A detailed plan for the reduction of*
19 *sustainment costs for the F-35 aircraft program to*
20 *achieve the affordability targets specified in para-*
21 *graph (2), including a plan for contractors to reduce*
22 *their portion of such sustainment costs.*

23 *(4) An identification of sustainment cost metrics*
24 *for the F-35 aircraft program for each of fiscal years*

1 2022 through 2026, expressed in cost per tail per year
2 format.

3 (b) *ANNUAL CERTIFICATION.*—

4 (1) *CERTIFICATIONS.*—Not later than December
5 31 of each of the years 2022 through 2026, the Sec-
6 retary of Defense shall submit to the congressional de-
7 fense committees a certification indicating whether
8 the F-35 aircraft program met the sustainment cost
9 metrics identified pursuant to subsection (a)(4) with
10 respect to the fiscal year for which the report is sub-
11 mitted.

12 (2) *JUSTIFICATION.*—If a certification under
13 paragraph (1) indicates that the sustainment cost
14 metrics for the respective year were not met, the Sec-
15 retary shall submit to the congressional defense com-
16 mittees a detailed justification for the outcome.

17 (c) *LIMITATION ON CERTAIN CONTRACTS.*—The Sec-
18 retary of Defense may not enter into a performance-based
19 logistics contract for the sustainment of the F-35 aircraft
20 program until the Secretary submits to the congressional
21 defense committees a certification that—

22 (1) the F-35 aircraft program has met the
23 sustainment cost metrics identified pursuant to sub-
24 section (a)(4) for two consecutive fiscal years, as indi-

1 cated by two consecutive certifications submitted
2 under subsection (b)(1); and

3 (2) the Secretary has determined that such a
4 performance-based logistics contract will further re-
5 duce sustainment costs for the F-35 aircraft program.

6 (d) *COST PER TAIL PER YEAR DEFINED.*—In this sec-
7 tion, the term “cost per tail per year” means the average
8 annual operating and support cost (as estimated pursuant
9 to a formula determined by the Secretary) per aircraft.

10 ***Subtitle D—Risk Mitigation and***
11 ***Safety Improvement***

12 ***SEC. 351. TREATMENT OF NOTICE OF PRESUMED RISK***
13 ***ISSUED BY MILITARY AVIATION AND INSTAL-***
14 ***LATION ASSURANCE CLEARINGHOUSE FOR***
15 ***REVIEW OF MISSION OBSTRUCTIONS.***

16 *Subparagraph (B) of paragraph (2) of subsection (C)*
17 *of section 183a of title 10, United States Code, is amended*
18 *to read as follows:*

19 “(B) A notice of presumed risk issued pursuant to sub-
20 paragraph (A) is a preliminary assessment only and is not
21 a finding of unacceptable risk under subsection (e). A dis-
22 cussion of mitigation actions could resolve the concerns
23 identified by the Department in the preliminary assessment
24 in favor of the applicant.”

1 **SEC. 352. ESTABLISHMENT OF JOINT SAFETY COUNCIL.**

2 (a) *IN GENERAL.*—Chapter 7 of title 10, United States
3 Code, is amended by inserting after section 183a the fol-
4 lowing new section:

5 **“§ 184. Joint Safety Council**

6 “(a) *IN GENERAL.*—There is established, within the
7 Office of the Deputy Secretary of Defense, a Joint Safety
8 Council (in this section referred to as the ‘Council’).

9 “(b) *COMPOSITION; APPOINTMENT; COMPENSATION.*—
10 (1) *The Council shall include the following voting members:*

11 “(A) *The Vice Chief of Staff of the Army.*

12 “(B) *The Vice Chief of Staff of the Air Force.*

13 “(C) *The Vice Chief of Naval Operations.*

14 “(D) *The Assistant Commandant of the Marine*
15 *Corps.*

16 “(E) *The Vice Chief of Space Operations.*

17 “(F) *A member of the Senior Executive Service*
18 *from the Office of the Under Secretary of Defense for*
19 *Personnel and Readiness, appointed by the Deputy*
20 *Secretary of Defense.*

21 “(G) *A member of the Senior Executive Service*
22 *from the Office of the Under Secretary for Research*
23 *and Engineering, appointed by the Deputy Secretary*
24 *of Defense.*

25 “(H) *A member of the Senior Executive Service*
26 *from the Office of the Under Secretary for Acquisition*

1 *and Sustainment, appointed by the Deputy Secretary*
2 *of Defense.*

3 “(2) *The Council shall include the following non-voting*
4 *members:*

5 “(A) *The Director of Safety for the Department*
6 *of the Army, who shall be appointed by the Secretary*
7 *of the Army.*

8 “(B) *The Director of Safety for the Department*
9 *of the Air Force, who shall be appointed by the Sec-*
10 *retary of the Air Force.*

11 “(C) *The Director of Safety for the Department*
12 *of the Navy, who shall be appointed by the Secretary*
13 *of the Navy.*

14 “(D) *The Deputy Assistant Secretary of Defense*
15 *for Force Safety and Occupational Health, appointed*
16 *by the Deputy Secretary of Defense as the Executive*
17 *Secretary.*

18 “(3)(A) *Members of the Council serve at the will of the*
19 *official who appointed them.*

20 “(B) *Vacancies on the Council shall be filled in the*
21 *same manner as the original appointment.*

22 “(4) *Members of the Council may not receive addi-*
23 *tional pay, allowances, or benefits by reason of their service*
24 *on the Council.*

1 “(c) *CHAIR AND VICE CHAIR.*—(1) *The Secretary of*
2 *Defense, or the Secretary’s designee, shall select one of the*
3 *members of the Council who is a member of the armed forces*
4 *to serve as Chair of the Council. Unless earlier removed,*
5 *the Chair shall serve for a term of two years. The Chair*
6 *shall serve as the Director of Operational and Training*
7 *Safety for the Department of Defense.*

8 “(2) *The Vice Chair shall be a person appointed under*
9 *subsection (b) who is a member of the Senior Executive*
10 *Service. The Vice Chair shall report to the Chair and shall*
11 *serve as Chair in his or her absence.*

12 “(d) *STAFF.*—(1) *The Council may appoint staff in*
13 *accordance with section 3101 of title 5.*

14 “(2) *The Council may accept persons on detail from*
15 *within the Department of Defense and from other Federal*
16 *departments or agencies on a reimbursable or non-reim-*
17 *bursable basis.*

18 “(e) *CONTRACT AUTHORITY.*—*The Council may enter*
19 *into contracts for the acquisition of administrative supplies,*
20 *equipment, and personnel services for use by the Council,*
21 *to the extent that funds are available for such purposes.*

22 “(f) *PROCUREMENT OF TEMPORARY AND INTERMIT-*
23 *TENT SERVICES.*—*The Chair may procure temporary and*
24 *intermittent services under section 3109(b) of title 5 at rates*
25 *for individuals which do not exceed the daily equivalent of*

1 *the annual rate of basic pay prescribed for level V of the*
2 *Executive Schedule under section 5316 of such title.*

3 “(g) *DATA COLLECTION.—(1) Under regulations*
4 *issued by the Secretary of Defense, the Council shall have*
5 *access to Department of Defense databases necessary to*
6 *carry out its responsibilities, including causal factors to be*
7 *used for mishap reduction purposes.*

8 “(2) *Under regulations issued by the Secretary of De-*
9 *fense, the Council may enter into agreements with the Fed-*
10 *eral Aviation Administration, the National Transportation*
11 *Safety Board, and any other Federal agency regarding the*
12 *sharing of safety data.*

13 “(h) *MEETINGS.—The Council shall meet quarterly*
14 *and at the call of the Chair.*

15 “(i) *DUTIES.—The Council shall carry out the fol-*
16 *lowing responsibilities:*

17 “(1) *Subject to subsection (j), issuing, pub-*
18 *lishing, and updating regulations related to joint*
19 *safety, including regulations on the reporting and in-*
20 *vestigation of mishaps.*

21 “(2) *Establishing uniform data collection stand-*
22 *ards, a centralized collection system for mishaps in*
23 *the Department of Defense, and a process for safe-*
24 *guarding sensitive data and information where ap-*
25 *propriate.*

1 “(3) *Reviewing the compliance of each military*
2 *department in adopting and using the uniform data*
3 *collection standards established under paragraph (2).*

4 “(4) *Reviewing mishap data to assess, identify,*
5 *and prioritize risk mitigation efforts and safety im-*
6 *provement efforts across the Department.*

7 “(5) *Establishing standards and requirements*
8 *for the collection of equipment, simulator, training,*
9 *pilot, and operator data.*

10 “(6) *Establishing requirements for each military*
11 *department to collect and analyze any waivers issued*
12 *relating to pilot or operator qualifications or stand-*
13 *ards.*

14 “(7) *Establishing, in consultation with the heads*
15 *of other Federal departments and agencies, as appro-*
16 *priate, a requirement for each military department to*
17 *implement a safety management system.*

18 “(8) *Reviewing the safety management system of*
19 *each military department and the implementation of*
20 *such systems.*

21 “(9) *Reviewing and assessing civilian and com-*
22 *mmercial safety programs and practices to determine*
23 *the suitability of such programs for implementation*
24 *in the Department.*

1 “(10) *Establishing a requirement for each mili-*
2 *tary department to implement a system to monitor*
3 *recommendations made in safety and legal investiga-*
4 *tion reports to ensure implementation of corrective*
5 *actions.*

6 “(11) *Reviewing and providing feedback on the*
7 *investments of the military departments in techno-*
8 *logical solutions for safety and mishap prevention.*

9 “(j) *REVIEW.—The decisions and recommendations of*
10 *the Council are subject to review and approval by the Dep-*
11 *uty Secretary of Defense.*

12 “(k) *REPORT.—The Chair of the Council shall submit*
13 *to the congressional defense committees semi-annual reports*
14 *on the activities of the Council.”.*

15 “(b) *CLERICAL AMENDMENT.—The table of sections at*
16 *the beginning of such chapter is amended by inserting after*
17 *the item relating to section 183a the following new item:*
 “184. Joint Safety Council.”.

18 **SEC. 353. MISHAP INVESTIGATION REVIEW BOARD.**

19 “(a) *PROPOSAL FOR ESTABLISHMENT OF BOARD.—The*
20 *Deputy Secretary of Defense shall develop a proposal for*
21 *the establishment of a Mishap Investigation Review Board*
22 *(in this section referred to as the “Board”) to provide inde-*
23 *pendent oversight and review of safety and legal investiga-*
24 *tions into the facts and circumstances surrounding oper-*

1 *ational and training mishaps. The proposal shall include*
2 *recommendations relating to—*

3 *(1) the size and composition of the Board;*

4 *(2) the process by which the Board would screen*
5 *mishap investigations to identify unsatisfactory, bi-*
6 *ased, incomplete, or insufficient investigations requir-*
7 *ing subsequent review by the Board, including wheth-*
8 *er the Board should review investigations meeting a*
9 *predetermined threshold (such as all fatal mishaps or*
10 *all Class A mishaps);*

11 *(3) the process by which the military depart-*
12 *ments, the Joint Safety Council established under sec-*
13 *tion 352, and other components of the Department of*
14 *Defense could refer pending or completed safety and*
15 *legal investigations to the Board for review;*

16 *(4) the process by which the Board would evalu-*
17 *ate a particular safety or legal investigation for accu-*
18 *racy, thoroughness, and objectivity;*

19 *(5) the requirements for and process by which*
20 *the convening component of an investigation reviewed*
21 *by the Board should address the findings of the*
22 *Board's review of that particular investigation;*

23 *(6) proposed procedures for safeguarding sen-*
24 *sitive information collected during the investigation*
25 *review process; and*

1 (7) *how and when the Board would be required*
2 *to report to the Deputy Secretary of Defense and the*
3 *Joint Safety Council established under section 352 on*
4 *the activities of the Board, the outcomes of individual*
5 *investigation reviews performed by the Board, and the*
6 *assessment of the Board regarding cross-cutting*
7 *themes and trends identified by those reviews; and*

8 (b) *REPORT.—Not later than 180 days after the date*
9 *of the enactment of this Act, the Deputy Secretary of De-*
10 *fense shall submit to the congressional defense committee the*
11 *proposal required by subsection (a) and a timeline for es-*
12 *tablishing the Board.*

13 **SEC. 354. IMPLEMENTATION OF COMPTROLLER GENERAL**
14 **RECOMMENDATIONS ON PREVENTING TAC-**
15 **TICAL VEHICLE TRAINING ACCIDENTS.**

16 (a) *PLAN REQUIRED.—Not later than 180 days after*
17 *the date of the enactment of this Act, each Secretary con-*
18 *cerned shall submit to the congressional defense committees*
19 *and to the Comptroller General of the United States a plan*
20 *to address the recommendations in the report of the Govern-*
21 *ment Accountability Office entitled “Army and Marine*
22 *Corps Should Take Additional Actions to Mitigate and Pre-*
23 *vent Training Accidents” (GAO–21–361). Each such plan*
24 *shall include, with respect to each recommendation in such*

1 *report that the Secretary concerned has implemented or in-*
2 *tends to implement—*

3 (1) *a summary of actions that have been or will*
4 *be taken to implement the recommendation; and*

5 (2) *a schedule, with specific milestones, for com-*
6 *pleting implementation of the recommendation.*

7 *(b) DEADLINE FOR IMPLEMENTATION.—*

8 (1) *IN GENERAL.—Except as provided in para-*
9 *graph (2), not later than 18 months after the date of*
10 *the enactment of this Act, each Secretary concerned*
11 *shall carry out activities to implement the plan of the*
12 *Secretary developed under subsection (a).*

13 (2) *EXCEPTION FOR IMPLEMENTATION OF CER-*
14 *TAIN RECOMMENDATIONS.—*

15 (A) *DELAYED IMPLEMENTATION.—A Sec-*
16 *retary concerned may initiate implementation of*
17 *a recommendation in the report referred to in*
18 *subsection (a) after the date specified in para-*
19 *graph (1) if, on or before such date, the Sec-*
20 *retary provides to the congressional defense com-*
21 *mittees a specific justification for the delay in*
22 *implementation of such recommendation.*

23 (B) *NONIMPLEMENTATION.—A Secretary*
24 *concerned may decide not to implement a rec-*
25 *ommendation in the report referred to in sub-*

1 *section (a) if, on or before the date specified in*
2 *paragraph (1), the Secretary provides to the con-*
3 *gressional defense committees—*

4 *(i) a specific justification for the deci-*
5 *sion not to implement the recommendation;*
6 *and*

7 *(ii) a summary of alternative actions*
8 *the Secretary plans to take to address the*
9 *conditions underlying the recommendation.*

10 *(c) SECRETARY CONCERNED.—In this section, the term*
11 *“Secretary concerned” means—*

12 *(1) the Secretary of the Army, with respect to the*
13 *Army; and*

14 *(2) the Secretary of the Navy, with respect to the*
15 *Navy.*

16 **SEC. 355. PILOT PROGRAM FOR TACTICAL VEHICLE SAFETY**
17 **DATA COLLECTION.**

18 *(a) IN GENERAL.—Not later than one year after the*
19 *date of the enactment of this Act, the Secretary of the Army*
20 *and the Secretary of the Navy shall jointly carry out a pilot*
21 *program to evaluate the feasibility of using data recorders*
22 *to monitor, assess, and improve the readiness and safety*
23 *of the operation of military tactical vehicles.*

24 *(b) PURPOSES.—The purposes of the pilot program*
25 *are—*

1 (1) to allow for the automated identification of
2 hazards and potential hazards on and off military in-
3 stallations;

4 (2) to mitigate and increase awareness of haz-
5 ards and potential hazards on and off military in-
6 stallations;

7 (3) to identify near-miss accidents;

8 (4) to create a standardized record source for ac-
9 cident investigations;

10 (5) to assess individual driver proficiency, risk,
11 and readiness;

12 (6) to increase consistency in the implementation
13 of military installation and unit-level range safety
14 programs across military installations and units;

15 (7) to evaluate the feasibility of incorporating
16 metrics generated from data recorders into the safety
17 reporting systems and to the Defense Readiness Re-
18 porting System as a measure of assessing safety risks,
19 mitigations, and readiness;

20 (8) to determine the costs and benefits of retro-
21 fitting data recorders on legacy platforms and includ-
22 ing data recorders as a requirement in acquisition of
23 military tactical vehicles; and

24 (9) any other matters as determined by the Sec-
25 retary concerned.

1 (c) *REQUIREMENTS.—In carrying out the pilot pro-*
2 *gram, the Secretaries shall—*

3 (1) *assess the feasibility of using commercial*
4 *technology, such as smartphones or technologies used*
5 *by insurance companies, as a data recorder;*

6 (2) *test and evaluate a minimum of two data re-*
7 *corders that meet the pilot program requirements;*

8 (3) *select a data recorder capable of collecting*
9 *and exporting the telemetry data, event data, and*
10 *driver identification during operation and accidents;*

11 (4) *install and maintain a data recorder on a*
12 *sufficient number of each of the covered military tac-*
13 *tical vehicles under subsection (f) at selected installa-*
14 *tions for statistically significant results;*

15 (5) *establish and maintain a database that con-*
16 *tains telemetry data, driver data, and event data cap-*
17 *tured by the data recorder;*

18 (6) *regularly generate for each installation under*
19 *the pilot program a dataset that is viewable in widely*
20 *available mapping software of hazards and potential*
21 *hazards based on telemetry data and event data cap-*
22 *tured by the data recorders;*

23 (7) *generate actionable data sets and statistics*
24 *on individual, vehicle, and military installation;*

1 (8) *require commanders at the covered military*
2 *installations to incorporate the actionable data sets*
3 *and statistics into the installation range safety pro-*
4 *gram;*

5 (9) *require unit commanders at the covered mili-*
6 *tary installations to incorporate the actionable data*
7 *sets and statistics into unit driver safety program;*

8 (10) *evaluate the feasibility of integrating data*
9 *sets and statistics to improve driver certification and*
10 *licensing based on data recorded and generated by the*
11 *data recorders;*

12 (11) *use open architecture to the maximum ex-*
13 *tent practicable; and*

14 (12) *any other activities determined by the Sec-*
15 *retary as necessary to meet the purposes under sub-*
16 *section (b).*

17 (d) *IMPLEMENTATION PLAN.—Not later than 180 days*
18 *after the date of the enactment of this Act, the Secretaries*
19 *shall develop a plan for implementing the pilot program*
20 *required under this section.*

21 (e) *LOCATIONS.—Each Secretary concerned shall carry*
22 *out the pilot program at not fewer than one military instal-*
23 *lation in the United States that meets the following condi-*
24 *tions:*

1 (1) *Contains the necessary force structure, equip-*
2 *ment, and maneuver training ranges to collect driver*
3 *and military tactical vehicle data during training*
4 *and routine operation.*

5 (2) *Represents at a minimum one of the five*
6 *training ranges identified in the study by the Comp-*
7 *troller General of the United States titled “Army and*
8 *Marine Corps Should Take Additional Actions to*
9 *Mitigate and Prevent Training Accidents” that did*
10 *not track unit location during the training events.*

11 (f) *COVERED MILITARY TACTICAL VEHICLES.—The*
12 *pilot program shall cover the following military tactical ve-*
13 *hicles:*

14 (1) *Army Strykers.*

15 (2) *Marine Corps Light Armored Vehicles.*

16 (3) *Army Medium Tactical Vehicles.*

17 (4) *Marine Corps Medium Tactical Vehicle Re-*
18 *placements.*

19 (g) *METRICS.—The Secretaries shall develop metrics to*
20 *evaluate the pilot program’s effectiveness in monitoring, as-*
21 *sessing, and improving vehicle safety, driver readiness, and*
22 *mitigation of risk.*

23 (h) *REPORTS.—*

24 (1) *INITIAL.—Not later than 180 days after the*
25 *date of the enactment of this Act under this section,*

1 *the Secretaries shall jointly submit to the congress-*
2 *sional defense committees a report on the pilot pro-*
3 *gram, addressing the plan for implementing the re-*
4 *quirements in subsection (c), including the established*
5 *metrics under subsection (g).*

6 (2) *INTERIM.*—*Not later than three years after*
7 *the commencement of the pilot program, the Secre-*
8 *taries shall jointly submit to the congressional defense*
9 *committees a report on the status of the pilot pro-*
10 *gram, including the preliminary results in carrying*
11 *out the pilot program, the metrics generated during*
12 *the pilot program, disaggregated by military tactical*
13 *vehicle, location, and service, and the implementation*
14 *plan under subsection (d).*

15 (3) *FINAL.*—*Not later than 90 days after the ter-*
16 *mination of the pilot program, the Secretaries shall*
17 *jointly submit to the congressional defense committees*
18 *a report on the results of the program. The report*
19 *shall—*

20 (A) *assess the pilot program’s effectiveness*
21 *in meeting the purposes under subsection (b);*

22 (B) *include the metrics generated during the*
23 *pilot program, disaggregated by military tactical*
24 *vehicle, location, and service;*

1 (C) include the views of range personnel,
2 unit commanders, and members of the Armed
3 Forces involved in the pilot program on the level
4 of effectiveness of the technology selected;

5 (D) provide a cost estimate for equipping
6 legacy military tactical vehicles with data re-
7 corders;

8 (E) determine the instances in which data
9 recorders should be a requirement in the acquisi-
10 tion of military tactical vehicles;

11 (F) recommend whether the pilot program
12 should be expanded or made into a program of
13 record; and

14 (G) recommend any statutory, regulatory,
15 or policy changes required to support the pur-
16 poses under subsection (b).

17 (i) *TERMINATION.*—The authority to carry out the
18 pilot program under subsection (a) shall terminate five
19 years after the date of the enactment of this Act.

20 (j) *DEFINITIONS.*—In this section:

21 (1) The term “accident” means a collision, roll-
22 over, or other mishap involving a motor vehicle.

23 (2) The term “data recorder” means technologies
24 installed in a motor vehicle to record driver identi-

1 *fication, telemetry data, and event data related to the*
2 *operation of such motor vehicle.*

3 (3) *The term “driver identification” means data*
4 *enabling the unique identification of the driver oper-*
5 *ating the motor vehicle.*

6 (4) *The term “event data” includes data related*
7 *to—*

8 (A) *the start and conclusion of each vehicle*
9 *operation;*

10 (B) *a vehicle accident;*

11 (C) *a vehicle acceleration, velocity, or loca-*
12 *tion with an increased potential for an accident;*
13 *or*

14 (D) *a vehicle orientation with an increased*
15 *potential for an accident.*

16 (5) *The term “Secretary concerned” means—*

17 (A) *the Secretary of the Army with respect*
18 *to matters concerning the Army; and*

19 (B) *the Secretary of the Navy with respect*
20 *to matters concerning the Navy and Marine*
21 *Corps.*

22 (6) *The term “telemetry data” includes—*

23 (A) *time;*

24 (B) *vehicle distance traveled;*

25 (C) *vehicle acceleration and velocity;*

1 (D) vehicle orientation, including roll,
2 pitch, and yaw; and

3 (E) vehicle location in a geographic coordi-
4 nate system, including elevation.

5 ***Subtitle E—Reports***

6 **SEC. 361. INCLUSION OF INFORMATION REGARDING BOR-** 7 **ROWED MILITARY MANPOWER IN READINESS** 8 **REPORTS.**

9 (a) *IN GENERAL.*—Section 482(b) of title 10, United
10 States Code, is amended—

11 (1) by redesignating paragraph (10) as para-
12 graph (11); and

13 (2) by inserting after paragraph (9) the fol-
14 lowing new paragraph (10):

15 “(11) Information regarding—

16 “(A) the extent to which member of the
17 armed forces is diverted, temporarily assigned,
18 or detailed outside the member’s assigned unit or
19 away from training in order to perform any
20 function that had been performed by civilian em-
21 ployees of the Federal Government or by contrac-
22 tors prior to such diversion, temporary assign-
23 ment, or detail; and

24 “(B) whether such function is within the
25 scope of the skills required for the military occu-

1 *pational specialty of such member of the armed*
2 *forces.”.*

3 **SEC. 362. ANNUAL REPORT ON MISSING, LOST, AND STOLEN**
4 **WEAPONS, LARGE AMOUNTS OF AMMUNITION,**
5 **DESTRUCTIVE DEVICES, AND EXPLOSIVE MA-**
6 **TERIAL.**

7 *(a) IN GENERAL.—Section 2722 of title 10, United*
8 *States Code, is amended—*

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

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

15 *(3) by redesignating subsection (c) as subsection*
16 *(d); and*

17 *(4) by inserting after subsection (b) the following*
18 *new subsection (c):*

19 *“(c) ANNUAL REPORT.—Not later than December 31*
20 *each year, the Secretary shall submit to the congressional*
21 *defense committees a report that includes, for the preceding*
22 *year—*

23 *“(1) all instances of missing, lost, or stolen*
24 *weapons, large amounts of ammunition, destructive*

1 *devices, or explosive material from the stocks of the*
 2 *Department of Defense;*

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

6 “(3) such other information the Secretary deter-
 7 mines appropriate.”.

8 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 9 *the beginning of chapter 161 of such title is amended by*
 10 *striking the item relating to section 2722 and inserting the*
 11 *following new item:*

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

12 **SEC. 363. ANNUAL REPORT ON MATERIAL READINESS OF**
 13 **NAVY SHIPS.**

14 Section 8674(d) of title 10, United States Code is
 15 amended—

16 (1) in paragraph (1)—

17 (A) by striking “submit to the” and insert-
 18 ing “provide to the”;

19 (B) by inserting “a briefing and submit to
 20 such committees” after “congressional defense
 21 committees”; and

22 (C) by striking “setting forth” and inserting
 23 “regarding”;

24 (2) in paragraph (2)—

1 (A) by striking “in an unclassified form
2 that is releasable to the public without further
3 redaction.” and inserting “in—”; and

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

6 “(A) a classified form that shall be available
7 only to the congressional defense committees; and

8 “(B) an unclassified form that is releasable to
9 the public without further redaction”; and

10 (3) by striking paragraph (3).

11 **SEC. 364. STRATEGY AND ANNUAL REPORT ON CRITICAL**
12 **LANGUAGE PROFICIENCY OF SPECIAL OPER-**
13 **ATIONS FORCES.**

14 (a) *FIVE-YEAR STRATEGY.*—

15 (1) *STRATEGY REQUIRED.*—Not later than 180
16 days after the date of the enactment of this Act, the
17 Assistant Secretary of Defense for Special Operations
18 and Low-Intensity Conflict shall submit to the con-
19 gressional defense committees a five-year strategy to
20 support the efforts of the Secretaries concerned to
21 identify individuals who have proficiency in a crit-
22 ical language and to recruit and retain such individ-
23 uals in the special operations forces of Armed Forces.

24 (2) *ELEMENTS.*—The strategy under paragraph
25 (1) shall include the following:

1 (A) *A baseline of foreign language pro-*
2 *ficiency requirements to be implemented within*
3 *the special operations forces, disaggregated by*
4 *Armed Force and by critical language.*

5 (B) *Annual recruitment targets for the*
6 *number of candidates with demonstrated pro-*
7 *ficiency in a critical language to be selected for*
8 *participation in the initial assessment and qual-*
9 *ification programs of the special operations*
10 *forces.*

11 (C) *A description of current and planned*
12 *efforts of the Secretaries concerned and the As-*
13 *stant Secretary to meet such annual recruit-*
14 *ment targets.*

15 (D) *A description of any training programs*
16 *used to enhance or maintain foreign language*
17 *proficiency within the special operations forces,*
18 *including any non-governmental programs used.*

19 (E) *An annual plan (for each of the five*
20 *years covered by the strategy) to enhance and*
21 *maintain foreign language proficiency within*
22 *the special operations forces of each Armed*
23 *Force.*

24 (F) *An annual plan (for each of the five*
25 *years covered by the strategy) to retain members*

1 *of the special operation forces of each Armed*
2 *Force who have proficiency in a foreign lan-*
3 *guage.*

4 *(G) A description of current and projected*
5 *capabilities and activities that the Assistant Sec-*
6 *retary determines are necessary to maintain pro-*
7 *iciency in critical languages within the special*
8 *operations forces.*

9 *(H) A plan to implement a training pro-*
10 *gram for members of the special operations forces*
11 *who serve in positions that the Assistant Sec-*
12 *retary determines require proficiency in a crit-*
13 *ical language to support the Department of De-*
14 *fense in strategic competition.*

15 ***(b) ANNUAL REPORT.—***

16 ***(1) REPORTS REQUIRED.—****Not later than De-*
17 *cember 31, 2022, and annually thereafter until De-*
18 *cember 31, 2027, the Assistant Secretary of Defense*
19 *for Special Operations and Low-Intensity Conflict*
20 *shall submit to the congressional defense committees a*
21 *report on the recruitment, training, and retention of*
22 *members of the special operations forces who have*
23 *proficiency in a critical language.*

1 (2) *ELEMENTS.*—*Each report under paragraph*
2 *(1) shall include, with respect to the year for which*
3 *the report is submitted, the following information:*

4 (A) *The number of candidates with dem-*
5 *onstrated proficiency in a critical language who*
6 *have been selected for participation in the initial*
7 *assessment and qualification programs of the*
8 *special operations forces, disaggregated by Armed*
9 *Force of which the special operations force is a*
10 *component.*

11 (B) *A description of any variance between*
12 *the number specified in subparagraph (A) and*
13 *the recruitment target specified in the strategy*
14 *under subsection (a)(2)(B) for the corresponding*
15 *year, including a justification for any such vari-*
16 *ance.*

17 (C) *As compared to the total number of*
18 *members of the special operations forces—*

19 (i) *the percentage of such members who*
20 *have maintained proficiency in a critical*
21 *language, disaggregated by Armed Force;*

22 (ii) *the percentage of such members*
23 *who are enrolled in a critical language*
24 *training program, disaggregated by Armed*
25 *Force and by critical language; and*

1 (iii) the average proficiency rating re-
2 ceived by such members with respect to each
3 critical language, disaggregated by Armed
4 Force.

5 (D) As compared to the total number of
6 members of the special operations force of each
7 Armed Force who are assigned to a unit with the
8 primary mission of advising foreign militaries—

9 (i) the percentage of such members who
10 maintain proficiency in a foreign language
11 relevant to such mission; and

12 (ii) the percentage of such members
13 who are enrolled in a foreign language
14 training program relevant to such mission.

15 (E) As compared to the required baseline
16 specified in the strategy under subsection
17 (a)(2)(A), the percentage of members of the spe-
18 cial operations force who have proficiency in a
19 critical language, disaggregated by Armed Force
20 and by critical language.

21 (F) A description of any gaps in foreign
22 language training identified by the Assistant
23 Secretary with respect to the special operations
24 forces.

25 (c) DEFINITIONS.—In this section:

1 (1) *The term “critical language” means a lan-*
2 *guage identified by the Director of the National Secu-*
3 *rity Education Program as critical to national secu-*
4 *rity.*

5 (2) *The term “proficiency” means proficiency in*
6 *a language, as assessed by the Defense Language Pro-*
7 *ficiency Test.*

8 (3) *The term “Secretary concerned” has the*
9 *meaning given such term in section 101 of title 10,*
10 *United States Code.*

11 (4) *The term “special operations forces” means*
12 *forces described under section 167(j) of title 10,*
13 *United States Code.*

14 **SEC. 365. REPORT AND BRIEFING ON APPROACH FOR CER-**
15 **TAIN PROPERTIES AFFECTED BY NOISE FROM**
16 **MILITARY FLIGHT OPERATIONS.**

17 (a) *BRIEFING.—Not later than 180 days after the date*
18 *of enactment of this Act, the Secretary of Defense shall pro-*
19 *vide to the congressional defense committees a briefing on*
20 *the use and applicability of the Air Installations Compat-*
21 *ible Use Zones program to support noise mitigation and*
22 *insulation efforts for fixed wing aircraft, including any*
23 *such efforts funded under grants from the Office of Local*
24 *Defense Community Cooperation.*

1 (b) *MATTERS.*—*The briefing under subsection (a) shall*
2 *include a discussion of the following:*

3 (1) *Changes to current practices regarding Air*
4 *Installations Compatible Use Zones that are nec-*
5 *essary to support noise mitigation and insulation ef-*
6 *forts relating to existing covered facilities.*

7 (2) *The number of fixed wing aircraft facilities*
8 *covered by existing Air Installations Compatible Use*
9 *Zones studies.*

10 (3) *The proportion of existing Air Installations*
11 *Compatible Use Zones studies that accurately reflect*
12 *current and reasonably foreseeable fixed wing avia-*
13 *tion activity.*

14 (4) *Expected timelines for each military depart-*
15 *ment to develop and update all Air Installations*
16 *Compatible Use Zones studies to reflect current and*
17 *reasonably foreseeable fixed wing activity.*

18 (5) *An approximate number of covered facilities*
19 *anticipated to be within the 65 dB day–night average*
20 *sound level for installations with existing Air Instal-*
21 *lations Compatible Use Zones studies, including such*
22 *facilities specifically located in crash zones or acci-*
23 *dent potential zones.*

24 (6) *An assessment of the viability of making eli-*
25 *gibility to receive funding for noise mitigation and*

1 *insulation efforts contingent on the completion of cer-*
2 *tain measures to ensure compatibility of civilian land*
3 *use activity with Air Installations Compatible Use*
4 *Zones conclusions.*

5 *(7) Any barriers to the timely review and gen-*
6 *eration of Air Installations Compatible Use Zones*
7 *studies, including with respect to staffing and gaps in*
8 *authorities.*

9 *(8) The estimated cost to develop and update re-*
10 *quired Air Installations Compatible Use Zones prac-*
11 *tices and studies.*

12 *(9) Future opportunities to consult with local*
13 *communities affected by noise from military flight op-*
14 *erations.*

15 *(c) REPORT.—Not later than one year after the date*
16 *of enactment of this Act, the Secretary shall submit to the*
17 *congressional defense committees a report on the final out-*
18 *come of the update process with respect to Air Installations*
19 *Compatible Use Zones program. Such report shall include*
20 *further details and analysis with respect to each matter*
21 *specified in subsection (b).*

22 *(d) DEFINITIONS.—In this section:*

23 *(1) The term “Air Installations Compatible Use*
24 *Zones program” has the meaning given such term in*
25 *Department of Defense Instruction 4165.57.*

- 1 (2) *The term “covered facility” means any—*
2 (A) *private residence;*
3 (B) *hospital;*
4 (C) *daycare facility;*
5 (D) *school; or*
6 (E) *facility the primary purpose of which is*
7 *to serve senior citizens.*

8 **SEC. 366. STUDY ON USE OF MILITARY RESOURCES TO**
9 **TRANSPORT CERTAIN INDIVIDUALS AND EF-**
10 **TECT ON MILITARY READINESS.**

11 (a) *STUDY.—The Secretary of Defense shall—*

12 (1) *conduct a study examining the effect on mili-*
13 *tary readiness of using Department of Defense re-*
14 *sources to transport covered individuals; and*

15 (2) *submit to Congress a report containing the*
16 *findings of such study.*

17 (b) *COVERED INDIVIDUAL DEFINED.—In this section,*
18 *the term “covered individual” means an individual who has*
19 *crossed the southern border of the United States without au-*
20 *thorization.*

21 **Subtitle F—Other Matters**

22 **SEC. 371. BUDGET JUSTIFICATION FOR OPERATION AND**
23 **MAINTENANCE.**

24 (a) *SUBACTIVITY GROUP BY FUTURE YEARS.—Section*
25 *233 of title 10, United States Code, is amended—*

1 (1) *by redesignating subsection (c) as subsection*
2 *(e); and*

3 (2) *by inserting after subsection (b) the following*
4 *new subsection (c):*

5 “(c) *SUBACTIVITY GROUPS.—The Secretary of Defense,*
6 *in consultation with the Secretary of each of the military*
7 *departments, shall include in the materials submitted to*
8 *Congress by the Secretary of Defense in support of the Presi-*
9 *dent’s budget, in an unclassified format, the total amount*
10 *projected for each individual subactivity group, as detailed*
11 *in the future years defense program pursuant to section 221*
12 *of this title.”.*

13 (b) *BUDGET SUBMISSION DISPLAY.—Section 233 of*
14 *title 10, United States Code, is further amended by insert-*
15 *ing after subsection (c), as added by subsection (a), the fol-*
16 *lowing new subsection:*

17 “(d) *BUDGET DISPLAY.—The Secretary of Defense, in*
18 *consultation with the Secretary of each of the military de-*
19 *partments, shall include in the O&M justification docu-*
20 *ments a budget display to provide for discussion and eval-*
21 *uation of the resources required to meet material readiness*
22 *objectives, as identified in the metrics required by section*
23 *118 of this title, together with any associated risks to the*
24 *supply chain. For each major weapon system, by designated*
25 *mission design series, variant, or class, the budget display*

1 *required under this subsection for the budget year shall in-*
2 *clude each of the following:*

3 “(1) *The material availability objective estab-*
4 *lished in accordance with the requirements of section*
5 *118 of this title.*

6 “(2) *The funds obligated by subactivity group*
7 *within the operation and maintenance accounts for*
8 *the second fiscal year preceding the budget year for*
9 *the purpose of achieving the material readiness objec-*
10 *tives identified in accordance with section 118 of this*
11 *title.*

12 “(3) *The funds estimated to be obligated by sub-*
13 *activity group within the operation and maintenance*
14 *accounts for the fiscal year preceding the budget year*
15 *for the purpose of achieving the material readiness ob-*
16 *jectives identified in accordance with section 118 of*
17 *this title.*

18 “(4) *The funds budgeted and programmed across*
19 *the future years defense program within the operation*
20 *and maintenance accounts by subactivity group for*
21 *the purpose of achieving the material readiness objec-*
22 *tives identified in accordance with section 118 of this*
23 *title.*

24 “(5) *A narrative discussing the performance of*
25 *the Department against established material readiness*

1 *objectives for each major weapon system by mission*
2 *design series, variant, or class.”.*

3 (c) *IMPLEMENTATION DEADLINE.*—*The Secretary of*
4 *Defense shall ensure that the budget display requirements*
5 *required under the amendments made by this section are*
6 *included in the budget request for fiscal year 2023 and all*
7 *fiscal years thereafter.*

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

12 **SEC. 372. IMPROVEMENTS AND CLARIFICATIONS RELATED**
13 **TO MILITARY WORKING DOGS.**

14 (a) *PROHIBITION ON CHARGE FOR TRANSFER OF*
15 *MILITARY ANIMALS.*—*Subsection (d) of section 2583 of title*
16 *10, United States Code, is amended by striking “may” and*
17 *inserting “shall”.*

18 (b) *INCLUSION OF MILITARY WORKING DOGS IN CER-*
19 *TAIN RESEARCH AND PLANS.*—

20 (1) *RESEARCH UNDER JOINT TRAUMA EDU-*
21 *CATION AND TRAINING DIRECTORATE.*—*Subsection (b)*
22 *of section 708 of the National Defense Authorization*
23 *Act for Fiscal Year 2017 (Public Law 114–328; 10*
24 *U.S.C. 1071 note) is amended—*

1 (A) in paragraph (7), by striking “of mem-
2 bers of the Armed Forces” and inserting “with
3 respect to both members of the Armed Forces and
4 military working dogs”; and

5 (B) by striking paragraph (9) and inserting
6 the following new paragraph:

7 “(9) To inform and advise the conduct of re-
8 search on the leading causes of morbidity and mor-
9 tality of members of the Armed Forces and military
10 working dogs in combat.”.

11 (2) *VETERINARIANS IN PERSONNEL MANAGEMENT*
12 *PLAN*.—Subsection (d)(1) of such section is amend-
13 ed—

14 (A) by redesignating subparagraph (F) as
15 subparagraph (G); and

16 (B) by inserting after subparagraph (E) the
17 following new subparagraph:

18 “(F) *Veterinary services.*”.

19 **SEC. 373. MANAGEMENT OF FATIGUE AMONG CREW OF**
20 **NAVAL SURFACE SHIPS AND RELATED IM-**
21 **PROVEMENTS.**

22 (a) *REQUIREMENT*.—The Secretary of the Navy shall
23 implement each recommendation for executive action set
24 forth in the report of the Government Accountability Office
25 titled “Navy Readiness: Additional Efforts Are Needed to

1 *Manage Fatigue, Reduce Crewing Shortfalls, and Imple-*
2 *ment Training” (GAO-21-366).*

3 **(b) REPORT.**—*Not later than one year after the date*
4 *of the enactment of this Act, the Secretary of the Navy shall*
5 *submit to the congressional defense committees and the*
6 *Comptroller General a report on the status of actions taken*
7 *by the Secretary to monitor crew fatigue and ensure equi-*
8 *table fatigue management throughout the naval surface ship*
9 *fleet in accordance with subparagraph (a). Such report*
10 *shall include the following:*

11 **(1)** *An assessment of the extent of crew fatigue*
12 *throughout the naval surface ship fleet.*

13 **(2)** *A description of the metrics used to assess the*
14 *extent of fatigue pursuant to paragraph (1).*

15 **(3)** *An identification of results-oriented goals for*
16 *effective fatigue management.*

17 **(4)** *An identification of timeframes for achieving*
18 *the goals identified pursuant to paragraph (3).*

19 **(c) COMPTROLLER GENERAL ASSESSMENT.**—*Not later*
20 *than 90 days after the date on which the Comptroller Gen-*
21 *eral receives the report under subsection (b), the Comptroller*
22 *General shall brief the congressional defense committees on*
23 *the extent to which the actions and goals described in the*
24 *report meet the requirements of subsection (a).*

1 **SEC. 374. AUTHORITY TO ESTABLISH CENTER OF EXCEL-**
2 **LENCE FOR RADAR SYSTEMS AND COM-**
3 **PLEMENTARY WORKFORCE AND EDUCATION**
4 **PROGRAMS.**

5 (a) *AUTHORITY.*—*The Secretary of Defense may estab-*
6 *lish a Center of Excellence for radar systems and com-*
7 *plementary workforce and education programs.*

8 (b) *FUNCTIONS.*—*If the Secretary establishes the Cen-*
9 *ter authorized under subsection (a), such Center shall be*
10 *designed to further the expertise of the Department of De-*
11 *fense in the repair, sustainment, and support of radar sys-*
12 *tems, as identified by the Joint Radar Industrial Base*
13 *Working Group and the Radar Supplier Resiliency Plan,*
14 *by conducting the following activities, as appropriate:*

15 (1) *Facilitating collaboration among academia,*
16 *the Department, and the commercial radar industry,*
17 *including radar system repair and sustainment fa-*
18 *cilities.*

19 (2) *Establishing goals for research in areas of*
20 *study relevant to advancing technology and facili-*
21 *tating better understanding of the necessity of radar*
22 *systems in the growing development and reliance on*
23 *automated and complex defense systems, including*
24 *continuing education and training.*

25 (3) *Establishing at any institution of higher*
26 *education with which the Secretary enters into an*

1 *agreement under subsection (c) such activities as are*
2 *necessary to develop and meet the requirements of the*
3 *Department.*

4 (4) *Increasing communications with radar sys-*
5 *tems subject-matter experts in industry to learn and*
6 *support state-of-the-art operational practices, espe-*
7 *cially studied future needs of the Department related*
8 *to autonomous systems.*

9 (c) *ELIGIBLE PARTICIPANTS.—If the Secretary estab-*
10 *lishes the Center authorized under subsection (a)—*

11 (1) *the Secretary may enter into an agreement*
12 *with one or more institutions of higher education to*
13 *provide for joint operation of the Center; and*

14 (2) *the Center may partner with nonprofit insti-*
15 *tutions and private industry with expertise in radar*
16 *systems to further the mission of the Center.*

17 (d) *LOCATION.—If the Secretary establishes the Center*
18 *authorized under subsection (a), in determining the location*
19 *of the Center, the Secretary shall take into account the prox-*
20 *imity to existing radar system facilities capable of effi-*
21 *ciently facilitating partnership between the Department,*
22 *industry, and an academic institution.*

23 (e) *COORDINATION.—Nothing in this section shall pre-*
24 *clude the coordination or collaboration between any Center*

1 *established under this section and any other established cen-*
2 *ter of excellence.*

3 (f) *INSTITUTION OF HIGHER EDUCATION DEFINED.—*
4 *The term “institution of higher education” has the meaning*
5 *given that term in section 101 of the Higher Education Act*
6 *of 1965 (20 U.S.C. 1001).*

7 **SEC. 375. PILOT PROGRAM ON MILITARY WORKING DOG**
8 **AND EXPLOSIVES DETECTION CANINE**
9 **HEALTH AND EXCELLENCE.**

10 (a) *PILOT PROGRAM.—Not later than September 31,*
11 *2022, the Secretary of Defense shall carry out a pilot pro-*
12 *gram to ensure the health and excellence of explosives detec-*
13 *tion military working dogs. Under such pilot program, the*
14 *Secretary shall consult with domestic breeders of working*
15 *dog lines, covered institutions of higher education, and cov-*
16 *ered national domestic canine associations, to—*

17 (1) *facilitate the presentation of domestically-*
18 *bred explosives detection military working dogs for*
19 *assessment for procurement by the Department of De-*
20 *fense, at a rate of at least 100 canines presented per*
21 *fiscal year;*

22 (2) *facilitate the delivery and communication to*
23 *domestic breeders, covered institutions of higher edu-*
24 *cation, and covered national domestic canine associa-*
25 *tions, of information regarding—*

1 (A) any specific needs or requirements for
2 the future acquisition by the Department of ex-
3 plosives detection military working dogs; and

4 (B) any factors identified as relevant to the
5 success or failure of explosives detection military
6 working dogs presented for assessment pursuant
7 to this section;

8 (3) collect information on the biological and
9 health factors of explosives detection military working
10 dogs procured by the Department, and make such in-
11 formation available for academic research and to do-
12 mestic breeders; and

13 (4) collect and make available genetic and
14 phenotypic information, including canine rearing
15 and training data for study by domestic breeders and
16 covered institutions of higher education, for the fur-
17 ther development of working canines that are bred,
18 raised, and trained domestically.

19 (b) CONSULTATIONS.—In carrying out the pilot pro-
20 gram under subsection (a), the Secretary may consult with
21 the working group established pursuant to section 1927 of
22 the FAA Reauthorization Act of 2018 (Public Law 115–
23 254; 6 U.S.C. 1116 note).

1 (c) *TERMINATION.*—*The authority to carry out the*
2 *pilot program under subsection (a) shall terminate on Octo-*
3 *ber 1, 2024.*

4 (d) *DEFINITIONS.*—*In this section:*

5 (1) *The term “covered institution of higher edu-*
6 *cation” means an institution of higher education, as*
7 *such term is defined in section 101 of the Higher*
8 *Education Act of 1965 (20 U.S.C. 1001), with dem-*
9 *onstrated expertise in veterinary medicine for work-*
10 *ing canines.*

11 (2) *The term “covered national domestic canine*
12 *association” means a national domestic canine asso-*
13 *ciation with demonstrated expertise in the breeding*
14 *and pedigree of working canine lines.*

15 (3) *The term “explosives detection military*
16 *working dog” means a canine that, in connection*
17 *with the work duties of the canine performed for the*
18 *Department of Defense, is certified and trained to de-*
19 *tect odors indicating the presence of explosives in a*
20 *given object or area, in addition to the performance*
21 *of such other duties for the Department as may be as-*
22 *signed.*

23 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
24 *authorized to be appropriated \$10,000,000 to carry out this*
25 *section.*

1 **TITLE IV—MILITARY PERSONNEL**
2 **AUTHORIZATIONS**
3 **Subtitle A—Active Forces**

4 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

5 *The Armed Forces are authorized strengths for active*
6 *duty personnel as of September 30, 2022, as follows:*

7 (1) *The Army, 485,000.*

8 (2) *The Navy, 346,200.*

9 (3) *The Marine Corps, 178,500.*

10 (4) *The Air Force, 328,300.*

11 (5) *The Space Force, 8,400.*

12 **SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END**
13 **STRENGTH MINIMUM LEVELS.**

14 *Section 691(b) of title 10, United States Code, is*
15 *amended by striking paragraphs (1) through (5) and insert-*
16 *ing the following new paragraphs:*

17 “(1) *For the Army, 485,000.*

18 “(2) *For the Navy, 346,200.*

19 “(3) *For the Marine Corps, 178,500.*

20 “(4) *For the Air Force, 328,300.*

21 “(5) *For the Space Force, 8,400.”.*

1 **Subtitle B—Reserve Forces**

2 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

3 (a) *IN GENERAL.*—*The Armed Forces are authorized*
4 *strengths for Selected Reserve personnel of the reserve com-*
5 *ponents as of September 30, 2022, as follows:*

6 (1) *The Army National Guard of the United*
7 *States, 336,000.*

8 (2) *The Army Reserve, 189,500.*

9 (3) *The Navy Reserve, 58,600.*

10 (4) *The Marine Corps Reserve, 36,800.*

11 (5) *The Air National Guard of the United*
12 *States, 108,300.*

13 (6) *The Air Force Reserve, 70,300.*

14 (7) *The Coast Guard Reserve, 7,000.*

15 (b) *END STRENGTH REDUCTIONS.*—*The end strengths*
16 *prescribed by subsection (a) for the Selected Reserve of any*
17 *reserve component shall be proportionately reduced by—*

18 (1) *the total authorized strength of units orga-*
19 *nized to serve as units of the Selected Reserve of such*
20 *component which are on active duty (other than for*
21 *training) at the end of the fiscal year; and*

22 (2) *the total number of individual members not*
23 *in units organized to serve as units of the Selected*
24 *Reserve of such component who are on active duty*
25 *(other than for training or for unsatisfactory partici-*

1 *pation in training) without their consent at the end*
 2 *of the fiscal year.*

3 *(c) END STRENGTH INCREASES.—Whenever units or*
 4 *individual members of the Selected Reserve of any reserve*
 5 *component are released from active duty during any fiscal*
 6 *year, the end strength prescribed for such fiscal year for*
 7 *the Selected Reserve of such reserve component shall be in-*
 8 *creased proportionately by the total authorized strengths of*
 9 *such units and by the total number of such individual mem-*
 10 *bers.*

11 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
 12 **DUTY IN SUPPORT OF THE RESERVES.**

13 *Within the end strengths prescribed in section 411(a),*
 14 *the reserve components of the Armed Forces are authorized,*
 15 *as of September 30, 2022, the following number of Reserves*
 16 *to be serving on full-time active duty or full-time duty, in*
 17 *the case of members of the National Guard, for the purpose*
 18 *of organizing, administering, recruiting, instructing, or*
 19 *training the reserve components:*

20 *(1) The Army National Guard of the United*
 21 *States, 30,845.*

22 *(2) The Army Reserve, 16,511.*

23 *(3) The Navy Reserve, 10,293.*

24 *(4) The Marine Corps Reserve, 2,386.*

1 (5) *The Air National Guard of the United*
2 *States, 26,661.*

3 (6) *The Air Force Reserve, 6,003.*

4 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**
5 **(DUAL STATUS).**

6 *The minimum number of military technicians (dual*
7 *status) as of the last day of fiscal year 2022 for the reserve*
8 *components of the Army and the Air Force (notwith-*
9 *standing section 129 of title 10, United States Code) shall*
10 *be the following:*

11 (1) *For the Army National Guard of the United*
12 *States, 22,294.*

13 (2) *For the Army Reserve, 6,492.*

14 (3) *For the Air National Guard of the United*
15 *States, 9,885.*

16 (4) *For the Air Force Reserve, 7,111.*

17 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
18 **THORIZED TO BE ON ACTIVE DUTY FOR**
19 **OPERATIONAL SUPPORT.**

20 *During fiscal year 2022, the maximum number of*
21 *members of the reserve components of the Armed Forces who*
22 *may be serving at any time on full-time operational sup-*
23 *port duty under section 115(b) of title 10, United States*
24 *Code, is the following:*

1 (1) *The Army National Guard of the United*
2 *States, 17,000.*

3 (2) *The Army Reserve, 13,000.*

4 (3) *The Navy Reserve, 6,200.*

5 (4) *The Marine Corps Reserve, 3,000.*

6 (5) *The Air National Guard of the United*
7 *States, 16,000.*

8 (6) *The Air Force Reserve, 14,000.*

9 **SEC. 415. ACCOUNTING OF RESERVE COMPONENT MEM-**
10 **BERS PERFORMING ACTIVE DUTY OR FULL-**
11 **TIME NATIONAL GUARD DUTY TOWARDS AU-**
12 **THORIZED END STRENGTHS.**

13 *Section 115(b)(2)(B) of title 10, United States Code,*
14 *is amended by striking “1095 days in the previous 1460*
15 *days” and inserting “1825 days in the previous 2190*
16 *days”.*

17 ***Subtitle C—Authorization of***
18 ***Appropriations***

19 **SEC. 421. MILITARY PERSONNEL.**

20 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*
21 *hereby authorized to be appropriated for fiscal year 2022*
22 *for the use of the Armed Forces and other activities and*
23 *agencies of the Department of Defense for expenses, not oth-*
24 *erwise provided for, for military personnel, as specified in*
25 *the funding table in section 4401.*

1 (b) *CONSTRUCTION OF AUTHORIZATION.*—The author-
2 ization of appropriations in the subsection (a) supersedes
3 any other authorization of appropriations (definite or in-
4 definite) for such purpose for fiscal year 2022.

5 ***TITLE V—MILITARY PERSONNEL***
6 ***POLICY***

7 ***Subtitle A—Reserve Component***
8 ***Management***

9 ***SEC. 501. GRADE OF CERTAIN CHIEFS OF RESERVE COMPO-***
10 ***NENTS.***

11 (a) *IN GENERAL.*—

12 (1) *CHIEF OF ARMY RESERVE.*—Section
13 7038(b)(1) of title 10, United States Code, is amended
14 by striking “general officers of the Army Reserve”
15 and inserting “officers of the Army Reserve in the
16 grade of lieutenant general and”.

17 (2) *CHIEF OF NAVY RESERVE.*—Section
18 8083(b)(1) of such title is amended by striking “flag
19 officers of the Navy (as defined in section 8001(1))”
20 and inserting “officers of the Navy Reserve in the
21 grade of vice admiral and”.

22 (3) *COMMANDER, MARINE FORCES RESERVE.*—
23 Section 8084(b)(1) of such title is amended by strik-
24 ing “general officers of the Marine Corps (as defined
25 in section 8001(2))” and inserting “officers of the Ma-

1 *rine Corps Reserve in the grade of lieutenant general*
2 *and”.*

3 (4) *CHIEF OF AIR FORCE RESERVE.*—Section
4 *9038(b)(1) of such title is amended by striking “gen-*
5 *eral officers of the Air Force Reserve” and inserting*
6 *“officers of the Air Force Reserve in the grade of lieu-*
7 *tenant general and”.*

8 (b) *EFFECTIVE DATE.*—The amendments made under
9 *subsection (a) shall take effect on the date that is one year*
10 *after the date of the enactment of this Act and shall apply*
11 *to appointments made after such date.*

12 **SEC. 502. GRADE OF VICE CHIEF OF THE NATIONAL GUARD**
13 **BUREAU.**

14 *Section 10505 of title 10, United States Code, is*
15 *amended by adding at the end the following new subsection:*

16 “(c) *GRADE.*—(1) *The Vice Chief of the National*
17 *Guard Bureau shall be appointed to serve in the grade of*
18 *general.*

19 “(2) *The Secretary of Defense shall designate, pursu-*
20 *ant to subsection (b) of section 526 of this title, the position*
21 *of Vice Chief of the National Guard Bureau as one of the*
22 *general officer and flag officer positions to be excluded from*
23 *the limitations in subsection (a) of such section.”.*

1 **SEC. 503. PROHIBITION ON PRIVATE FUNDING FOR INTER-**
 2 **STATE DEPLOYMENT OF NATIONAL GUARD.**

3 (a) *PROHIBITION.*—Chapter 3 of title 32, United
 4 States Code, is amended by adding at the end the following
 5 new section:

6 **“§ 329. Prohibition on private funding for interstate**
 7 **deployment**

8 “A member of the National Guard may not be ordered
 9 to cross a border of a State to perform duty (under this
 10 title, title 10, or State active duty) if such duty is paid
 11 for with private funds, unless such duty is in response to
 12 a major disaster or emergency under section 401 of the Rob-
 13 ert T. Stafford Disaster Relief and Emergency Assistance
 14 Act (42 U.S.C. 5170).”.

15 (b) *TECHNICAL AMENDMENT.*—The table of sections at
 16 the beginning of such chapter is amended by adding at the
 17 end the following new item:

“329. Prohibition on private funding for interstate deployment.”.

18 **SEC. 504. REQUIREMENT OF CONSENT OF THE CHIEF EXEC-**
 19 **UTIVE OFFICER FOR CERTAIN FULL-TIME NA-**
 20 **TIONAL GUARD DUTY PERFORMED IN A**
 21 **STATE, TERRITORY, OR THE DISTRICT OF CO-**
 22 **LUMBIA.**

23 Section 502(f)(2)(A) of title 32, United States Code,
 24 is amended to read as follows:

1 “(A) *Support of operations or missions under-*
2 *taken by the member’s unit at the request of the Presi-*
3 *dent or Secretary of Defense, with the consent of—*

4 “(i) *the chief executive officer of each State*
5 *(as that term is defined in section 901 of this*
6 *title) in which such operations or missions shall*
7 *take place; and*

8 “(ii) *if such operations or missions shall*
9 *take place in the District of Columbia, the*
10 *Mayor of the District of Columbia.”.*

11 **SEC. 505. CONTINUED NATIONAL GUARD SUPPORT FOR**
12 **FIREGUARD PROGRAM.**

13 *The Secretary of Defense shall continue to support the*
14 *FireGuard program with National Guard personnel to ag-*
15 *gregate, analyze, and assess multi-source remote sensing in-*
16 *formation for interagency partnerships in the initial detec-*
17 *tion and monitoring of wildfires until September 30, 2026.*
18 *After such date, the Secretary may not reduce such support,*
19 *or transfer responsibility for such support to an interagency*
20 *partner, until 30 days after the date on which the Secretary*
21 *submits to the Committees on Armed Services of the Senate*
22 *and House of Representatives written notice of such pro-*
23 *posed change, and reasons for such change.*

1 **SEC. 506. STUDY ON REAPPORTIONMENT OF NATIONAL**
2 **GUARD FORCE STRUCTURE BASED ON DO-**
3 **MESTIC RESPONSES.**

4 (a) *STUDY.*—*The Secretary of Defense, in consultation*
5 *with the Chief of the National Guard Bureau and the Adju-*
6 *nants General, shall conduct a study to determine whether*
7 *to reapportion the force structure of the National Guard*
8 *based on wartime and domestic response requirements. The*
9 *study under shall include the following elements:*

10 (1) *An assessment how domestic response mis-*
11 *sions affect recruitment and retention of qualified*
12 *personnel, especially in States—*

13 (A) *with the lowest ratios of National*
14 *Guard members to the general population; and*

15 (B) *that are most prone to natural disas-*
16 *ters.*

17 (2) *An assessment how domestic response mis-*
18 *sions affect the ability of the National Guard of a*
19 *State to ability to staff, equip, and ready a unit for*
20 *its Federal missions.*

21 (3) *An comparison of the costs of a response to*
22 *a domestic incident in a State with—*

23 (A) *units of the National Guard of such*
24 *State; and*

1 *(B) units of the National Guards of other*
2 *States pursuant to an emergency management*
3 *assistance compact.*

4 *(4) Based on the recommendations in the 2021*
5 *report of the National Guard Bureau titled “Impact*
6 *of U.S. Population Trends on National Guard Force*
7 *Structure”, an assessment of—*

8 *(A) challenges to recruiting members of the*
9 *National Guard and allocating mission sets to*
10 *other geographic regions; and*

11 *(B) the ability to track and respond to do-*
12 *mestic migration trends in order to establish a*
13 *baseline for force structure requirements.*

14 *(5) In light of the limited authority of the Presi-*
15 *dent under section 104(c) of title 32, United States*
16 *Code, an assessment of whether the number of mem-*
17 *bers of the National Guard is sufficient to reappor-*
18 *tion force structure to meet the requirements of domes-*
19 *tic responses and shifting populations.*

20 *(b) REPORT.—Not later than 180 days after the date*
21 *of the enactment of this Act, the Secretary of Defense shall*
22 *submit to the Committees on Armed Services of the Senate*
23 *and House of Representatives a report on the results of the*
24 *study under subsection (a).*

1 (c) *STATE DEFINED.*—*In this section, the term “State”*
2 *includes the various States and Territories, the Common-*
3 *wealth of Puerto Rico, and the District of Columbia.*

4 **SEC. 507. REPORT ON FEASIBILITY AND ADVISABILITY OF**
5 **INCLUDING CYBERSECURITY OPERATIONS**
6 **AND MISSIONS TO PROTECT CRITICAL INFRA-**
7 **STRUCTURE BY MEMBERS OF THE NATIONAL**
8 **GUARD IN CONNECTION WITH TRAINING OR**
9 **OTHER DUTY.**

10 *Not later than one year after the date of the enactment*
11 *of this Act, the Secretary of Defense shall submit to the*
12 *Committees on Armed Services of the Senate and House of*
13 *Representatives a report on the feasibility and advisability*
14 *of including in the duty described in section 502(f)(1) of*
15 *title 32, United States Code, training or other duty relating*
16 *to cybersecurity operations or missions undertaken by the*
17 *member’s unit at the request of the Governor of the State*
18 *concerned to protect critical infrastructure (as that term is*
19 *defined in the Critical Infrastructures Protection Act of*
20 *2001 (42 U.S.C. 5195c)).*

21 **SEC. 508. ACCESS TO TOUR OF DUTY SYSTEM.**

22 (a) *ACCESS.*—

23 (1) *IN GENERAL.*—*Not later than one year after*
24 *the date of the enactment of this Act, the Secretary of*
25 *the Army shall ensure, subject to paragraph (2), that*

1 *a member of the reserve components of the Army may*
2 *access the Tour of Duty system using a personal*
3 *internet-enabled device.*

4 (2) *EXCEPTION.—The Secretary of the Army*
5 *may restrict access to the Tour of Duty system on*
6 *personal internet-enabled devices if the Secretary de-*
7 *termines such restriction is necessary to ensure the se-*
8 *curity and integrity of information systems and data*
9 *of the United States.*

10 (b) *TOUR OF DUTY SYSTEM DEFINED.—In this Act,*
11 *the term “Tour of Duty system” means the online system*
12 *of listings for opportunities to serve on active duty for mem-*
13 *bers of the reserve components of the Army and through*
14 *which such a member may apply for such an opportunity,*
15 *known as “Tour of Duty”, or any successor to such system.*

16 ***Subtitle B—General Service***
17 ***Authorities and Military Records***

18 ***SEC. 511. PROHIBITION ON COMMISSIONING OR ENLIST-***
19 ***MENT IN THE ARMED FORCES OF AN INDI-***
20 ***VIDUAL CONVICTED OF A FELONY HATE***
21 ***CRIME.***

22 (a) *PROHIBITION.—Section 657 of title 10, United*
23 *States Code, is amended—*

24 (1) *in the heading, by striking “sexual”; and*

1 (2) *in subsection (b), by adding at the end the*
 2 *following new paragraphs:*

3 “(5) *An offense under section 249 of title 18.*

4 “(6) *An offense under State or local law—*

5 *“(A) described in section 245(a)(1) of title*
 6 *18; or*

7 *“(B) the elements of which are substantially*
 8 *similar to those of an offense under section 247*
 9 *or 249 of title 18.”.*

10 (b) *CONFORMING AMENDMENT.—The table of sections*
 11 *at the beginning of chapter 37 of such title is amended by*
 12 *striking the item relating to section 657 and inserting the*
 13 *following:*

*“657. Prohibition on service in the armed forces by individuals convicted of cer-
 tain offenses.”.*

14 **SEC. 512. REDUCTION IN SERVICE COMMITMENT REQUIRED**
 15 **FOR PARTICIPATION IN CAREER INTER-**
 16 **MISSION PROGRAM OF A MILITARY DEPART-**
 17 **MENT.**

18 *Section 710(c)(3) of title 10, United States Code, is*
 19 *amended by striking “two months” and inserting “one*
 20 *month”.*

21 **SEC. 513. MODERNIZATION OF THE SELECTIVE SERVICE**
 22 **SYSTEM.**

23 (a) *REFERENCE.—Except as expressly provided other-*
 24 *wise, any reference in this section to a section or other pro-*

1 *vision shall be deemed to be a reference to that section or*
2 *other provision of the Military Selective Service Act (50*
3 *U.S.C. 3801 et seq.).*

4 *(b) PURPOSE OF SELECTIVE SERVICE.—Section 1(b)*
5 *(50 U.S.C. 3801(b)) is amended—*

6 *(1) by striking “armed strength” and inserting*
7 *“military strength”;*

8 *(2) by striking “insure” and inserting “ensure”;*
9 *and*

10 *(3) by inserting before the period at the end the*
11 *following: “by ensuring adequate personnel with the*
12 *requisite capabilities to meet the mobilization needs of*
13 *the Department of Defense during a national emer-*
14 *gency and not solely to provide combat replacements”.*

15 *(c) SOLEMNITY OF MILITARY SERVICE.—Section 3 (50*
16 *U.S.C. 3802) is amended by adding at the end the following:*

17 *“(c) Regulations prescribed pursuant to subsection (a)*
18 *shall include methods to convey to every person required*
19 *to register the solemn obligation for military service in the*
20 *event of a military draft.”.*

21 *(d) EXPANDED REGISTRATION TO ALL AMERICANS.—*

22 *(1) Section 3(a) (50 U.S.C. 3802(a)) is amend-*
23 *ed—*

24 *(A) by striking “male citizen” and inserting*
25 *“citizen”;*

1 (B) by striking “male person” and insert-
2 ing “person”;

3 (C) by striking “present himself” and in-
4 serting “appear”; and

5 (D) by striking “so long as he” and insert-
6 ing “so long as such alien”.

7 (2) Section 4(e) (50 U.S.C. 3803(e)) is amended
8 by striking “enlisted men” and inserting “enlisted
9 persons”.

10 (3) Section 5 (50 U.S.C. 3805) is amended—

11 (A) in subsection (a)(1)—

12 (i) by striking “race or color” and in-
13 serting “race, color, sex, or gender”; and

14 (ii) by striking “call for men” and in-
15 serting “call for persons”; and

16 (B) in subsection (b), by striking “men”
17 each place it appears and inserting “persons”.

18 (4) Section 6 (50 U.S.C. 3806) is amended—

19 (A) in subsection (a)(1)—

20 (i) by striking “enlisted men” and in-
21 serting “enlisted persons”; and

22 (ii) by striking “accrue to him” and
23 inserting “accrue to such alien”; and

24 (B) in subsection (h)—

1 (i) by striking “(other than wives
2 alone, except in cases of extreme hardship)”;

3 and

4 (ii) by striking “wives and children”
5 and inserting “spouses and children”.

6 (5) Section 10(b)(3) (50 U.S.C. 3809(b)(3)) is
7 amended—

8 (A) by striking “the President is requested”
9 and all that follows through “within its jurisdic-
10 tion” and inserting “the President is requested
11 to appoint the membership of each local board so
12 that each board has both male and female mem-
13 bers and, to the maximum extent practicable, it
14 is proportionately representative of the race, na-
15 tional origin, and sex of those registrants within
16 its jurisdiction”; and

17 (B) by striking “race or national origin”
18 and inserting “race, sex, or national origin”.

19 (6) Section 16(a) (50 U.S.C. 3814(a)) is amend-
20 ed by striking “men” and inserting “persons”.

21 (e) *MAINTAINING THE HEALTH OF THE SELECTIVE*
22 *SERVICE SYSTEM.*—Section 10(a) (50 U.S.C. 3809(a)) is
23 amended by adding at the end the following new paragraph:

24 “(5) The Selective Service System shall conduct
25 exercises periodically of all mobilization plans, sys-

1 *tems, and processes to evaluate and test the effective-*
2 *ness of such plans, systems, and processes. Once every*
3 *4 years, the exercise shall include the full range of in-*
4 *ternal and interagency procedures to ensure*
5 *functionality and interoperability and may take*
6 *place as part of the Department of Defense mobiliza-*
7 *tion exercise under section 10208 of title 10, United*
8 *States Code. The Selective Service System shall con-*
9 *duct a public awareness campaign in conjunction*
10 *with each exercise to communicate the purpose of the*
11 *exercise to the public.”.*

12 *(f) DUE PROCESS FOR FAILURE TO REGISTER.—*

13 *(1) Section 12 (50 U.S.C. 3811) is amended—*

14 *(A) in subsection (f)—*

15 *(i) in paragraph (2), by inserting be-*
16 *fore the period at the end “or proof of reg-*
17 *istration in accordance with subsection*
18 *(g)”;*

19 *(ii) in paragraph (3)—*

20 *(I) in the first sentence, by strik-*
21 *ing “compliance” and inserting “com-*
22 *pliance or proof of registration”;* and

23 *(II) in the second sentence, by in-*
24 *serting before the period at the end “or*
25 *proof of registration”;* and

1 (iii) in paragraph (4), in the second
2 sentence—

3 (I) by striking “thereunder” and
4 inserting “thereunder, or failure to
5 provide proof of registration in accord-
6 ance with subsection (g),”; and

7 (II) by inserting before the period
8 at the end “or has registered in accord-
9 ance with subsection (g),”; and

10 (B) in subsection (g)—

11 (i) in paragraph (1), by striking “;
12 and” and inserting “and the person shows
13 by a preponderance of the evidence that the
14 failure of the person to register was not a
15 knowing and willful failure to register; or”;
16 and

17 (ii) by amending paragraph (2) to
18 read as follows:

19 “(2) the person was provided notice of the per-
20 son’s failure to register and the person registered
21 within 30 days with the Selective Service System, re-
22 gardless of the person’s age at the time of registra-
23 tion.”.

24 (g) *TECHNICAL AND CONFORMING AMENDMENTS.*—

25 *The Military Selective Service Act is amended—*

1 (1) *in section 4 (50 U.S.C. 3803)—*

2 (A) *in subsection (a) in the third undesig-*
3 *nated paragraph—*

4 (i) *by striking “his acceptability in all*
5 *respects, including his” and inserting “such*
6 *person’s acceptability in all respects, in-*
7 *cluding such person’s”; and*

8 (ii) *by striking “he may prescribe”*
9 *and inserting “the President may pre-*
10 *scribe”;*

11 (B) *in subsection (c)—*

12 (i) *in paragraph (2), by striking “any*
13 *enlisted member” and inserting “any per-*
14 *son who is an enlisted member”; and*

15 (ii) *in paragraphs (3), (4), and (5), by*
16 *striking “in which he resides” and inserting*
17 *“in which such person resides”;*

18 (C) *in subsection (g), by striking “coordi-*
19 *nate with him” and inserting “coordinate with*
20 *the Director”; and*

21 (D) *in subsection (k)(1), by striking “find-*
22 *ing by him” and inserting “finding by the Presi-*
23 *dent”;*

1 (2) *in section 5(d) (50 U.S.C. 3805(d)), by striking*
2 *“he may prescribe” and inserting “the President*
3 *may prescribe”;*

4 (3) *in section 6 (50 U.S.C. 3806)—*

5 (A) *in subsection (c)(2)(D), by striking “he*
6 *may prescribe” and inserting “the President*
7 *may prescribe”;*

8 (B) *in subsection (d)(3), by striking “he*
9 *may deem appropriate” and inserting “the*
10 *President considers appropriate”; and*

11 (C) *in subsection (h), by striking “he may*
12 *prescribe” each place it appears and inserting*
13 *“the President may prescribe”;*

14 (4) *in section 10 (50 U.S.C. 3809)—*

15 (A) *in subsection (b)—*

16 (i) *in paragraph (3)—*

17 (I) *by striking “He shall create”*
18 *and inserting “The President shall cre-*
19 *ate”; and*

20 (II) *by striking “upon his own*
21 *motion” and inserting “upon the*
22 *President’s own motion”;*

23 (ii) *in paragraph (4), by striking “his*
24 *status” and inserting “such individual’s*
25 *status”; and*

1 (iii) in paragraphs (4), (6), (8), and
2 (9), by striking “he may deem” each place
3 it appears and inserting “the President con-
4 siders”; and

5 (B) in subsection (c), by striking “vested in
6 him” and inserting “vested in the President”;

7 (5) in section 13(b) (50 U.S.C. 3812(b)), by
8 striking “regulation if he” and inserting “regulation
9 if the President”;

10 (6) in section 15 (50 U.S.C. 3813)—

11 (A) in subsection (b), by striking “his” each
12 place it appears and inserting “the registrant’s”;
13 and

14 (B) in subsection (d), by striking “he may
15 deem” and inserting “the President considers”;

16 (7) in section (16)(g) (50 U.S.C. 3814(g))—

17 (A) in paragraph (1), by striking “who as
18 his regular and customary vocation” and insert-
19 ing “who, as such person’s regular and cus-
20 tomary vocation,”; and

21 (B) in paragraph (2)—

22 (i) by striking “one who as his cus-
23 tomary vocation” and inserting “a person
24 who, as such person’s customary vocation,”;
25 and

1 (ii) by striking “he is a member” and
2 inserting “such person is a member”;

3 (8) in section (18)(a) (50 U.S.C. 3816(a)), by
4 striking “he is authorized” and inserting “the Presi-
5 dent is authorized”;

6 (9) in section 21 (50 U.S.C. 3819)—

7 (A) by striking “he is sooner” and inserting
8 “sooner”;

9 (B) by striking “he” each subsequent place
10 it appears and inserting “such member”; and

11 (C) by striking “his consent” and inserting
12 “such member’s consent”;

13 (10) in section 22(b) (50 U.S.C. 38290(b)), in
14 paragraphs (1) and (2), by striking “his” each place
15 it appears and inserting “the registrant’s”; and

16 (11) except as otherwise provided in this sec-
17 tion—

18 (A) by striking “he” each place it appears
19 and inserting “such person”;

20 (B) by striking “his” each place it appears
21 and inserting “such person’s”;

22 (C) by striking “him” each place it appears
23 and inserting “such person”; and

1 (D) by striking “present himself” each place
2 it appears in section 12 (50 U.S.C. 3811) and
3 inserting “appear”.

4 (h) CONFORMING AMENDMENTS TO OTHER LAWS.—

5 (1) Section 3328 of title 5, United States Code,
6 is amended by striking subsection (a) and inserting
7 the following:

8 “(a) An individual who was required to register under
9 section 3 of the Military Selective Service Act (50 U.S.C.
10 3803) but failed to meet the registration requirements of
11 section 3 of that Act shall be ineligible for appointment to
12 a position in an Executive agency, unless—

13 “(1) the requirement for the person to so register
14 has terminated or become inapplicable to the person
15 and the person shows by a preponderance of the evi-
16 dence that the failure of the person to register was not
17 a knowing and willful failure to register; or

18 “(2) the person was provided notice of the per-
19 son’s failure to register and the person registered
20 within 30 days with the Selective Service System, re-
21 gardless of the person’s age at the time of registra-
22 tion.”.

23 (2) Section 484(n) of the Higher Education Act
24 of 1965 (20 U.S.C. 1091(n)) is amended by striking

1 “(50 U.S.C. App. 462(f))” and inserting “(50 U.S.C.
2 3811(f))”.

3 (i) *EFFECTIVE DATE.*—*The amendments made by this*
4 *section shall take effect on the date of the enactment of this*
5 *Act, except that the amendments made by subsections (d)*
6 *and (h)(1) shall take effect one year after such date of enact-*
7 *ment.*

8 **SEC. 514. IMPROVEMENTS TO MILITARY ACCESSIONS IN**
9 **ARMED FORCES UNDER THE JURISDICTION**
10 **OF THE SECRETARIES OF THE MILITARY DE-**
11 **PARTMENTS.**

12 (a) *IN GENERAL.*—*Not later than one year after the*
13 *date of the enactment of this Act, each Secretary of a mili-*
14 *tary department shall take the following steps regarding*
15 *military accessions in each Armed Force under the jurisdic-*
16 *tion of such Secretary:*

17 (1) *Assess the prescribed medical standards for*
18 *appointment as an officer, or enlistment as a mem-*
19 *ber, in such Armed Force.*

20 (2) *Determine how to update the medical screen-*
21 *ing processes for appointment or enlistment.*

22 (3) *Determine how to standardize operations*
23 *across the military entrance processing stations.*

24 (4) *Determine how to improve aptitude testing*
25 *methods and standardized testing requirements.*

1 (5) *Implement improvements determined or*
2 *identified under paragraphs (1) through (4).*

3 (b) *REPORT.*—*Not later than one year after the date*
4 *of the enactment of this Act, each Secretary shall submit*
5 *to the appropriate congressional committees a report con-*
6 *taining the results of carrying out this section and rec-*
7 *ommendations regarding legislation the Secretary deter-*
8 *mines necessary to improve such military accessions.*

9 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
10 *FINED.*—*In this section, the term “appropriate congres-*
11 *sional committees” means—*

12 (1) *The Committee on Armed Services of the*
13 *House of Representatives.*

14 (2) *The Committee on Armed Services of the*
15 *Senate.*

16 (3) *The Committee on Transportation and Infra-*
17 *structure of the House of Representatives.*

18 (4) *The Committee on Commerce, Science, and*
19 *Transportation of the Senate.*

20 **SEC. 515. AUTHORIZATION OF PERMISSIVE TEMPORARY**
21 **DUTY FOR WELLNESS.**

22 *In order to reduce the rate of suicides in the Armed*
23 *Forces, the Secretary of each military department shall pre-*
24 *scribe regulations that authorize a member of an Armed*
25 *Force under the jurisdiction of such Secretary to take not*

1 *more than two weeks of permissive temporary duty each*
2 *year to attend a seminar, retreat, workshop, or outdoor rec-*
3 *reational therapy event—*

4 *(a) hosted by a non-profit organization; and*

5 *(b) that focuses on psychological, physical, spiritual,*
6 *or social wellness.*

7 **SEC. 516. REQUIRED STAFFING OF ADMINISTRATIVE SEPA-**
8 **RATION BOARDS.**

9 *(a) IN GENERAL.—The Secretary of the military de-*
10 *partment concerned shall ensure that any administrative*
11 *separation board under the jurisdiction of such Secretary*
12 *has assigned to it the following:*

13 *(1) A nonvoting legal advisor who shall be re-*
14 *sponsible for providing legal advice to the President*
15 *of the board on—*

16 *(A) the operations and procedures of the*
17 *board; and*

18 *(B) matters under consideration by the*
19 *board.*

20 *(2) A nonvoting recorder who shall be responsible*
21 *for representing the separation authority in the in the*
22 *proceedings before the board.*

23 *(b) SELECTION AND SUPERVISION.—*

24 *(1) IN GENERAL.—The nonvoting legal advisor*
25 *referred to in subsection (a)(1) and the recorder re-*

1 ferred to in subsection (a)(2) shall each be selected by
2 the staff judge advocate and each shall serve under the
3 supervision of such staff judge advocate.

4 (2) *CERTIFICATION.*—The staff judge advocate
5 who selects the recorder under paragraph (1) shall in-
6 clude in the record of the proceedings of the board a
7 written certification affirming that the recorder has
8 the legal skills necessary to competently fulfill the du-
9 ties of that position.

10 **SEC. 517. ADMINISTRATIVE SEPARATION: MISCELLANEOUS**
11 **AUTHORITIES AND REQUIREMENTS.**

12 Not later than one year after the date of the enactment
13 of this Act, the Secretary of Defense and each Secretary of
14 a military department shall prescribe regulations and guid-
15 ance for administrative separations of enlisted members
16 under the jurisdiction of such Secretary that—

17 (1) authorize the Secretary of the military de-
18 partment concerned to characterize an administrative
19 discharge, considered by an administrative separation
20 board under regulations prescribed by such Sec-
21 retary—

22 (A) under any conditions (including other
23 than honorable); and

24 (B) notwithstanding the recommendation of
25 such administrative separation board; and

1 (2) *in the case of an administrative separation*
2 *on the basis of an offense by the member against an*
3 *individual, allow such individual to request that at*
4 *least one voting member of the administrative separa-*
5 *tion board be of the same gender, race, or ethnicity*
6 *of such individual.*

7 **SEC. 518. PROHIBITION ON ALGORITHMIC CAREER TERMI-**
8 **NATION.**

9 *No funds authorized to be appropriated by this Act*
10 *may be used to subject a member of the Armed Forces under*
11 *the jurisdiction of a Secretary of a military department to*
12 *discipline of any kind solely based on the output of an auto-*
13 *mated algorithmic, mathematical, or other analytic tool*
14 *used in the evaluation of publicly available social media*
15 *posts or other publicly available online activity attributable*
16 *to such member, unless the Secretary concerned determines*
17 *an imminent threat of physical violence exists.*

18 **SEC. 519. PROHIBITION ON DISCIPLINE AGAINST A MEMBER**
19 **BASED ON CERTAIN SOCIAL MEDIA.**

20 *No funds authorized to be appropriated by this Act*
21 *may be used to subject a member of the Armed Forces under*
22 *the jurisdiction of a Secretary of a military department to*
23 *discipline of any kind solely based on a comment, post, or*
24 *other activity originating from a third party regarding a*

1 *political matter on an online account, forum, or other elec-*
2 *tronic means owned, controlled, or operated by the member.*

3 **SEC. 519A. COMMAND OVERSIGHT OF MILITARY**
4 **PRIVATIZED HOUSING AS ELEMENT OF PER-**
5 **FORMANCE EVALUATIONS.**

6 (a) *EVALUATIONS IN GENERAL.*—*Each Secretary of a*
7 *military department shall ensure that the performance eval-*
8 *uations of any individual described in subsection (b) under*
9 *the jurisdiction of such Secretary indicates the extent to*
10 *which such individual has or has not exercised effective*
11 *oversight and leadership in the following:*

12 (1) *Improving conditions of privatized housing*
13 *under subchapter IV of chapter 169 of title 10, United*
14 *States Code.*

15 (2) *Addressing concerns with respect to such*
16 *housing of members of the Armed Forces and their*
17 *families who reside in such housing on an installa-*
18 *tion of the military department concerned.*

19 (b) *COVERED INDIVIDUALS.*—*The individuals de-*
20 *scribed in this subsection are as follows:*

21 (1) *The commander of an installation of a mili-*
22 *tary department at which on-installation housing is*
23 *managed by a landlord of privatized housing under*
24 *subchapter IV of chapter 169 of title 10, United*
25 *States Code.*

1 (2) *Each officer or senior enlisted member of the*
2 *Armed Forces at an installation described in para-*
3 *graph (1) whose duties include facilities or housing*
4 *management at such installation.*

5 (3) *Any other officer or enlisted member of the*
6 *Armed Forces (whether or not at an installation de-*
7 *scribed in paragraph (1)) as specified by the Sec-*
8 *retary of the military department concerned for pur-*
9 *poses of this section.*

10 **SEC. 519B. FEASIBILITY STUDY ON ESTABLISHMENT OF**
11 **HOUSING HISTORY FOR MEMBERS OF THE**
12 **ARMED FORCES WHO RESIDE IN HOUSING**
13 **PROVIDED BY THE UNITED STATES.**

14 (a) *STUDY; REPORT.*—*Not later than September 30,*
15 *2022, the Secretary of Defense shall—*

16 (1) *conduct a feasibility study regarding the es-*
17 *tablishment of a standard record of housing history*
18 *for members of the Armed Forces who reside in cov-*
19 *ered housing; and*

20 (2) *submit to the appropriate congressional com-*
21 *mittees a report on the results of such study.*

22 (b) *CONTENTS.*—*A record described in subsection (a)*
23 *includes, with regards to each period during which the*
24 *member concerned resided in covered housing, the following:*

1 (1) *The assessment of the commander of the mili-*
2 *tary installation in which such housing is located, of*
3 *the condition of such covered housing—*

4 (A) *prior to the beginning of such period;*

5 *and*

6 (B) *in which the member concerned left*
7 *such covered housing upon vacating such covered*
8 *housing.*

9 (2) *Contact information a housing provider may*
10 *use to inquire about such a record.*

11 (c) *ONLINE ACCESS.—A record described in subsection*

12 (a) *would be accessible through a website, maintained by*
13 *the Secretary of the military department concerned, through*
14 *which a member of the Armed Forces under the jurisdiction*
15 *of such Secretary may access such record of such member.*

16 (d) *ISSUANCE.—The Secretary concerned would issue*
17 *a copy of a described in subsection (a) to the member con-*
18 *cerned upon the separation, retirement, discharge, or dis-*
19 *missal of such member from the Armed Forces, with the DD*
20 *Form 214 for such member.*

21 (e) *DEFINITIONS.—In this section:*

22 (1) *The term “appropriate congressional com-*
23 *mittees” means the following:*

24 (A) *The Committee on Armed Services of*
25 *the House of Representatives.*

1 (B) *The Committee on Armed Services of*
2 *the Senate.*

3 (C) *The Committee on Transportation and*
4 *Infrastructure of the House of Representatives.*

5 (D) *The Committee on Commerce, Science,*
6 *and Transportation of the Senate.*

7 (2) *The term “covered housing” means housing*
8 *provided by the United States to a member of the*
9 *Armed Forces.*

10 **SEC. 519C. SEAMAN TO ADMIRAL-21 PROGRAM: CREDIT TO-**
11 **WARDS RETIREMENT.**

12 (a) *CREDIT.*—*For each participant in the Seaman to*
13 *Admiral-21 program during fiscal years 2010 through 2014*
14 *for whom the Secretary of the Navy cannot find evidence*
15 *of an acknowledgment that, before entering a baccalaureate*
16 *degree program, service during the baccalaureate degree*
17 *program would not be included when computing years of*
18 *service for retirement, the Secretary shall include service*
19 *during the baccalaureate degree program when com-*
20 *puting—*

21 (1) *years of service; and*

22 (2) *retired or retainer pay.*

23 (b) *REPORT REQUIRED.*—*The Secretary shall submit*
24 *a report to the Committees on Armed Services of the Senate*

1 *and House of Representatives regarding the number of par-*
2 *ticipants credited with service under subsection (a).*

3 (c) *DEADLINE.*—*The Secretary shall carry out this sec-*
4 *tion not later than 180 days after the date of the enactment*
5 *of this Act.*

6 **SEC. 519D. PROGRESS REPORT ON IMPLEMENTATION OF**
7 **GAO RECOMMENDATIONS REGARDING CA-**
8 **REER PATHS FOR SURFACE WARFARE OFFI-**
9 **CERS OF THE NAVY.**

10 (a) *PROGRESS REPORT.*—*Not later than one year after*
11 *the date of the enactment of this Act, the Secretary of the*
12 *Navy shall submit to the congressional defense committees*
13 *a progress report on implementation of the recommenda-*
14 *tions for executive action in the report of the Government*
15 *Accountability Office titled “Navy Readiness: Actions Need-*
16 *ed to Evaluate and Improve Surface Warfare Officer Career*
17 *Path” (GAO–21–168). The report shall include the fol-*
18 *lowing:*

19 (1) *Actions taken to develop plans to improve re-*
20 *tion of SWOs, with a focus on retention of female*
21 *SWOs, including specific goals, performance meas-*
22 *ures, and timelines.*

23 (2) *Actions taken to analyze relevant logbook*
24 *data for trends between the number of SWOs aboard*

1 *ships and competition for limited training opportuni-*
2 *ties.*

3 (3) *Actions taken to analyze the extent to which*
4 *commissioning practices affect training opportunities*
5 *for SWOs.*

6 (4) *Actions taken to reevaluate the need for nu-*
7 *clear-trained SWOs, assess the effects of the current*
8 *training approach, and make any related adjustments*
9 *to the respective career path.*

10 (5) *Actions taken to establish and implement*
11 *regular evaluations of the effectiveness of the current*
12 *career path, training, and policies for SWOs, in suc-*
13 *cessfully developing and retaining proficient SWOs.*
14 *The initial evaluation shall include—*

15 (A) *a comparison of such effectiveness*
16 *against that of other positions in the Navy, and*
17 *against comparable positions in other navies and*
18 *maritime communities; and*

19 (B) *input from SWOs at all grades.*

20 (6) *Actions taken to implement—*

21 (A) *workforce strategies;*

22 (B) *changes to the career path for SWOs,*
23 *training, and policies; and*

1 (C) the implementation of pilot programs to
2 evaluate potential changes that address the re-
3 sults of such initial evaluation.

4 (b) *SWO DEFINED.*—In this section, the term “SWO”
5 means “surface warfare officer”.

6 **SEC. 519E. INDEPENDENT ASSESSMENT OF RETENTION OF**
7 **FEMALE SURFACE WARFARE OFFICERS.**

8 (a) *IN GENERAL.*—The Secretary of Defense shall seek
9 to enter into an agreement with a nonprofit entity or a
10 federally funded research and development center inde-
11 pendent of the Department of Defense to conduct research
12 and analysis on the gender gap in retention of surface war-
13 fare officers in the Navy.

14 (b) *ELEMENTS.*—The research and analysis conducted
15 under subsection (a) shall include consideration of the fol-
16 lowing:

17 (1) *Demographics of surface warfare officers,*
18 *disaggregated by gender, including—*

19 (A) *race;*

20 (B) *ethnicity;*

21 (C) *socioeconomic status;*

22 (D) *marital status (including whether the*
23 *spouse is a member of the Armed Forces and, if*
24 *so, the length of service of such spouse);*

1 (E) whether the officer has children (includ-
2 ing number and age or ages of children);

3 (F) whether an immediate family member
4 serves or has served as a member of the Armed
5 Forces; and

6 (G) the percentage of such officers who—

7 (i) indicate an intent to complete only
8 an initial service agreement; and

9 (ii) complete only an initial service
10 agreement.

11 (2) Whether there is a correlation between the
12 number of female surface warfare officers serving on
13 a vessel and responses of such officers to command cli-
14 mate surveys.

15 (3) An anonymous but traceable study of com-
16 mand climate results to—

17 (A) correlate responses from particular fe-
18 male surface warfare officers with resignation;
19 and

20 (B) compare attitudes of first-tour and sec-
21 ond-tour female surface warfare officers.

22 (4) Recommendations based on the findings
23 under paragraphs (1), (2), and (3).

24 (c) *REPORTS.*—

1 (1) *IN GENERAL.*—Not later than 270 days after
2 the date on which a nonprofit entity or federally
3 funded research and development center enters into an
4 agreement under subsection (a) with the Secretary of
5 Defense, such entity or center shall submit to the Sec-
6 retary of Defense a report on the results of the re-
7 search and analysis under subsection (a).

8 (2) *SUBMISSION TO CONGRESS.*—Not later than
9 one year after the date of the enactment of this Act,
10 the Secretary of Defense shall submit to the congres-
11 sional defense committees each of the following:

12 (A) A copy of the report submitted under
13 paragraph (1) without change.

14 (B) Any comments, changes, recommenda-
15 tions, or other information provided by the Sec-
16 retary of Defense relating to the research and
17 analysis under subsection (a) and contained in
18 such report.

19 ***Subtitle C—Military Justice and*** 20 ***Other Legal Matters***

21 ***SEC. 521. RIGHTS OF THE VICTIM OF AN OFFENSE UNDER*** 22 ***THE UNIFORM CODE OF MILITARY JUSTICE.***

23 (a) *IN GENERAL.*—Section 806b(a) of title 10, United
24 States Code (article 6b(a) of the Uniform Code of Military
25 Justice) is amended—

1 (1) *by redesignating paragraph (8) as para-*
2 *graph (9); and*

3 (2) *by inserting after paragraph (7) the fol-*
4 *lowing new paragraph:*

5 “(8) *The right to be informed in a timely man-*
6 *ner of any pre-trial agreement, separation-in-lieu-of-*
7 *trial agreement, or non-prosecution agreement relat-*
8 *ing to the offense, unless providing such information*
9 *would jeopardize another law enforcement proceeding*
10 *or would violate the privacy concerns of an indi-*
11 *vidual other than the accused.”.*

12 (b) *POLICY ON INFORMATION PROVIDED TO VIC-*
13 *TIMS.—*

14 (1) *UNIFORM POLICY REQUIRED.—Not later than*
15 *one year after the date of the enactment of this Act,*
16 *the Secretary of Defense, in consultation with the Sec-*
17 *retary of the Department in which the Coast Guard*
18 *is operating, shall establish a uniform policy for the*
19 *sharing of the following information relating to the*
20 *victim of an offense under chapter 47 of title 10,*
21 *United States Code (the Uniform Code of Military*
22 *Justice), with a Special Victims’ Counsel or Victims’*
23 *Legal Counsel representing such victim:*

24 (A) *Any recorded statements of the victim to*
25 *investigators.*

1 (B) *The record of any forensic examination*
 2 *of the person or property of the victim, including*
 3 *the record of any sexual assault forensic exam of*
 4 *the victim that is in possession of investigators*
 5 *or the Government.*

6 (C) *Any other personal or medical record of*
 7 *the victim that is in the possession of investiga-*
 8 *tors or the Government.*

9 (2) *EXCEPTION FOR WITHHOLDING OF INFORMA-*
 10 *TION IN CERTAIN CIRCUMSTANCES.—The policy under*
 11 *paragraph (1) may set forth circumstances in which*
 12 *the information specified in such paragraph may be*
 13 *withheld for the purpose of protecting the integrity of*
 14 *an investigation or criminal proceeding.*

15 **SEC. 522. COMMANDING OFFICER’S NON-JUDICIAL PUNISH-**
 16 **MENT.**

17 (a) *IN GENERAL.—Section 815 of title 10, United*
 18 *States Code (article 15 of the Uniform Code of Military Jus-*
 19 *tice), is amended—*

20 (1) *by redesignating subsections (c) through (g)*
 21 *as subsections (d) through (h), respectively;*

22 (2) *by inserting after subsection (b), the fol-*
 23 *lowing new subsection:*

24 “(c)(1) *Except as provided in paragraphs (2) and (3),*
 25 *a commanding officer may not impose a punishment au-*

1 *thorized in subsection (b) unless, before the imposition of*
2 *such punishment, the commanding officer—*

3 “(A) *requests and receives legal guidance regard-*
4 *ing the imposition of such punishment from a judge*
5 *advocate or other legal officer of the armed force of*
6 *which the commanding officer is a member; and*

7 “(B) *provides the member who may be subject to*
8 *such punishment with an opportunity to consult ap-*
9 *propriate legal counsel.*

10 “(2) *Paragraph (1) shall not apply to the punishments*
11 *specified in subparagraphs (E) and (F) of subsection (b)(2).*

12 “(3) *A commanding officer may waive the require-*
13 *ments set forth in subparagraphs (A) and (B) of paragraph*
14 *(1), on a case by case basis, if the commanding officer deter-*
15 *mines such a waiver is necessary in the national security*
16 *interests of the United States.”; and*

17 (3) *in subsection (f), as so redesignated, by strik-*
18 *ing “subsection (d)” and inserting “subsection (e)”.*

19 (b) *EFFECTIVE DATE AND APPLICABILITY.—The*
20 *amendments made by subsection (a) shall take effect 180*
21 *days after the date of the enactment of this Act and shall*
22 *apply with respect to punishments imposed under section*
23 *815 of title 10, United States Code (article 15 of the Uni-*
24 *form Code of Military Justice), on or after such effective*
25 *date.*

1 (c) *ADDITIONAL GUIDANCE REQUIRED.*—Not later
2 than one year after the date of the enactment of this Act,
3 each Secretary of a military department shall prescribe reg-
4 ulations or issue other written guidance with respect to non-
5 judicial punishment under section 815 of title 10, United
6 States Code (article 15 of the Uniform Code of Military Jus-
7 tice) that—

8 (1)(A) identifies criteria to be considered when
9 determining whether a member of the armed forces is
10 attached to or embarked in a vessel for the purposes
11 of determining whether such member may demand
12 trial by court-martial in lieu of punishment under
13 such section (article); and

14 (B) establishes a policy about the appropriate
15 and responsible invocation of such exception; and

16 (2) establishes criteria commanders must con-
17 sider when evaluating whether to issue a waiver
18 under subsection (c)(3) of such section (article) (as
19 added by subsection (a) of this section) on the basis
20 of the national security interests of the United States.

21 **SEC. 523. SELECTION PROCESS FOR MEMBERS TO SERVE**
22 **ON COURTS-MARTIAL.**

23 Section 825(e) of title 10, United States Code (article
24 25(e) of the Uniform Code of Military Justice), is amend-
25 ed—

1 (1) by redesignating paragraphs (1), (2), and (3)
2 as paragraphs (3), (4), and (5), respectively;

3 (2) by inserting before paragraph (3), as so re-
4 designated, the following new paragraphs: “(1) When
5 convening a court-martial, the convening authority
6 shall detail as members thereof members of the armed
7 forces under such regulations as the President may
8 prescribe for the randomized selection of qualified per-
9 sonnel available to the convening authority for detail.
10 “(2) The randomized selection process developed and
11 implemented under paragraph (1) may include parameter
12 controls that—

13 “(A) allow for exclusions based on scheduling
14 availability;

15 “(B) allow for controls based on military rank;
16 and

17 “(C) allow for controls to promote gender, racial,
18 and ethnic diversity and inclusion.”; and

19 (3) in paragraph (4), as so redesignated, by—

20 (A) striking the first sentence; and

21 (B) striking “when he is” and inserting
22 “when the member is”.

1 **SEC. 524. PETITION FOR DNA TESTING UNDER THE UNI-**
2 **FORM CODE OF MILITARY JUSTICE.**

3 (a) *IN GENERAL.*—Subchapter IX of chapter 47 of title
4 10, United States Code (the Uniform Code of Military Jus-
5 tice), is amended by inserting after section 873 (article 73)
6 the following new section (article):

7 **“§ 873a. Art. 73a. Petition for DNA testing**

8 “(a) *IN GENERAL.*—Upon a written petition by an ac-
9 cused sentenced to imprisonment or death pursuant to a
10 conviction under this chapter (referred to in this section
11 as the ‘applicant’), the Judge Advocate General shall order
12 DNA testing of specific evidence if the Judge Advocate Gen-
13 eral finds that all of the following apply:

14 “(1) The applicant asserts, under penalty of per-
15 jury, that the applicant is actually innocent of the of-
16 fense for which the applicant is sentenced to impris-
17 onment or death.

18 “(2) The specific evidence to be tested was se-
19 cured in relation to the investigation or prosecution
20 of the offense referenced in the applicant’s assertion
21 under paragraph (1).

22 “(3) The specific evidence to be tested—

23 “(A) was not previously subjected to DNA
24 testing and the applicant did not knowingly fail
25 to request DNA testing of that evidence in a
26 prior motion for postconviction DNA testing; or

1 “(B) was previously subjected to DNA test-
2 ing and the applicant is requesting DNA testing
3 using a new method or technology that is sub-
4 stantially more probative than the prior DNA
5 testing.

6 “(4) The specific evidence to be tested is in the
7 possession of the Government and has been subject to
8 a chain of custody and retained under conditions suf-
9 ficient to ensure that such evidence has not been sub-
10 stituted, contaminated, tampered with, replaced, or
11 altered in any respect material to the proposed DNA
12 testing.

13 “(5) The proposed DNA testing is reasonable in
14 scope, uses scientifically sound methods, and is con-
15 sistent with accepted forensic practices.

16 “(6) The applicant identifies a theory of defense
17 that—

18 “(A) is not inconsistent with an affirmative
19 defense presented at trial; and

20 “(B) would establish the actual innocence of
21 the applicant of the offense referenced in the ap-
22 plicant’s assertion under paragraph (1).

23 “(7) If the applicant was convicted following a
24 trial, the identity of the perpetrator was at issue in
25 the trial.

1 “(8) *The proposed DNA testing of the specific*
2 *evidence may produce new material evidence that*
3 *would—*

4 “(A) *support the theory of defense referenced*
5 *in paragraph (6); and*

6 “(B) *raise a reasonable probability that the*
7 *applicant did not commit the offense.*

8 “(9) *The applicant certifies that the applicant*
9 *will provide a DNA sample for purposes of compari-*
10 *son.*

11 “(10) *The petition is made in a timely fashion,*
12 *subject to the following conditions:*

13 “(A) *There shall be a rebuttable presump-*
14 *tion of timeliness if the petition is made within*
15 *five years of the enactment of the National De-*
16 *fense Authorization Act for Fiscal Year 2022 or*
17 *within three years after the date of the entry of*
18 *judgment under section 860c of this title (article*
19 *60c), whichever comes later. Such presumption*
20 *may be rebutted upon a showing—*

21 “(i) *that the applicant’s petition for a*
22 *DNA test is based solely upon information*
23 *used in a previously denied motion; or*

1 “(i) of clear and convincing evidence
2 that the applicant’s filing is done solely to
3 cause delay or harass.

4 “(B) There shall be a rebuttable presump-
5 tion against timeliness for any petition not sat-
6 isfying subparagraph (A) above. Such presump-
7 tion may be rebutted upon the Judge Advocate
8 General’s finding—

9 “(i) that the applicant was or is in-
10 competent and such incompetence substan-
11 tially contributed to the delay in the appli-
12 cant’s motion for a DNA test;

13 “(ii) the evidence to be tested is newly
14 discovered DNA evidence;

15 “(iii) that the applicant’s petition is
16 not based solely upon the applicant’s own
17 assertion of innocence and, after considering
18 all relevant facts and circumstances sur-
19 rounding the petition, a denial would result
20 in a manifest injustice; or

21 “(iv) upon good cause shown.

22 “(C) For purposes of this paragraph—

23 “(i) the term ‘incompetence’ has the
24 meaning given that term in section 876b of
25 this chapter (article 76b);

1 “(ii) the term ‘manifest’ means that
2 which is unmistakable, clear, plain, or in-
3 disputable and requires that the opposite
4 conclusion be clearly evident.

5 “(b) *APPEAL OF DENIAL.*— The applicant may appeal
6 the Judge Advocate General’s denial of the petition of DNA
7 testing to the Court of Appeals for the Armed Forces.

8 “(c) *EVIDENCE INVENTORY; PRESERVATION ORDER;*
9 *APPOINTMENT OF COUNSEL.*—

10 “(1) *INVENTORY.*—The Judge Advocate General
11 shall order the preparation of an inventory of the evi-
12 dence related to the case for which a petition is made
13 under subsection (a), which shall be provided to the
14 applicant.

15 “(2) *PRESERVATION ORDER.*—To the extent nec-
16 essary to carry out proceedings under this section, the
17 Judge Advocate General shall direct the preservation
18 of the specific evidence relating to a petition under
19 subsection (a).

20 “(3) *APPOINTMENT OF COUNSEL.*—The applicant
21 shall be eligible for representation by appellate defense
22 counsel under section 870 of this chapter (article 70).

23 “(d) *TESTING COSTS.*—The costs of any DNA testing
24 ordered under this section shall be paid by the Government.

1 “(e) *TIME LIMITATION IN CAPITAL CASES.*—*In any*
2 *case in which the applicant is sentenced to death—*

3 “(1) *any DNA testing ordered under this section*
4 *shall be completed not later than 60 days after the*
5 *date on which the test is ordered by the Judge Advoca-*
6 *cate General; and*

7 “(2) *not later than 120 days after the date on*
8 *which the DNA testing ordered under this section is*
9 *completed, the Judge Advocate General shall order*
10 *any post-testing procedures under subsection (f) or*
11 *(g), as appropriate.*

12 “(f) *DISCLOSURE OF TEST RESULTS.*—*Reporting of*
13 *test results shall be simultaneously disclosed to the Govern-*
14 *ment and the applicant.*

15 “(g) *POST-TESTING PROCEDURES; INCONCLUSIVE AND*
16 *INCULPATORY RESULTS.*—

17 “(1) *INCONCLUSIVE RESULTS.*—*If DNA test re-*
18 *sults obtained under this section are inconclusive, the*
19 *Judge Advocate General may order further testing, if*
20 *appropriate, or may deny the applicant relief.*

21 “(2) *INCULPATORY RESULTS.*—*If DNA test re-*
22 *sults obtained under this section show that the appli-*
23 *cant was the source of the DNA evidence, the Judge*
24 *Advocate General shall—*

25 “(A) *deny the applicant relief; and*

1 “(B) if the DNA test results relate to a
2 State offense, forward the finding to any appro-
3 priate State official.

4 “(h) *POST-TESTING PROCEDURES; MOTION FOR NEW*
5 *TRIAL OR RESENTENCING.*—

6 “(1) *IN GENERAL.*—Notwithstanding any provi-
7 sion of law that would bar a motion under this para-
8 graph as untimely, if DNA test results obtained under
9 this section exclude the applicant as the source of the
10 DNA evidence, the applicant may file a petition for
11 a new trial or resentencing, as appropriate.

12 “(2) *STANDARD FOR GRANTING MOTION FOR NEW*
13 *TRIAL OR RESENTENCING.*—The applicant’s petition
14 for a new trial or resentencing, as appropriate, shall
15 be granted if the DNA test results, when considered
16 with all other evidence in the case (regardless of
17 whether such evidence was introduced at trial), estab-
18 lish by compelling evidence that a new trial would re-
19 sult in the acquittal of the applicant.

20 “(i) *RELATIONSHIP TO OTHER LAWS.*—

21 “(1) *POST-CONVICTION RELIEF.*—Nothing in this
22 section shall affect the circumstances under which a
23 person may obtain DNA testing or post-conviction re-
24 lief under any other provision of law.

1 “(2) *HABEAS CORPUS*.—Nothing in this section
2 shall provide a basis for relief in any Federal habeas
3 corpus proceeding.”.

4 (b) *CLERICAL AMENDMENT*.—The table of sections at
5 the beginning of such subchapter is amended by inserting
6 after the item relating to section 873 (article 73) the fol-
7 lowing new item:

 “873a. 73a. *Petition for DNA testing*.”.

8 **SEC. 525. PUNITIVE ARTICLE ON VIOLENT EXTREMISM.**

9 (a) *VIOLENT EXTREMISM*.—

10 (1) *IN GENERAL*.—Subchapter X of chapter 47 of
11 title 10, United States Code, is amended by inserting
12 after section 916 (article 116 of the Uniform Code of
13 Military Justice) the following new section (article):

14 **“§916a. Art. 116a. violent extremism**

15 “(a) *PROHIBITION*.—Any person subject to this chap-
16 ter who—

17 “(1) knowingly commits a covered offense
18 against—

19 “(A) the Government of the United States;

20 or

21 “(B) any person or class of people;

22 “(2)(A) with the intent to intimidate or coerce
23 any person or class of people; or

1 “(B) *with the intent to influence, affect, or re-*
2 *taliate against the policy or conduct of the Govern-*
3 *ment of the United States or any State; and*

4 “(3) *does so—*

5 “(A) *to achieve political, ideological, reli-*
6 *gious, social, or economic goals; or*

7 “(B) *in the case of an act against a person*
8 *or class of people, for reasons relating to the*
9 *race, religion, color, ethnicity, sex, age, disability*
10 *status, national origin, sexual orientation, or*
11 *gender identity of the person or class of people*
12 *concerned;*

13 *is guilty of violent extremism and shall be punished*
14 *as a court-martial may direct.*

15 “(b) *ATTEMPTS, SOLICITATION, AND CONSPIRACY.—*

16 *Any person who attempts, solicits, or conspires to commit*
17 *an offense under this section shall be punished in the same*
18 *manner as a person who completes the offense.*

19 “(c) *DEFINITIONS.—In this section:*

20 “(1) *COVERED OFFENSE.—The term ‘covered of-*
21 *fense’ means—*

22 “(A) *loss, damage, destruction, or wrongful*
23 *disposition of military property of the United*
24 *States, in violation of section 908 of this title*
25 *(article 108);*

1 “(B) waste, spoilage, or destruction of prop-
2 erty other than military property of the United
3 States, in violation of section 909 of this title
4 (article 109);

5 “(C) communicating threats, in violation of
6 section 915 of this title (article 115);

7 “(D) riot or breach of peace, in violation of
8 section 916 of this title (article 116);

9 “(E) provoking speech or gestures, in viola-
10 tion of section 917 of this title (article 117);

11 “(F) murder, in violation of section 918 of
12 this title (article 118);

13 “(G) manslaughter, in violation of section
14 919 of this title (article 119);

15 “(H) larceny or wrongful appropriation, in
16 violation of section 921 of this title (article 121);

17 “(I) robbery, in violation of section 922 of
18 this title (article 122);

19 “(J) kidnapping, in violation of section 925
20 of this title (article 125);

21 “(K) assault, in violation of section 928 of
22 this title (article 128);

23 “(L) conspiracy to commit an offense speci-
24 fied in any of subparagraphs (A) through (K), as

1 *punishable under section 881 of this title (article*
2 *81);*

3 *“(M) solicitation to commit an offense spec-*
4 *ified in any of subparagraphs (A) through (K),*
5 *as punishable under section 882 of this title (ar-*
6 *ticle 82); or*

7 *“(N) an attempt to commit an offense speci-*
8 *fied in any of subparagraphs (A) through (K), as*
9 *punishable under section 880 of this title (article*
10 *80).*

11 *“(2) STATE.—The term ‘State’ includes any*
12 *State of the United States, the District of Columbia,*
13 *the Commonwealth of Puerto Rico, and any other*
14 *possession or territory of the United States.”.*

15 *(2) CLERICAL AMENDMENT.—The table of sec-*
16 *tions at the beginning of such subchapter is amended*
17 *by inserting after the item relating to section 916 (ar-*
18 *ticle 116) the following new item:*

“916a. 116a. Violent extremism.”.

19 *(b) EFFECTIVE DATE.—The amendments made by sub-*
20 *section (a) shall take effect on the date of the enactment*
21 *of this Act and shall apply to offenses committed on or after*
22 *such date.*

1 **SEC. 526. CLARIFICATIONS OF PROCEDURE IN INVESTIGA-**
2 **TIONS OF PERSONNEL ACTIONS TAKEN**
3 **AGAINST MEMBERS OF THE ARMED FORCES**
4 **IN RETALIATION FOR PROTECTED COMMU-**
5 **NICATIONS.**

6 (a) *IN GENERAL.*—Subparagraphs (D) and (E) of
7 paragraph (4) of section 1034(c) of title 10, United States
8 Code, are amended to read as follows:

9 “(D)(i) Upon determining that an investigation of an
10 allegation under paragraph (1) is warranted, the Inspector
11 General making the determination shall expeditiously in-
12 vestigate the allegation to determine whether the protected
13 communication or activity under subsection (b) was a con-
14 tributing factor in the personnel action prohibited under
15 subsection (b) that was taken or withheld (or threatened to
16 be taken or withheld) against a member of the armed forces.

17 “(ii) In the case of a determination made by the In-
18 spector General of the Department of Defense, that Inspector
19 General may delegate responsibility for the investigation to
20 an appropriate Inspector General of a military department.

21 “(iii) The member alleging the prohibited personnel
22 action may use circumstantial evidence to demonstrate that
23 the protected communication or activity under subsection
24 (b) was a contributing factor in the personnel action pro-
25 hibited under subsection (b). Such circumstantial evidence
26 may include that the person taking such prohibited per-

1 *sonnel action knew of the protected communication or activ-*
2 *ity, and that the prohibited personnel action occurred with-*
3 *in a period of time such that a reasonable person could con-*
4 *clude that the communication or protected activity was a*
5 *contributing factor in the personnel action.*

6 “(iv) *If the Inspector General determines it likelier*
7 *than not that the member made a communication or par-*
8 *ticipated in an activity protected under subsection (b) that*
9 *was a contributing factor in a personnel action described*
10 *in such subsection, the Inspector General shall presume such*
11 *personnel action to be prohibited under such subsection un-*
12 *less the Inspector General determines there is clear and con-*
13 *vincing evidence that the same personnel action would have*
14 *occurred in the absence of such protected communication*
15 *or activity.*

16 “(E) *If the Inspector General preliminarily determines*
17 *in an investigation under subparagraph (D) that a per-*
18 *sonnel action prohibited under subsection (b) has occurred*
19 *and that such personnel action shall result in an immediate*
20 *hardship to the member alleging the personnel action, the*
21 *Inspector General shall promptly notify the Secretary of the*
22 *military department concerned or the Secretary of Home-*
23 *land Security, as applicable, of the hardship, and such Sec-*
24 *retary shall take such action as such Secretary determines*
25 *appropriate.”.*

1 (b) *TECHNICAL AMENDMENTS.*—Such paragraph is
 2 further amended in subparagraphs (A) and (B) by striking
 3 “subsection (h)” both places it appears and inserting “sub-
 4 section (i)”.

5 **SEC. 527. ACTIVITIES TO IMPROVE FAMILY VIOLENCE PRE-**
 6 **VENTION AND RESPONSE.**

7 (a) *DELEGATION OF AUTHORITY TO AUTHORIZE EX-*
 8 *CEPTIONAL ELIGIBILITY FOR CERTAIN BENEFITS.*—Para-
 9 graph (4) of section 1059(m) of title 10, United States Code,
 10 is amended to read as follows:

11 “(4)(A) Except as provided in subparagraph (B), the
 12 authority of the Secretary concerned under paragraph (1)
 13 may not be delegated.

14 “(B) During the two year period following the date
 15 of the enactment of the National Defense Authorization Act
 16 for Fiscal Year 2022, the authority of the Secretary con-
 17 cerned under paragraph (1) may be delegated to an official
 18 at the Assistant Secretary-level or above. Any exercise of
 19 such delegated authority shall be reported to the Secretary
 20 concerned on a quarterly basis.”.

21 (b) *EXTENSION OF REQUIREMENT FOR ANNUAL FAM-*
 22 *ILY ADVOCACY PROGRAM REPORT REGARDING CHILD*
 23 *ABUSE AND DOMESTIC VIOLENCE.*—Section 574(a) of the
 24 *National Defense Authorization Act for Fiscal Year 2017*

1 *(Public Law 114–328; 130 Stat. 2141) is amended by strik-*
2 *ing “April 30, 2021” and inserting “April 30, 2026”.*

3 *(c) IMPLEMENTATION OF COMPTROLLER GENERAL*
4 *RECOMMENDATIONS.—*

5 *(1) IN GENERAL.—Consistent with the rec-*
6 *ommendations set forth in the report of the Comp-*
7 *troller General of the United States titled “Domestic*
8 *Abuse: Actions Needed to Enhance DOD’s Prevention,*
9 *Response, and Oversight” (GAO–21–289), the Sec-*
10 *retary of Defense, in consultation with the Secretaries*
11 *of the military departments, shall carry out the ac-*
12 *tivities specified in subparagraphs (A) through (K).*

13 *(A) DOMESTIC ABUSE DATA.—Not later*
14 *than 180 days after the date of the enactment of*
15 *this Act, the Secretary of Defense, in consulta-*
16 *tion with the Secretaries of the military depart-*
17 *ments, shall carry out each of the following:*

18 *(i) Issue guidance to the Secretaries of*
19 *the military departments to clarify and*
20 *standardize the process for collecting and*
21 *reporting data on domestic abuse in the*
22 *Armed Forces, including—*

23 *(I) data on the numbers and types*
24 *of domestic abuse and domestic vio-*

1 *lence incidents involving members of*
2 *the Armed Forces;*

3 *(II) the information required to be*
4 *reported to the database on domestic*
5 *violence incidents under section 1562*
6 *of title 10, United States Code; and*

7 *(III) data for inclusion in the re-*
8 *ports regarding child abuse and domes-*
9 *tic violence required to be submitted*
10 *under section 574 of the National De-*
11 *fense Authorization Act for Fiscal Year*
12 *2017 (Public Law 114–328; 130 Stat.*
13 *2141).*

14 *(ii) Develop a quality control process*
15 *to ensure the accurate and complete report-*
16 *ing of data on allegations of abuse involving*
17 *a member of the Armed Forces, including*
18 *allegations of abuse that do not meet the De-*
19 *partment of Defense definition of domestic*
20 *abuse.*

21 *(iii) Expand the scope of any report-*
22 *ing to Congress that includes data on do-*
23 *mestic abuse in the Armed Forces to include*
24 *data on and analysis of the types of allega-*
25 *tions of domestic abuse.*

1 (B) *DOMESTIC VIOLENCE AND COMMAND AC-*
2 *TION DATA.*—Not later than 180 days after the
3 date of the enactment of this Act, the Secretary
4 of Defense, in consultation with the Secretaries
5 of the military departments, shall—

6 (i) evaluate the organizations and ele-
7 ments of the Department of Defense that are
8 responsible for tracking domestic violence
9 incidents and the command actions taken
10 in response to such incidents to determine if
11 there are actions that may be carried out
12 to—

13 (I) eliminate gaps and
14 redundancies in the activities of such
15 organizations;

16 (II) ensure consistency in the ap-
17 proaches of such organizations to the
18 tracking of such incidents and actions;
19 and

20 (III) otherwise improve the track-
21 ing of such incidents and actions
22 across the Department; and

23 (ii) based on the evaluation under
24 clause (i), clarify or adjust—

1 (I) *the duties of such organiza-*
2 *tions and elements; and*

3 (II) *the manner in which such or-*
4 *ganizations and elements coordinate*
5 *their activities.*

6 (C) *REGULATIONS FOR VIOLATION OF CIVIL-*
7 *IAN ORDERS OF PROTECTION.—The Secretary of*
8 *Defense shall revise or issue regulations (as ap-*
9 *plicable) to ensure that each Secretary of a mili-*
10 *tary department provides, to any member of the*
11 *Armed Forces under the jurisdiction of such Sec-*
12 *retary who is subject to a civilian order of pro-*
13 *tection, notice that the violation of such order*
14 *may be punishable under chapter 47 of title 10,*
15 *United States Code (the Uniform Code of Mili-*
16 *tary Justice).*

17 (D) *AGREEMENTS WITH CIVILIAN VICTIM*
18 *SERVICE ORGANIZATIONS.—*

19 (i) *GUIDANCE REQUIRED.—The Sec-*
20 *retary of Defense, in consultation with the*
21 *Secretaries of the military departments,*
22 *shall issue guidance pursuant to which per-*
23 *sonnel of a Family Advocacy Program at a*
24 *military installation may enter into memo-*
25 *randa of understanding with qualified civil-*

1 *ian victim service organizations for pur-*
2 *poses of providing services to victims of do-*
3 *mestic abuse in accordance with clause (i).*

4 *(ii) CONTENTS OF AGREEMENT.—A*
5 *memorandum of understanding entered into*
6 *under clause (i) shall provide that personnel*
7 *of a Family Advocacy Program at a mili-*
8 *tary installation may refer a victim of do-*
9 *mestic abuse to a qualified civilian victim*
10 *service organization if such personnel deter-*
11 *mine that—*

12 *(I) the services offered at the in-*
13 *stallation are insufficient to meet the*
14 *victim's needs; or*

15 *(II) such a referral would other-*
16 *wise benefit the victim.*

17 *(E) SCREENING AND REPORTING OF INITIAL*
18 *ALLEGATIONS.—The Secretary of Defense, in*
19 *consultation with the Secretaries of the military*
20 *departments, shall develop and implement a*
21 *standardized process—*

22 *(i) to ensure consistency in the manner*
23 *in which allegations of domestic abuse are*
24 *screened and documented at military instal-*
25 *lations, including by ensuring that allega-*

1 *tions of domestic abuse are documented re-*
2 *gardless of the severity of the incident;*

3 *(ii) that uses a risk-based approach to*
4 *consistently identify, from among such alle-*
5 *gations of domestic abuse, the allegations*
6 *that should be presented to an Incident De-*
7 *termination Committee; and*

8 *(iii) to ensure consistency in the form*
9 *and manner in which such allegations are*
10 *presented to Incident Determination Com-*
11 *mittees.*

12 *(F) IMPLEMENTATION AND OVERSIGHT OF*
13 *INCIDENT DETERMINATION COMMITTEES.—*

14 *(i) IMPLEMENTATION.—The Secretary*
15 *of Defense, in consultation with the Secre-*
16 *taries of the military departments, shall en-*
17 *sure that Incident Determination Commit-*
18 *tees are fully implemented within each*
19 *Armed Force.*

20 *(ii) OVERSIGHT AND MONITORING.—*
21 *The Secretary of Defense shall—*

22 *(I) direct the Under Secretary of*
23 *Defense for Personnel and Readiness to*
24 *conduct oversight of the activities of the*
25 *Incident Determination Committees of*

1 *the Armed Forces on an ongoing basis;*
2 *and*

3 *(II) establish a formal process*
4 *through which the Under Secretary*
5 *will monitor Incident Determination*
6 *Committees to ensure that the activities*
7 *of such Committees are conducted in*
8 *an consistent manner in accordance*
9 *with the applicable policies of the De-*
10 *partment of Defense and the Armed*
11 *Forces.*

12 *(G) REASONABLE SUSPICION STANDARD*
13 *FOR INCIDENT REPORTING.—Not later than 90*
14 *days after the date of the enactment of the Act,*
15 *the Secretary of Defense, in consultation with the*
16 *Secretaries of the military departments, shall*
17 *issue regulations—*

18 *(i) under which the personnel of a*
19 *Family Advocacy Program shall be required*
20 *to report an allegation of domestic abuse to*
21 *an Incident Determination Committee if*
22 *there is reasonable suspicion that the abuse*
23 *occurred; and*

24 *(ii) that fully define and establish*
25 *standardized criteria for determining*

1 *whether an allegation of abuse meets the*
2 *reasonable suspicion standard referred to in*
3 *clause (i).*

4 *(H) GUIDANCE FOR VICTIM RISK ASSESS-*
5 *MENT.—The Secretary of Defense, in consulta-*
6 *tion with the Secretaries of the military depart-*
7 *ments, shall issue guidance that—*

8 *(i) identifies the risk assessment tools*
9 *that must be used by Family Advocacy Pro-*
10 *gram personnel to assess reports of domestic*
11 *abuse; and*

12 *(ii) establishes minimum qualifications*
13 *for the personnel responsible for using such*
14 *tools.*

15 *(I) IMPROVING FAMILY ADVOCACY PROGRAM*
16 *AWARENESS CAMPAIGNS.—The Secretary of De-*
17 *fense, in consultation with the Secretaries of the*
18 *military departments, shall develop and imple-*
19 *ment—*

20 *(i) a communications strategy to sup-*
21 *port the Armed Forces in increasing aware-*
22 *ness of the options and resources available*
23 *for reporting incidents of domestic abuse;*
24 *and*

1 (ii) metrics to evaluate the effectiveness
2 of domestic abuse awareness campaigns
3 within the Department of Defense and the
4 Armed Forces, including by identifying a
5 target audience and defining measurable ob-
6 jectives for such campaigns.

7 (J) ASSESSMENT OF THE DISPOSITION
8 MODEL FOR DOMESTIC VIOLENCE.—As part of
9 the independent analysis required by section
10 549C of the William M. (Mac) Thornberry Na-
11 tional Defense Authorization Act for Fiscal Year
12 2021 (Public Law 116–283) the Secretary of De-
13 fense shall include an assessment of—

14 (i) the risks and consequences of the
15 disposition model for domestic violence in
16 effect as of the date of the enactment of this
17 Act, including the risks and consequences of
18 such model with respect to—

19 (I) the eligibility of victims for
20 transitional compensation and other
21 benefits; and

22 (II) the eligibility of perpetrators
23 of domestic violence to possess firearms
24 and any related effects on the military
25 service of such individuals; and

1 (ii) *the feasibility and advisability es-*
2 *tablishing alternative disposition models for*
3 *domestic violence, including an assessment*
4 *of the advantages and disadvantages of each*
5 *proposed model.*

6 (K) *FAMILY ADVOCACY PROGRAM TRAIN-*
7 *ING.—*

8 (i) *TRAINING FOR COMMANDERS AND*
9 *SENIOR ENLISTED ADVISORS.—The Sec-*
10 *retary of Defense, in consultation with the*
11 *Secretaries of the military departments,*
12 *shall—*

13 (I) *ensure that the Family Advoc-*
14 *acy Program training provided to in-*
15 *stallation-level commanders and senior*
16 *enlisted advisors of the Armed Forces*
17 *meets the applicable requirements of*
18 *the Department of Defense; and*

19 (II) *shall provide such additional*
20 *guidance and sample training mate-*
21 *rials as may be necessary to improve*
22 *the consistency of such training.*

23 (ii) *TRAINING FOR CHAPLAINS.—The*
24 *Secretary of Defense shall—*

1 (I) require that chaplains of the
2 Armed Forces receive Family Advocacy
3 Program training;

4 (II) establish content requirements
5 and learning objectives for such train-
6 ing; and

7 (III) provide such additional
8 guidance and sample training mate-
9 rials as may be necessary to effectively
10 implement such training.

11 (iii) TRAINING COMPLETION DATA.—
12 The Secretary of Defense, in consultation
13 with the Secretaries of the military depart-
14 ments, shall develop a process to ensure the
15 quality and completeness of data indicating
16 whether members of the Armed Forces who
17 are required to complete Family Advocacy
18 Program training, including installation-
19 level commanders and senior enlisted advi-
20 sors, have completed such training.

21 (2) GENERAL IMPLEMENTATION DATE.—Except
22 as otherwise provided in paragraph (1), the Secretary
23 of Defense shall complete the implementation of the
24 activities specified in such paragraph by not later

1 *than one year after the date of the enactment of this*
2 *Act.*

3 (3) *QUARTERLY STATUS REPORT.*—*Not later*
4 *than 90 days after the date of the enactment of this*
5 *Act and on a quarterly basis thereafter until the date*
6 *on which all of the activities specified in paragraph*
7 *(1) have been implemented, the Secretary of Defense*
8 *shall submit to the appropriate congressional commit-*
9 *tees a report on the status of the implementation of*
10 *such activities.*

11 (d) *IMPROVING AWARENESS REGARDING FAMILY AD-*
12 *VOCACY PROGRAMS AND OTHER SIMILAR SERVICES.*—

13 (1) *PILOT PROGRAM ON INFORMATION FOR FAMI-*
14 *LIES ENROLLING IN DEERS.*—*The Secretary of De-*
15 *fense shall carry out a pilot program to assess the fea-*
16 *sibility and advisability of various mechanisms to in-*
17 *form military families about the Family Advocacy*
18 *Programs and resiliency training of the Armed Forces*
19 *during their enrollment in the Defense Enrollment*
20 *Eligibility Reporting System. The matters assessed by*
21 *the pilot program shall include the following:*

22 (A) *An option for training members of mili-*
23 *tary families on the Family Advocacy Programs.*

24 (B) *Mechanisms for providing such family*
25 *members with information on—*

1 (i) the resources available through the
2 *Family Advocacy Programs of the Armed*
3 *Forces;*

4 (ii) the *Military OneSource* program of
5 *the Department of Defense;*

6 (iii) resources relating to domestic
7 abuse and child abuse and neglect that are
8 available through local community service
9 organizations; and

10 (iv) the availability of the *Military*
11 and *Family Life Counseling Program*.

12 (C) Steps that may be taken to better in-
13 form such family members of the option to make
14 a restricted report or an unrestricted report to a
15 *Family Advocacy Program*, including informa-
16 tion on the difference between such reports.

17 (2) *INFORMATION ON SERVICES FOR MILITARY*
18 *FAMILIES*.—Each Secretary of a military department
19 shall ensure that a military family member who re-
20 ports an incident of domestic abuse or child abuse
21 and neglect to a *Family Advocacy Program* under the
22 jurisdiction of such Secretary receives comprehensive
23 information, in a clear and easily understandable for-
24 mat, on the services available to such family member

1 *in connection with such incident. Such information*
2 *shall include a complete guide to the following:*

3 (A) *The Family Advocacy Program of the*
4 *Armed Force or military department concerned.*

5 (B) *Military law enforcement services, in-*
6 *cluding an explanation of the process that fol-*
7 *lows a report of an incident of domestic abuse or*
8 *child abuse or neglect.*

9 (C) *Other applicable victim services.*

10 (e) *REPORTS ON STAFFING LEVELS FOR FAMILY AD-*
11 *VOCACY PROGRAMS.—*

12 (1) *IN GENERAL.—Not later than 180 days after*
13 *the date on which the staffing tool described in para-*
14 *graph (2) becomes operational, and on an annual*
15 *basis thereafter for the following five years, the Sec-*
16 *retary of Defense shall submit to the appropriate con-*
17 *gressional committees a report setting forth the fol-*
18 *lowing:*

19 (A) *Military, civilian, and contract support*
20 *staffing levels for the Family Advocacy Programs*
21 *of the Armed Forces at each military installation*
22 *so staffed as of the date of the report.*

23 (B) *Recommendations for ideal staffing lev-*
24 *els for the Family Advocacy Programs, as identi-*
25 *fied by the staffing tool.*

1 (2) *STAFFING TOOL DESCRIBED.*—*The staffing*
2 *tool described in this paragraph is a tool that—*

3 *(A) is under development as of the date of*
4 *the enactment of this Act pursuant to an agree-*
5 *ment between the Department of Defense and*
6 *Pennsylvania State University; and*

7 *(B) will be used to assist the Department in*
8 *determining adequate staffing levels for Family*
9 *Advocacy Programs.*

10 (3) *COMPTROLLER GENERAL REVIEW.*—

11 *(A) IN GENERAL.*—*Following the submis-*
12 *sion of the first annual report required under*
13 *paragraph (1), the Comptroller General of the*
14 *United States shall conduct a review of the staff-*
15 *ing of the Family Advocacy Programs of the*
16 *Armed Forces.*

17 *(B) ELEMENTS.*—*The review conducted*
18 *under subparagraph (A) shall include an assess-*
19 *ment of each of the following:*

20 *(i) The extent to which the Armed*
21 *Forces have filled authorized billets for*
22 *Family Advocacy program manager, clini-*
23 *cian, and victim advocate positions.*

24 *(ii) The extent to which the Armed*
25 *Forces have experienced challenges filling*

1 *authorized Family Advocacy Program posi-*
2 *tions, and how such challenges, if any, have*
3 *affected the provision of services.*

4 *(iii) The extent to which the Depart-*
5 *ment of Defense and Armed Forces have en-*
6 *sured that Family Advocacy Program clini-*
7 *cians and victim advocates meet qualifica-*
8 *tion and training requirements.*

9 *(iv) The extent to which the Depart-*
10 *ment of Defense has established metrics to*
11 *evaluate the effectiveness of the staffing tool*
12 *described in paragraph (2).*

13 *(C) BRIEFING AND REPORT.—*

14 *(i) BRIEFING.—Not later than one*
15 *year following the submission of the first*
16 *annual report required under paragraph*
17 *(1), the Comptroller General shall provide*
18 *to the Committees on Armed Services of the*
19 *Senate and the House of Representatives a*
20 *briefing on the preliminary observations*
21 *made by the Comptroller General as part of*
22 *the review required under subparagraph*
23 *(A).*

24 *(ii) REPORT.—Not later than 90 days*
25 *after the date of the briefing under clause*

1 *(i), the Comptroller General shall submit to*
2 *the Committees on Armed Services of the*
3 *Senate and the House of Representatives a*
4 *report on the results of the review conducted*
5 *under subparagraph (A).*

6 *(f) STUDY AND REPORT ON INITIAL ENTRY POINTS.—*

7 *(1) STUDY.—The Secretary of Defense shall con-*
8 *duct a study to identify initial entry points (includ-*
9 *ing anonymous entry points) through which military*
10 *family members may seek information or support re-*
11 *lating to domestic abuse or child abuse and neglect.*
12 *Such study shall include an assessment of—*

13 *(A) points at which military families inter-*
14 *act with the Armed Forces or the Department of*
15 *Defense through which such information or sup-*
16 *port may be provided to family members, includ-*
17 *ing points such as enrollment in the Defense En-*
18 *rollment Eligibility Reporting System, and the*
19 *issuance of identification cards; and*

20 *(B) other existing and potential routes*
21 *through which such family members may seek*
22 *information or support from the Armed Forces*
23 *or the Department, including online chat rooms,*
24 *text-based support capabilities, and software ap-*
25 *plications for smartphones.*

1 (2) *REPORT.*—Not later than one year after the
2 date of the enactment of this Act, the Secretary of De-
3 fense shall submit to the Committees on Armed Serv-
4 ices of the Senate and the House of Representatives a
5 report setting forth the results of the study conducted
6 under paragraph (1).

7 (g) *INSPECTOR GENERAL REPORT.*—Not later than
8 120 days after the date of the enactment of this Act, the
9 Inspector General of the Department of Defense shall submit
10 to the Secretary of Defense and to the Committees on Armed
11 Services of the Senate and the House of Representatives a
12 report that—

13 (1) evaluates the progress of the Secretary of De-
14 fense in carrying out this section; and

15 (2) identifies any actions the Secretary is taking
16 improve the practices of military installations with
17 respect to the prevention and response to domestic
18 abuse and child abuse and neglect among military
19 families.

20 (h) *DEFINITIONS.*—In this section:

21 (1) The term “appropriate congressional com-
22 mittees” means—

23 (A) the Committee on Armed Services and
24 the Committee on Commerce, Science, and
25 Transportation of the Senate; and

1 (B) the Committee on Armed Services and
2 the Committee on Transportation and Infra-
3 structure of the House of Representatives.

4 (2) The term “civilian order of protection” has
5 the meaning given that term in section 1561a of title
6 10, United States Code.

7 (3) The term “disposition model for domestic vi-
8 olence” means the process to determine—

9 (A) the disposition of charges of an offense
10 of domestic violence under section 928b of title
11 10, United States Code (article 128b of the Uni-
12 form Code of Military Justice); and

13 (B) consequences of such disposition for
14 members of the Armed Forces determined to have
15 committed such offense and the victims of such
16 offense.

17 (4) The term “Incident Determination Com-
18 mittee” means a committee established at a military
19 installation that is responsible for reviewing reported
20 incidents of domestic abuse and determining whether
21 such incidents constitute harm to the victims of such
22 abuse according to the applicable criteria of the De-
23 partment of Defense.

1 (5) *The term “qualified civilian victim service*
2 *organization” means an organization outside the De-*
3 *partment of Defense that—*

4 (A) *is approved by the Secretary of Defense*
5 *for the purpose of providing legal or other serv-*
6 *ices to victims of domestic abuse; and*

7 (B) *is located in a community surrounding*
8 *a military installation.*

9 (6) *The term “risk assessment tool” means a*
10 *process or technology that may be used to evaluate a*
11 *report of an incident of domestic abuse to determine*
12 *the likelihood that the abuse will escalate or recur.*

13 **SEC. 528. MANDATORY NOTIFICATION OF MEMBERS OF THE**
14 **ARMED FORCES IDENTIFIED IN CERTAIN**
15 **RECORDS OF CRIMINAL INVESTIGATIONS.**

16 (a) *IN GENERAL.—Chapter 80 of title 10, United*
17 *States Code, is amended by adding at the end the following*
18 *new section:*

19 **“§ 1567b. Mandatory notification of members of the**
20 **armed forces and reserve components**
21 **identified in certain records of criminal**
22 **investigations**

23 **“(a) NOTIFICATION OF INCLUSION MCIO RECORDS.—**
24 *As soon as practicable after the conclusion of a criminal*
25 *investigation by a military criminal investigative organi-*

1 zation, the head of such organization shall provide, to any
2 member or former member of the armed forces and reserve
3 components who is designated in the records of the organi-
4 zation as a subject of such investigation, written notice of
5 such designation.

6 “(b) *INITIAL NOTIFICATION OF PREVIOUS INCLUSION*
7 *IN MCIO RECORDS.*—Not later than 180 days after the date
8 of the enactment of this section, the head of each military
9 criminal investigative organization shall provide, to any
10 member or former member of the armed forces and reserve
11 components who is designated in the records of the organi-
12 zation as a subject of a criminal investigation that is closed
13 as of such date, written notice of such designation.

14 “(c) *CONTENTS OF NOTICE.*—Each notice provided
15 under subsection (a) and (b) shall include the following in-
16 formation—

17 “(1) *The date on which the member was des-*
18 *ignated as a subject of a criminal investigation in the*
19 *records of the military criminal investigative organi-*
20 *zation.*

21 “(2) *Identification of each crime for which the*
22 *member was investigated, including a citation to each*
23 *provision of chapter 47 of this title (the Uniform Code*
24 *of Military Justice) that the member was suspected of*
25 *violating, if applicable.*

1 “(3) *Instructions on how the member may seek*
2 *removal of the record in accordance with subsection*
3 *(d).*

4 “(d) *REMOVAL OF RECORD.—The Secretary of Defense*
5 *shall—*

6 “(1) *establish a process through which a member*
7 *of the armed forces and reserve components who re-*
8 *ceives a notice under subsection (a) or (b) may re-*
9 *quest the removal of the record that is the subject of*
10 *such notice; and*

11 “(2) *issue uniform guidance, applicable to all*
12 *military criminal investigative organizations, speci-*
13 *fying the conditions under which such a record may*
14 *be removed.*

15 “(e) *MILITARY CRIMINAL INVESTIGATIVE ORGANIZA-*
16 *TION DEFINED.—In this section, the term ‘military crimi-*
17 *nal investigative organization’ means any organization or*
18 *element of the Department of Defense or an armed force*
19 *that is responsible for conducting criminal investigations,*
20 *including—*

21 “(1) *the Army Criminal Investigation Com-*
22 *mand;*

23 “(2) *the Naval Criminal Investigative Service;*

24 “(3) *the Air Force Office of Special Investiga-*
25 *tions;*

1 “(4) the Coast Guard Investigative Service; and
 2 “(5) the Defense Criminal Investigative Serv-
 3 ice.”.

4 (b) *CLERICAL AMENDMENT.*—The table of sections at
 5 the beginning of such chapter is amended by adding at the
 6 end the following new item:

“1567b. Mandatory notification of members of the armed forces and reserve com-
 ponents identified in certain records of criminal investiga-
 tions.”.

7 **SEC. 529. AUTHORITY OF MILITARY JUDGES AND MILITARY**
 8 **MAGISTRATES TO ISSUE MILITARY COURT**
 9 **PROTECTIVE ORDERS.**

10 (a) *JUDGE-ISSUED MILITARY COURT PROTECTIVE OR-*
 11 *DEERS.*—Chapter 80 of title 10, United States Code, is
 12 amended by adding at the end the following new section:
 13 **“§ 1567b. Authority of military judges and military**
 14 **magistrates to issue military court protec-**
 15 **tive orders**

16 “(a) *AUTHORITY TO ISSUE MILITARY COURT PROTEC-*
 17 *TIVE ORDERS.*—The President shall prescribe regulations
 18 authorizing military judges and military magistrates to
 19 issue protective orders in accordance with this section. A
 20 protective order issued in accordance with this section shall
 21 be known as a ‘military court protective order’. Under the
 22 regulations prescribed by the President, military judges and
 23 military magistrates shall have exclusive jurisdiction over
 24 the issuance, appeal, renewal, and termination of military

1 *court protective orders and such orders may not be issued,*
2 *appealed, renewed, or terminated by State, local, territorial,*
3 *or tribal courts.*

4 “(b) *ENFORCEMENT BY CIVILIAN AUTHORITIES.*—

5 “(1) *IN GENERAL.*—*In prescribing regulations*
6 *for military court protective orders, the President*
7 *shall seek to ensure that the protective orders are*
8 *issued in a form and manner that is enforceable by*
9 *State, local, territorial, and tribal civilian law en-*
10 *forcement authorities.*

11 “(2) *FULL FAITH AND CREDIT.*—*Any military*
12 *court protective order shall be accorded full faith and*
13 *credit by the court of a State, local, territorial, or*
14 *tribal jurisdiction (the enforcing jurisdiction) and en-*
15 *forced by the court and law enforcement personnel of*
16 *that jurisdiction as if it were the order of the enforc-*
17 *ing jurisdiction.*

18 “(3) *RECIPROCITY AGREEMENTS.*—*Consistent*
19 *with paragraphs (1) and (2), the Secretary of Defense*
20 *shall seek to enter into reciprocity agreements with*
21 *State, local, territorial, and tribal civilian law en-*
22 *forcement authorities under which—*

23 “(A) *such authorities agree to enforce mili-*
24 *tary court protective orders; and*

1 “(B) the Secretary agrees to enforce protec-
2 tive orders issued by such authorities that are
3 consistent with section 2265(b) of title 18.

4 “(c) *PURPOSE AND FORM OF ISSUANCE.*—A military
5 court protective order—

6 “(1) may be issued for the purpose of protecting
7 a victim of an alleged covered offense, or a family
8 member or associate of the victim, from a person sub-
9 ject to chapter 47 of this title (the Uniform Code of
10 Military Justice) who is alleged to have committed
11 such an offense; and

12 “(2) shall include—

13 “(A) a finding regarding whether such per-
14 son represents a credible threat to the physical
15 safety of such alleged victim;

16 “(B) a finding regarding whether the al-
17 leged victim is an intimate partner or child of
18 such person; and

19 “(C) if applicable, terms explicitly prohib-
20 iting the use, attempted use, or threatened use of
21 physical force that would reasonably be expected
22 to cause bodily injury against such intimate
23 partner or child.

24 “(d) *BURDEN OF PROOF.*—In determining whether to
25 issue a military court protective order, a military judge or

1 *military magistrate shall make all relevant findings by a*
2 *preponderance of the evidence. The burden shall be on the*
3 *party requesting the order to produce sufficient information*
4 *to satisfy the preponderance of the evidence standard re-*
5 *ferred to in the preceding sentence.*

6 “(e) *TIMING AND MANNER OF ISSUANCE.—A military*
7 *court protective order may be issued—*

8 “(1) *by a military magistrate, before referral of*
9 *charges and specifications to court-martial for trial,*
10 *at the request of—*

11 “(A) *a victim of an alleged covered offense;*

12 *or*

13 “(B) *a Special Victims’ Counsel or other*
14 *qualified counsel acting on behalf of the victim;*

15 *or*

16 “(2) *by a military judge, after referral of charges*
17 *and specifications to court-martial for trial, at the re-*
18 *quest of qualified counsel, which may include a Spe-*
19 *cial Victims’ Counsel acting on behalf of the victim*
20 *or trial counsel acting on behalf of the prosecution.*

21 “(f) *DURATION AND RENEWAL OF PROTECTIVE*
22 *ORDER.—*

23 “(1) *DURATION.—A military court protective*
24 *order shall be issued for an initial period of up to 180*
25 *days and may be reissued for one or more additional*

1 *periods, each of which may be up to 180 days, in ac-*
2 *cordance with paragraph (2).*

3 *“(2) EXPIRATION AND RENEWAL.—Before the ex-*
4 *piration of any period during which a military court*
5 *protective order is in effect, a military judge or mili-*
6 *tary magistrate shall review the order to determine*
7 *whether the order will terminate at the expiration of*
8 *such period or be reissued for an additional period of*
9 *up to 180 days.*

10 *“(3) NOTICE TO PROTECTED PERSONS.—If a*
11 *military judge or military magistrate determines*
12 *under paragraph (2) that a military court protective*
13 *order will terminate, the judge or magistrate con-*
14 *cerned shall direct that each person protected by the*
15 *order be provided with reasonable, timely, and accu-*
16 *rate notification of the termination.*

17 *“(g) REVIEW OF MAGISTRATE-ISSUED ORDERS.—*

18 *“(1) REVIEW.—A military judge, at the request*
19 *of the person subject to a military court protective*
20 *order that was issued by a military magistrate, may*
21 *review the order to determine if the order was prop-*
22 *erly issued by the magistrate.*

23 *“(2) STANDARDS OF REVIEW.—A military judge*
24 *who reviews an order under paragraph (1) shall ter-*
25 *minate the order if the judge determines that—*

1 “(A) *the military magistrate’s decision to*
2 *issue the order was an abuse of discretion, and*
3 *there is not sufficient information presented to*
4 *the military judge to justify the order; or*

5 “(B) *information not presented to the mili-*
6 *tary magistrate establishes that the military*
7 *court protective order should be terminated.*

8 “(h) *DUE PROCESS.—*

9 “(1) *PROTECTION OF DUE PROCESS.—Except as*
10 *provided in paragraph (2), a protective order author-*
11 *ized under subsection (a) may be issued only after*
12 *reasonable notice and opportunity to be heard and to*
13 *present evidence, directly or through counsel, is given*
14 *to the person against whom the order is sought suffi-*
15 *cient to protect that person’s right to due process.*

16 “(2) *EMERGENCY ORDERS.—A protective order*
17 *on an emergency basis may be issued on an ex parte*
18 *basis under such rules and limitations as the Presi-*
19 *dent shall prescribe. In the case of ex parte orders, no-*
20 *tice and opportunity to be heard and to present evi-*
21 *dence must be provided within a reasonable time not*
22 *to exceed 30 calendar days after the date on which the*
23 *order is issued, sufficient to protect the respondent’s*
24 *due process rights.*

1 “(i) *RIGHTS OF VICTIM.*—*The victim of an alleged cov-*
2 *ered offense who seeks a military court protective order has,*
3 *in addition to any rights provided under section 806b (arti-*
4 *cle 6b), the following rights with respect to any proceeding*
5 *involving the protective order:*

6 “(1) *The right to reasonable, accurate, and time-*
7 *ly notice of the proceeding and of any change in the*
8 *status of the protective order resulting from the pro-*
9 *ceeding.*

10 “(2) *The right to be reasonably heard at the pro-*
11 *ceeding.*

12 “(3) *The right to appear in person, with or*
13 *without counsel, at the proceeding.*

14 “(4) *The right be represented by qualified coun-*
15 *sel in connection with the proceeding, which may in-*
16 *clude a Special Victims’ Counsel.*

17 “(5) *The reasonable right to confer with a rep-*
18 *resentative of the command of the accused and counsel*
19 *representing the government at the proceeding, as ap-*
20 *plicable.*

21 “(6) *The right to submit a written statement, di-*
22 *rectly or through counsel, for consideration by the*
23 *military judge or military magistrate presiding over*
24 *the proceeding.*

25 “(j) *RESTRICTIONS ON ACCESS TO FIREARMS.*—

1 “(1) *IN GENERAL.*—*Notwithstanding any other*
2 *provision of law—*

3 “(A) *a military court protective order*
4 *issued on an ex parte basis shall restrain a per-*
5 *son from possessing, receiving, or otherwise ac-*
6 *cessing a firearm; and*

7 “(B) *a military court protective order*
8 *issued after the person to be subject to the order*
9 *has received notice and opportunity to be heard*
10 *on the order, shall restrain such person from pos-*
11 *sessing, receiving, or otherwise accessing a fire-*
12 *arm in accordance with section 922 of title 18.*

13 “(2) *NOTICE TO ATTORNEYS GENERAL.*—

14 “(A) *NOTICE OF ISSUANCE.*—*Not later than*
15 *72 hours after the issuance of an order described*
16 *in paragraph (1), the Secretary concerned shall*
17 *submit a record of the order—*

18 “(i) *to the Attorney General of the*
19 *United States; and*

20 “(ii) *to the Attorney General of the*
21 *State or Territory in which the order is*
22 *issued.*

23 “(B) *NOTICE OF RECISSION OR EXPIRA-*
24 *TION.*—*Not later than 72 hours after the*
25 *recission or expiration of an order described in*

1 *paragraph (1), the Secretary concerned shall*
2 *submit notice of such rescission or expiration to*
3 *the Attorneys General specified in subparagraph*
4 *(A).*

5 “(k) *TREATMENT AS LAWFUL ORDER.—A military*
6 *court protective order shall be treated as a lawful order for*
7 *purposes of the application of section 892 (article 92) and*
8 *a violation of such an order shall be punishable under such*
9 *section (article).*

10 “(l) *COMMAND MATTERS.—*

11 “(1) *INCLUSION IN PERSONNEL FILE.—Any mili-*
12 *tary court protective order against a member shall be*
13 *placed and retained in the military personnel file of*
14 *the member, except that such protective order shall be*
15 *removed from the military personnel file of the mem-*
16 *ber if the member is acquitted of the offense to which*
17 *the order pertains, it is determined that the member*
18 *did not commit the act giving rise to the protective*
19 *order, or it is determined that the protective order*
20 *was issued in error.*

21 “(2) *NOTICE TO CIVILIAN LAW ENFORCEMENT OF*
22 *ISSUANCE.—Any military court protective order*
23 *against a member shall be treated as a military pro-*
24 *TECTIVE ORDER FOR PURPOSES OF SECTION 1567a including*
25 *for purposes of mandatory notification of issuance to*

1 *Federal and State civilian law enforcement agencies*
2 *as required by that section.*

3 “(m) *RELATIONSHIP TO OTHER AUTHORITIES.*—*Noth-*
4 *ing in this section may be construed as prohibiting—*

5 “(1) *a commanding officer from issuing or en-*
6 *forcing any otherwise lawful order in the nature of a*
7 *protective order to or against members of the officer’s*
8 *command;*

9 “(2) *pretrial restraint in accordance with Rule*
10 *for Courts-Martial 304 (as set forth in the Manual for*
11 *Courts-Martial, 2019 edition, or any successor rule);*
12 *or*

13 “(3) *pretrial confinement in accordance with*
14 *Rule for Courts-Martial 305 (as set forth in the Man-*
15 *ual for Courts-Martial, 2019 edition, or any successor*
16 *rule).*

17 “(n) *DELIVERY TO CERTAIN PERSONS.*—*A physical*
18 *and electronic copy of any military court protective order*
19 *shall be provided, as soon as practicable after issuance, to*
20 *the following:*

21 “(1) *The person or persons protected by the pro-*
22 *TECTIVE ORDER OR TO THE GUARDIAN OF SUCH A PERSON IF*
23 *SUCH PERSON IS UNDER THE AGE OF 18 YEARS.*

24 “(2) *The person subject to the protective order.*

1 “(3) *To such commanding officer in the chain of*
2 *command of the person subject to the protective order*
3 *as the President shall prescribe for purposes of this*
4 *section.*

5 “(o) *DEFINITIONS.—In this section:*

6 “(1) *CONTACT.—The term ‘contact’ includes con-*
7 *tact in person or through a third party, or through*
8 *gifts,*

9 “(2) *COMMUNICATION.—The term ‘communica-*
10 *tion’ includes communication in person or through a*
11 *third party, and by telephone or in writing by letter,*
12 *data fax, or other electronic means.*

13 “(3) *COVERED OFFENSE.—The term ‘covered of-*
14 *fense’ means the following:*

15 “(A) *An alleged offense under section 920,*
16 *920a, 920b, 920c, or 920d of this title (article*
17 *120, 120a, 120b, 120c, or 120d of the Uniform*
18 *Code of Military Justice).*

19 “(B) *An alleged offense of stalking under*
20 *section 930 of this title (article 130 of the Uni-*
21 *form Code of Military Justice).*

22 “(C) *An alleged offense of domestic violence*
23 *under section 928b of this title (article 128b of*
24 *the Uniform Code of Military Justice).*

1 “(D) A conspiracy to commit an offense
2 specified in subparagraphs (A) through (C) as
3 punishable under section 881 of this title (article
4 81 of the Uniform Code of Military Justice).

5 “(E) A solicitation to commit an offense
6 specified in subparagraphs (A) through (C) as
7 punishable under section 882 of this title (article
8 82 of the Uniform Code of Military Justice).

9 “(F) An attempt to commit an offense speci-
10 fied in subparagraphs (A) through (C) as pun-
11 ishable under section 880 of this title (article 80
12 of the Uniform Code of Military Justice).

13 “(4) *MILITARY JUDGE AND MILITARY MAG-*
14 *ISTRATE.*—The terms ‘military judge’ and ‘military
15 magistrate’ mean a commissioned officer of the armed
16 forces who is a member of the bar of a Federal court
17 or a member of the bar of the highest court of a State
18 and who is certified to be qualified, by reason of edu-
19 cation, training, experience, and judicial tempera-
20 ment, for duty as a military judge or magistrate by
21 the Judge Advocate General of the armed force of
22 which the officer is a member.

23 “(5) *PROTECTIVE ORDER.*—The term ‘protective
24 order’ means an order that—

1 “(A) restrains a person from harassing,
2 stalking, threatening, or otherwise contacting or
3 communicating with a victim of an alleged cov-
4 ered offense, or a family member or associate of
5 the victim, or engaging in other conduct that
6 would place such other person in reasonable fear
7 of bodily injury to any such other person;

8 “(B) by its terms, explicitly prohibits—

9 “(i) the use, attempted use, or threat-
10 ened use of physical force by the person
11 against a victim of an alleged covered of-
12 fense, or a family member or associate of
13 the victim, that would reasonably be ex-
14 pected to cause bodily injury;

15 “(ii) the initiation by the person re-
16 strained of any contact or communication
17 with such other person;

18 “(iii) any other behavior by the person
19 restrained that the court deems necessary to
20 provide for the safety and welfare of the vic-
21 tim of an alleged covered offense, or a fam-
22 ily member or associate of the victim; or

23 “(iv) actions described by any of
24 clauses (i) through (iii).

1 “(6) *SPECIAL VICTIMS’ COUNSEL*.—*The term*
 2 *‘Special Victims Counsel’ means a Special Victims’*
 3 *Counsel described in section 1044e and includes a*
 4 *Victims’ Legal Counsel of the Navy.’”.*

5 (b) *CLERICAL AMENDMENT*.—*The table of sections at*
 6 *the beginning of such chapter is amended by adding at the*
 7 *end the following new item:*

“1567b. Authority of military judges and military magistrates to issue military court protective orders.”.

8 (c) *IMPLEMENTATION*.—*The President shall prescribe*
 9 *regulations implementing section 1567b of title 10, United*
 10 *States Code (as added by subsection (a)), by not later than*
 11 *one year after the date of the enactment of this Act.*

12 **SEC. 529A. COUNTERING EXTREMISM IN THE ARMED**
 13 **FORCES.**

14 (a) *IN GENERAL*.—*Part II of subtitle A of title 10,*
 15 *United States Code, is amended by adding at the end the*
 16 *following new chapter:*

17 **“CHAPTER 89—COUNTERING EXTREMISM**

“1801. Office of Countering Extremism.

“1802. Training and education.

“1803. Data collection and analysis.

“1804. Reporting requirements.

“1805. Definitions.

18 **“§ 1801. Office of Countering Extremism**

19 “(a) *ESTABLISHMENT*.—(1) *There is an Office of*
 20 *Countering Extremism (in this section referred to as the*

1 *'Office') within the Office of the Under Secretary of Defense*
2 *for Personnel and Readiness.*

3 “(2) *The Office shall be headed by the Director of*
4 *Countering Extremism (in this chapter referred to as the*
5 *'Director'), who shall be appointed by the Secretary of De-*
6 *fense, in consultation with the Secretary of Homeland Secu-*
7 *rity, and report directly to the Under Secretary of Defense*
8 *for Personnel and Readiness and the Secretary.*

9 “(b) *DUTIES.—The Director shall—*

10 “(1) *be responsible for policy of countering extre-*
11 *mism within the armed forces;*

12 “(2) *in coordination with the Secretaries of the*
13 *military departments, develop and implement pro-*
14 *grams, resources, and activities to counter extremism*
15 *within the armed forces;*

16 “(3) *establish policies to ensure adequate protec-*
17 *tion, transparency of process, and availability of re-*
18 *sources for individuals who report incidents of extre-*
19 *mism;*

20 “(4) *facilitate and coordinate with the Secre-*
21 *taries of the military departments, law enforcement*
22 *organizations, security organizations, and insider*
23 *threat programs in the armed forces;*

24 “(5) *engage and interact with, and solicit rec-*
25 *ommendations from, outside experts on extremism;*

1 “(6) coordinate with—

2 “(A) the Under Secretary for Defense for
3 Intelligence and Security; and

4 “(B) the Deputy Inspector General of the
5 Department of Defense for Diversity and Inclu-
6 sion and Supremacist, Extremism and Criminal
7 Gang Activity; and

8 “(7) perform any additional duties prescribed by
9 the Secretary of Defense, in consultation with the Sec-
10 retary of Homeland Security.

11 **“§ 1802. Training and education**

12 “(a) *IN GENERAL.*—The Secretary of each military de-
13 partment, in coordination with the Director, shall develop
14 and implement training and education programs and re-
15 lated materials to assist members of the armed forces and
16 civilian employees of the armed forces in identifying, pre-
17 venting, responding to, reporting, and mitigating the risk
18 of extremism.

19 “(b) *EXTREMIST INSIDER THREAT TRAINING.*—(1)
20 The training and education programs and materials de-
21 scribed in subsection (a) shall include information on the
22 following:

23 “(A) What constitutes an extremist insider threat.

24 “(B) Risks posed by extremist insider threats.

25 “(C) How to identify extremist insider threats.

1 “(D) *How to recognize when an individual is being*
2 *influenced by extremism or targeted for recruitment by ex-*
3 *tremist groups.*

4 “(E) *Information about procedures on when and how*
5 *to report detected extremist insider threats.*

6 “(F) *Resources for reporting outside the chain of com-*
7 *mand.*

8 “(G) *Media literacy training.*

9 “(H) *Whistleblower protections.*

10 “(I) *Such other information as may be required by the*
11 *Secretary of Defense, in consultation with the Secretary of*
12 *Homeland Security.*

13 “(2) *The Secretary of Defense, in consultation with the*
14 *Secretary of Homeland Security, shall provide the training*
15 *and education described in subsection (a) as part of each*
16 *of the following:*

17 “(A) *Initial entry training for members of the*
18 *armed forces.*

19 “(B) *Curricula of—*

20 “(i) *the United States Army Training and*
21 *Doctrine Command;*

22 “(ii) *the Naval Education and Training*
23 *Command;*

24 “(iii) *the Air Education and Training*
25 *Command;*

1 “(iv) all pre-commissioning programs of the
2 Department of Defense;

3 “(v) the military service academies;

4 “(vi) the Coast Guard Education and
5 Training Quota Management Command;

6 “(vii) the Coast Guard Academy; and

7 “(viii) all pre-commissioning programs of
8 the Coast Guard.

9 “(C) Certification courses required for members
10 or officers to be considered for promotion to any grade
11 above E-5, WO-5 (WO-3, in the case of the Coast
12 Guard), or O-5. Such members and officers shall also
13 receive training regarding—

14 “(i) how to identify emerging extremist in-
15 sider threat behaviors in a unit; and

16 “(ii) procedures on when and how to re-
17 spond when a subordinate reports a suspected ex-
18 tremist insider threat.

19 “(3) The Secretary of Defense, in consultation
20 with the Secretary of Homeland Security, shall in-
21 clude the information described in paragraph (1) in
22 brochures, posters, print and online publications, or
23 other educational materials of the armed forces.

24 “(c) RECRUITER TRAINING.—The Secretary of each
25 military department, in coordination with the Director,

1 *shall coordinate with the recruiting activities and organiza-*
2 *tion of the armed forces to develop and carry out a training*
3 *program for recruiters on how to—*

4 “(1) *identify indicators of extremism in poten-*
5 *tial recruits;*

6 “(2) *identify members of extremist organizations*
7 *in potential recruits; and*

8 “(3) *screen potential recruits for extremist ties to*
9 *ensure potential recruits comply with enlistment, ac-*
10 *cession, or commissioning requirements.*

11 **“§ 1803. Data collection and analysis**

12 “(a) *IN GENERAL.—The Director shall—*

13 “(1) *establish and maintain a database on ex-*
14 *tremist activities in the armed forces; and*

15 “(2) *ensure the data collected across the military*
16 *departments is uniform to the maximum extent prac-*
17 *ticable.*

18 “(b) *RECORDS.—The database established in sub-*
19 *section (a) shall include records on—*

20 “(1) *each incident, complaint, or allegation of*
21 *extremism by a member or civilian employee of the*
22 *armed forces, including—*

23 “(A) *the extremist behavior related to the*
24 *incident, complaint, or allegation;*

1 “(B) the rank, race, gender, and ethnicity of
2 the individuals involved in the incident, com-
3 plaint, or allegation;

4 “(C) each Federal agency involved in inves-
5 tigating the incident, complaint, or allegation;

6 “(D) any investigation of the incident, com-
7 plain, or allegation;

8 “(E) any action taken by a commander or
9 supervisor in response to the incident, complaint,
10 or allegation;

11 “(F) any adverse administrative personnel
12 action or punitive action related to the incident,
13 complaint, or allegation, including details of the
14 type of action initiated and the final disposition
15 of such action;

16 “(G) descriptions of an ideology, movement,
17 or extremist group associated with the incident,
18 complaint, or allegation; and

19 “(H) records submitted or collected regard-
20 ing administrative or punitive action referred to
21 in subsection (F).

22 “(2) each notification from the Federal Bureau
23 of Investigation to the Secretary of Defense, the Sec-
24 retary of Homeland Security, or a law enforcement
25 agency (if in the possession of either such Secretary),

1 *of investigations related to extremism of current and*
2 *former members of the armed forces, unless such re-*
3 *porting would jeopardize public safety or compromise*
4 *an ongoing law enforcement investigation;*

5 *“(3) responses related to questions about extre-*
6 *mism on surveys, questionnaires, command climate*
7 *surveys, transition checklists, exit surveys, and other*
8 *information gathering sources;*

9 *“(4) each involuntary separation or denial of en-*
10 *listment or commissioning on the basis of extremism;*

11 *“(5) each security clearance revoked on the basis*
12 *of extremism; and*

13 *“(6) any other requirements prescribed by the*
14 *Secretary of Defense, in consultation with the Sec-*
15 *retary of Homeland Security.*

16 *“(c) COORDINATION.—Each Secretary of a military*
17 *department shall collect records described in subsection (b)*
18 *and provide them to the Director.*

19 **“§ 1804. Reporting requirements**

20 *“(a) ANNUAL REPORT.—Not later than December 1 of*
21 *each year, the Director shall submit to Congress a report*
22 *on the prevalence of extremist activities within the armed*
23 *forces that includes the number of individuals—*

1 “(1) *determined ineligible to serve in the Armed*
2 *Forces during the preceding fiscal year by reason of*
3 *engagement in extremist activities;*

4 “(2) *separated from the Armed Forces during the*
5 *preceding fiscal year by reason of engagement in ex-*
6 *tremist activities;*

7 “(3) *determined ineligible to reenlist in the*
8 *armed forces during the preceding fiscal year by rea-*
9 *son of engagement in extremist activities;*

10 “(4) *whose security clearances were revoked dur-*
11 *ing the preceding fiscal year by reason of engagement*
12 *in extremist activities;*

13 “(5) *statistics of incidents, complaints, and alle-*
14 *gations recorded under section 1803(b)—*

15 “(A) *disaggregated data by armed force,*
16 *race, gender, ethnicity, grade, and rank; and*

17 “(B) *with any personally identifiable infor-*
18 *mation redacted;*

19 “(6) *regulations prescribed to counter extremism*
20 *in the armed forces; and*

21 “(7) *any recommendations to Congress for re-*
22 *lated legislative actions to address extremism within*
23 *the armed forces.*

24 “(b) *PUBLICATION.—The Secretary of Defense shall—*

1 “(1) publish on an appropriate publicly avail-
2 able website of the Department of Defense the reports
3 required by subsection (a); and

4 “(2) ensure that any data included with each
5 such report is made available in a machine-readable
6 format that is downloadable, searchable, and sortable.

7 **“§ 1805. Definitions**

8 *“In this chapter:*

9 “(1) The terms ‘extremist activities’ and ‘extrem-
10 ist organization’ have the meanings prescribed by the
11 Secretary of Defense.

12 “(2) The term ‘extremist insider threat’ means a
13 member or civilian employee of the armed forces with
14 access to Government information, systems, or facili-
15 ties, who—

16 “(A) can use such access to do harm to the
17 security of the United States; and

18 “(B) exhibits extremist behaviors.”.

19 (b) *TECHNICAL AMENDMENT.*—The table of chapters
20 for part II of subtitle A of such title 10 is amended by in-
21 serting, after the item relating to chapter 88, the following
22 new item:

 “89. *Countering Extremism* 1801”.

23 (c) *REGULATIONS.*—The Secretary of Defense shall
24 prescribe regulations under chapter 89 of such title (includ-
25 ing definitions under section 1805 of such title), as added

1 *by subsection (a), not later than 60 days after the date of*
2 *the enactment of this Act.*

3 *(d) PROGRESS REPORT.—Not later than 180 days*
4 *after the date of the enactment of this Act, the Secretary*
5 *of Defense shall submit to the Committees on Armed Serv-*
6 *ices of the Senate and House of Representatives a report*
7 *on the status of the implementation of chapter 89 of such*
8 *title, as added by subsection (a).*

9 *(e) PROHIBITION ON EXTREMIST ACTIVITIES.—*

10 *(1) PROHIBITION.—Chapter 39 of title 10,*
11 *United States Code, is amended by inserting after sec-*
12 *tion 985 the following new section:*

13 **“§986. Prohibition on extremist activities**

14 *“(a) PROHIBITION.—An individual who engages in ex-*
15 *tremist activities or is a member of an extremist organiza-*
16 *tion may not serve as a member of the armed forces.*

17 *“(b) REGULATIONS.—The Secretary of Defense shall*
18 *prescribe regulations regarding the separation of a member*
19 *of the armed forces who engages in extremist activities or*
20 *is a member of an extremist organization.*

21 *“(c) DEFINITIONS.—In this section, the terms ‘extrem-*
22 *ist activities’ and ‘extremist organization’ have the mean-*
23 *ings given such terms in section 1805 of this title.”.*

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

1 *inserting after the item relating to section 985 the fol-*
2 *lowing new item:*

“986. Prohibition on extremist activities.”.

3 *(f) PROVISION OF INFORMATION REGARDING EXTREM-*
4 *IST GROUPS IN TRANSITION ASSISTANCE PROGRAM.—Sec-*
5 *tion 1142(b) of title 10, United States Code, is amended*
6 *by adding at the end the following new paragraph (20):*

7 *“(20) Information about efforts of extremist*
8 *groups to recruit former members of the armed forces,*
9 *including how a member may report such efforts to*
10 *the Secretary concerned.”.*

11 *(g) AUTHORITY TO UTILIZE ONLINE EXTREMIST CON-*
12 *TENT AS CAUSE FOR SEPARATION FROM AN ARMED*
13 *FORCE.—Chapter 3 of title 10, United States Code, is*
14 *amended by adding at the end the following new section:*

15 **“§ 1301. Authority to utilize online extremist content**
16 **as cause for separation from an armed**
17 **force**

18 *“The Secretary concerned may use content knowingly*
19 *shared, disseminated, or otherwise made available online*
20 *(including on social media platforms and accounts) by an*
21 *individual who serves in an armed force that expresses sup-*
22 *port for extremist activities (as that term is defined in sec-*
23 *tion 1804 of this title) as cause for involuntary separation*
24 *from an armed force.”.*

1 (h) *COORDINATION OF DIRECTOR OF COUNTERING EX-*
2 *TREMISM WITH DEPUTY INSPECTOR GENERAL REGARDING*
3 *SUPREMACIST, EXTREMIST, OR CRIMINAL GANG ACTIVITY*
4 *IN THE ARMED FORCES.*—Section 554(a)(3) of the William
5 *M. (Mac) Thornberry National Defense Authorization Act*
6 *for Fiscal Year 2021 (Public Law 116–283) is amended by*
7 *adding at the end the following new subparagraph:*

8 “(E) *The Director of Countering Extre-*
9 *mism.*”.

10 (i) *EFFECTIVE DATE.*—*The amendments made by this*
11 *section shall take effect on the day that the Secretary of*
12 *Defense prescribes regulations under subsection (c).*

13 **SEC. 529B. REFORM AND IMPROVEMENT OF MILITARY**
14 **CRIMINAL INVESTIGATIVE ORGANIZATIONS.**

15 (a) *EVALUATION AND PLAN FOR REFORM.*—*Not later*
16 *than one year after the date of the enactment of this Act,*
17 *each Secretary concerned shall—*

18 (1) *complete an evaluation of the effectiveness of*
19 *the military criminal investigative organizations*
20 *under the jurisdiction of such Secretary; and*

21 (2) *submit to the Secretary of Defense and the*
22 *Committees on Armed Services of the Senate and the*
23 *House of Representatives a report that includes—*

24 (A) *the results of the evaluation conducted*
25 *under paragraph (1); and*

1 (B) based on such results, a proposal for re-
2 forming such military criminal investigative or-
3 ganizations to ensure that the organizations ef-
4 fectively meet the demand for complex investiga-
5 tions and other emerging mission requirements.

6 (b) IMPLEMENTATION PLAN.—

7 (1) IN GENERAL.—Not later than two years after
8 the date of the enactment of this Act, the Secretary of
9 Defense shall submit to the appropriate congressional
10 committees a plan to implement the reforms to mili-
11 tary criminal investigative organizations proposed by
12 the Secretaries concerned under subsection (a) to en-
13 sure each such organization is capable of profes-
14 sionally investigating criminal misconduct under its
15 jurisdiction.

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

18 (A) The requirements that military crimi-
19 nal investigative organizations must meet to ef-
20 fectively carry out criminal investigative and
21 other law enforcement missions in 2022 and sub-
22 sequent years.

23 (B) The resources that will be needed to en-
24 sure that each military criminal investigative
25 organization can achieve its mission.

1 (C) *An analysis of factors affecting the per-*
2 *formance of military criminal investigate orga-*
3 *nizations, including—*

4 (i) *whether appropriate technological*
5 *investigative tools are available and acces-*
6 *sible to such organizations; and*

7 (ii) *whether the functions of such orga-*
8 *nizations would be better supported by civil-*
9 *ian rather than military leadership.*

10 (D) *For each military criminal investiga-*
11 *tive organization—*

12 (i) *the number of military personnel*
13 *assigned to such organization;*

14 (ii) *the number of civilian personnel*
15 *assigned to such organization; and*

16 (iii) *the functions of such military and*
17 *civilian personnel.*

18 (E) *A description of any plans of the Sec-*
19 *retary to develop a more professional workforce*
20 *of military and civilian investigators.*

21 (F) *A proposed timeline for the reform of*
22 *the military investigative organizations.*

23 (G) *An explanation of the potential benefits*
24 *of such reforms, including a description of—*

1 (i) *specific improvements that are ex-*
2 pected to result from the reforms; and

3 (ii) *whether the reforms will improve*
4 *information sharing across military crimi-*
5 *nal investigative organizations.*

6 (H) *With respect to the military criminal*
7 *investigative organizations of the Army, an ex-*
8 *planation of how the plan will—*

9 (i) *address the findings of the report of*
10 *the Fort Hood Independent Review Com-*
11 *mittee, dated November 6, 2020; and*

12 (ii) *coordinate with any other internal*
13 *reform efforts of the Army.*

14 (c) *LIMITATION ON THE CHANGES TO TRAINING LOCA-*
15 *TIONS.—In carrying out this section, the Secretary of De-*
16 *fense may not change the locations at which military crimi-*
17 *nal investigative training is provided to members of mili-*
18 *tary criminal investigative organizations until—*

19 (1) *the implementation plan under subsection (b)*
20 *is submitted to the appropriate congressional commit-*
21 *tees; and*

22 (2) *a period of 60 days has elapsed following the*
23 *date on which the Secretary notifies the congressional*
24 *defense committees of the Secretary’s intent to move*
25 *such training to a different location.*

1 (d) *DEFINITIONS.—In this section:*

2 (1) *The term “appropriate congressional com-*
3 *mittees” means—*

4 (A) *the Committee on Armed Services and*
5 *the Committee on Commerce, Science, and*
6 *Transportation of the Senate; and*

7 (B) *the Committee on Armed Services and*
8 *the Committee on Transportation and Infra-*
9 *structure of the House of Representatives.*

10 (2) *The term “military criminal investigative*
11 *organization” means each organization or element of*
12 *the Department of Defense or the Armed Forces that*
13 *is responsible for conducting criminal investigations,*
14 *including—*

15 (A) *the Army Criminal Investigation Com-*
16 *mand;*

17 (B) *the Naval Criminal Investigative Serv-*
18 *ice;*

19 (C) *the Air Force Office of Special Inves-*
20 *tigations;*

21 (D) *the Coast Guard Investigative Service;*
22 *and*

23 (E) *the Defense Criminal Investigative*
24 *Service.*

1 (3) *The term “Secretary concerned” has the*
2 *meaning given that term in section 101(a)(9) of title*
3 *10, United States Code.*

4 **SEC. 529C. MEASURES TO IMPROVE THE SAFETY AND SECU-**
5 **RITY OF MEMBERS OF THE ARMED FORCES.**

6 (a) **COMPREHENSIVE REVIEW OF MISSING PERSONS**
7 **REPORTING.**—*The Secretary of Defense shall instruct the*
8 *Secretary of each military department to undertake a com-*
9 *prehensive review of the policies and procedures of such*
10 *military department for reporting members of the Armed*
11 *Forces absent without leave, on unauthorized absence, or*
12 *missing.*

13 (b) **REVIEW OF INSTALLATION-LEVEL PROCEDURES.**—
14 *The commander of each military installation shall—*

15 (1) *direct each military installation under its*
16 *command to review its policies and procedures for*
17 *carrying out the reporting activities described under*
18 *subsection (a); and*

19 (2) *update such installation-level policies and*
20 *procedures with a view towards force protection, en-*
21 *hanced security for members of the Armed Forces liv-*
22 *ing on base, and prioritizing reporting at the earliest*
23 *reasonable time to local law enforcement at all levels,*
24 *and Federal law enforcement field offices with over-*

1 lapping jurisdiction with that installation, when a
2 member is determined to be missing.

3 (c) *INSTALLATION-SPECIFIC REPORTING PROTO-*
4 *COLS.—*

5 (1) *IN GENERAL.—*The commander of each mili-
6 tary installation shall establish a protocol for sharing
7 information with local and Federal law enforcement
8 agencies about members of the Armed Forces that are
9 absent without leave, on unauthorized absence, or
10 missing. The protocol shall provide, by memorandum
11 of understanding or otherwise, for the commander to
12 notify all local and Federal law enforcement agencies
13 with jurisdiction over the immediate area of the mili-
14 tary installation—

15 (A) immediately when the status of a mem-
16 ber assigned to such installation has been
17 changed to absent without leave, on unauthorized
18 absence, or missing (including whether the com-
19 mander determines that such member has a vio-
20 lent intent, based on criteria including whether
21 a firearm is missing from such military installa-
22 tion); and

23 (B) of the status of a member described in
24 subparagraph (A), not less than once per week
25 after notification under such subparagraph,

1 *until the commander changes the status of such*
 2 *member.*

3 (2) *REPORTING TO MILITARY INSTALLATION COM-*
 4 *MAND.—The commander of each military installation*
 5 *shall submit the protocol established pursuant to*
 6 *paragraph (1) to the relevant military installation*
 7 *command.*

8 (d) *REPORT OF CHIEF OF NATIONAL GUARD BU-*
 9 *REAU.—Not later than March 1, 2022, the Chief of the Na-*
 10 *tional Guard Bureau shall submit to the Committees on*
 11 *Armed Services and on the Judiciary of the Senate and*
 12 *House of Representatives, a report on the feasibility of im-*
 13 *plementing subsections (a), (b), and (c), with regards to fa-*
 14 *cilities of the National Guard. Such report shall include*
 15 *a proposed timeline for such implementation and rec-*
 16 *ommendations of the Chief.*

17 **SEC. 529D. DISTRIBUTION OF INFORMATION ON THE AVAIL-**
 18 **ABILITY OF CIVILIAN VICTIM SERVICES.**

19 (a) *INFORMATION DISTRIBUTION.—Not later than 180*
 20 *days after the date of the enactment of this Act, the Sec-*
 21 *retary of Defense shall—*

22 (1) *require each military legal service provider*
 23 *to provide, to each victim referred to such provider,*
 24 *a list of approved civilian victim service organiza-*

1 *tions from which the victim may seek legal assistance,*
2 *legal representation, or other legal services; and*

3 *(2) direct the Sexual Assault Prevention and Re-*
4 *sponse Office of the Department of Defense to carry*
5 *out activities to ensure the widespread distribution,*
6 *throughout the Department, of information on the*
7 *availability of services from civilian victim service or-*
8 *ganizations.*

9 *(b) APPROVAL OF ORGANIZATIONS.—The Secretary of*
10 *Defense, acting through the Sexual Assault Prevention and*
11 *Response Office of the Department of Defense, shall establish*
12 *criteria for the approval of civilian victim service organiza-*
13 *tions for inclusion on the list described in subsection (a)(1).*

14 *(c) DEFINITIONS.—In this section:*

15 *(1) The term “civilian victim service organiza-*
16 *tion” means an organization outside the Department*
17 *of Defense that is approved by the Secretary of De-*
18 *fense for the purpose of providing legal assistance,*
19 *legal representation, or other legal services directly to*
20 *a victim.*

21 *(2) The term “military legal service provider”*
22 *means an individual or organization within the De-*
23 *partment of Defense authorized to provide legal assist-*
24 *ance, legal representation, or other legal services di-*
25 *rectly to a victim.*

1 (3) *The term “victim” means the victim of an of-*
2 *fense under chapter 47 of title 10, United States Code*
3 *(the Uniform Code of Military Justice).*

4 **SEC. 529E. REPORT ON MANDATORY RESTITUTION.**

5 *Not later than April 30, 2022, 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 *Department’s progress in evaluating the feasibility and ad-*
9 *visability of authorizing mandatory restitution as a compo-*
10 *nent of the sentence for a conviction of an offense under*
11 *chapter 47 of title 10, United States Code (the Uniform*
12 *Code of Military Justice).*

13 ***Subtitle D—Implementation of Rec-***
14 ***ommendations of the Inde-***
15 ***pendent Review Commission on***
16 ***Sexual Assault in the Military***

17 **SEC. 531. SHORT TITLE.**

18 *This subtitle may be cited as the “IRC implementation*
19 *Act of 2021”.*

20 **PART 1—SPECIAL VICTIM PROSECUTORS AND**
21 **SPECIAL VICTIM OFFENSES**

22 **SEC. 532. SPECIAL VICTIM PROSECUTORS.**

23 (a) *IN GENERAL.*—*Subchapter V of chapter 47 of title*
24 *10, United States Code, is amended by inserting after sec-*

1 *tion 824 (article 24 of the Uniform Code of Military Jus-*
2 *tice) the following new section:*

3 **“§ 824a. Art. 24a. Special victim prosecutors**

4 “(a) *DETAIL OF SPECIAL VICTIM PROSECUTORS AND*
5 *ASSISTANT SPECIAL VICTIM PROSECUTORS.—Each Sec-*
6 *retary concerned shall detail—*

7 “(1) *one commissioned officer from each armed*
8 *force under the jurisdiction of such Secretary to serve*
9 *as the special victim prosecutor of that armed force;*
10 *and*

11 “(2) *such number of assistant special victim*
12 *prosecutors as the Secretary considers appropriate to*
13 *assist such special victim prosecutor.*

14 “(b) *QUALIFICATIONS.—*

15 “(1) *QUALIFICATIONS OF SPECIAL VICTIM PROS-*
16 *ECUTORS.—A special victim prosecutor shall be a*
17 *commissioned officer of the armed forces who—*

18 “(A) *is in the grade of O–6 or higher;*

19 “(B) *is a judge advocate;*

20 “(C) *is a member of the bar of a Federal*
21 *court or a member of the bar of the highest court*
22 *of a State; and*

23 “(D) *is certified to be qualified, by reason*
24 *of education, training, experience, and tempera-*
25 *ment, for duty as a special victim prosecutor.*

1 “(2) *QUALIFICATIONS OF ASSISTANT SPECIAL*
2 *VICTIM PROSECUTORS.*—*An assistant special victim*
3 *prosecutor shall be a commissioned officer of the*
4 *armed forces who—*

5 “(A) *has at least five years of criminal jus-*
6 *tice experience;*

7 “(B) *is a judge advocate;*

8 “(C) *is a member of the bar of a Federal*
9 *court or a member of the bar of the highest court*
10 *of a State; and*

11 “(D) *is certified to be qualified, by reason*
12 *of education, training, experience, and tempera-*
13 *ment, for duty as an assistant special victim*
14 *prosecutor.*

15 “(c) *DUTIES AND AUTHORITIES.*—

16 “(1) *IN GENERAL.*—*Special victim prosecutors*
17 *and assistant special victim prosecutors shall carry*
18 *out the duties described in this chapter and any other*
19 *duties prescribed by the Secretary of Defense, in con-*
20 *sultation with the Secretary of Homeland Security,*
21 *by regulation.*

22 “(2) *CLARIFICATION OF AUTHORITY OF ASSIST-*
23 *ANT SPECIAL VICTIM PROSECUTORS.*—*Except as oth-*
24 *erwise expressly provided in this chapter, an assistant*
25 *special victim prosecutor shall have the same authori-*

1 *ties granted to a special victim prosecutor under this*
2 *chapter.*

3 “(3) *DETERMINATION OF SPECIAL VICTIM OF-*
4 *FENSE; RELATED CHARGES.—*

5 “(A) *AUTHORITY.—A special victim pros-*
6 *ecutor shall have exclusive authority to deter-*
7 *mine if an offense is a special victim offense and*
8 *shall, upon completion of a relevant investiga-*
9 *tion, exercise authority over any such offense in*
10 *accordance with this chapter.*

11 “(B) *RELATED OFFENSES.—If a special vic-*
12 *tim prosecutor determines that an offense is a*
13 *special victim offense, the special victim pros-*
14 *ecutor may also exercise authority over any re-*
15 *ported offense that the special victim prosecutor*
16 *determines to be related to the special victim of-*
17 *fense and any other reported offense by the per-*
18 *son alleged to have committed a special victim*
19 *offense.*

20 “(4) *DISMISSAL; PREFERRAL; REFERRAL; PLEA*
21 *BARGAINS.—Subject to paragraph (5), with respect to*
22 *charges and specifications alleging any offense over*
23 *which a special victim prosecutor exercises authority,*
24 *a special victim prosecutor shall have exclusive au-*
25 *thority to, in accordance with this chapter—*

1 “(A) make a determination that is binding
2 on the convening authority to prefer or refer the
3 charges and specifications for trial by a special
4 or general court-martial;

5 “(B) on behalf of the Government, dismiss
6 the charges and specifications or make a motion
7 to dismiss the charges and specifications;

8 “(C) enter into a plea agreement; and

9 “(D) determine if an ordered rehearing is
10 impracticable.

11 “(5) DEFERRAL TO CONVENING AUTHORITY.—

12 “(A) IN GENERAL.—Except as provided in
13 subparagraph (B), if a special victim prosecutor
14 exercises authority over an offense and elects not
15 to prefer charges and specifications for such of-
16 fense or, with respect to charges and specifica-
17 tions for such offense preferred by a person other
18 than a special victim prosecutor, elects not to
19 refer such charges and specifications, a con-
20 vening authority may exercise any of the au-
21 thorities of the convening authority under this
22 chapter with respect to such offense.

23 “(B) EXCEPTION.—In exercising authority
24 under with respect to an offense described in sub-
25 paragraph (A), a convening authority may not

1 *refer charges and specifications for a special vic-*
 2 *tim offense for trial by special or general court-*
 3 *martial.*

4 “(d) *RELEVANT INVESTIGATION DEFINED.*—*In this*
 5 *section, the term ‘relevant investigation’ means an inves-*
 6 *tigation into an alleged offense under this chapter that is*
 7 *conducted by the Federal Government or a State, local, or*
 8 *Tribal law enforcement organization.”.*

9 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 10 *the beginning of subchapter V of chapter 47 of title 10,*
 11 *United States Code (the Uniform Code of Military Justice),*
 12 *is amended by inserting after the item relating to section*
 13 *824 (article 24) the following new item:*

 “824a. Art. 24a. *Special victim prosecutors.*”.

14 **SEC. 533. DEPARTMENT OF DEFENSE POLICIES WITH RE-**
 15 **SPECT TO SPECIAL VICTIM PROSECUTORS**
 16 **AND ESTABLISHMENT OF OFFICES OF SPE-**
 17 **CIAL VICTIM PROSECUTORS WITHIN MILI-**
 18 **TARY DEPARTMENTS.**

19 (a) *IN GENERAL.*—*Chapter 53 of title 10, United*
 20 *States Code, is amended by inserting after section 1044e*
 21 *the following new section:*

1 **“§ 1044f. Special victim prosecutors: Department of**
2 **Defense policies; establishment of Offices**
3 **of Special Victim Prosecutors**

4 “(a) *POLICIES REQUIRED.*—*The Secretary of Defense*
5 *shall establish policies with respect to the appropriate mech-*
6 *anisms and procedures that the Secretaries of the military*
7 *departments shall establish and carry out relating to the*
8 *activities of special victim prosecutors, including expected*
9 *milestones for the Secretaries to fully implement such mech-*
10 *anisms and procedures.*

11 “(b) *MILITARY DEPARTMENT OFFICES OF SPECIAL*
12 *VICTIM PROSECUTORS.*—

13 “(1) *ESTABLISHMENT.*—*Each Secretary of a*
14 *military department shall establish within the office*
15 *of such Secretary an Office of Special Victim Prosecu-*
16 *tors. The head of each such Office of Special Victim*
17 *Prosecutors shall be a general or flag officer of the*
18 *Judge Advocate General’s Corps an armed force under*
19 *the jurisdiction of such Secretary and shall report di-*
20 *rectly to the Secretary concerned without intervening*
21 *authority.*

22 “(2) *ASSIGNMENT OF SPECIAL VICTIM PROSECU-*
23 *TORS.*—*Notwithstanding section 806 of this title (ar-*
24 *ticle 6) each special victim prosecutor and assistant*
25 *special victim prosecutor detailed by a Judge Advo-*
26 *cate General of a military department shall be as-*

1 signed to an Office of Special Victim Prosecutors es-
2 tablished by such Secretary.”.

3 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
4 *the beginning of chapter 53 of title 10, United States Code,*
5 *is amended by inserting after the item relating to section*
6 *1044e the following new item:*

 “1044f. *Special victim prosecutors: Department of Defense policies; establishment*
 of Offices of Special Victim Prosecutors.”.

7 **SEC. 534. DEFINITIONS OF MILITARY MAGISTRATE, SPECIAL**
8 **VICTIM OFFENSE, AND SPECIAL VICTIM PROS-**
9 **ECUTOR.**

10 Section 801 of title 10, United States Code (article 1
11 *of the Uniform Code of Military Justice*), is amended—

12 (1) *by inserting after paragraph (10) the fol-*
13 *lowing new paragraph:*

14 “(11) *The term ‘military magistrate’ means a*
15 *commissioned officer certified for duty as a military*
16 *magistrate in accordance with section 826a of this*
17 *title (article 26a).’*”.

18 (2) *by adding at the end the following new para-*
19 *graphs:*

20 “(17) *The term ‘special victim offense’ means—*

21 “(A) *an offense under section 917a (article*
22 *117a), section 919a (article 119a), section 919b*
23 *(article 119b), section 920 (article 120), section*
24 *925 (article 125), section 920b (article 120b),*

1 *section 920c (article 120c), section 920d (article*
2 *120d), section 928b (article 128b), section 930*
3 *(article 130), section 932 (article 132), or section*
4 *934 (article 134) (as it relates to child pornog-*
5 *raphy, pandering, and prostitution) of this title;*

6 *“(B) any offense under this chapter in a*
7 *case in which the victim of the offense was a*
8 *child who had not attained the age of 18 years*
9 *as of the date of the offense;*

10 *“(C) a conspiracy to commit an offense*
11 *specified in subparagraph (A) or (B) as punish-*
12 *able under section 881 of this title (article 81);*

13 *“(D) a solicitation to commit an offense*
14 *specified in subparagraph (A) or (B) as punish-*
15 *able under section 882 of this title (article 82);*

16 *“(E) an attempt to commit an offense speci-*
17 *fied in subparagraph (A), (B), (C), or (D) as*
18 *punishable under section 880 of this title (article*
19 *80); or*

20 *“(18) The term ‘special victim prosecutor’ means*
21 *a judge advocate detailed as the special victim pros-*
22 *ecutor of an armed force in accordance with section*
23 *824a(a)(1) of this title (article 24a(a)(1)).*

24 *“(19) The term ‘assistant special victim pros-*
25 *ecutor’ means a judge advocate detailed as an assist-*

1 *ant special victim prosecutor in accordance with sec-*
 2 *tion 824a(a)(2) of this title (article 24a(a)(2)).”.*

3 **SEC. 535. CLARIFICATION RELATING TO WHO MAY CON-**
 4 **VENE COURTS-MARTIAL.**

5 (a) *GENERAL COURTS-MARTIAL.*—Section 822(b) of
 6 *title 10, United States Code (article 22(b) of the Uniform*
 7 *Code of Military Justice), is amended—*

8 (1) *by striking “If any” and inserting “(1) If*
 9 *any”; and*

10 (2) *by adding at the end the following new para-*
 11 *graph:*

12 “(2) *A commanding officer shall not be considered an*
 13 *accuser solely due to the role of the commanding officer in*
 14 *convening a general court-martial to which charges and*
 15 *specifications were referred by a special victim prosecutor*
 16 *in accordance with this chapter.”.*

17 (b) *SPECIAL COURTS-MARTIAL.*—Section 823(b) of
 18 *title 10, United States Code (article 23(b) of the Uniform*
 19 *Code of Military Justice), is amended—*

20 (1) *by striking “If any” and inserting “(1) If*
 21 *any”; and*

22 (2) *by adding at the end the following new para-*
 23 *graph:*

24 “(2) *A commanding officer shall not be considered an*
 25 *accuser solely due to the role of the commanding officer in*

1 *convening a special court-martial to which charges and*
2 *specifications were referred by a special victim prosecutor*
3 *in accordance with this chapter.”.*

4 **SEC. 536. DETAIL OF TRIAL COUNSEL.**

5 *Section 827 of title 10, United States Code (article 27*
6 *of the Uniform Code of Military Justice), is amended by*
7 *adding at the end the following new subsection:*

8 *“(e) For each general and special court-martial for*
9 *which charges and specifications were referred by a special*
10 *victim prosecutor—*

11 *“(1) a special victim prosecutor or an assistant*
12 *special victim prosecutor shall be detailed as trial*
13 *counsel;*

14 *“(2) a special victim prosecutor may detail a*
15 *special victim prosecutor or an assistant special vic-*
16 *tim prosecutor as an assistant trial counsel; and*

17 *“(3) a special victim prosecutor may request that*
18 *a counsel other than a special victim prosecutor or as-*
19 *stant special victim prosecutor be detailed as an as-*
20 *stant trial counsel.”.*

21 **SEC. 537. PRELIMINARY HEARING.**

22 *(a) DETAIL OF HEARING OFFICER; WAIVER.—Sub-*
23 *section (a)(1) of section 832 of title 10, United States Code*
24 *(article 32 of the Uniform Code of Military Justice), is*
25 *amended—*

1 (1) *in subparagraph (A), by striking “hearing*
2 *officer” and all that follows and inserting “hearing*
3 *officer detailed in accordance with subparagraph*
4 *(C).”;*

5 (2) *in subparagraph (B), by striking “written*
6 *waiver” and all that follows and inserting the fol-*
7 *lowing: “written waiver to—*

8 *“(i) except as provided in clause (ii),*
9 *the convening authority and the convening*
10 *authority determines that a hearing is not*
11 *required; and*

12 *“(ii) with respect to charges and speci-*
13 *fications over which the special victim pros-*
14 *ecutor is exercising authority in accordance*
15 *with section 824a of this title (article 24a),*
16 *the special victim prosecutor and the special*
17 *victim prosecutor determines that a hearing*
18 *is not required; and”;* and

19 (3) *by adding at the end the following new sub-*
20 *paragraph:*

21 *“(C)(i) Except as provided in clause (ii), the*
22 *convening authority shall detail a hearing officer.*

23 *“(ii) If a special victim prosecutor is exercising*
24 *authority over the charges and specifications subject*
25 *to a preliminary hearing under this section (article),*

1 *the special victim prosecutor shall request a military*
2 *judge or military magistrate to serve as the hearing*
3 *officer, and a military judge or military magistrate*
4 *shall be provided, in accordance with regulations pre-*
5 *scribed by the President.”.*

6 *(b) REPORT OF PRELIMINARY HEARING OFFICER.—*

7 *Subsection (c) of such section is amended—*

8 *(1) in the heading, by inserting “OR SPECIAL*
9 *VICTIM PROSECUTOR” after “CONVENING AUTHOR-*
10 *ITY”; and*

11 *(2) in the matter preceding paragraph (1) by*
12 *striking “to the convening authority” and inserting*
13 *“to the convening authority or, in the case of a pre-*
14 *liminary hearing in which the hearing officer is pro-*
15 *vided at the request of a special victim prosecutor, to*
16 *the special victim prosecutor,”.*

17 **SEC. 538. ADVICE TO CONVENING AUTHORITY BEFORE RE-**
18 **FERRAL FOR TRIAL.**

19 *Section 834 of title 10, United States Code (article 34*
20 *of the Uniform Code of Military Justice), is amended—*

21 *(1) in subsection (a)(1) in the matter preceding*
22 *subparagraph (A) in the first sentence, by striking*
23 *“Before referral” and inserting “Subject to subsection*
24 *(c), before referral”;*

1 (2) *in subsection (b), by striking “Before refer-*
2 *ral” and inserting “Subject to subsection (c), before*
3 *referral”;*

4 (3) *by redesignating subsections (c) and (d) as*
5 *subsections (d) and (e), respectively;*

6 (4) *by inserting after subsection (b) the following*
7 *new subsection:*

8 “(c) *SPECIAL VICTIM OFFENSES.—A referral to a gen-*
9 *eral or special court-martial for trial of charges and speci-*
10 *fications over which a special victim prosecutor exercises*
11 *authority may only be made—*

12 *“(1) by a special victim prosecutor; or*

13 *“(2) by the convening authority in the case of—*

14 *“(A) charges and specifications that do not*
15 *allege a special victim offense and for which a*
16 *special victim prosecutor declines to prefer*
17 *charges; or*

18 *“(B) charges and specifications preferred by*
19 *a person other than a special victim prosecutor,*
20 *for which a special victim prosecutor declines to*
21 *refer charges.”; and*

22 (5) *in subsection (e), as redesignated by para-*
23 *graph (3) of this section, by inserting “or, with re-*
24 *spect to charges and specifications over which a spe-*
25 *cial victim prosecutor exercises authority in accord-*

1 *ance with section 824a of this title (article 24a), a*
2 *special victim prosecutor,” after “convening author-*
3 *ity”.*

4 **SEC. 539. FORMER JEOPARDY.**

5 *Section 844(c) of title 10, United States Code (article*
6 *44(c) of the Uniform Code of Military Justice), is amended*
7 *by inserting “or the special victim prosecutor” after “the*
8 *convening authority” each place it appears.*

9 **SEC. 539A. PLEA AGREEMENTS.**

10 *(a) AUTHORITY TO ENTER INTO AGREEMENTS.—Sub-*
11 *section (a) of section 853a of title 10, United States Code*
12 *(article 53a of the Uniform Code of Military Justice), is*
13 *amended—*

14 *(1) in paragraph (1), by striking “At any time”*
15 *and inserting “Subject to paragraph (3), at any*
16 *time”; and*

17 *(2) by adding at the end the following new para-*
18 *graph:*

19 *“(3) With respect to charges and specifications referred*
20 *to court-martial by a special victim prosecutor, a plea*
21 *agreement under this section may only be entered into be-*
22 *tween a special victim prosecutor and the accused. Such*
23 *agreement shall be subject to the same limitations and con-*
24 *ditions applicable to other plea agreements under this sec-*
25 *tion (article).”.*

1 (b) *BINDING EFFECT.*—Subsection (d) of such section
 2 (article) is amended by inserting after “parties” the fol-
 3 lowing: “(including the convening authority and the special
 4 victim prosecutor in the case of a plea agreement entered
 5 into under subsection (a)(3))”.

6 **SEC. 539B. DETERMINATIONS OF IMPRACTICALITY OF RE-**
 7 **HEARING.**

8 (a) *TRANSMITTAL AND REVIEW OF RECORDS.*—Sec-
 9 tion 865(e)(3)(B) of title 10, United States Code (article
 10 65(e)(3)(B) of the Uniform Code of Military Justice), is
 11 amended—

12 (1) by striking “*IMPRACTICAL.*—If the Judge Ad-
 13 vocate General” and inserting the following: “*IM-*
 14 *PRACTICAL.*—

15 “(i) *IN GENERAL.*—Subject to clause
 16 (ii), if the Judge Advocate General”; and

17 (2) by adding at the end the following new
 18 clause:

19 “(ii) *CASES REFERRED BY SPECIAL*
 20 *VICTIM PROSECUTOR.*—If a case was re-
 21 ferred to trial by a special victim pros-
 22 ecutor, a special victim prosecutor shall de-
 23 termine if a rehearing is impractical and
 24 shall dismiss the charges if the special vic-
 25 tim prosecutor so determines.”.

1 (b) *COURTS OF CRIMINAL APPEALS.*—Section
2 866(f)(1)(C) of title 10, United States Code (article
3 66(f)(1)(C) of the Uniform Code of Military Justice), is
4 amended—

5 (1) by striking “*IMPRACTICABLE.*—If the Court
6 of Criminal Appeals” and inserting the following:

7 “*IMPRACTICABLE.*—

8 “(i) *IN GENERAL.*—Subject to clause
9 (ii), if the Court of Criminal Appeals”; and

10 (2) by adding at the end the following new
11 clause:

12 “(ii) *CASES REFERRED BY SPECIAL*
13 *VICTIM PROSECUTOR.*—If a case was re-
14 ferred to trial by a special victim pros-
15 ecutor, a special victim prosecutor shall de-
16 termine if a rehearing is impracticable and
17 shall dismiss the charges if the special vic-
18 tim prosecutor so determines.”.

19 (c) *REVIEW BY THE COURT OF APPEALS FOR THE*
20 *ARMED FORCES.*—Section 867(e) of title 10, United States
21 Code (article 67(e) of the Uniform Code of Military Jus-
22 tice), is amended by adding at the end the following new
23 sentence: “Notwithstanding the preceding sentence, if a case
24 was referred to trial by a special victim prosecutor, a spe-
25 cial victim prosecutor shall determine if a rehearing is im-

1 *practicable and shall dismiss the charges if the special vic-*
2 *tim prosecutor so determines.”.*

3 (d) *REVIEW BY JUDGE ADVOCATE GENERAL.*—Section
4 869(c)(1)(D) of title 10, United States Code (article
5 69(c)(1)(D) of the Uniform Code of Military Justice), is
6 amended—

7 (1) by striking “If the Judge Advocate General”
8 and inserting “(i) Subject to clause (ii), if the Judge
9 Advocate General”; and

10 (2) by adding at the end the following new
11 clause:

12 “(ii) If a case was referred to trial by
13 a special victim prosecutor, a special victim
14 prosecutor shall determine if a rehearing is
15 impractical and shall dismiss the charges if
16 the special victim prosecutor so deter-
17 mines.”.

18 **SEC. 539C. PUNITIVE ARTICLE ON SEXUAL HARASSMENT.**

19 (a) *IN GENERAL.*—Subchapter X of chapter 47 of title
20 10, United States Code (the Uniform Code of Military Jus-
21 tice), is amended by inserting after section 920c (article
22 120c) the following new section (article):

1 **“§ 920d. Art. 120d. sexual harassment**

2 “(a) *IN GENERAL.*—Any person subject to this chapter
3 who commits sexual harassment against another person
4 shall be punished as a court-martial may direct.

5 “(b) *ELEMENTS.*—A person subject to this chapter
6 commits sexual harassment when—

7 “(1) such person knowingly—

8 “(A) makes a sexual advance;

9 “(B) demands or requests a sexual favor; or

10 “(C) engages in other conduct of a sexual
11 nature;

12 “(2) the conduct described in paragraph (1) that
13 such person committed is unwelcome;

14 “(3) under the circumstances, on the basis of the
15 record as a whole, such conduct would cause a reason-
16 able person to—

17 “(A) believe that submission to, or rejection
18 of, such conduct would be made, either explicitly
19 or implicitly, a term or condition of a person’s
20 military duties, job, pay, career, benefits, or en-
21 titlements;

22 “(B) believe that submission to, or rejection
23 of, such conduct would be used as a basis for
24 military career or employment decisions affect-
25 ing that person; or

1 “(C) perceive an intimidating, hostile, or
2 offensive duty or working environment due to the
3 severity, repetitiveness, or pervasiveness of such
4 conduct; and

5 “(4) a person, who by some duty or military-re-
6 lated reason works or is associated with the accused,
7 did reasonably believe or perceive as described in sub-
8 paragraph (A), (B), or (C) of paragraph (3).

9 “(c) *OTHER CONDUCT.*—For purposes of subsection
10 (b)(1)(C), whether other conduct would cause a reasonable
11 person to believe it is of a sexual nature shall be dependent
12 upon the circumstances of the act alleged and may include
13 conduct that, without context, would not appear to be sexual
14 in nature.

15 “(d) *LOCATION AND MEANS OF ACT.*—An act consti-
16 tuting sexual harassment under this section—

17 “(1) may occur at any location and without re-
18 gard to whether the victim or accused is on or off
19 duty at the time of the alleged act;

20 “(2) does not require physical proximity between
21 the victim and the accused; and

22 “(3) may be transmitted through any means, in-
23 cluding written, oral, online, or other electronic
24 means.”.

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
2 *the beginning of such subchapter is amended by inserting*
3 *after the item relating to section 920c (article 120c) the fol-*
4 *lowing new item:*

“920d. Art. 120d. Sexual harassment.”.

5 **SEC. 539D. CLARIFICATION OF APPLICABILITY OF DOMES-**
6 **TIC VIOLENCE AND STALKING TO DATING**
7 **PARTNERS.**

8 (a) *ARTICLE 128B; DOMESTIC VIOLENCE.*—*Section*
9 *928b of title 10, United States Code (article 128b of the*
10 *Uniform Code of Military Justice), is amended—*

11 (1) *in the matter preceding paragraph (1), by*
12 *striking “Any person” and inserting the following:*

13 *“(a) IN GENERAL.—Any person”.*

14 (2) *by inserting “a dating partner,” after “an*
15 *intimate partner,” each place it appears; and*

16 (3) *by adding at the end the following new sub-*
17 *section:*

18 *“(b) DEFINITIONS.—In this section, the terms dating*
19 *partner, ‘immediate family’, and ‘intimate partner’ have the*
20 *meaning given such terms in section 930 of this title (article*
21 *130).”.*

22 (b) *ARTICLE 130; STALKING.*—*Section 930 of such title*
23 *(article 130 of the Uniform Code of Military Justice) is*
24 *amended—*

1 (1) *in subsection (a), by striking “or to his or*
2 *her intimate partner” each place it appears and in-*
3 *serting “to his or her intimate partner, or to his or*
4 *her dating partner”;*

5 (2) *in subsection (b)—*

6 (A) *by redesignating paragraphs (3)*
7 *through (5) as paragraphs (4) through (6), re-*
8 *spectively; and*

9 (B) *by inserting after paragraph (2) the fol-*
10 *lowing new paragraph:*

11 “(3) *The term ‘dating partner’, in the case of a*
12 *specific person, means a person who is or has been in*
13 *a social relationship of a romantic or intimate nature*
14 *with such specific person, and a reasonable person*
15 *would believe such a relationship exists or existed,*
16 *based on—*

17 “(A) *the length of the relationship;*

18 “(B) *the type of relationship; and*

19 “(C) *the frequency of interaction between*
20 *the persons involved in the relationship.”.*

21 **SEC. 539E. EFFECTIVE DATE.**

22 (a) *IN GENERAL.—Except as provided in subsection*
23 *(b), the amendments made by this part shall take effect on*
24 *the date that is two years after the date of the enactment*

1 *of this Act and shall apply with respect to offenses that*
2 *occur after that date.*

3 (b) *REGULATIONS.*—

4 (1) *REQUIREMENT.*—*The President shall pre-*
5 *scribe regulations to carry out this part not later*
6 *than two years after the date of the enactment of this*
7 *Act.*

8 (2) *IMPACT OF DELAY OF ISSUANCE.*—*If the*
9 *President does not prescribe regulations to carry out*
10 *this part before the date that is two years after the*
11 *date of the enactment of this Act, the amendments*
12 *made by this part shall take effect on the date on*
13 *which such regulations are prescribed and shall apply*
14 *with respect to offenses that occur on or after that*
15 *date.*

16 ***PART 2—SENTENCING REFORM***

17 ***SEC. 539F. SENTENCING REFORM.***

18 (a) *ARTICLE 53; FINDINGS AND SENTENCING.*—*Sec-*
19 *tion 853 of title 10, United States Code (article 53 of the*
20 *Uniform Code of Military Justice), is amended—*

21 (1) *in subsection (b), by amending paragraph*
22 *(1) to read as follows:*

23 “(1) *GENERAL AND SPECIAL COURTS-MARTIAL.*—
24 *Except as provided in subsection (c) for capital of-*
25 *fenses, if the accused is convicted of an offense in a*

1 *trial by general or special court-martial, the military*
2 *judge shall sentence the accused. The sentence deter-*
3 *mined by the military judge constitutes the sentence*
4 *of the court-martial.”;*

5 *(2) in subsection (c)—*

6 *(A) by amending paragraph (1) to read as*
7 *follows:*

8 *“(1) IN GENERAL.—In a capital case, if the ac-*
9 *cused is convicted of an offense for which the court-*
10 *martial may sentence the accused to death—*

11 *“(A) the members shall determine—*

12 *“(i) whether the sentence for that of-*
13 *fense shall be death or life in prison without*
14 *eligibility for parole; or*

15 *“(ii) whether the matter shall be re-*
16 *turned to the military judge for determina-*
17 *tion of a lesser punishment; and*

18 *“(B) the military judge shall sentence the*
19 *accused for that offense in accordance with the*
20 *determination of the members under subpara-*
21 *graph (A).”;* and

22 *(B) in paragraph (2), by striking “the*
23 *court-martial” and inserting “the military*
24 *judge”.*

1 **(b) ARTICLE 53A; PLEA AGREEMENTS.**—Section 853a
2 *of title 10, United States Code (article 53a of the Uniform*
3 *Code of Military Justice), as amended by section 539A of*
4 *this subtitle, is further amended—*

5 (1) *by redesignating subsections (b), (c), and (d),*
6 *as subsections (c), (d), and (e), respectively; and*

7 (2) *by inserting after subsection (a) the following*
8 *new subsection:*

9 **“(b) ACCEPTANCE OF PLEA AGREEMENT.**—Subject to
10 *subsections (c) and (d), the military judge of a general or*
11 *special court-martial shall accept a plea agreement sub-*
12 *mitted by the parties, except that—*

13 **“(1) in the case of an offense with a sentencing**
14 *parameter under section 856 of this chapter (article*
15 *56), the military judge may reject a plea agreement*
16 *that proposes a sentence that is outside the sentencing*
17 *parameter if the military judge determines that the*
18 *proposed sentence is plainly unreasonable; and*

19 **“(2) in the case of an offense with no sentencing**
20 *parameter under section 856 of this chapter (article*
21 *56), the military judge may reject a plea agreement*
22 *that proposes a sentence if the military judge deter-*
23 *mines that the proposed sentence is plainly unreason-*
24 *able.”.*

1 (c) *ARTICLE 56; SENTENCING.*—Section 856 of title 10,
2 *United States Code (article 56 of the Uniform Code of Mili-*
3 *tary Justice), is amended—*

4 (1) *in subsection (c)—*

5 (A) *in paragraph (1)—*

6 (i) *in subparagraph (C)(vii), by strik-*
7 *ing “and” at the end;*

8 (ii) *in subparagraph (D), by striking*
9 *the period at the end and inserting “; and”;*
10 *and*

11 (iii) *by adding at the end the following*
12 *new subparagraph:*

13 “(E) *the applicable sentencing parameters*
14 *or sentencing criteria prescribed under this sec-*
15 *tion.”;*

16 (B) *by striking paragraphs (2) through (4)*
17 *and inserting the following new paragraphs:*

18 “(2) *APPLICATION OF SENTENCING PARAMETERS*
19 *IN GENERAL AND SPECIAL COURTS-MARTIAL.—*

20 “(A) *REQUIREMENT TO SENTENCE WITHIN*
21 *PARAMETERS.—Except as provided in subpara-*
22 *graph (B), in a general or special court-martial*
23 *in which the accused is convicted of an offense*
24 *for which there is a sentencing parameter under*
25 *subsection (d), the military judge shall sentence*

1 *the accused for that offense within the applicable*
2 *parameter.*

3 “(B) *EXCEPTION.*—*The military judge may*
4 *impose a sentence outside a sentencing param-*
5 *eter upon finding specific facts that warrant*
6 *such a sentence. If the military judge imposes a*
7 *sentence outside a sentencing parameter under*
8 *this subparagraph, the military judge shall in-*
9 *clude in the record a written statement of the*
10 *factual basis for the sentence.*

11 “(3) *USE OF SENTENCING CRITERIA IN GENERAL*
12 *AND SPECIAL COURTS-MARTIAL.*—*In a general or spe-*
13 *cial court-martial in which the accused is convicted*
14 *of an offense for which there are sentencing criteria*
15 *under subsection (d), the military judge shall consider*
16 *the applicable sentencing criteria in determining the*
17 *sentence for that offense.*

18 “(4) *OFFENSE-BASED SENTENCING IN GENERAL*
19 *AND SPECIAL COURTS-MARTIAL.*—*In announcing the*
20 *sentence under section 853 of this chapter (article 53)*
21 *in a general or special court-martial, the military*
22 *judge shall, with respect to each offense of which the*
23 *accused is found guilty, specify the term of confine-*
24 *ment, if any, and the amount of the fine, if any. If*
25 *the accused is sentenced to confinement for more than*

1 *one offense, the military judge shall specify whether*
2 *the terms of confinement are to run consecutively or*
3 *concurrently.*

4 “(5) *INAPPLICABILITY TO DEATH PENALTY.—*
5 *Sentencing parameters and sentencing criteria shall*
6 *not apply to a determination of whether an offense*
7 *should be punished by death.*

8 “(6) *SENTENCE OF CONFINEMENT FOR LIFE*
9 *WITHOUT ELIGIBILITY FOR PAROLE.—(A) If an of-*
10 *fense is subject to a sentence of confinement for life,*
11 *a court-martial may impose a sentence of confine-*
12 *ment for life without eligibility for parole.*

13 “(B) *An accused who is sentenced to confinement*
14 *for life without eligibility for parole shall be confined*
15 *for the remainder of the accused’s life unless—*

16 “(i) *the sentence is set aside or otherwise*
17 *modified as a result of—*

18 “(I) *action taken by the convening au-*
19 *thority or the Secretary concerned; or*

20 “(II) *any other action taken during*
21 *post-trial procedure or review under any*
22 *other provision of subchapter IX of this*
23 *chapter;*

1 “(ii) the sentence is set aside or otherwise
2 modified as a result of action taken by a court
3 of competent jurisdiction; or

4 “(iii) the accused receives a pardon or an-
5 other form of Executive clemency.”;

6 (2) by redesignating subsection (d) as subsection
7 (e);

8 (3) by inserting after subsection (c) the following
9 new subsection:

10 “(d) *ESTABLISHMENT OF SENTENCING PARAMETERS*
11 *AND SENTENCING CRITERIA.*—

12 “(1) *IN GENERAL.*—The President shall prescribe
13 regulations establishing sentencing parameters and
14 sentencing criteria in accordance with this subsection.
15 Such parameters and criteria—

16 “(A) shall cover sentences of confinement;
17 and

18 “(B) may cover lesser punishments, as the
19 President determines appropriate.

20 “(2) *SENTENCING PARAMETERS.*—Sentencing
21 parameters established under paragraph (1) shall—

22 “(A) identify a delineated sentencing range
23 for an offense that is appropriate for a typical
24 violation of the offense, taking into consider-
25 ation—

1 “(i) the severity of the offense;

2 “(ii) the guideline or offense category
3 that would apply to the offense if the offense
4 were tried in a United States district court;

5 “(iii) any military-specific sentencing
6 factors; and

7 “(iv) the need for the sentencing pa-
8 rameter to be sufficiently broad to allow for
9 individualized consideration of the offense
10 and the accused;

11 “(B) include no fewer than five and no
12 more than twelve offense categories;

13 “(C) assign each offense under this chapter
14 to an offense category unless the offense is identi-
15 fied as unsuitable for sentencing parameters
16 under paragraph (4)(F)(ii);

17 “(D) delineate the confinement range for
18 each offense category by setting an upper con-
19 finement limit and a lower confinement limit;
20 and

21 “(E) be neutral as to the race, color, reli-
22 gion, national origin, ethnicity, gender, gender
23 identity, disability, sexual orientation, and so-
24 cioeconomic status of offenders.

1 “(3) *SENTENCING CRITERIA.*—*Sentencing cri-*
2 *teria established under paragraph (1) shall identify*
3 *offense-specific factors the military judge should con-*
4 *sider and any collateral effects of available punish-*
5 *ments that may aid the military judge in deter-*
6 *mining an appropriate sentence when there is no ap-*
7 *plicable sentencing parameter for a specific offense.*

8 “(4) *MILITARY SENTENCING PARAMETERS AND*
9 *CRITERIA BOARD.*—

10 “(A) *IN GENERAL.*—*There is established*
11 *within the Department of Defense a board, to be*
12 *known as the ‘Military Sentencing Parameters*
13 *and Criteria Board’ (referred to in this sub-*
14 *section as the ‘Board’).*

15 “(B) *VOTING MEMBERS.*—*The Board shall*
16 *have five voting members, as follows:*

17 “(i) *The four chief trial judges des-*
18 *ignated under section 826(g) of this chapter*
19 *(article 26(g)), except that, if the chief trial*
20 *judge of the Coast Guard is not available,*
21 *the Judge Advocate General of the Coast*
22 *Guard may designate as a voting member a*
23 *judge advocate of the Coast Guard with sub-*
24 *stantial military justice experience.*

1 “(ii) *A trial judge of the Navy, des-*
2 *ignated under regulations prescribed by the*
3 *President, if the chief trial judges des-*
4 *ignated under section 826(g) of this chapter*
5 *(article 26(g)) do not include a trial judge*
6 *of the Navy.*

7 “(iii) *A trial judge of the Marine*
8 *Corps, designated under regulations pre-*
9 *scribed by the President, if the chief trial*
10 *judges designated under section 826(g) of*
11 *this chapter (article 26(g)) do not include a*
12 *trial judge of the Marine Corps.*

13 “(C) *NONVOTING MEMBERS.—The Chief*
14 *Judge of the Court of Appeals for the Armed*
15 *Forces, the Chairman of the Joint Chiefs of Staff,*
16 *and the General Counsel of the Department of*
17 *Defense shall each designate one nonvoting mem-*
18 *ber of the Board.*

19 “(D) *CHAIR AND VICE-CHAIR.—The Sec-*
20 *retary of Defense shall designate one voting*
21 *member as chair of the Board and one voting*
22 *member as vice-chair.*

23 “(E) *VOTING REQUIREMENT.—An affirma-*
24 *tive vote of at least three members is required for*
25 *any action of the Board under this subsection.*

1 “(F) *DUTIES OF BOARD.*—*The Board shall*
2 *have the following duties:*

3 “(i) *As directed by the President, the*
4 *Board shall submit to the President for ap-*
5 *proval—*

6 “(I) *sentencing parameters for all*
7 *offenses under this chapter (other than*
8 *offenses that the Board identifies as*
9 *unsuitable for sentencing parameters*
10 *in accordance with clause (ii)); and*

11 “(II) *sentencing criteria to be*
12 *used by military judges in determining*
13 *appropriate sentences for offenses that*
14 *are identified as unsuitable for sen-*
15 *tencing parameters in accordance with*
16 *clause (ii).*

17 “(ii) *Identify each offense under this*
18 *chapter that is unsuitable for sentencing pa-*
19 *rameters. The Board shall identify an of-*
20 *fense as unsuitable for sentencing param-*
21 *eters if—*

22 “(I) *the nature of the offense is in-*
23 *determinate and unsuitable for cat-*
24 *egorization; and*

1 “(II) *there is no similar criminal*
2 *offense under the laws of the United*
3 *States or the laws of the District of Co-*
4 *lumbia.*

5 “(iii) *In developing sentencing param-*
6 *eters and criteria, the Board shall consider*
7 *the sentencing data collected by the Military*
8 *Justice Review Panel pursuant to section*
9 *946(f)(2) of this chapter (article 146(f)(2)).*

10 “(iv) *In addition to establishing pa-*
11 *rameters for sentences of confinement under*
12 *clause (i)(I), the Board shall consider the*
13 *appropriateness of establishing sentencing*
14 *parameters for punitive discharges, fines,*
15 *reductions, forfeitures, and other lesser pun-*
16 *ishments authorized under this chapter.*

17 “(v) *The Board shall regularly—*

18 “(I) *review, and propose revision*
19 *to, in consideration of comments and*
20 *data coming to the Board’s attention,*
21 *the sentencing parameters and sen-*
22 *tencing criteria prescribed under para-*
23 *graph (1); and*

24 “(II) *submit to the President,*
25 *through the Secretary of Defense, pro-*

1 *posed amendments to the sentencing*
2 *parameters and sentencing criteria, to-*
3 *gether with statements explaining the*
4 *basis for the proposed amendments.*

5 *“(vi) The Board shall develop means of*
6 *measuring the degree to which applicable*
7 *sentencing, penal, and correctional practices*
8 *are effective with respect to the sentencing*
9 *factors and policies set forth in this section.*

10 *“(vii) In fulfilling its duties and in ex-*
11 *ercising its powers, the Board shall consult*
12 *authorities on, and individual and institu-*
13 *tional representatives of, various aspects of*
14 *the military criminal justice system. The*
15 *Board shall establish separate advisory*
16 *groups consisting of individuals with cur-*
17 *rent or recent experience in command and*
18 *in senior enlisted positions, individuals*
19 *with experience in the trial of courts-mar-*
20 *tial, and such other groups as the Board*
21 *deems appropriate.*

22 *“(viii) The Board shall submit to the*
23 *President, through the Secretary of Defense,*
24 *proposed amendments to the rules for*
25 *courts-martial with respect to sentencing*

1 *proceedings and maximum punishments, to-*
2 *gether with statements explaining the basis*
3 *for the proposed amendments.*

4 *“(ix) The Board may issue non-bind-*
5 *ing policy statements to achieve the Board’s*
6 *purposes and to guide military judges in*
7 *fashioning appropriate sentences, including*
8 *guidance on factors that may be relevant in*
9 *determining where in a sentencing param-*
10 *eter a specification may fall, or whether a*
11 *deviation outside of the sentencing range*
12 *may be warranted.*

13 *“(G) FEDERAL ADVISORY COMMITTEE*
14 *ACT.—The Federal Advisory Committee Act (5*
15 *U.S.C. App.) shall not apply with respect to the*
16 *Board or any advisory group established by the*
17 *Board.”; and*

18 *(4) in subsection (e)(1), as redesignated by para-*
19 *graph (2) of this subsection—*

20 *(A) in subparagraph (A), by striking “or”*
21 *at the end;*

22 *(B) by redesignating subparagraph (B) as*
23 *subparagraph (C);*

24 *(C) by inserting after subparagraph (A) the*
25 *following new subparagraph:*

1 “(B) in the case of a sentence for an offense with
2 a sentencing parameter under this section, the sen-
3 tence is a result of an incorrect application of the pa-
4 rameter; or”; and

5 (D) in subparagraph (C), as redesignated
6 by subparagraph (B) of this paragraph, by strik-
7 ing “, as determined in accordance with stand-
8 ards and procedures prescribed by the Presi-
9 dent”.

10 (d) *ARTICLE 66; COURTS OF CRIMINAL APPEALS.*—
11 Section 866 of title 10, United States Code (article 66 of
12 the Uniform Code of Military Justice) is amended—

13 (1) in subsection (d)(1)(A), by striking the third
14 sentence; and

15 (2) by amending subsection (e) to read as fol-
16 lows:

17 “(e) *CONSIDERATION OF SENTENCE.*—

18 “(1) *IN GENERAL.*—In considering a sentence on
19 appeal, other than as provided in section 856(e) of
20 this chapter (article 56(e)), the Court of Criminal Ap-
21 peals may consider—

22 “(A) whether the sentence violates the law;

23 “(B) whether the sentence is inappropri-
24 ately severe—

1 “(i) if the sentence is for an offense for
2 which there is no sentencing parameter
3 under section 856(d) of this chapter (article
4 56(d)); or

5 “(ii) in the case of an offense with a
6 sentencing parameter under section 856(d)
7 of this chapter (article 56(d)), if the sen-
8 tence is above the upper range of such sen-
9 tencing parameter;

10 “(C) in the case of a sentence for an offense
11 with a sentencing parameter under section
12 856(d) of this chapter (article 56(d)), whether the
13 sentence is a result of an incorrect application of
14 the parameter;

15 “(D) whether the sentence is plainly unrea-
16 sonable; and

17 “(E) in review of a sentence to death or to
18 life in prison without eligibility for parole deter-
19 mined by the members in a capital case under
20 section 853(c) of this chapter (article 53(c)),
21 whether the sentence is otherwise appropriate,
22 under rules prescribed by the President.

23 “(2) *RECORD ON APPEAL*.—In an appeal under
24 this subsection or section 856(e) of this chapter (arti-

1 *cle 56(e)), other than review under subsection (b)(2),*
2 *the record on appeal shall consist of—*

3 *“(A) any portion of the record in the case*
4 *that is designated as pertinent by any party;*

5 *“(B) the information submitted during the*
6 *sentencing proceeding; and*

7 *“(C) any information required by rule or*
8 *order of the Court of Criminal Appeals.”.*

9 *(e) CONFORMING AMENDMENTS.—*

10 *(1) Section 863(c) of title 10, United States Code*
11 *(article 63(c) of the Uniform Code of Military Jus-*
12 *tice) is amended by striking “section 856(d) of this*
13 *title (article 56(d))” and inserting “section 856(e) of*
14 *this chapter (article 56(e))”.*

15 *(2) Section 866 of title 10, United States Code*
16 *(article 66 of the Uniform Code of Military Justice),*
17 *as amended by subsection (d), is further amended by*
18 *striking “section 856(d) of this title (article 56(d))”*
19 *each place it appears and inserting “section 856(e) of*
20 *this chapter (article 56(e))”.*

21 *(f) EFFECTIVE DATE.—*

22 *(1) IN GENERAL.—The amendments made by*
23 *this section shall take effect on the date that is two*
24 *years after the date of the enactment of this Act and*
25 *shall apply to sentences adjudged in cases in which*

1 *all findings of guilty are for offenses that occurred*
2 *after the date that is two years after the date of the*
3 *enactment of this Act.*

4 (2) *IMPLEMENTATION OF SENTENCING PARAM-*
5 *ETERS AND CRITERIA.—*

6 (A) *IN GENERAL.—The President shall pre-*
7 *scribe regulations setting forth the sentencing pa-*
8 *rameters and criteria required by subsection (d)*
9 *of section 856 of title 10, United States Code (ar-*
10 *ticle 56 of the Uniform Code of Military Justice),*
11 *as added by subsection (c) of this section.*

12 (B) *EFFECTIVE DATES.—The regulations*
13 *under subparagraph (A) shall take effect on a*
14 *date determined by the President which shall be*
15 *not later than four years after the date of enact-*
16 *ment of this Act and shall apply only to sen-*
17 *tences adjudged in cases in which all findings of*
18 *guilty are for offenses that occurred after the date*
19 *on which the regulations required by subpara-*
20 *graph (A) take effect.*

21 (C) *INTERIM AUTHORITY OF JUDGES.—If*
22 *the regulations required by subparagraph (A)*
23 *have not been prescribed as of the date on which*
24 *the amendments made by this section take effect*
25 *under paragraph (1), each sentence adjudged in*

1 *accordance with the amendments made by this*
2 *section and the terms of the effective date under*
3 *paragraph (1) shall be made as if no sentencing*
4 *parameter or criteria for that offense has been*
5 *prescribed until such time as such regulations*
6 *are issued that include such a sentencing param-*
7 *eter or criteria.*

8 *(g) REPEAL OF SECRETARIAL GUIDELINES ON SEN-*
9 *TENCES FOR OFFENSES COMMITTED UNDER THE UNIFORM*
10 *CODE OF MILITARY JUSTICE.—Section 537 of the National*
11 *Defense Authorization Act for Fiscal Year 2020 (Public*
12 *Law 116–92; 133 Stat. 1363; 10 U.S.C. 856 note) is re-*
13 *pealed.*

14 **PART 3—REPORTS AND OTHER MATTERS**

15 **SEC. 539G. REPORT ON MODIFICATION OF DISPOSITION AU-**
16 **THORITY FOR OFFENSES OTHER THAN SPE-**
17 **CIAL VICTIM OFFENSES.**

18 *(a) IN GENERAL.—Not later than 180 days after the*
19 *date of the enactment of this Act, the Secretary of Defense*
20 *shall submit to the Committees on Armed Services of the*
21 *Senate and the House of Representatives a report on the*
22 *feasibility, advisability, and potential effects of modifying*
23 *chapter 47 of title 10, United States Code (the Uniform*
24 *Code of Military Justice) to require that determinations as*
25 *to whether to prefer or refer charges for trial by court-mar-*

1 *tial for offenses other than special victim offenses must be*
2 *made by an individual outside of the chain of command*
3 *of the member subject to the charges rather than by a com-*
4 *manding officer who is in the chain of command of the*
5 *member.*

6 *(b) ELEMENTS.—The report under subsection (a) shall*
7 *include the following:*

8 *(1) A review and reassessment of the findings of*
9 *the Secretary of Defense included in the report sub-*
10 *mitted under section 540F of the National Defense*
11 *Authorization Act for Fiscal year 2020 (Public Law*
12 *116–92; 133 Stat. 1367), taking into account the*
13 *findings and recommendations of the Independent Re-*
14 *view Commission on Sexual Assault in the Military*
15 *as set forth in the report of the Commission titled*
16 *“Hard Truths and the Duty to Change: Recommenda-*
17 *tions from the Independent Review Commission on*
18 *Sexual Assault in the Military”.*

19 *(2) An analysis of any effects, including positive*
20 *and negative effects, that may result from the modi-*
21 *fication of disposition authority for offenses as de-*
22 *scribed in subsection (a).*

23 *(c) INDEPENDENT COMMITTEE.—*

1 (1) *IN GENERAL.*—*The Secretary of Defense shall*
2 *establish an independent committee to prepare the re-*
3 *port required by this section.*

4 (2) *MEMBERS.*—*Subject to paragraph (3), the*
5 *committee established under paragraph (1) shall be*
6 *composed of members who—*

7 (A) *are designated by the Secretary of De-*
8 *fense; and*

9 (B) *have expertise determined to be relevant*
10 *by the Secretary*

11 (3) *LIMITATION.*—*No member of an Armed Force*
12 *or civilian employee of the Department of Defense*
13 *may serve on the committee established under para-*
14 *graph (1).*

15 (d) *SPECIAL VICTIM OFFENSE DEFINED.*—*In this sec-*
16 *tion, the term “special victim offense” means an offense*
17 *specified in section 801(17) of title 10, United States Code*
18 *(article 1(17) of the Uniform Code of Military Justice), as*
19 *added by section 534 of this subtitle.*

20 **SEC. 539H. REPORT ON IMPLEMENTATION OF CERTAIN**
21 **RECOMMENDATIONS OF THE INDEPENDENT**
22 **REVIEW COMMISSION ON SEXUAL ASSAULT**
23 **IN THE MILITARY.**

24 (a) *REPORT REQUIRED.*—*Not later than 180 days*
25 *after the date of the enactment of this Act, the Secretary*

1 *of Defense shall submit to the Committees on Armed Serv-*
2 *ices of the Senate and the House of Representatives a report*
3 *on status of the implementation of the recommendations*
4 *specified in subsection (c).*

5 *(b) ELEMENTS.—The report under subsection (a) shall*
6 *include the following:*

7 *(1) A description of the status of the implemen-*
8 *tation of each recommendation specified in subsection*
9 *(c), including—*

10 *(A) whether, how, and to what extent the*
11 *recommendation has been implemented;*

12 *(B) any rules, regulations, policies, or other*
13 *guidance that have been issued, revised, changed,*
14 *or cancelled as a result of the implementation of*
15 *the recommendation; and*

16 *(C) any impediments to the implementation*
17 *of the recommendation.*

18 *(2) For each recommendation specified in sub-*
19 *section (c) that has not been fully implemented or su-*
20 *perseded by statute as of the date of the report, a plan*
21 *for the implementation of the recommendation, in-*
22 *cluding identification of—*

23 *(A) intermediate actions, milestone dates,*
24 *and the expected completion date for implemen-*
25 *tation of the recommendation; and*

1 (B) any rules, regulations, policies, or other
2 guidance that are expected to be issued, revised,
3 changed, or cancelled as a result of the imple-
4 mentation of the recommendation.

5 (3) Any statutory changes identified as necessary
6 to fully implement the recommendations specified in
7 subsection (c).

8 (c) *RECOMMENDATIONS SPECIFIED.*—The rec-
9 ommendations specified in this subsection are the following,
10 as set forth in the report of the Independent Review Com-
11 mission on Sexual Assault in the Military titled “Hard
12 Truths and the Duty to Change: Recommendations from the
13 Independent Review Commission on Sexual Assault in the
14 Military”, and dated July 2, 2021:

15 (1) Each recommendation under the heading
16 “Line of Effort 1: Accountability” as set forth in sec-
17 tion III such report.

18 (2) Each recommendation under the heading
19 “Line of Effort 2: Prevention” as set forth in section
20 III such report.

21 (3) Each recommendation under the heading
22 “Line of Effort 3: Climate and Culture” as set forth
23 in section III of such report.

1 (4) *Each recommendation under the heading*
2 *“Line of Effort 4: Victim Care and Support” as set*
3 *forth in section III of such report.*

4 **SEC. 539I. REPORT ON IMPLEMENTATION OF REC-**
5 **COMMENDATIONS AND OTHER ACTIVITIES TO**
6 **ADDRESS RACIAL, ETHNIC, AND GENDER DIS-**
7 **PARITIES IN THE MILITARY JUSTICE SYSTEM.**

8 *Not later than 180 days after the date of the enactment*
9 *of this Act, the Secretary of Defense shall submit to the*
10 *Committees on Armed Services of the Senate and the House*
11 *of Representatives a report on status of the Secretary’s ef-*
12 *forts—*

13 (1) *to implement the recommendations set forth*
14 *in the May 2019 report of the Government Account-*
15 *ability Office titled “Military Justice: DOD and the*
16 *Coast Guard Need to Improve Their Capabilities to*
17 *Assess Racial and Gender Disparities” (GAO–19–*
18 *344); and*

19 (2) *to carry out the activities required under sec-*
20 *tion 540I(b) of the National Defense Authorization*
21 *Act for Fiscal Year 2020 (Public Law 116–92; 133*
22 *Stat. 1369; 10 U.S.C. 810 note).*

1 ***Subtitle E—Other Sexual Assault-***
2 ***Related Matters***

3 ***SEC. 541. INDEPENDENT INVESTIGATION OF COMPLAINTS***
4 ***OF SEXUAL HARASSMENT.***

5 *(a) IN GENERAL.—Section 1561 of title 10, United*
6 *States Code, is amended to read as follows:*

7 ***“§1561. Complaints of sexual harassment: inde-***
8 ***pendent investigation***

9 *“(a) ACTION ON COMPLAINTS ALLEGING SEXUAL HAR-*
10 *ASSMENT.—A commanding officer or officer in charge of a*
11 *unit, vessel, facility, or area of an armed force, who receives,*
12 *from a member of the command or a member under the*
13 *supervision of the officer, a formal complaint alleging sex-*
14 *ual harassment by a member of the armed forces shall, as*
15 *soon as practicable after such receipt, forward the com-*
16 *plaint to an independent investigator.*

17 *“(b) COMMENCEMENT OF INVESTIGATION.—To the ex-*
18 *tent practicable, an independent investigator shall com-*
19 *mence an investigation of a formal complaint of sexual har-*
20 *assment not later than 72 hours after—*

21 *“(1) receiving a formal complaint of sexual har-*
22 *assment forwarded by a commanding officer or officer*
23 *in charge under subsection (a); or*

24 *“(2) receiving a formal complaint of sexual har-*
25 *assment directly from a member of the armed forces.*

1 “(c) *DURATION OF INVESTIGATION.*—*To the extent*
2 *practicable, an investigation under subsection (b) shall be*
3 *completed not later than 14 days after the date on which*
4 *the investigation commences.*

5 “(d) *REPORT ON INVESTIGATION.*—

6 “(1) *If the investigation cannot be completed*
7 *within 14 days, not later than the 14th day after the*
8 *investigation commences, and every 14 days thereafter*
9 *until the investigation is complete, the independent*
10 *investigator shall submit to the officer described in*
11 *subsection (a) a report on the progress made in com-*
12 *pleting the investigation.*

13 “(2) *To the extent practicable, and as soon as*
14 *practicable upon completion of the investigation, the*
15 *officer described in subsection (a) shall notify the*
16 *complainant of the final results of the investigation,*
17 *including any action taken, or planned to be taken,*
18 *as a result of the investigation.*

19 “(e) *DEFINITIONS.*—*In this section:*

20 “(1) *The term ‘formal complaint’ means a com-*
21 *plaint—*

22 “(A) *that an individual files in writing;*
23 *and*

1 “(B) in which the individual attests to the
2 accuracy of the information contained in the
3 complaint.

4 “(2) The term ‘independent investigator’ means
5 a member of the armed forces or a civilian employee
6 of the Department of Defense or the Coast Guard
7 who—

8 “(A) is outside the chain of command of the
9 complainant and the subject of the investigation;
10 and

11 “(B) is trained in the investigation of sex-
12 ual harassment, as determined by—

13 “(i) the Secretary concerned, in the
14 case of a member of the armed forces;

15 “(ii) the Secretary of Defense, in the
16 case of a civilian employee of the Depart-
17 ment of Defense; or

18 “(iii) the Secretary of Homeland Secu-
19 rity, in the case of a civilian employee of
20 the Coast Guard.

21 “(3) In this section, the term ‘sexual harassment’
22 means any of the following:

23 “(A) Conduct that—

24 “(i) involves unwelcome sexual ad-
25 vances, requests for sexual favors, and delib-

1 *erate or repeated offensive comments or ges-*
2 *tures of a sexual nature when—*

3 *“(I) submission to such conduct is*
4 *made either explicitly or implicitly a*
5 *term or condition of a person’s job,*
6 *pay, or career;*

7 *“(II) submission to or rejection of*
8 *such conduct by a person is used as a*
9 *basis for career or employment deci-*
10 *sions affecting that person; or*

11 *“(III) such conduct has the pur-*
12 *pose or effect of unreasonably inter-*
13 *fering with an individual’s work per-*
14 *formance or creates an intimidating,*
15 *hostile, or offensive working environ-*
16 *ment; and*

17 *“(ii) is so severe or pervasive that a*
18 *reasonable person would perceive, and the*
19 *victim does perceive, the environment as*
20 *hostile or offensive.*

21 *“(B) Any use or condonation, by any per-*
22 *son in a supervisory or command position, of*
23 *any form of sexual behavior to control, influence,*
24 *or affect the career, pay, or job of a member of*

1 *the armed forces or a civilian employee of the*
2 *Department of Defense or the Coast Guard.*

3 “(C) *Any deliberate or repeated unwelcome*
4 *verbal comment or gesture of a sexual nature by*
5 *any member of the armed forces or civilian em-*
6 *ployee of the Department of Defense or the Coast*
7 *Guard.”.*

8 (b) *CLERICAL AMENDMENT.—The table of sections at*
9 *the beginning of chapter 80 of title 10 United States Code*
10 *is amended by striking the item relating to section 1561*
11 *and inserting the following new item:*

“1561. Complaints of sexual harassment: independent investigation.”.

12 (c) *EFFECTIVE DATE.—The amendments made by sub-*
13 *sections (a) and (b) shall—*

14 (1) *take effect on the date that is two years after*
15 *the date of the enactment of this Act; and*

16 (2) *apply to any investigation of a formal com-*
17 *plaint of sexual harassment (as those terms are de-*
18 *finied in section 1561 of title 10, United States Code,*
19 *as amended by subsection (a)) made on or after that*
20 *date.*

21 (d) *REPORT ON IMPLEMENTATION.—*

22 (1) *IN GENERAL.—Not later than one year after*
23 *the date of the enactment of this Act, each Secretary*
24 *concerned shall submit to the appropriate congres-*
25 *sional committees a report on preparation of that*

1 *Secretary to implement section 1561 of title 10,*
2 *United States Code, as amended by subsection (a).*

3 (2) *APPROPRIATE CONGRESSIONAL COMMITTEES*
4 *DEFINED.—In this section, the term “appropriate*
5 *congressional committees” means—*

6 (A) *the Committee on Armed Services and*
7 *the Committee on Commerce, Science, and*
8 *Transportation of the Senate; and*

9 (B) *the Committee on Armed Services and*
10 *the Committee on Transportation and Infra-*
11 *structure of the House of Representatives.*

12 **SEC. 542. MODIFICATION OF NOTICE TO VICTIMS OF PEND-**
13 **ENCY OF FURTHER ADMINISTRATIVE ACTION**
14 **FOLLOWING A DETERMINATION NOT TO**
15 **REFER TO TRIAL BY COURT-MARTIAL.**

16 *Section 549 of the National Defense Authorization Act*
17 *for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 806b*
18 *note) is amended—*

19 (1) *in the section heading, by striking “AL-*
20 **LEGED SEXUAL ASSAULT”** and inserting **“AL-**
21 **LEGED SEX-RELATED OFFENSE”**;

22 (2) *by striking “Under regulations” and insert-*
23 *ing “Notwithstanding section 552a of title 5, United*
24 *States Code, and under regulations”;*

1 (3) by striking “alleged sexual assault” and in-
2 serting “an alleged sex-related offense (as defined in
3 section 1044e(h) of title 10, United States Code)”;
4 and

5 (4) by adding at the end the following new sen-
6 tence: “Upon such final determination, the com-
7 mander shall notify the victim of the type of action
8 taken on such case, the outcome of the action (includ-
9 ing any punishments assigned or characterization of
10 service, as applicable), and such other information as
11 the commander determines to be relevant.”

12 **SEC. 543. MODIFICATIONS TO ANNUAL REPORT REGARDING**
13 **SEXUAL ASSAULTS INVOLVING MEMBERS OF**
14 **THE ARMED FORCES.**

15 (a) *ELIMINATION OF SUNSET AND INCLUSION OF DE-*
16 *MOGRAPHIC INFORMATION.—*

17 (1) *IN GENERAL.—*Section 1631 of the *Ike Skel-*
18 *ton National Defense Authorization Act for Fiscal*
19 *Year 2011 (Public Law 111–383; 10 U.S.C. 1561*
20 *note) is amended—*

21 (A) in subsection (a), by striking “through
22 March 1, 2021” and inserting “through March 1,
23 2026”; and

24 (B) in subsection (b)—

1 (i) in paragraph (3), by inserting “the
2 race and ethnicity of the victim and ac-
3 cused,” before “the action”; and

4 (ii) in paragraph (13)(B), by inserting
5 “, including the race and ethnicity of the
6 victim and accused” before the period at the
7 end.

8 (2) *APPLICABILITY.*—The amendments made by
9 paragraph (1) shall apply with respect to reports re-
10 quired to be submitted under section 1631 of the Ike
11 Skelton National Defense Authorization Act for Fiscal
12 Year 2011 (Public Law 111–383; 10 U.S.C. 1561
13 note) after the date of the enactment of this Act.

14 (b) *ADDITIONAL PREVALENCE DATA.*—

15 (1) *IN GENERAL.*—Paragraph (8) of section
16 1631(b) of the Ike Skelton National Defense Author-
17 ization Act for Fiscal Year 2011 (Public Law 111–
18 383; 10 U.S.C. 1561 note) is amended to read as fol-
19 lows:

20 “(8) An analysis and assessment of trends in the
21 incidence, disposition, and prosecution of sexual as-
22 saults by units, commands and other competent au-
23 thorities, and installations during the year covered by
24 the report, including trends relating to—

1 “(A) the prosecution of incidents and avoid-
2 ance of incidents; and

3 “(B) the prevalence of incidents, set forth
4 separately for—

5 “(i) each installation with 5,000 or
6 more servicemembers;

7 “(ii) the major career fields of any in-
8 dividuals involved in such incidents, includ-
9 ing the fields of combat arms, aviation, lo-
10 gistics, maintenance, administration, and
11 medical; and

12 “(iii) in the case of the Navy, the oper-
13 ational status (whether sea duty or shore
14 duty) of any individuals involved in such
15 incidents.”.

16 (2) *APPLICABILITY.*—The amendment made by
17 paragraph (1) shall apply with respect to reports re-
18 quired to be submitted under section 1631 of the Ike
19 Skelton National Defense Authorization Act for Fiscal
20 Year 2011 (Public Law 111–383; 10 U.S.C. 1561
21 note) after January 1, 2023.

22 **SEC. 544. CIVILIAN POSITIONS TO SUPPORT SPECIAL VIC-**
23 **TIMS’ COUNSEL.**

24 (a) *CIVILIAN SUPPORT POSITIONS.*—Each Secretary of
25 a military department may establish one or more civilian

1 *positions within each office of the Special Victims' Counsel*
2 *under the jurisdiction of such Secretary.*

3 (b) *DUTIES.*—*The duties of each position under sub-*
4 *section (a) shall be—*

5 (1) *to provide support to Special Victims' Coun-*
6 *sel, including legal, paralegal, and administrative*
7 *support; and*

8 (2) *to ensure the continuity of legal services and*
9 *the preservation institutional knowledge in the provi-*
10 *sion of victim legal services notwithstanding transi-*
11 *tions in the military personnel assigned to offices of*
12 *the Special Victims' Counsel.*

13 (c) *SPECIAL VICTIMS' COUNSEL DEFINED.*—*In this*
14 *section, the term “Special Victims' Counsel” means Special*
15 *Victims' Counsel described in section 1044e of title 10,*
16 *United States Code, and in the case of the Navy and Marine*
17 *Corps, includes counsel designated as “Victims' Legal Coun-*
18 *sel”.*

1 **SEC. 545. FEASIBILITY STUDY ON ESTABLISHMENT OF**
2 **CLEARINGHOUSE OF EVIDENCE-BASED PRAC-**
3 **TICES TO PREVENT SEXUAL ASSAULT, SUI-**
4 **CIDE, AND OTHER HARMFUL BEHAVIORS**
5 **AMONG MEMBERS OF THE ARMED FORCES**
6 **AND MILITARY FAMILIES.**

7 (a) *STUDY.*—*The Secretary of Defense shall study the*
8 *feasibility of establishing a single, centralized clearinghouse*
9 *of evidence-based practices to support the health and well-*
10 *being of members of the Armed Forces and military fami-*
11 *lies. and reduce harmful behaviors, through the following*
12 *activities:*

13 (1) *Establishment evidentiary standards to pro-*
14 *vide a common frame of reference for assessing the*
15 *strength of research evidence.*

16 (2) *In consultation with nondepartmental ex-*
17 *perts, identification of health and well-being domains*
18 *of interest, including the prevention of—*

19 (A) *sexual assault;*

20 (B) *harassment;*

21 (C) *substance abuse;*

22 (D) *workplace violence; and*

23 (E) *suicide.*

24 (3) *Provision of practical guidance about the ef-*
25 *fectiveness of evidence-based practices, including how*

1 *they can be implemented and steps for monitoring*
2 *implementation and changes in behavior.*

3 *(b) REPORT.—Not later than six months after the date*
4 *of the enactment of this Act, the Secretary shall submit to*
5 *the appropriate congressional committees a report con-*
6 *taining the results of the feasibility study under subsection*
7 *(a) and related recommendations of the Secretary.*

8 *(c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
9 *FINED.—In this section, the term “appropriate congres-*
10 *sional committees” means the following:*

11 *(1) The Committee on Armed Services of the*
12 *House of Representatives.*

13 *(2) The Committee on Armed Services of the*
14 *Senate.*

15 *(3) The Committee on Transportation and Infra-*
16 *structure of the House of Representatives.*

17 *(4) The Committee on Commerce, Science, and*
18 *Transportation of the Senate.*

1 ***Subtitle F—Member Education,***
2 ***Training, and Transition***

3 ***SEC. 551. TRAINING ON CONSEQUENCES OF COMMITTING A***
4 ***CRIME IN PRESEPARATION COUNSELING OF***
5 ***THE TRANSITION ASSISTANCE PROGRAM.***

6 (a) *ESTABLISHMENT.*—*Subsection (b) of section 1142*
7 *of title 10, United States Code, is amended by adding at*
8 *the end the following new paragraph:*

9 “(20) *Training regarding the consequences to*
10 *such a member who is convicted of a crime, specifi-*
11 *cally regarding the loss of benefits from the Federal*
12 *Government to such member.”.*

13 (b) *IMPLEMENTATION DATE.*—*The Secretary con-*
14 *cerned shall carry out paragraph (20) of such subsection,*
15 *as added by subsection (a), not later than one year after*
16 *the date of the enactment of this Act.*

17 (c) *DEVELOPMENT.*—*The Secretary of Defense shall de-*
18 *velop the training under such paragraph.*

19 (d) *PROGRESS BRIEFING.*—*Not later than 180 days*
20 *of the enactment of this Act, the Secretary of Defense shall*
21 *provide a briefing to the Committees on Armed Services of*
22 *the Senate and House of Representatives regarding progress*
23 *of the Secretary in preparing the training under such para-*
24 *graph.*

1 **SEC. 552. PARTICIPATION OF MEMBERS OF THE RESERVE**
2 **COMPONENTS OF THE ARMED FORCES IN**
3 **THE SKILLBRIDGE PROGRAM.**

4 *Section 1143(e)(2) of title 10, United States Code, is*
5 *amended to read as follows:*

6 “(2) A member of the armed forces is eligible for a pro-
7 gram under this subsection if—

8 “(A) the member—

9 “(i) has completed at least 180 days on ac-
10 tive duty in the armed forces; and

11 “(ii) is expected to be discharged or released
12 from active duty in the armed forces within 180
13 days of the date of commencement of participa-
14 tion in such a program; or

15 “(B) the member is a member of a reserve com-
16 ponent.”.

17 **SEC. 553. EXPANSION AND CODIFICATION OF MATTERS**
18 **COVERED BY DIVERSITY TRAINING IN THE**
19 **DEPARTMENT OF DEFENSE.**

20 (a) *IN GENERAL.*—Chapter 101 of title 10, United
21 States Code, is amended by inserting before section 2002
22 the following new section:

23 **“§ 2001. Human relations, diversity, equity, and inclu-**
24 **sion training**

25 “(a) *HUMAN RELATIONS, DIVERSITY, EQUITY, AND IN-*
26 *CLUSION TRAINING.*—

1 “(1) *The Secretary shall ensure that the Sec-*
2 *retary of a military department conducts ongoing*
3 *training programs regarding human relations, diver-*
4 *sity, equity, and inclusion for all covered individuals*
5 *under the jurisdiction of the Secretary of a military*
6 *department. Such training shall be tailored to specific*
7 *leadership levels and local area requirements.*

8 “(2) *Matters to be covered by such training in-*
9 *clude the following:*

10 “(A) *Racism.*

11 “(B) *Discrimination on the basis of sex (in-*
12 *cluding pregnancy, sexual orientation, and gen-*
13 *der identity).*

14 “(C) *Discrimination on the basis of age.*

15 “(D) *Discrimination on the basis of reli-*
16 *gion.*

17 “(E) *Discrimination on the basis of na-*
18 *tional origin.*

19 “(F) *Discrimination on the basis of color.*

20 “(G) *Discrimination on the basis of paren-*
21 *tal status.*

22 “(H) *Conscious and unconscious bias.*

23 “(I) *Discrimination based on disability,*
24 *both physical and mental.*

1 “(J) *Failure to provide a reasonable accom-*
2 *modation.*

3 “(K) *Whistleblowers and information re-*
4 *garding how to file an equal opportunity com-*
5 *plaint.*

6 “(L) *Reprisal.*

7 “(M) *Harassment and hostile environment.*

8 “(N) *Procedures for reporting and obtain-*
9 *ing relief for discrimination, retaliation, hostile*
10 *work environment with respect to each compo-*
11 *nent of the workforce.*

12 “(O) *Procedures for appealing Equal Op-*
13 *portunity and Equal Employment Opportunity*
14 *complaints with respect to each component of the*
15 *workforce.*

16 “(P) *Any other matter the Secretary of De-*
17 *fense determines appropriate.*

18 “(3) *Such training shall be provided during the*
19 *following:*

20 “(A) *Initial entry training.*

21 “(B) *Annual refresher training.*

22 “(C) *Professional military education.*

23 “(D) *Peer education.*

24 “(E) *Specialized leadership training.*

1 “(F) Any other time the Secretary of De-
2 fense determines appropriate.

3 “(4) The Secretary of Defense shall ensure that
4 such measures are taken to provide appropriate
5 metrics and measurement of these efforts.

6 “(5) The Secretary of Defense shall ensure that
7 unit commanders are aware of their responsibility to
8 ensure that activity based upon discriminatory mo-
9 tives does not occur in units under their command.

10 “(b) *INFORMATION PROVIDED TO PROSPECTIVE RE-*
11 *CRUITS.*—The Secretary of Defense shall ensure that a cov-
12 *ered individual preparing to enter an officer accession pro-*
13 *gram or to execute an original enlistment agreement or*
14 *serve as a civilian employee—*

15 “(1) is provided information concerning the
16 meaning of the oath of office or oath of enlistment for
17 service in the armed forces, including conduct ex-
18 pected under such oath; and

19 “(2) is informed that if supporting such guaran-
20 tees is not possible personally for that covered indi-
21 vidual, then that covered individual should decline to
22 join the Armed Forces.

23 “(c) *COVERED INDIVIDUAL DEFINED.*—In this section,
24 *the term ‘covered individual’ includes—*

25 “(1) a member of the Armed Forces;

1 “(2) a civilian employee of the Department; and

2 “(3) a contractor or sub-contractor providing
3 support to the Department.”.

4 **(b) TECHNICAL AND CONFORMING AMENDMENTS.—**

5 **(1) TECHNICAL AMENDMENT.—***The table of sec-*
6 *tions at the beginning of such chapter is amended by*
7 *inserting before the item relating to section 2002 the*
8 *following new item:*

“2001. Human relations, diversity, equity, and inclusion training.”.

9 **(2) CONFORMING AMENDMENT.—***Section 571 of*
10 *the National Defense Authorization Act for Fiscal*
11 *Year 1997 (Public Law 104–201; 10 U.S.C. 113 note)*
12 *is repealed.*

13 **SEC. 554. EXPANSION OF JUNIOR RESERVE OFFICERS’**
14 **TRAINING CORPS PROGRAM.**

15 **(a) EXPANSION OF JROTC CURRICULUM.—***Paragraph*
16 *(3) of section 2031(b) of title 10, United States Code, is*
17 *amended to read as follows:*

18 *“(3) the institution provides a course of military*
19 *instruction of not less than three academic years’ du-*
20 *ration, as prescribed by the Secretary of the military*
21 *department concerned—*

22 *“(A) which shall include an introduction to*
23 *service opportunities in military, national, and*
24 *public service; and*

1 “(B) which may include instruction or ac-
2 tivities in the fields of science, technology, engi-
3 neering, and mathematics;”.

4 (b) *PLAN TO INCREASE NUMBER OF JROTC UNITS.*—
5 *The Secretary of Defense may, in consultation with the Sec-*
6 *retaries of the military departments, develop and imple-*
7 *ment a plan to establish and support not fewer than 6,000*
8 *units of the Junior Reserve Officers’ Training Corps by*
9 *September 30, 2031.*

10 (c) *REPORT REQUIRED.*—*Not later than one year after*
11 *the date of the enactment of this Act, the Secretary of De-*
12 *fense shall submit to the Committees on Armed Services of*
13 *the Senate and the House of Representatives a report on*
14 *the status of the Junior Reserve Officers’ Training Corps*
15 *programs of each Armed Force. The report shall include—*

16 (1) *an assessment of the current usage of the pro-*
17 *gram, including the number of individuals enrolled in*
18 *the program and the number of units established*
19 *under the program;*

20 (2) *a description of the efforts of the Armed*
21 *Forces to meet current enrollment targets for the pro-*
22 *gram;*

23 (3) *an explanation of the reasons such enroll-*
24 *ment targets have not been met, if applicable;*

1 (4) a description of any obstacles preventing the
2 *Armed Forces from meeting such enrollment targets;*
3 *and*

4 (5) a comparison of the potential benefits and
5 *drawbacks of expanding the program.*

6 **SEC. 555. DEFENSE LANGUAGE INSTITUTE FOREIGN LAN-**
7 **GUAGE CENTER.**

8 *(a) AUTHORITY TO AWARD BACHELOR’S DEGREES.—*
9 *Section 2168 of title 10, United States Code, is amended—*

10 (1) *in the section heading, by striking “Asso-*
11 *ciate” and inserting “Associate or Bachelor”;*
12 *and*

13 (2) *by amending subsection (a) to read as fol-*
14 *lows:*

15 “(a) *Subject to subsection (b), the Commandant of the*
16 *Defense Language Institute may confer—*

17 “(1) *an Associate of Arts degree in a foreign lan-*
18 *guage upon any graduate of the Foreign Language*
19 *Center of the Institute who fulfills the requirements*
20 *for that degree; or*

21 “(2) *a Bachelor of Arts degree in a foreign lan-*
22 *guage upon any graduate of the Foreign Language*
23 *Center of the Institute who fulfills the requirements*
24 *for that degree.”.*

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 2 *the beginning of chapter 108 of title 10, United States Code,*
 3 *is amended by striking the item relating to section 2168*
 4 *and inserting the following new item:*

“2168. *Defense Language Institute Foreign Language Center: degree of Associate or Bachelor of Arts in foreign language.*”.

5 **SEC. 556. ALLOCATION OF AUTHORITY FOR NOMINATIONS**
 6 **TO THE MILITARY SERVICE ACADEMIES IN**
 7 **THE EVENT OF THE DEATH, RESIGNATION,**
 8 **OR EXPULSION FROM OFFICE OF A MEMBER**
 9 **OF CONGRESS.**

10 (a) *UNITED STATES MILITARY ACADEMY.*—

11 (1) *IN GENERAL.*—*Chapter 753 of title 10,*
 12 *United States Code, is amended by inserting after sec-*
 13 *tion 7442 the following new section:*

14 **“§ 7442a. Cadets: nomination in event of death, res-**
 15 **ignation, or expulsion from office of mem-**
 16 **ber of Congress otherwise authorized to**
 17 **nominate**

18 “(a) *SENATORS.*—*In the event a Senator does not sub-*
 19 *mit nominations for cadets for an academic year in accord-*
 20 *ance with section 7442(a)(3) of this title due to death, res-*
 21 *ignation from office, or expulsion from office and the date*
 22 *of the swearing-in of the Senator’s successor as Senator oc-*
 23 *curs after the date of the deadline for submittal of nomina-*
 24 *tions for cadets for the academic year, the nominations for*

1 *cadets otherwise authorized to be made by the Senator pur-*
2 *suant to such section shall be made instead by the other*
3 *Senator from the State concerned.*

4 “(b) *REPRESENTATIVES.*—*In the event a Representa-*
5 *tive from a State does not submit nominations for cadets*
6 *for an academic year in accordance with section 7442(a)(4)*
7 *of this title due to death, resignation from office, or expul-*
8 *sion from office and the date of the swearing-in of the Rep-*
9 *resentative’s successor as Representative occurs after the*
10 *date of the deadline for submittal of nominations for cadets*
11 *for the academic year, the nominations for cadets otherwise*
12 *authorized to be made by the Representative pursuant to*
13 *such section shall be made instead by the Senators from*
14 *the State from the district of the Representative, with such*
15 *nominations divided equally among such Senators and any*
16 *remainder going to the senior Senator from the State.*

17 “(c) *CONSTRUCTION OF AUTHORITY.*—*Any nomina-*
18 *tion for cadets made by a Senator pursuant to this section*
19 *is in addition to any nomination for cadets otherwise au-*
20 *thorized the Senator under section 7442 of this title or any*
21 *other provision of law.”.*

22 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
23 *tions at the beginning of chapter 753 of such title is*
24 *amended by inserting after the item relating to sec-*
25 *tion 7442 the following new item:*

“7442a. Cadets: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate.”.

1 **(b) UNITED STATES NAVAL ACADEMY.—**

2 **(1) IN GENERAL.—**Chapter 853 of title 10,
3 *United States Code, is amended by inserting after sec-*
4 *tion 8454 the following new section:*

5 **“§ 8454a. Midshipmen: nomination in event of death,**
6 **resignation, or expulsion from office of**
7 **member of Congress otherwise authorized**
8 **to nominate**

9 **“(a) SENATORS.—***In the event a Senator does not sub-*
10 *mit nominations for midshipmen for an academic year in*
11 *accordance with section 8454(a)(3) of this title due to death,*
12 *resignation from office, or expulsion from office and the*
13 *date of the swearing-in of the Senator’s successor as Senator*
14 *occurs after the date of the deadline for submittal of nomi-*
15 *nations for midshipmen for the academic year, the nomina-*
16 *tions for midshipmen otherwise authorized to be made by*
17 *the Senator pursuant to such section shall be made instead*
18 *by the other Senator from the State concerned.*

19 **“(b) REPRESENTATIVES.—***In the event a Representa-*
20 *tive from a State does not submit nominations for mid-*
21 *shipmen for an academic year in accordance with section*
22 *8454(a)(4) of this title due to death, resignation from office,*
23 *or expulsion from office and the date of the swearing-in of*
24 *the Representative’s successor as Representative occurs after*

1 *the date of the deadline for submittal of nominations for*
2 *midshipmen for the academic year, the nominations for*
3 *midshipmen otherwise authorized to be made by the Rep-*
4 *resentative pursuant to such section shall be made instead*
5 *by the Senators from the State from the district of the Rep-*
6 *resentative, with such nominations divided equally among*
7 *such Senators and any remainder going to the senior Sen-*
8 *ator from the State.*

9 “(c) *CONSTRUCTION OF AUTHORITY.—Any nomina-*
10 *tion for midshipmen made by a Senator pursuant to this*
11 *section is in addition to any nomination for midshipmen*
12 *otherwise authorized the Senator under section 8454 of this*
13 *title or any other provision of law.”.*

14 (2) *CLERICAL AMENDMENT.—The table of sec-*
15 *tions at the beginning of chapter 853 of such title is*
16 *amended by inserting after the item relating to sec-*
17 *tion 8454 the following new item:*

“8454a. *Midshipmen: nomination in event of death, resignation, or expulsion from*
office of member of Congress otherwise authorized to nominate.”.

18 (c) *AIR FORCE ACADEMY.—*

19 (1) *IN GENERAL.—Chapter 953 of title 10,*
20 *United States Code, is amended by inserting after sec-*
21 *tion 9442 the following new section:*

1 **“§9442a. Cadets: nomination in event of death, res-**
2 **ignation, or expulsion from office of mem-**
3 **ber of Congress otherwise authorized to**
4 **nominate**

5 “(a) *SENATORS.*—*In the event a Senator does not sub-*
6 *mit nominations for cadets for an academic year in accord-*
7 *ance with section 9442(a)(3) of this title due to death, res-*
8 *ignation from office, or expulsion from office and the date*
9 *of the swearing-in of the Senator’s successor as Senator oc-*
10 *curs after the date of the deadline for submittal of nomina-*
11 *tions for cadets for the academic year, the nominations for*
12 *cadets otherwise authorized to be made by the Senator pur-*
13 *suant to such section shall be made instead by the other*
14 *Senator from the State concerned.*

15 “(b) *REPRESENTATIVES.*—*In the event a Representa-*
16 *tive from a State does not submit nominations for cadets*
17 *for an academic year in accordance with section 9442(a)(4)*
18 *of this title due to death, resignation from office, or expul-*
19 *sion from office and the date of the swearing-in of the Rep-*
20 *resentative’s successor as Representative occurs after the*
21 *date of the deadline for submittal of nominations for cadets*
22 *for the academic year, the nominations for cadets otherwise*
23 *authorized to be made by the Representative pursuant to*
24 *such section shall be made instead by the Senators from*
25 *the State from the district of the Representative, with such*

1 *nominations divided equally among such Senators and any*
2 *remainder going to the senior Senator from the State.*

3 “(c) *CONSTRUCTION OF AUTHORITY.*—*Any nomina-*
4 *tion for cadets made by a Senator pursuant to this section*
5 *is in addition to any nomination of cadets otherwise au-*
6 *thorized the Senator under section 9442 of this title or any*
7 *other provision of law.”.*

8 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
9 *tions at the beginning of chapter 953 of such title is*
10 *amended by inserting after the item relating to sec-*
11 *tion 9442 the following new item:*

*“9442a. Cadets: nomination in event of death, resignation, or expulsion from office
of member of Congress otherwise authorized to nominate.”.*

12 (d) *REPORT.*—*Not later than September 30, 2022, the*
13 *Secretary of Defense shall submit to the Committees on*
14 *Armed Services of the Senate and House of Representatives*
15 *a report regarding implementation of the amendments*
16 *under this section, including—*

17 (1) *the estimate of the Secretary regarding the*
18 *frequency with which the authorities under such*
19 *amendments will be used each year; and*

20 (2) *the number of times a Member of Congress*
21 *has failed to submit nominations to the military*
22 *academies due to death, resignation from office, or ex-*
23 *pulsion from office.*

1 **SEC. 557. VOTES REQUIRED TO CALL A MEETING OF THE**
2 **BOARD OF VISITORS OF A MILITARY SERVICE**
3 **ACADEMY.**

4 (a) *UNITED STATES MILITARY ACADEMY.*—Section
5 7455 of title 10, United States Code, is amended by adding
6 at the end the following new subsection:

7 “(i) A majority of the members of the Board may call
8 an official meeting of the Board at any time.”.

9 (b) *UNITED STATES NAVAL ACADEMY.*—Section 8468
10 of title 10, United States Code, is amended by adding at
11 the end the following new subsection:

12 “(i) A majority of the members of the Board may call
13 an official meeting of the Board at any time.”.

14 (c) *UNITED STATES AIR FORCE ACADEMY.*—Section
15 9455 of title 10, United States Code, is amended by adding
16 at the end the following new subsection:

17 “(i) A majority of the members of the Board may call
18 an official meeting of the Board at any time.”.

19 **SEC. 558. UNITED STATES NAVAL COMMUNITY COLLEGE.**

20 (a) *ESTABLISHMENT.*—Chapter 859 of title 10, United
21 States Code, is amended by adding at the end the following
22 new section:

1 **“§ 8595. United States Naval Community College: es-**
2 ****tabishment and degree granting author-****
3 ****ity****

4 “(a) *ESTABLISHMENT AND FUNCTION.*—*There is a*
5 *United States Naval Community College. The primary*
6 *function of such College shall be to provide—*

7 “(1) *programs of academic instruction and pro-*
8 *fessional and technical education for individuals de-*
9 *scribed in subsection (b) in—*

10 “(A) *academic and technical fields of the*
11 *liberal arts and sciences which are relevant to*
12 *the current and future needs of the Navy and*
13 *Marine Corps; and*

14 “(B) *their practical duties;*

15 “(2) *remedial, developmental, or continuing edu-*
16 *cation programs, as prescribed by the Secretary of the*
17 *Navy, which are necessary to support, maintain, or*
18 *extend programs under paragraph (1);*

19 “(3) *support and advisement services for indi-*
20 *viduals pursuing such programs; and*

21 “(4) *continuous monitoring of the progress of*
22 *such individuals.*

23 “(b) *INDIVIDUALS ELIGIBLE FOR PROGRAMS.*—*Subject*
24 *to such other eligibility requirements as the Secretary of*
25 *the Navy may prescribe, the following individuals are eligi-*

1 *ble to participate in programs and services under subsection*

2 *(a):*

3 *“(1) Enlisted members of the Navy and Marine*
4 *Corps.*

5 *“(2) Officers of the Navy and Marine Corps who*
6 *hold a commission but have not completed a postsec-*
7 *ondary degree.*

8 *“(3) Civilian employees of the Department of the*
9 *Navy.*

10 *“(4) Other individuals, as determined by the*
11 *Secretary of the Navy, so long as access to programs*
12 *and services under subsection (a) by such individuals*
13 *is—*

14 *“(A) in alignment with the mission of the*
15 *United States Naval Community College; and*

16 *“(B) determined to support the mission or*
17 *needs of the Department of the Navy.*

18 *“(c) DEGREE AND CREDENTIAL GRANTING AUTHOR-*
19 *ITY.—*

20 *“(1) IN GENERAL.—Under regulations prescribed*
21 *by the Secretary of the Navy, the head of the United*
22 *States Naval Community College may, upon the rec-*
23 *ommendation of the directors and faculty of the Col-*
24 *lege, confer appropriate degrees or academic creden-*

1 *tials upon graduates who meet the degree or creden-*
2 *tial requirements.*

3 “(2) *LIMITATION.—A degree or credential may*
4 *not be conferred under this subsection unless—*

5 “(A) *the Secretary of Education has rec-*
6 *ommended approval of the degree or credential*
7 *in accordance with the Federal Policy Governing*
8 *Granting of Academic Degrees by Federal Agen-*
9 *cies; and*

10 “(B) *the United States Naval Community*
11 *College is accredited by the appropriate civilian*
12 *academic accrediting agency or organization to*
13 *award the degree or credential, as determined by*
14 *the Secretary of Education.*

15 “(3) *CONGRESSIONAL NOTIFICATION REQUIRE-*
16 *MENTS.—*

17 “(A) *When seeking to establish degree or*
18 *credential granting authority under this sub-*
19 *section, the Secretary of Defense shall submit to*
20 *the Committees on Armed Services of the Senate*
21 *and House of Representatives—*

22 “(i) *a copy of the self assessment ques-*
23 *tionnaire required by the Federal Policy*
24 *Governing Granting of Academic Degrees*
25 *by Federal Agencies, at the time the assess-*

1 *ment is submitted to the Department of*
2 *Education’s National Advisory Committee*
3 *on Institutional Quality and Integrity; and*

4 “(i) *the subsequent recommendations*
5 *and rationale of the Secretary of Education*
6 *regarding the establishment of the degree or*
7 *credential granting authority.*

8 “(B) *Upon any modification or redesigna-*
9 *tion of existing degree or credential granting au-*
10 *thority, the Secretary of Defense shall submit to*
11 *the Committees on Armed Services of the Senate*
12 *and House of Representatives a report con-*
13 *taining the rationale for the proposed modifica-*
14 *tion or redesignation and any subsequent rec-*
15 *ommendation of the Secretary of Education on*
16 *the proposed modification or redesignation.*

17 “(C) *The Secretary of Defense shall submit*
18 *to the Committees on Armed Services of the Sen-*
19 *ate and House of Representatives a report con-*
20 *taining an explanation of any action by the ap-*
21 *propriate academic accrediting agency or orga-*
22 *nization not to accredit the United States Naval*
23 *Community College to award any new or exist-*
24 *ing degree or credential.*

25 “(d) *CIVILIAN FAULTY MEMBERS.—*

1 “(1) *AUTHORITY OF SECRETARY*.—*The Secretary*
2 *of the Navy may employ as many civilians as profes-*
3 *sors, instructors, and lecturers at the United States*
4 *Naval Community College as the Secretary considers*
5 *necessary.*

6 “(2) *COMPENSATION*.—*The compensation of per-*
7 *sons employed under this subsection shall be pre-*
8 *scribed by the Secretary of the Navy.*”

9 (b) *CLERICAL AMENDMENT*.—*The table of sections at*
10 *the beginning of chapter 859 of title 10, United States Code,*
11 *is amended by adding at the end the following new item:*
 “8595. United States Naval Community College: establishment and degree grant-
 ing authority.”.

12 **SEC. 559. CODIFICATION OF ESTABLISHMENT OF UNITED**
13 **STATES AIR FORCE INSTITUTE OF TECH-**
14 **NOLOGY.**

15 (a) *IN GENERAL*.—*Chapter 951 of title 10, United*
16 *States Code, is amended by inserting before section 9414*
17 *the following new section:*

18 **“§9413. United States Air Force Institute of Tech-**
19 **nology: establishment**

20 *“There is in the Department of the Air Force a United*
21 *States Air Force Institute of Technology, the purposes of*
22 *which are to perform research and to provide, to members*
23 *of the Air Force and Space Force (including the reserve*
24 *components) and civilian employees of such Department,*

1 *advanced instruction and technical education regarding*
 2 *their duties.”.*

3 (b) *CLERICAL AMENDMENT.—The table of sections at*
 4 *the beginning of such chapter is amended by inserting, be-*
 5 *fore the item relating to section 9414, the following new*
 6 *item:*

“9413. United States Air Force Institute of Technology: establishment.”.

7 **SEC. 559A. CLARIFICATIONS REGARDING SCOPE OF EM-**
 8 **PLOYMENT AND REEMPLOYMENT RIGHTS OF**
 9 **MEMBERS OF THE UNIFORMED SERVICES.**

10 (a) *CLARIFICATION REGARDING DEFINITION OF*
 11 *RIGHTS AND BENEFITS.—Section 4303(2) of title 38,*
 12 *United States Code, is amended—*

13 (1) *by inserting “(A)” before “The term”;* and

14 (2) *by adding at the end the following new sub-*
 15 *paragraph:*

16 “(B) *Any procedural protections or provisions*
 17 *set forth in this chapter shall also be considered a*
 18 *right or benefit subject to the protection of this chap-*
 19 *ter.”.*

20 (b) *CLARIFICATION REGARDING RELATION TO OTHER*
 21 *LAW AND PLANS FOR AGREEMENTS.—Section 4302 of such*
 22 *title is amended by adding at the end the following:*

23 “(c)(1) *Pursuant to this section and the procedural*
 24 *rights afforded by subchapter III of this chapter, any agree-*
 25 *ment to arbitrate a claim under this chapter is unenforce-*

1 able, unless all parties consent to arbitration after a com-
 2 plaint on the specific claim has been filed in court or with
 3 the Merit Systems Protection Board and all parties know-
 4 ingly and voluntarily consent to have that particular claim
 5 subjected to arbitration.

6 “(2) For purposes of this subsection, consent shall not
 7 be considered voluntary when a person is required to agree
 8 to arbitrate an action, complaint, or claim alleging a viola-
 9 tion of this chapter as a condition of future or continued
 10 employment, advancement in employment, or receipt of any
 11 right or benefit of employment.”.

12 **SEC. 559B. CLARIFICATION AND EXPANSION OF PROHIBI-**
 13 **TION ON GENDER-SEGREGATED TRAINING IN**
 14 **THE MARINE CORPS.**

15 Section 565 of the National Defense Authorization Act
 16 for Fiscal Year 2020 (10 U.S.C. 8431 note prec.) is amend-
 17 ed—

18 (1) in the heading, by inserting “**AND OFFICER**
 19 **CANDIDATES SCHOOL**” after “**DEPOTS**”;

20 (2) in subsection (a)(1)—

21 (A) by striking “training” and inserting
 22 “no training platoon” ; and

23 (B) by striking “not”;

24 (3) in subsection (b)(1)—

1 (A) by striking “training” and inserting
2 “no training platoon” ; and

3 (B) by striking “not”; and

4 (4) by adding at the end the following new sub-
5 sections:

6 “(c) *NEW LOCATION*.—No training platoon at a Ma-
7 rine Corps recruit depot established after the date of the
8 enactment of this Act may be segregated based on gender.

9 “(d) *OFFICER CANDIDATES SCHOOL*.—

10 “(1) *PROHIBITION*.—Subject to paragraph (2),
11 training at Officer Candidates School, Quantico, Vir-
12 ginia, may not be segregated based on gender.

13 “(2) *DEADLINE*.—The Commandant of the Ma-
14 rine Corps shall carry out this subsection not later
15 than five years after the date of the enactment of this
16 Act.”.

17 **SEC. 559C. REQUIREMENT TO ISSUE REGULATIONS ENSUR-**

18 **ING CERTAIN PARENTAL GUARDIANSHIP**

19 **RIGHTS OF CADETS AND MIDSHIPMEN.**

20 (a) *REGULATIONS REQUIRED*.—

21 (1) *IN GENERAL*.—Each Secretary concerned
22 shall prescribe by regulation policies ensuring that the
23 parental guardianship rights of cadets and mid-
24 shipmen are protected consistent with individual and
25 academic responsibilities.

1 (2) *PROTECTION OF PARENTAL GUARDIANSHIP*
2 *RIGHTS.—The regulations prescribed under para-*
3 *graph (1) shall provide that—*

4 (A) *a cadet or midshipman of a covered*
5 *service academy may not be required to give up*
6 *such cadet or midshipman’s parental guardian-*
7 *ship rights in the event of a pregnancy occurring*
8 *after the beginning of such cadet or mid-*
9 *shipman’s first day of academic courses;*

10 (B) *except as provided under paragraph*
11 *(3), a covered service academy may not involun-*
12 *tarily dis-enroll a cadet or midshipman who be-*
13 *comes pregnant or fathers a child while enrolled*
14 *at such academy after the first day of academic*
15 *courses; and*

16 (C) *a cadet or midshipman who becomes*
17 *pregnant or fathers a child while enrolled at a*
18 *covered service academy shall be allowed to take*
19 *leave for up to one year and return to the acad-*
20 *emy to resume classes afterward.*

21 (3) *RESPONSIBILITIES OF PARENTS ENROLLED*
22 *AT COVERED SERVICE ACADEMIES.—The regulations*
23 *prescribed under paragraph (1) shall require cadets*
24 *and midshipmen with dependents to establish a fam-*
25 *ily care plan in consultation with and approved by*

1 *appropriate academy leadership. The family care*
2 *plan shall—*

3 *(A) designate a full-time care provider, such*
4 *as another parent or guardian of the dependent*
5 *or a family member of the cadet or midshipman,*
6 *who shall—*

7 *(i) be responsible for the dependent;*

8 *(ii) not be enrolled at a covered service*
9 *academy; and*

10 *(iii) have either full power-of-attorney*
11 *or guardianship rights in order to prevent*
12 *situations where such cadet or midshipman*
13 *is pulled away from such cadet or mid-*
14 *shipman's duties and responsibilities at the*
15 *covered service academy;*

16 *(B) ensure that such cadet or mid-*
17 *shipman—*

18 *(i) does not rely on base facilities or*
19 *child-care services and is able to function as*
20 *any other cadet or midshipman, including*
21 *residing in covered service academy dor-*
22 *mitories;*

23 *(ii) except as provided under para-*
24 *graphs (4) and (5)(B)(i), does not receive*
25 *additional compensation benefits or conces-*

1 sions from the covered service academy on
2 account of having a dependent, including
3 money, leave, or liberty;

4 (iii) is not be excused on account of
5 such dependent from standard classes,
6 training, traveling, fitness requirements, or
7 any other responsibilities inherent to at-
8 tending a covered service academy; and

9 (C) ensure, that if both parents of a depend-
10 ent are cadets or midshipmen at a covered serv-
11 ice academy, the parents shall agree on the fam-
12 ily care plan or face expulsion (with no incurred
13 obligations).

14 (4) *OPTIONS FOR PREGNANT CADETS AND MID-*
15 *SHIPMEN.*—The regulations prescribed under para-
16 graph (1) shall provide that females becoming preg-
17 nant while enrolled at a covered service academy shall
18 have, at a minimum, the following options:

19 (A) *At the conclusion of the current semester*
20 *or when otherwise deemed medically appropriate,*
21 *taking leave from the covered service academy for*
22 *up to one year followed by a return to full cadet*
23 *or midshipman status.*

1 (B) *Seek a transfer to a university with a*
2 *Reserve Officers' Training Corps for the Armed*
3 *Force under the military department concerned.*

4 (C) *Full release from the covered service*
5 *academy and any related obligations.*

6 (D) *Enlistment in active-duty service, with*
7 *all of the attendant benefits.*

8 (5) *TREATMENT OF MALES FATHERING A CHILD*
9 *WHILE ENROLLED AT COVERED SERVICE ACAD-*
10 *EMIES.—The regulations prescribed under paragraph*
11 *(1) shall provide that males fathering a child while*
12 *enrolled at a covered service academy—*

13 (A) *shall not be required to give up paren-*
14 *tal rights; and*

15 (B) *shall not acquire any benefits or leave*
16 *considerations as a result of fathering a child,*
17 *except that—*

18 (i) *academy leadership shall establish*
19 *policies to allow cadets and midshipmen at*
20 *least one week of leave to attend the birth of*
21 *such child, which must be used in conjunc-*
22 *tion with the birth; and*

23 (ii) *in the event the male father be-*
24 *comes the sole financial provider for a de-*
25 *pendent, the academy shall provide the fa-*

1 *ther the same options available to a cadet or*
2 *midshipman who becomes a mother while*
3 *enrolled, including remaining enrolled in*
4 *accordance with a family care plan estab-*
5 *lished pursuant to paragraph (3) or select-*
6 *ing one of the options specified in subpara-*
7 *graphs (B) and (C) of paragraph (4).*

8 (6) *RULE OF CONSTRUCTION.*—*Nothing in this*
9 *section shall be construed as requiring or providing*
10 *for the changing of admission requirements at any of*
11 *the covered service academies.*

12 (b) *DEFINITIONS.*—*In this section:*

13 (1) *The term “covered service academy” means*
14 *the following:*

15 (A) *The United States Military Academy,*
16 *West Point, New York.*

17 (B) *The United States Naval Academy, An-*
18 *napolis, Maryland.*

19 (C) *The United States Air Force Academy,*
20 *Colorado Springs, Colorado.*

21 (D) *The United States Coast Guard Acad-*
22 *emy, New London, Connecticut.*

23 (E) *The United States Merchant Marine*
24 *Academy, Kings Point, New York.*

25 (2) *The term “Secretary concerned” means—*

1 (A) *with respect to the United States Mili-*
2 *tary Academy, the United States Naval Acad-*
3 *emy, and the United States Air Force Academy,*
4 *the Secretary of Defense, in consultation with the*
5 *Secretaries of the military departments and the*
6 *Superintendent of each such academy;*

7 (B) *with respect to the United States Coast*
8 *Guard Academy, the Secretary of Homeland Se-*
9 *curity, in consultation with the Commandant of*
10 *the Coast Guard and the Superintendent of the*
11 *Coast Guard Academy; and*

12 (C) *with respect to the United States Mer-*
13 *chant Marine Academy, the Secretary of Trans-*
14 *portation, in consultation with the Adminis-*
15 *trator of the Maritime Administration and the*
16 *Superintendent of the Merchant Marine Acad-*
17 *emy.*

18 **SEC. 559D. DEFENSE LANGUAGE CONTINUING EDUCATION**

19 **PROGRAM.**

20 (a) *IN GENERAL.*—*Not later than 120 days after the*
21 *date of the enactment of this Act, the Under Secretary of*
22 *Defense for Personnel and Readiness shall coordinate with*
23 *the Director of the Defense Intelligence Agency to designate*
24 *an executive agent for commercially available advanced for-*

1 *eign language training to meet operational readiness re-*
2 *quirements of the Department of Defense.*

3 (b) *ELEMENTS.*—*The executive agent designated in*
4 *subsection (a) shall be responsible for the following:*

5 (1) *Developing policies, procedures, and cur-*
6 *ricula to allow for continuing language training*
7 *when linguists transition to operational environments*
8 *from education or training environments, such as the*
9 *Defense Language Institute, the Defense Language*
10 *and National Security Education Office, or service-*
11 *based training.*

12 (2) *Identifying the resourcing requirements nec-*
13 *essary for each armed force to have access to the fol-*
14 *lowing foreign language training elements:*

15 (A) *A foreign language and current culture*
16 *training and maintenance virtual immersion*
17 *program covering strategic languages (as des-*
18 *ignated by the Federal Government), with a*
19 *range of multimedia materials including—*

20 (i) *current and authentic copyrighted*
21 *multimedia content (video, audio, print,*
22 *etc.), in multiple genres, that have been*
23 *cleared for legal use;*

24 (ii) *foreign-originated newscasts and*
25 *interviews with foreign speakers; and*

1 (iii) any other content determined by
2 the executive agent to be necessary for per-
3 sonnel to acquire proper vocabulary, phrase-
4 ology, and enhanced understanding of the
5 nuances associated with foreign cultures.

6 (B) Anytime accessibility, both on-line and
7 via mobile device.

8 (C) Training programs with success proven
9 by previous partnerships with academic institu-
10 tions in the United States or other departments
11 and agencies of the Federal Government.

12 (c) *REIMBURSEMENT AUTHORITY.*—Not later than 180
13 days after the date of the enactment of this Act, the executive
14 agent, in coordination with the chief of each covered Armed
15 Force, shall establish a procedure through which the Armed
16 Force shall reimburse any organization of the Department
17 of Defense that provides instruction under this section to
18 members of that Armed Force for the costs of such instruc-
19 tion.

20 (d) *COVERED ARMED FORCE DEFINED.*—In this sec-
21 tion, the term “covered Armed Force” means the Army,
22 Navy, Air Force, Marine Corps, and Space Force.

1 **SEC. 559E. PUBLIC-PRIVATE CONSORTIUM TO IMPROVE**
2 **PROFESSIONAL MILITARY EDUCATION.**

3 (a) *ESTABLISHMENT.*—*The Secretary of Defense, act-*
4 *ing through the Chairman of the Joint Chiefs of Staff and*
5 *in consultation with the Under Secretary of Defense for Per-*
6 *sonnel and Readiness, may establish and maintain a pub-*
7 *lic-private consortium (referred to in this section as the*
8 *“Consortium”)* *to improve and broaden professional mili-*
9 *tary education for military officers and civilian employees*
10 *of the Federal Government.*

11 (b) *DIRECTORS.*—

12 (1) *IN GENERAL.*—*The President of the National*
13 *Defense University and the head of a civilian institu-*
14 *tion of higher education appointed in accordance with*
15 *paragraph (3) shall serve as co-directors of the Con-*
16 *sortium.*

17 (2) *RESPONSIBILITIES OF CO-DIRECTORS.*—*The*
18 *co-directors shall be responsible for—*

19 (A) *the administration and management of*
20 *the Consortium; and*

21 (B) *developing a common curriculum for*
22 *professional military education using input re-*
23 *ceived from members of the Consortium.*

24 (3) *APPOINTMENT OF CO-DIRECTOR FROM CIVIL-*
25 *IAN INSTITUTION.*—*Not later than June 1, 2022, the*
26 *Secretary of Defense shall appoint an individual who*

1 *is the President or Chancellor of a civilian institution*
2 *of higher education to serve as co-director of the Con-*
3 *sortium as described in paragraph (1).*

4 (4) *TERM OF CO-DIRECTOR.—The co-director ap-*
5 *pointed under paragraph (3) shall serve an initial*
6 *term of five years. The Secretary of Defense may re-*
7 *appoint such co-director for one or more additional*
8 *terms of not more than five years, as the Secretary*
9 *determines appropriate.*

10 (5) *AUTHORITY.—In the event that a conflict*
11 *arises between co-directors of the Consortium, the con-*
12 *flict shall be resolved by the Director for Joint Force*
13 *Development of the Joint Chiefs of Staff (J-7).*

14 (c) *ACTIVITIES OF CONSORTIUM.—The Consortium*
15 *shall carry out the following activities:*

16 (1) *Bring the military education system (includ-*
17 *ing military service academies, institutions that pro-*
18 *vide professional military education, and other insti-*
19 *tutions the provide military education) together with*
20 *a broad group of civilian institutions of higher edu-*
21 *cation, policy research institutes, and the commercial*
22 *sector to develop and continually update a research-*
23 *based curriculum to prepare early career, mid-career,*
24 *and senior military officers and civilian employees of*
25 *the Federal Government to succeed in an era that will*

1 *be predominantly defined by great power competition*
2 *and in which security challenges will transcend the*
3 *traditional areas of defense expertise, becoming more*
4 *complex and inter-related than before, with interrup-*
5 *tions that will manifest rapidly and with little warn-*
6 *ing.*

7 *(2) Train military officers and civilian edu-*
8 *cators serving in the joint professional military edu-*
9 *cation system to implement the curriculum developed*
10 *under paragraph (2) at the institutions they serve.*

11 *(3) On a regular basis, make recommendations*
12 *to the Secretary about how the joint professional mili-*
13 *tary education system should be modified to meet the*
14 *challenges of apparent or possible future defense, na-*
15 *tional security, and international environments.*

16 *(d) MEMBERS.—The Consortium shall be composed of*
17 *representatives selected by the Secretary of Defense from the*
18 *following organizations:*

19 *(1) Organizations within the joint professional*
20 *military education system.*

21 *(2) Military service academies.*

22 *(3) Other institutions of the Federal Government*
23 *that provide military education.*

24 *(4) Civilian institutions of higher education.*

1 (5) *Private sector and government policy re-*
2 *search institutes.*

3 (6) *Organizations in the commercial sector, in-*
4 *cluding organizations from the industrial, finance,*
5 *and technology sectors.*

6 (e) *ANNUAL REPORT.*—*Not later than September 30,*
7 *2023, and annually thereafter, the co-directors of the Con-*
8 *sortium shall submit to the Secretary of Defense and the*
9 *appropriate congressional committees a report that de-*
10 *scribes the activities carried out by the Consortium during*
11 *the preceding year.*

12 (f) *DEFINITIONS.*—*In this section:*

13 (1) *The term “appropriate congressional com-*
14 *mittees” means—*

15 (A) *the Committee on Armed Services and*
16 *the Committee on Transportation and Infra-*
17 *structure of the House of Representatives; and*

18 (B) *the Committee on Armed Services and*
19 *the Committee on the Environment and Public*
20 *Works of the Senate.*

21 (2) *The term “civilian institution of higher edu-*
22 *cation” means an institution of higher education (as*
23 *defined in section 101 of the Higher Education Act*
24 *of 1965 (20 U.S.C. 1001)) that is not owned or con-*
25 *trolled by the Federal Government.*

1 **SEC. 559F. STANDARDS FOR TRAINING OF SURFACE WAR-**
2 **FARE OFFICERS AND ENLISTED MEMBERS.**

3 (a) *ESTABLISHMENT.*—Not later than September 30,
4 2022, the Secretary of the Navy shall establish standards
5 and procedures (subject to subsection (b)) by which a Navy
6 surface warfare officer or enlisted member of the Navy who
7 serves in a bridge or engine department may be issued a
8 merchant mariner credential in accordance with part E of
9 subtitle II of title 46, United States Code, including—

10 (1) a merchant mariner credential with a na-
11 tional officer endorsement under section 10.109(a) of
12 title 46, Code Federal Regulations, as in effect on the
13 date of the enactment of this Act;

14 (2) a national rating endorsement under sub-
15 section (b) or (c) of section 10.109 of such title; or

16 (3) a Standards of Training, Certification, and
17 Watchkeeping endorsement under section 10.109 (d) of
18 such title.

19 (b) *STRINGENCY.*—In no case shall the standards de-
20 scribed in subsection (a) be less stringent than the standards
21 applied by the Army, Military Sealift Command, or Coast
22 Guard vessel operators.

23 (c) *REPORT.*—Upon establishment under subsection
24 (a), the Secretary of the Navy shall submit to the appro-
25 priate congressional committees a report that updates the
26 military-to-mariner transition provided in response to sec-

1 *tion 568 of the National Defense Authorization Act for Fis-*
2 *cal Year 2017 (Public Law 114–328) that includes—*

3 *(1) a description of the how the training pro-*
4 *gram for surface warfare officers exceeds the min-*
5 *imum requirements for a merchant mariner creden-*
6 *tial with an appropriate endorsement—*

7 *(A) meets the requirements for a merchant*
8 *mariner credential with an appropriate endorse-*
9 *ment; and*

10 *(B) exceeds such requirements;*

11 *(2) a list of the proposed naval curriculum*
12 *courses that have been submitted to the National Mar-*
13 *itime Center for course credentialing approval; and*

14 *(3) a timeline for—*

15 *(A) all personnel described in subsection*
16 *(b)(1) to be qualified to be issued merchant mar-*
17 *iner credentials with national officer and ratings*
18 *endorsements; and*

19 *(B) 50 percent of such personnel to receive*
20 *such credential with Standards of Training, Cer-*
21 *tification, and Watchkeeping endorsement.*

22 *(d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
23 *FINED.—In this section, the term “appropriate congres-*
24 *sional committees” means the following:*

1 (1) *The congressional defense committees (as that*
2 *term is defined in section 101 of title 10, United*
3 *States Code).*

4 (2) *The Committee on Transportation and Infra-*
5 *structure of the House of Representatives.*

6 (3) *The Committee on Commerce, Science, and*
7 *Transportation of the Senate.*

8 **SEC. 559G. PROFESSIONAL MILITARY EDUCATION: REPORT;**
9 **DEFINITION.**

10 (a) *REPORT.—*

11 (1) *IN GENERAL.—Not later than July 1, 2022,*
12 *the Secretary of Defense, in consultation with the*
13 *Chairman of the Joint Chiefs of Staff, shall submit to*
14 *the Committees on Armed Services of the Senate and*
15 *the House of Representatives a report setting forth the*
16 *results of a review and assessment of the definition of*
17 *professional military education in the Department of*
18 *Defense and the military departments as specified in*
19 *subsection (c).*

20 (2) *ELEMENTS.—The report under this sub-*
21 *section shall include the following elements:*

22 (A) *A consolidated summary of all defini-*
23 *tions of the term “professional military edu-*
24 *cation” used in the Department of Defense and*
25 *the military departments.*

1 (B) *A description of how such term is used*
2 *in the Department of Defense in educational in-*
3 *stitutions, associated schools, programs, think*
4 *tanks, research centers, and support activities.*

5 (C) *An analysis of how such term—*

6 (i) *applies to tactical, operational, and*
7 *strategic settings; and*

8 (ii) *is linked to mission requirements.*

9 (D) *An analysis of how professional mili-*
10 *tary education has been applied and linked*
11 *through all levels of Department of Defense edu-*
12 *cation and training.*

13 (E) *The applicability of professional mili-*
14 *tary education to the domains of warfare, in-*
15 *cluding land, air, sea, space, and cyber.*

16 (F) *With regards to online and virtual*
17 *learning in professional military education—*

18 (i) *an analysis of the use of such learn-*
19 *ing; and*

20 (ii) *student satisfaction in comparison*
21 *to traditional classroom learning.*

22 (b) *DEFINITION.—Not later than one year after the*
23 *date of the enactment of this Act, the Secretary of Defense,*
24 *in coordination with the Chairman of the Joint Chiefs of*
25 *Staff and the Secretaries of the military departments, using*

1 *the report under subsection (a), shall standardize the defini-*
2 *tion of “professional military education” across the mili-*
3 *tary departments and the Department of Defense.*

4 **SEC. 559H. STUDY ON TRAINING AND EDUCATION OF MEM-**
5 **BERS OF THE ARMED FORCES REGARDING**
6 **SOCIAL REFORM AND UNHEALTHY BEHAV-**
7 **IORES.**

8 (a) *STUDY.*—*Not later than April 1, 2022, the Sec-*
9 *retary of Defense, in consultation with the Secretaries of*
10 *the military departments, shall conduct a study on training*
11 *and courses of education offered to covered members regard-*
12 *ing—*

- 13 (1) *sexual assault;*
14 (2) *sexual harassment;*
15 (3) *extremism;*
16 (4) *domestic violence;*
17 (5) *diversity, equity, and inclusion;*
18 (6) *military equal opportunity;*
19 (7) *suicide prevention; and*
20 (8) *substance abuse.*

21 (b) *ELEMENTS.*—*The study under subsection (a) shall*
22 *identify, with regard to each training or course of edu-*
23 *cation, the following:*

- 24 (1) *Sponsor.*
25 (2) *Location.*

1 (3) *Method.*

2 (4) *Frequency.*

3 (5) *Number of covered members who have par-*
4 *ticipated.*

5 (6) *Legislation, regulation, instruction, or guid-*
6 *ance that requires such training or course (if applica-*
7 *ble).*

8 (7) *Metrics of—*

9 (A) *performance;*

10 (B) *effectiveness; and*

11 (C) *data collection.*

12 (8) *Responsibilities of the Secretary of Defense or*
13 *Secretary of a military department to—*

14 (A) *communicate with non-departmental*
15 *entities;*

16 (B) *process feedback from trainers, trainees,*
17 *and such entities;*

18 (C) *connect such training or course to tac-*
19 *tical, operational, and strategic goals; and*

20 (D) *connect such training or course to other*
21 *training regarding social reform and unhealthy*
22 *behavior.*

23 (9) *Analyses of—*

1 (A) whether the metrics described in para-
2 graph (7) are standardized across the military
3 departments;

4 (B) mechanisms used to engage non-depart-
5 mental entities to assist in the development of
6 such training or courses;

7 (C) incentives used to ensure the effective-
8 ness of such training or courses;

9 (D) how each training or courses is in-
10 tended to change behavior; and

11 (E) costs of such training and courses.

12 (10) Recommendations of the Secretary of De-
13 fense to improve such training or courses, including
14 the estimated costs to implement such improvements.

15 (11) Any other information the Secretary of De-
16 fense determines relevant.

17 (c) REPORT.—Not later than July 1, 2022, the Sec-
18 retary of Defense shall submit to the Committees on Armed
19 Services of the Senate and House of Representatives a re-
20 port on the results of the study under this section.

21 (d) COVERED MEMBER DEFINED.—In this section, the
22 term “covered member” means a member of an Armed Force
23 under the jurisdiction of the Secretary of a military depart-
24 ment.

1 ***Subtitle G—Military Family Readiness and Dependents’ Education***
 2

3 ***SEC. 561. ESTABLISHMENT OF EXCEPTIONAL FAMILY MEMBER PROGRAM ADVISORY COUNCIL.***
 4

5 (a) *ESTABLISHMENT.*—Chapter 7 of title 10, United
 6 States Code, is amended by inserting before section 187 the
 7 following new section 186:

8 ***“§ 186. Exceptional Family Member Program Advisory
 9 Council***

10 “(a) *ESTABLISHMENT.*—There is an Exceptional Family
 11 Member Program Advisory Council in the Department
 12 of Defense (in this section referred to as the ‘Council’).

13 “(b) *PURPOSE.*—The Council shall provide, to the Secretary
 14 and the chiefs of the covered armed forces, recommendations
 15 regarding how to improve the Exceptional
 16 Family Member Program. The Council shall provide such
 17 recommendations not less than once every six months.

18 “(c) *COMPOSITION.*—The Council shall be composed of
 19 the following:

20 “(1) One member of each covered armed force—

21 “(A) serving on active duty;

22 “(B) who has a dependent—

23 “(i) enrolled in the Exceptional Family
 24 Member Program; and

1 “(ii) with an individualized education
2 program; and

3 “(C) appointed by the Vice Chief of Staff of
4 the covered armed force concerned.

5 “(2) Two military spouses—

6 “(A) of members eligible to be appointed
7 under paragraph (1);

8 “(B) who are not civilian employees of the
9 Department of Defense;

10 “(C) one of whom is married to an enlisted
11 member and one of whom is married to an offi-
12 cer; and

13 “(D) appointed by the Vice Chief of Staff of
14 the covered armed force concerned.

15 “(3) One adult dependent—

16 “(A) enrolled in the Exceptional Family
17 Member Program; and

18 “(B) appointed by the Vice Chief of Staff of
19 the covered armed force concerned.

20 “(4) One representative of the Exceptional Fam-
21 ily Member Program Coalition.

22 “(5) One member of the Defense Health Agency.

23 “(6) One member of the Department of Defense
24 Education Activity.

25 “(7) One member of the Office of Special Needs.

1 “(d) *APPOINTMENTS.*—*In making appointments under*
2 *subsection (c), the Vice Chief of Staff of the covered armed*
3 *force concerned shall seek to represent the diversity of the*
4 *disability community.*”

5 “(e) *TERMS.*—*Each member of the Council shall serve*
6 *a term of two years, except one of the original members*
7 *appointed under subsection (c)(2), selected by the Secretary*
8 *of Defense at the time of appointment, one shall be ap-*
9 *pointed for a term of three years.*”

10 “(f) *MEETINGS.*—*The Council shall meet at least once*
11 *every calendar quarter, in person or by teleconference.*”

12 “(g) *COVERED ARMED FORCE DEFINED.*—*In this sec-*
13 *tion, the term ‘covered armed force’ means an armed force*
14 *under the jurisdiction of the Secretary of a military depart-*
15 *ment.’.*”

16 (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—

17 (1) *TABLE OF SECTIONS.*—*The table of sections*
18 *at the beginning of such chapter is amended by in-*
19 *serting before the item relating to section 187 the fol-*
20 *lowing new item:*

“186. *Exceptional Family Member Program Advisory Council.*”.

21 (2) *TERMINATION OF ADVISORY PANEL ON COM-*
22 *MUNITY SUPPORT FOR MILITARY FAMILIES WITH SPE-*
23 *CIAL NEEDS.*—*Section 563 of the National Defense*
24 *Authorization Act for Fiscal Year 2010 (Public Law*

1 111–84; 10 U.S.C. 1781c note) is amended by striking
2 subsection (d).

3 **SEC. 562. NON-MEDICAL COUNSELING SERVICES FOR MILI-**
4 **TARY FAMILIES.**

5 Section 1781 of title 10, United States Code, is amend-
6 ed by adding at the end the following new subsection:

7 “(d) *NON-MEDICAL COUNSELING SERVICES.*—(1) *In*
8 *carrying out its duties under subsection (b), the Office may*
9 *coordinate programs and activities for the provision of non-*
10 *medical counseling services to military families through the*
11 *Department of Defense Family Readiness System.*

12 “(2) *Notwithstanding any other provision of law, a*
13 *mental health care provider described in paragraph (3)*
14 *may provide non-medical counseling services at any loca-*
15 *tion in a State, the District of Columbia, or a territory*
16 *or possession of the United States, without regard to where*
17 *the provider or recipient of such services is located, if the*
18 *provision of such services is within the scope of the author-*
19 *ized Federal duties of the provider.*

20 “(3) *A mental health care provider described in this*
21 *subsection is a person who is—*

22 “(A) *a currently licensed mental health care pro-*
23 *vider who holds a license that is—*

1 “(i) issued by a State, the District of Co-
2 lumbia, or a territory or possession of the United
3 States; and

4 “(ii) recognized by the Secretary of Defense;
5 “(B) a member of the armed forces, a civilian
6 employee of the Department of Defense, or a con-
7 tractor designated by the Secretary; and

8 “(C) performing authorized duties for the De-
9 partment of Defense under a program or activity re-
10 ferred to in paragraph (1).

11 “(4) In this subsection, the term ‘non-medical coun-
12 seling services’ means mental health care services that are
13 non-clinical, short-term and solution focused, and address
14 topics related to personal growth, development, and positive
15 functioning.”.

16 **SEC. 563. EXPANSION OF SUPPORT PROGRAMS FOR SPE-**
17 **CIAL OPERATIONS FORCES PERSONNEL AND**
18 **IMMEDIATE FAMILY MEMBERS.**

19 (a) *IN GENERAL*.—Section 1788a(e) of title 10, United
20 States Code, is amended—

21 (1) in paragraph (4), by striking “covered per-
22 sonnel” and inserting “covered individuals”; and

23 (2) in paragraph (5)—

24 (A) by striking “covered personnel” and in-
25 serting “covered individuals”;

1 (B) in subparagraph (B), by striking “and”
2 at the end;

3 (C) in subparagraph (C), by striking the
4 period at the end and inserting “; and”; and

5 (D) by adding at the end the following new
6 subparagraph:

7 “(D) immediate family members of individ-
8 uals described in subparagraphs (A) or (B) in a
9 case in which such individual died—

10 “(i) as a direct result of armed con-
11 flict;

12 “(ii) while engaged in hazardous serv-
13 ice;

14 “(iii) in the performance of duty under
15 conditions simulating war; or

16 “(iv) through an instrumentality of
17 war.”.

18 **SEC. 564. CLARIFICATION OF QUALIFICATIONS FOR ATTOR-**
19 **NEYS WHO PROVIDE LEGAL SERVICES TO**
20 **FAMILIES ENROLLED IN THE EXCEPTIONAL**
21 **FAMILY MEMBER PROGRAM.**

22 Section 582(b)(7) of the William M. (Mac) Thornberry
23 National Defense Authorization Act for Fiscal Year 2021
24 (Public Law 116–283) is amended, in the matter preceding
25 subparagraph (A), by striking “in education law” and in-

1 *serting “and with experience in the practice of education*
2 *law in the State in which the military installation is lo-*
3 *cated (and any other State or States in which a significant*
4 *portion of the personnel assigned to such military installa-*
5 *tion reside)”.*

6 **SEC. 565. IMPROVEMENTS TO THE EXCEPTIONAL FAMILY**
7 **MEMBER PROGRAM.**

8 (a) *VERIFICATION OF SUITABILITY OF HOUSING AND*
9 *EDUCATIONAL INSTITUTIONS.*—Section 582(c)(2) of the
10 *William M. (Mac) Thornberry National Defense Authoriza-*
11 *tion Act for Fiscal Year 2021 (Public Law 116–283) is*
12 *amended by inserting “, and to verify that housing and*
13 *at least one school near such military installation is suit-*
14 *able for the dependent with special needs of such covered*
15 *member” before the period at the end.*

16 (b) *EXPANSION OF ADVISORY PANEL ON COMMUNITY*
17 *SUPPORT FOR MILITARY FAMILIES WITH SPECIAL*
18 *NEEDS.*—Section 563(d)(2) of the *National Defense Author-*
19 *ization Act for Fiscal Year 2010 (Public Law 111–84; 10*
20 *U.S.C. 1781c note) is amended—*

21 (1) *by striking “seven” and inserting “nine”;*

22 (2) *by inserting “, appointed by the Secretary of*
23 *Defense,” after “individuals”;*

24 (3) *by inserting “each” before “a member”;*

25 (4) *by striking the second sentence; and*

1 (5) by adding “One such individual shall be the
2 spouse of an enlisted member and one such individual
3 shall be the spouse of an officer in a grade below O-
4 6.” at the end.

5 (c) *RELOCATION*.—The Secretary of the military de-
6 partment concerned shall, if such Secretary determines it
7 feasible, permit a covered member who receives permanent
8 change of station orders to elect, not later than 14 days after
9 such receipt, from at least two locations that provide sup-
10 port for the dependent of such covered member with a spe-
11 cial need.

12 (d) *SCANNING OF DD FORM 2792*.—The Secretary of
13 a military department shall require that a DD Form 2792
14 completed by a covered member is scanned and uploaded
15 to the electronic health record of the dependent described
16 in such DD Form 2792.

17 (e) *COVERED MEMBER DEFINED*.—In this section, the
18 term “covered member” means a member of an Armed
19 Force—

20 (1) under the jurisdiction of the Secretary of a
21 military department; and

22 (2) with a dependent with a special need.

1 **SEC. 566. DATABASE OF NEXT OF KIN OF DECEASED MEM-**
2 **BERS OF THE ARMED FORCES.**

3 *Not later than 180 days after the date of the enactment*
4 *of this Act, the Secretary of Defense shall prescribe regula-*
5 *tions that establish and maintain a database of the Depart-*
6 *ment of Defense that contains up-to-date contact informa-*
7 *tion for the next of kin of members of the Armed Forces*
8 *under the jurisdiction of the Secretaries of the military de-*
9 *partments. Such regulations shall ensure that—*

10 *(1) a commander in a grade higher than O-5*
11 *may access the contact information for the next of kin*
12 *of a member who died while a member of the unit*
13 *under the command of such commander, regardless of*
14 *whether such member served under such commander;*
15 *and*

16 *(2) an individual named in such database*
17 *may—*

18 *(A) elect to not be contacted by an officer*
19 *described in paragraph (1); and*

20 *(B) change such election at any time.*

21 **SEC. 567. POLICY REGARDING REMOTE MILITARY INSTAL-**
22 **LATIONS.**

23 *(a) POLICY.—Not later than April 1, 2022, the Sec-*
24 *retary of Defense, in consultation with the Secretaries of*
25 *the military departments, shall develop a uniform policy*
26 *for how to—*

1 (1) *identify remote military installations; and*

2 (2) *assess and manage challenges associated with*
3 *remote military installations.*

4 (b) *ELEMENTS.—The policy under subsection (a) shall*
5 *address the following:*

6 (1) *Activities and facilities for the morale, wel-*
7 *fare, and recreation of members of the Armed Forces.*

8 (2) *Availability of housing, located on and off re-*
9 *mote military installations.*

10 (3) *Educational services for dependents of mem-*
11 *bers of the Armed Forces, located on and off remote*
12 *military installations.*

13 (4) *Availability of health care.*

14 (5) *Employment opportunities for military*
15 *spouses.*

16 (6) *Risks associated with having insufficient*
17 *support services for members of the Armed Forces and*
18 *their dependents.*

19 (c) *REPORT.—Not later than July 1, 2022, the Sec-*
20 *retary of Defense shall submit to the Committees on Armed*
21 *Services of the Senate and the House of Representatives a*
22 *report setting forth—*

23 (1) *the policy under this section; and*

24 (2) *an implementation plan for the policy.*

1 (d) *MILITARY INSTALLATION DEFINED.*—*In this sec-*
2 *tion, the term “military installation” has the meaning*
3 *given that term in section 2801 of title 10, United States*
4 *Code.*

5 **SEC. 568. FEASIBILITY STUDY ON PROGRAM FOR DROP-IN**
6 **CHILD CARE FURNISHED TO CERTAIN MILI-**
7 **TARY SPOUSES AT MILITARY CHILD DEVEL-**
8 **OPMENT CENTERS.**

9 (a) *AUTHORIZATION.*—*Not later than 180 days after*
10 *the date of the enactment of this Act, the Secretary of De-*
11 *fense shall conduct a feasibility study on the establishment*
12 *of a program under which the military spouse of a covered*
13 *member may leave a covered child with a child care em-*
14 *ployee—*

15 (1) *at the military child development center of*
16 *the military installation that is the permanent duty*
17 *station of such covered member;*

18 (2) *during the normal hours of operation of the*
19 *military child development center at which such child*
20 *care employee is employed; and*

21 (3) *for not more than two hours per week.*

22 (b) *REPORT.*—*Not later than September 30, 2022, the*
23 *Secretary shall submit to the Committees on Armed Services*
24 *of the Senate and House of Representatives a report regard-*
25 *ing the results of the study under subsection (a).*

1 (c) *DEFINITIONS.—In this section:*

2 (1) *The terms “child care employee” and “mili-*
3 *tary child development center” have the meanings*
4 *given such terms in section 1800 of title 10, United*
5 *States Code.*

6 (2) *The term “covered child” means the depend-*
7 *ent child of a covered member—*

8 (A) *younger than seven years of age; and*

9 (B) *who does not regularly receive child*
10 *care services at a military child development*
11 *center.*

12 (3) *The term “covered member” means a member*
13 *of the Armed Forces performing active duty for a pe-*
14 *riod of more than 30 days at a location other than*
15 *the permanent duty station of such member.*

16 **SEC. 569. COMPTROLLER GENERAL OF THE UNITED STATES**
17 **REPORTS ON EMPLOYMENT DISCRIMINATION**
18 **AGAINST MILITARY SPOUSES BY CIVILIAN EM-**
19 **PLOYERS.**

20 *Not later than 180 days after the date of the enactment*
21 *of this Act, and 180 days thereafter, the Comptroller Gen-*
22 *eral of the United States shall submit to the congressional*
23 *defense committees a report on employment discrimination*
24 *against military spouses by civilian employers, including*

1 *on the basis of military spouse status. Such report shall*
2 *include an assessment of the following:*

3 (1) *The feasibility of policy solutions to prevent*
4 *such discrimination, including—*

5 (A) *by amending the Uniformed Services*
6 *Employment and Reemployment Rights Act of*
7 *1994 (Public Law 103–353) to ensure that mili-*
8 *tary spouses are covered under such Act; and*

9 (B) *by including military spouses as a pro-*
10 *ected class for the purpose of laws relating to*
11 *employment discrimination.*

12 (2) *Potential differential effects of such discrimi-*
13 *nation across race and gender, to determine if mili-*
14 *tary spouses who are people of color are subject to*
15 *intersectional discrimination.*

16 **SEC. 569A. REPORT ON EFFORTS OF COMMANDERS OF MILI-**
17 **TARY INSTALLATIONS TO CONNECT MILITARY**
18 **FAMILIES WITH LOCAL ENTITIES THAT PRO-**
19 **VIDE SERVICES TO MILITARY FAMILIES.**

20 *Not later than 120 days after the date of the enactment*
21 *of this Act, the Secretary of Defense shall submit to the*
22 *Committees on Armed Services of the Senate and House of*
23 *Representatives a report on how and the extent to which*
24 *commanders of military installations connect military fam-*
25 *ilies with local nonprofit and government entities that pro-*

1 *vide services to military families, including assistance with*
2 *housing.*

3 **SEC. 569B. REPORT ON PRESERVATION OF THE FORCE AND**
4 **FAMILY PROGRAM OF UNITED STATES SPE-**
5 **CIAL OPERATIONS COMMAND.**

6 (a) *REPORT REQUIRED.*—*Not later than 180 days*
7 *after the date of the enactment of this Act, the Commander*
8 *of United States Special Operations Command shall submit*
9 *to the congressional defense committees a report on POTFF.*

10 (b) *ELEMENTS.*—*The report under this section shall*
11 *include the following:*

12 (1) *An assessment of the human performance do-*
13 *main of current programs and activities, including—*

14 (A) *physical conditioning;*

15 (B) *exercise physiology;*

16 (C) *kinesiology;*

17 (D) *nutrition guidance;*

18 (E) *rehabilitative support (including phys-*
19 *ical therapy); and*

20 (F) *mental skills training (including sports*
21 *psychology).*

22 (2) *A description of efforts of the Commander to*
23 *assess the unique needs of members of special oper-*
24 *ations forces, including women and minorities.*

1 (3) *An assessment of the effectiveness of POTFF*
2 *in addressing such unique needs.*

3 (4) *Plans of the Commander to improve POTFF*
4 *to better address such unique needs.*

5 (c) *DEFINITIONS.—In this section:*

6 (1) *The term “POTFF” means the Preservation*
7 *of the Force and Family Program of United States*
8 *Special Operations Command under section 1788a of*
9 *title 10, United States Code.*

10 (2) *The term “special operations forces” means*
11 *the forces described in section 167(j) of title 10,*
12 *United States Code.*

13 **SEC. 569C. GAO REVIEW OF PRESERVATION OF THE FORCE**
14 **AND FAMILY PROGRAM OF UNITED STATES**
15 **SPECIAL OPERATIONS COMMAND.**

16 (a) *REVIEW.—Not later than April 1, 2022, the Comp-*
17 *troller General of the United States shall conduct a review*
18 *of POTFF and submit to the appropriate committees a re-*
19 *port containing the results of such review.*

20 (b) *ELEMENTS.—The report under this section shall*
21 *include the following:*

22 (1) *An assessment of the sufficiency of the*
23 *human performance domain of current programs and*
24 *activities of POTFF.*

1 (2) *A description of efforts of the Commander of*
2 *United States Special Operations Command to assess*
3 *the unique needs of members of special operations*
4 *forces, including women and minorities.*

5 (3) *A description of plans of the Commander to*
6 *improve POTFF to better address the unique needs of*
7 *members of special operations forces.*

8 (4) *Changes in costs to the United States to oper-*
9 *ate POTFF since implementation.*

10 (5) *Rates of participation in POTFF, includ-*
11 *ing—*

12 (A) *the number of individuals who partici-*
13 *pate;*

14 (B) *frequency of use by such individuals;*
15 *and*

16 (C) *geographic locations where such indi-*
17 *viduals participate.*

18 (6) *Methods by which data on POTFF is col-*
19 *lected and analyzed.*

20 (7) *Outcomes used to determine the effects of*
21 *POTFF on members of special operations forces and*
22 *their immediate family members, including a descrip-*
23 *tion of the effectiveness of POTFF in addressing*
24 *unique needs of such individuals.*

1 (c) *BRIEFING.*—Not later than January 31, 2022, the
2 Comptroller General shall provide to the appropriate com-
3 mittees a briefing on the preliminary findings of the Comp-
4 troller General under the review under this section.

5 (d) *DEFINITIONS.*—In this section:

6 (1) The term “appropriate committees” means
7 the Committees on Armed Services of the Senate and
8 House of Representatives.

9 (2) The term “POTFF” means the Preservation
10 of the Force and Family Program of United States
11 Special Operations Command under section 1788a of
12 title 10, United States Code.

13 (3) The term “special operations forces” means
14 the forces described in section 167(j) of title 10,
15 United States Code.

16 **SEC. 569D. CONTINUED ASSISTANCE TO SCHOOLS WITH**
17 **SIGNIFICANT NUMBERS OF MILITARY DE-**
18 **PENDENT STUDENTS.**

19 (a) *ASSISTANCE TO SCHOOLS WITH SIGNIFICANT*
20 *NUMBERS OF MILITARY DEPENDENT STUDENTS.*—Of the
21 amount authorized to be appropriated for fiscal year 2022
22 in division D of this Act and available for operation and
23 maintenance for Defense-wide activities as specified in the
24 funding table in section 4301 of this Act, \$50,000,000 shall
25 be available only for the purpose of providing assistance

1 *to local educational agencies under subsection (a) of section*
2 *572 of the National Defense Authorization Act for Fiscal*
3 *Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).*

4 *(b) IMPACT AID FOR CHILDREN WITH SEVERE DIS-*
5 *ABILITIES.—Of the amount authorized to be appropriated*
6 *for fiscal year 2022 in division D of this Act and available*
7 *for operation and maintenance for Defense-wide activities*
8 *as specified in the funding table in section 4301 of this Act,*
9 *\$20,000,000 shall be available for payments under section*
10 *363 of the Floyd D. Spence National Defense Authorization*
11 *Act for Fiscal Year 2001 (Public Law 106–398; 20 U.S.C.*
12 *7703a).*

13 *(c) LOCAL EDUCATIONAL AGENCY DEFINED.—In this*
14 *section, the term “local educational agency” has the mean-*
15 *ing given that term in section 7013(9) of the Elementary*
16 *and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).*

17 **SEC. 569E. VERIFICATION OF REPORTING OF ELIGIBLE FED-**
18 **ERALLY CONNECTED CHILDREN FOR PUR-**
19 **POSES OF FEDERAL IMPACT AID PROGRAMS.**

20 *(a) CERTIFICATION.—On an annual basis, each com-*
21 *mander of a military installation under the jurisdiction of*
22 *the Secretary of a military department shall submit to such*
23 *Secretary a written certification verifying whether the com-*
24 *mander has confirmed the information contained in all im-*

1 *impact aid source check forms received from local educational*
2 *agencies as of the date of such certification.*

3 (b) *REPORT.*—Not later June 30 of each year, each
4 *Secretary of a military department shall submit to the con-*
5 *gressional defense committees a report, based on the infor-*
6 *mation received under subsection (a), that identifies—*

7 (1) *each military installation under the jurisdic-*
8 *tion of such Secretary that has confirmed the infor-*
9 *mation contained in all impact aid source check*
10 *forms received from local educational agencies as of*
11 *the date of the report; and*

12 (2) *each military installation that has not con-*
13 *firmed the information contained in such forms as of*
14 *such date.*

15 (c) *DEFINITIONS.*—In this section:

16 (1) *Term “congressional defense committees” has*
17 *the meaning given that term in section 101(a)(16) of*
18 *title 10, United States Code.*

19 (2) *The term “impact aid source check form”*
20 *means a form submitted to a military installation by*
21 *a local educational agency to confirm the number and*
22 *identity of children eligible to be counted for purposes*
23 *of the Federal impact aid program under section*
24 *7003(a) of the Elementary and Secondary Education*
25 *Act of 1965 (20 U.S.C. 7703(a)).*

1 (3) *The term “local educational agency” has the*
 2 *meaning given that term in section 8101 of the Ele-*
 3 *mentary and Secondary Education Act of 1965 (20*
 4 *U.S.C. 7801).*

5 ***Subtitle H—Diversity and Inclusion***

6 ***SEC. 571. INFORMATION ON FEMALE AND MINORITY PAR-***
 7 ***TICIPATION IN MILITARY SERVICE ACAD-***
 8 ***EMIES AND THE SENIOR RESERVE OFFICERS’***
 9 ***TRAINING CORPS.***

10 *Section 113 of title 10, United States Code, is amend-*
 11 *ed—*

12 (1) *in subsection (c)(2), by inserting before the*
 13 *semicolon the following: “, including the status of di-*
 14 *versity and inclusion in the military service acad-*
 15 *emies and the Senior Reserve Officers’ Training*
 16 *Corps programs of such department”;*

17 (2) *in subsection (l)(2)—*

18 (A) *in subparagraph (D), by inserting “(in-*
 19 *cluding through the military service academies*
 20 *and the Senior Reserve Officers’ Training*
 21 *Corps)” after “into the armed forces”; and*

22 (B) *in subparagraph (E), by inserting “,*
 23 *attendance at military service academies, and*
 24 *enrollment in the Senior Reserve Officers’ Train-*
 25 *ing Corps that” before “is representative”; and*

1 (3) *in subsection (m)—*

2 (A) *by redesignating paragraphs (5)*
3 *through (7) as paragraphs (6) through (8), re-*
4 *spectively; and*

5 (B) *by inserting after paragraph (4) the fol-*
6 *lowing new paragraph:*

7 “(5) *The number of cadets and midshipmen from*
8 *the Senior Reserve Officers’ Training Corps of each*
9 *armed force who are expected to be commissioned into*
10 *the armed forces during the fiscal year covered by*
11 *such report, disaggregated by gender, race, and eth-*
12 *nicity.”.*

13 **SEC. 572. SURVEYS ON DIVERSITY, EQUITY, AND INCLUSION**
14 **AND ANNUAL REPORTS ON SEXUAL AS-**
15 **SAULTS AND RACIAL AND ETHNIC DEMO-**
16 **GRAPHICS IN THE MILITARY JUSTICE SYS-**
17 **TEM.**

18 (a) *MODIFICATION OF CONTENT OF CERTAIN SUR-*
19 *VEYS.—*

20 (1) *ARMED FORCES SURVEYS.—Section 481 of*
21 *title 10, United States Code, is amended—*

22 (A) *in subsection (a)—*

23 (i) *in paragraph (1) by striking the*
24 *second sentence;*

1 (ii) in paragraph (3) by striking
2 “Equal Opportunity” and inserting “Diver-
3 sity, Equity, and Inclusion”;

4 (B) in subsection (b)—

5 (i) in the subsection heading, by strik-
6 ing “EQUAL OPPORTUNITY” and inserting
7 “DIVERSITY, EQUITY, AND INCLUSION”;

8 (ii) in the matter preceding paragraph
9 (1), by striking “Equal Opportunity” and
10 inserting “Diversity, Equity, and Inclu-
11 sion”; and

12 (iii) by adding at the end the following
13 new paragraphs:

14 “(4) Identifying and assessing the extent of ac-
15 tivity among such members that may be seen as ‘hate
16 group’ activity.

17 “(5) Whether respondents have, in the preceding
18 year—

19 “(A) experienced or witnessed extremist,
20 racist, anti-Semitic, or supremacist activity in
21 the workplace; or

22 “(B) reported such activity.”;

23 (C) in subsection (c)—

24 (i) by redesignating paragraph (5) as
25 paragraph (6); and

1 (ii) by inserting after paragraph (4)
2 the following new paragraph:

3 “(5) Identifying and assessing the extent of ac-
4 tivity among such members that may be seen as ‘hate
5 group’ activity.”;

6 (D) by redesignating subsection (f) as sub-
7 section (g); and

8 (E) by inserting after subsection (e) the fol-
9 lowing new subsection:

10 “(f) PUBLICATION.—The Secretary of Defense shall—

11 “(1) publish on an appropriate publicly avail-
12 able website of the Department of Defense the reports
13 required by subsection (e); and

14 “(2) ensure that any data included with each
15 such report is made available in a machine-readable
16 format that is downloadable, searchable, and sort-
17 able.”.

18 (2) CIVILIAN EMPLOYEE SURVEYS.—Section 481a
19 of title 10, United States Code, is amended—

20 (A) in subsection (b)—

21 (i) by redesignating paragraph (5) as
22 paragraph (7); and

23 (ii) by inserting after paragraph (4)
24 the following new paragraphs:

1 “(5) *Identifying and assessing the extent (if any)*
2 *of activity among such employees that may be seen as*
3 *so-called ‘hate group’ activity.*

4 “(6) *Whether respondents have, in the preceding*
5 *year—*

6 “(A) *experienced or witnessed extremist,*
7 *racist, anti-Semitic, or supremacist activity in*
8 *the workplace; or*

9 “(B) *reported such activity.*”; and

10 “(B) *by adding at the end the following new*
11 *subsection:*

12 “(e) *PUBLICATION.—The Secretary of Defense shall—*

13 “(1) *publish on an appropriate publicly avail-*
14 *able website of the Department of Defense the reports*
15 *required by subsection (c); and*

16 “(2) *ensure that any data included with each*
17 *such report is made available in a machine-readable*
18 *format that is downloadable, searchable, and sort-*
19 *able.*”.

20 “(3) *PREVALENCE OF OFFENSES UNDER THE UNI-*
21 *FORM CODE OF MILITARY JUSTICE.—Section 481(b) of*
22 *title 10, United States Code, as amended by para-*
23 *graph (1) of this subsection, is further amended by*
24 *adding at the end the following new paragraphs:*

1 “(6) *An estimate of the total number of offenses*
2 *committed under each punitive article under chapter*
3 *47 of this title (the Uniform Code of Military Justice)*
4 *over the period covered by the survey.*

5 “(7) *For each category of offense identified under*
6 *paragraph (6)—*

7 “(A) *an estimate of the racial, ethnic, gen-*
8 *der, age, and rank demographics of principals;*
9 *and*

10 “(B) *an estimate of the racial, ethnic, gen-*
11 *der, age, and rank demographics of victims.”.*

12 (4) *CONFORMING REPEAL.—Section 593 of the*
13 *National Defense Authorization Act for Fiscal Year*
14 *2020 (Public Law 116–92; 133 Stat. 1415; 10 U.S.C.*
15 *480 note prec.) is repealed.*

16 (5) *EFFECTIVE DATE.—*

17 (A) *The amendments made by paragraphs*
18 *(1) and (2) shall take effect on the day after the*
19 *date of the enactment of this Act.*

20 (B) *The amendments made by paragraph*
21 *(3) shall take effect on January 1, 2023.*

22 (b) *ANNUAL REPORTS ON RACIAL AND ETHNIC DEMO-*
23 *GRAPHICS IN THE MILITARY JUSTICE SYSTEM.—*

1 (1) *IN GENERAL.*—Chapter 23 of title 10, United
2 States Code, is amended by inserting after section 485
3 the following new section:

4 **“§486. Annual reports on racial and ethnic demo-**
5 **graphics in the military justice system**

6 “(a) *IN GENERAL.*—Not later than March 1 of each
7 year, the Secretary of each military department shall sub-
8 mit to the Secretary of Defense a report on racial, ethnic,
9 and gender demographics in the military justice system
10 during the preceding year. In the case of the Secretary of
11 the Navy, separate reports shall be prepared for the Navy
12 and for the Marine Corps. In the case of the Secretary of
13 the Air Force, separate reports shall be prepared for the Air
14 Force and for the Space Force.

15 “(b) *CONTENTS.*—The report of a Secretary of a mili-
16 tary department for an armed force under subsection (a)
17 shall contain the following:

18 “(1) *Statistics on offenses under chapter 47 of*
19 *this title (the Uniform Code of Military Justice) dur-*
20 *ing the year covered by the report, including:*

21 “(A) *an estimate based on survey data from*
22 *the armed forces Workplace and Diversity, Eq-*
23 *uity, and Inclusion Surveys of the number of of-*
24 *fenses committed by members of the armed force,*
25 *disaggregated by—*

1 “(i) statistical category as related to
2 the victim; and

3 “(ii) statistical category as related to
4 the principal;

5 “(B) the number of offenses in the armed
6 force that were reported to military officials,
7 disaggregated by—

8 “(i) statistical category as related to
9 the victim; and

10 “(ii) statistical category as related to
11 the principal;

12 “(C) the number of offenses in the armed
13 force that were investigated, disaggregated by
14 statistical category as related to the principal;

15 “(D) the number of offenses in which the
16 evidence supported possible action by the Depart-
17 ment, disaggregated by statistical category as re-
18 lated to the principal;

19 “(E) the number of offenses in which ad-
20 ministrative action was imposed, disaggregated
21 by statistical category as related to the principal
22 and each type of administrative action imposed;

23 “(F) the number of offenses in which non-
24 judicial punishment was imposed under section
25 815 of this title (article 15 of the Uniform Code

1 *of Military Justice), disaggregated by statistical*
2 *category as related to the principal;*

3 “(G) *the number of offenses in which*
4 *charges were preferred, disaggregated by statis-*
5 *tical category as related to the principal;*

6 “(H) *the number of offenses in which*
7 *charges were referred to court-martial,*
8 *disaggregated by statistical category as related to*
9 *the principal and type of court-martial;*

10 “(I) *the number of offenses which resulted*
11 *in conviction at court-martial, disaggregated by*
12 *statistical category as related to the principal*
13 *and type of court-martial; and*

14 “(J) *the number of offenses which resulted*
15 *in acquittal at court-martial, disaggregated by*
16 *statistical category as related to the principal*
17 *and type of court-martial.*

18 “(2) *An analysis of any disparities among race,*
19 *gender, and ethnicity in the incidence, reporting, dis-*
20 *position, and prosecution of offenses by units, com-*
21 *mands, and installations during the year covered by*
22 *the report, including trends relating to—*

23 “(A) *the prosecution of offenses; and*

24 “(B) *the prevalence of offenses, set forth sep-*
25 *arately for—*

1 “(i) each installation with 5,000 or
2 more servicemembers;

3 “(ii) the major career fields of any in-
4 dividuals involved in such incidents, includ-
5 ing the fields of combat arms, aviation, lo-
6 gistics, maintenance, administration, and
7 medical;

8 “(iii) in the case of the Navy, the oper-
9 ational status (whether sea duty or shore
10 duty) of any individuals involved in such
11 incidents.

12 “(3) The policies, procedures, and processes im-
13 plemented by the Secretary concerned during the year
14 covered by the report in response to any race, gender,
15 or ethnicity disparities involving members of the
16 armed force concerned.

17 “(c) DEFINITIONS.—In this section:

18 “(1) The term ‘statistical category’ means each of
19 the following categories:

20 “(A) race;

21 “(B) gender;

22 “(C) ethnicity;

23 “(D) rank; and

1 “(E) offense enumerated under chapter 47
2 of this title (the Uniform Code of Military Jus-
3 tice).

4 “(2) The term ‘principal’ has the meaning given
5 that term in section 877 of this title (article 77 of the
6 Uniform Code of Military Justice).

7 “(d) SUBMISSION TO CONGRESS.—

8 “(1) IN GENERAL.—Not later than April 30 of
9 each year in which the Secretary of Defense receives
10 reports under subsection (a), the Secretary of Defense
11 shall forward the reports to the appropriate congres-
12 sional committees, together with—

13 “(A) an assessment of the information sub-
14 mitted to the Secretary pursuant to subsection
15 (b)(3);

16 “(B) such other assessments on the reports
17 as the Assistant Inspector General established
18 under section 554 of the William M. (Mac)
19 Thornberry National Defense Authorization Act
20 for Fiscal Year 2021 (Public Law 116–283) con-
21 siders appropriate; and

22 “(C) such other assessments on the reports
23 as the Secretary of Defense considers appro-
24 priate.

1 “(2) *APPROPRIATE CONGRESSIONAL COMMITTEES*
2 *DEFINED.*—*In this subsection, the term ‘appropriate*
3 *congressional committees’ means—*

4 “(A) *the Committee on Armed Services, the*
5 *Committee on Commerce, Science, and Transpor-*
6 *tation, and the Committee on Veterans’ Affairs of*
7 *the Senate; and*

8 “(B) *the Committee on Armed Services, the*
9 *Committee on Transportation and Infrastruc-*
10 *ture, and the Committee on Veterans’ Affairs of*
11 *the House of Representatives.*

12 “(e) *PUBLICATION.*—*The Secretary of Defense shall—*

13 “(1) *publish on an appropriate publicly avail-*
14 *able website of the Department of Defense the reports*
15 *required by subsections (a) and (d); and*

16 “(2) *ensure that any data included with each*
17 *such report is made available in a machine-readable*
18 *format that is downloadable, searchable, and sort-*
19 *able.”.*

20 “(2) *CLERICAL AMENDMENT.*—*The table of sec-*
21 *tions at the beginning of chapter 23 of such title is*
22 *amended by inserting after the item relating to sec-*
23 *tion 485 the following new item:*

 “486. *Annual reports on racial and ethnic demographics in the military justice*
 system.”.

24 “(c) *ANNUAL REPORTS ON SEXUAL ASSAULTS.*—

1 (1) *IN GENERAL.*—Chapter 23 of title 10, United
2 *States Code, as amended by section 3, is further*
3 *amended by inserting after section 486 the following*
4 *new section:*

5 **“§ 487. Annual reports on sexual assaults**

6 “(a) *IN GENERAL.*—Not later than March 1 of each
7 *year, the Secretary of each military department shall sub-*
8 *mit to the Secretary of Defense a report on the sexual as-*
9 *saults involving members of the armed forces under the ju-*
10 *risdiction of that Secretary during the preceding year. In*
11 *the case of the Secretary of the Navy, separate reports shall*
12 *be prepared for the Navy and for the Marine Corps. In the*
13 *case of the Secretary of the Air Force, separate reports shall*
14 *be prepared for the Air Force and for the Space Force.*

15 “(b) *CONTENTS.*—The report of a Secretary of a mili-
16 *tary department for an armed force under subsection (a)*
17 *shall contain the following:*

18 “(1) *The number of sexual assaults committed*
19 *against members of the armed force that were reported*
20 *to military officials during the year covered by the re-*
21 *port, and the number of the cases so reported that*
22 *were substantiated.*

23 “(2) *The number of sexual assaults committed by*
24 *members of the armed force that were reported to*
25 *military officials during the year covered by the re-*

1 *port, and the number of the cases so reported that*
2 *were substantiated. The information required by this*
3 *paragraph may not be combined with the information*
4 *required by paragraph (1).*

5 *“(3) A synopsis of each such substantiated case,*
6 *organized by offense, and, for each such case, the race*
7 *and ethnicity of the victim and accused, the action*
8 *taken in the case, including the type of disciplinary*
9 *or administrative sanction imposed, if any, including*
10 *courts-martial sentences, nonjudicial punishments ad-*
11 *ministered by commanding officers pursuant to sec-*
12 *tion 815 of this title (article 15 of the Uniform Code*
13 *of Military Justice), and administrative separations.*

14 *“(4) The policies, procedures, and processes im-*
15 *plemented by the Secretary concerned during the year*
16 *covered by the report in response to incidents of sex-*
17 *ual assault involving members of the armed force con-*
18 *cerned.*

19 *“(5) The number of substantiated sexual assault*
20 *cases in which the victim is a deployed member of the*
21 *armed forces and the assailant is a foreign national,*
22 *and the policies, procedures, and processes imple-*
23 *mented by the Secretary concerned to monitor the in-*
24 *vestigative processes and disposition of such cases and*

1 *any actions taken to eliminate any gaps in inves-*
2 *tigating and adjudicating such cases.*

3 *“(6) A description of the implementation of the*
4 *accessibility plan implemented pursuant to section*
5 *596(b) of the National Defense Authorization Act for*
6 *Fiscal Year 2006 (Public Law 109–163; 10 U.S.C.*
7 *1561 note), including a description of the steps taken*
8 *during that year to ensure that trained personnel, ap-*
9 *propriate supplies, and transportation resources are*
10 *accessible to deployed units in order to provide an ap-*
11 *propriate and timely response in any case of reported*
12 *sexual assault in a deployed unit, location, or envi-*
13 *ronment.*

14 *“(7) The number of applications submitted*
15 *under section 673 of title 10, United States Code,*
16 *during the year covered by the report for a permanent*
17 *change of station or unit transfer for members of the*
18 *armed forces on active duty who are the victim of a*
19 *sexual assault or related offense, the number of appli-*
20 *cations denied, and, for each application denied, a*
21 *description of the reasons why the application was de-*
22 *denied.*

23 *“(8) An analysis and assessment of trends in the*
24 *incidence, disposition, and prosecution of sexual as-*
25 *saults by units, commands, and installations during*

1 *the year covered by the report, including trends relat-*
2 *ing to—*

3 “(A) *the prosecution of incidents and avoid-*
4 *ance of incidents; and*

5 “(B) *the prevalence of incidents, set forth*
6 *separately for—*

7 “(i) *each installation with 5,000 or*
8 *more servicemembers;*

9 “(ii) *the major career fields of any in-*
10 *dividuals involved in such incidents, includ-*
11 *ing the fields of combat arms, aviation, lo-*
12 *gistics, maintenance, administration, and*
13 *medical; and*

14 “(iii) *in the case of the Navy, the oper-*
15 *ational status (whether sea duty or shore*
16 *duty) of any individuals involved in such*
17 *incidents.*

18 “(9) *An assessment of the adequacy of sexual as-*
19 *sault prevention and response activities carried out*
20 *by training commands during the year covered by the*
21 *report.*

22 “(10) *An analysis of the specific factors that*
23 *may have contributed to sexual assault during the*
24 *year covered by the report, an assessment of the role*
25 *of such factors in contributing to sexual assaults dur-*

1 *ing that year, and recommendations for mechanisms*
2 *to eliminate or reduce the incidence of such factors or*
3 *their contributions to sexual assaults.*

4 *“(11) An analysis of the disposition of the most*
5 *serious offenses occurring during sexual assaults com-*
6 *mitted by members of the armed force during the year*
7 *covered by the report, as identified in unrestricted re-*
8 *ports of sexual assault by any members of the armed*
9 *forces, including the numbers of reports identifying*
10 *offenses that were disposed of by each of the following:*

11 *“(A) Conviction by court-martial, including*
12 *a separate statement of the most serious charge*
13 *preferred and the most serious charge for which*
14 *convicted.*

15 *“(B) Acquittal of all charges at court-mar-*
16 *tial.*

17 *“(C) Non-judicial punishment under section*
18 *815 of this title (article 15 of the Uniform Code*
19 *of Military Justice).*

20 *“(D) Administrative action, including by*
21 *each type of administrative action imposed.*

22 *“(E) Dismissal of all charges, including by*
23 *reason for dismissal and by stage of proceedings*
24 *in which dismissal occurred.*

1 “(12) Information on each claim of retaliation
2 in connection with a report of sexual assault in the
3 armed force made by or against a member of such
4 armed force as follows:

5 “(A) A narrative description of each com-
6 plaint.

7 “(B) The nature of such complaint, includ-
8 ing whether the complainant claims professional
9 or social retaliation.

10 “(C) The gender of the complainant.

11 “(D) The gender of the individual claimed
12 to have committed the retaliation.

13 “(E) The nature of the relationship between
14 the complainant and the individual claimed to
15 have committed the retaliation.

16 “(F) The nature of the relationship, if any,
17 between the individual alleged to have committed
18 the sexual assault concerned and the individual
19 claimed to have committed the retaliation.

20 “(G) The official or office that received the
21 complaint.

22 “(H) The organization that investigated or
23 is investigating the complaint.

24 “(I) The current status of the investigation.

1 “(J) If the investigation is complete, a de-
2 scription of the results of the investigation, in-
3 cluding whether the results of the investigation
4 were provided to the complainant.

5 “(K) If the investigation determined that
6 retaliation occurred, whether the retaliation was
7 an offense under chapter 47 of this title (the
8 Uniform Code of Military Justice).

9 “(13) Information and data collected through
10 formal and informal reports of sexual harassment in-
11 volving members of the armed forces during the year
12 covered by the report, as follows:

13 “(A) The number of substantiated and un-
14 substantiated reports.

15 “(B) A synopsis of each substantiated re-
16 port, including the race and ethnicity of the vic-
17 tim and accused.

18 “(C) The action taken in the case of each
19 substantiated report, including the type of dis-
20 ciplinary or administrative sanction imposed, if
21 any, such as—

22 “(i) conviction and sentence by court-
23 martial;

24 “(ii) imposition of non-judicial pun-
25 ishment under section 815 of this title (arti-

1 *cle 15 of the Uniform Code of Military Jus-*
2 *tice); or*

3 *“(iii) administrative separation or*
4 *other type of administrative action imposed.*

5 *“(14) Information and data collected during the*
6 *year covered by the report on each reported incident*
7 *involving the non-consensual distribution by a person*
8 *subject to chapter 47 of this title (the Uniform Code*
9 *of Military Justice), of a private sexual image of an-*
10 *other person, including the following:*

11 *“(A) The number of substantiated and un-*
12 *substantiated reports.*

13 *“(B) A synopsis of each substantiated re-*
14 *port.*

15 *“(C) The action taken in the case of each*
16 *substantiated report, including the type of dis-*
17 *ciplinary or administrative sanction imposed, if*
18 *any, such as—*

19 *“(i) conviction and sentence by court-*
20 *martial;*

21 *“(ii) imposition of non-judicial pun-*
22 *ishment under section 815 this title (article*
23 *15 of the Uniform Code of Military Justice);*
24 *or*

1 “(iii) *administrative separation or*
2 *other type of administrative action imposed.*

3 “(c) *SUBSTANTIATED DEFINED.—In this section, the*
4 *term ‘substantiated’, when used with respect to the report*
5 *of an incident or offense, means that the report meets the*
6 *following criteria:*

7 “(1) *The victim made an unrestricted report of*
8 *such incident or offense.*

9 “(2) *The report was investigated by the Federal*
10 *Government or a State, local, or Tribal law enforce-*
11 *ment organization.*

12 “(3) *The report was provided to the appropriate*
13 *military command for consideration of action and*
14 *was found to have sufficient evidence to support the*
15 *command’s action against the subject.*

16 “(d) *SUBMISSION TO CONGRESS.—*

17 “(1) *IN GENERAL.—Not later than April 30 of*
18 *each year in which the Secretary of Defense receives*
19 *reports under subsection (a), the Secretary of Defense*
20 *shall forward the reports to the appropriate congress-*
21 *sional committees, together with—*

22 “(A) *the results of assessments conducted*
23 *under the evaluation plan required by section*
24 *1602(c) of the Ike Skelton National Defense Au-*

1 *thorization Act for Fiscal Year 2011 (Public*
2 *Law 111–383; 10 U.S.C. 1561 note);*

3 *“(B) an assessment of the information sub-*
4 *mitted to the Secretary pursuant to subsection*
5 *(b)(11); and*

6 *“(C) such other assessments on the reports*
7 *as the Secretary of Defense considers appro-*
8 *priate.*

9 *“(2) APPROPRIATE CONGRESSIONAL COMMITTEES*
10 *DEFINED.—In this subsection, the term ‘appropriate*
11 *congressional committees’ means—*

12 *“(A) the Committee on Armed Services, the*
13 *Committee on Commerce, Science, and Transpor-*
14 *tation, and the Committee on Veterans’ Affairs of*
15 *the Senate; and*

16 *“(B) the Committee on Armed Services, the*
17 *Committee on Transportation and Infrastruc-*
18 *ture, and the Committee on Veterans’ Affairs of*
19 *the House of Representatives.*

20 *“(e) PUBLICATION.—The Secretary of Defense shall—*

21 *“(1) publish on an appropriate publicly avail-*
22 *able website of the Department of Defense the reports*
23 *required by subsections (a) and (d); and*

1 “(2) ensure that any data included with each
2 such report is made available in a machine-readable
3 format that is downloadable, searchable, and sortable.

4 “(f) *ADDITIONAL DETAILS FOR CASE SYNOPSES POR-*
5 *TION OF REPORT.*—*The Secretary of each military depart-*
6 *ment shall include in the case synopses portion of each re-*
7 *port, as described in subsection (b)(3), the following addi-*
8 *tional information:*

9 “(1) *If charges are dismissed following an inves-*
10 *tigation conducted under section 832 of this title (ar-*
11 *ticle 32 of the Uniform Code of Military Justice), the*
12 *case synopsis shall include the reason for the dis-*
13 *missal of the charges.*

14 “(2) *If the case synopsis states that a member of*
15 *the armed forces accused of committing a sexual as-*
16 *sault was administratively separated or, in the case*
17 *of an officer, allowed to resign in lieu of facing a*
18 *court-martial, the case synopsis shall include the*
19 *characterization (honorable, general, or other than*
20 *honorable) given the service of the member upon sepa-*
21 *ration.*

22 “(3) *The case synopsis shall indicate whether a*
23 *member of the armed forces accused of committing a*
24 *sexual assault was ever previously accused of a sub-*
25 *stantiated sexual assault or was admitted to the*

1 *armed forces under a moral waiver granted with re-*
2 *spect to prior sexual misconduct.*

3 *“(4) The case synopsis shall indicate the branch*
4 *of the armed forces of each member accused of com-*
5 *mitting a sexual assault and the branch of the armed*
6 *forces of each member who is a victim of a sexual as-*
7 *sault.*

8 *“(5) If the case disposition includes non-judicial*
9 *punishment, the case synopsis shall explicitly state*
10 *the nature of the punishment.*

11 *“(6) The case synopsis shall indicate whether al-*
12 *cohol was involved in any way in a substantiated sex-*
13 *ual assault incident.*

14 *“(g) COORDINATION OF RELEASE DATE BETWEEN AN-*
15 *NUAL REPORTS REGARDING SEXUAL ASSAULTS AND FAM-*
16 *ILY ADVOCACY REPORT.—The Secretary of Defense shall en-*
17 *sure that the reports required under subsection (a) for a*
18 *given year are delivered to the Committees on Armed Serv-*
19 *ices of the Senate and House of Representatives simulta-*
20 *neously with the Family Advocacy Program report for that*
21 *year regarding child abuse and domestic violence, as re-*
22 *quired by section 574 of the National Defense Authorization*
23 *Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.*
24 *2141).*

1 “(h) *INCLUSION OF INFORMATION IN REGARDING SEX-*
2 *UAL ASSAULTS COMMITTED AGAINST A MEMBER’S SPOUSE*
3 *OR OTHER FAMILY MEMBER.*—*The Secretary of Defense*
4 *shall include, in each report under this section, information*
5 *regarding a sexual assault committed by a member of the*
6 *armed forces against the spouse or intimate partner of the*
7 *member or another dependent of the member in addition*
8 *to the annual Family Advocacy Program report as required*
9 *by section 574 of the National Defense Authorization Act*
10 *for Fiscal Year 2017 (Public Law 114–328; 130 Stat.*
11 *2141). The information may be included as an annex to*
12 *such reports.”.*

13 (2) *CONFORMING REPEALS.*—

14 (A) *Section 1631 of the Ike Skelton Na-*
15 *tional Defense Authorization Act for Fiscal Year*
16 *2011 (Public Law 111–383; 10 U.S.C. 1561*
17 *note) is repealed.*

18 (B) *Section 538 of the National Defense Au-*
19 *thorization Act for Fiscal Year 2018 (Public*
20 *Law 115–91; 10 U.S.C. 1561 note) is repealed.*

21 (3) *CLERICAL AMENDMENT.*—*The table of sec-*
22 *tions at the beginning of chapter 23 of such title, as*
23 *amended by this subsection, is further amended by in-*
24 *serting after the item relating to section 486 the fol-*
25 *lowing new item:*

“487. *Annual reports on sexual assaults.”.*

1 (d) *EFFECTIVE DATES.*—

2 (1) *IN GENERAL.*—*Except as provided in para-*
3 *graph (2), the amendments made by subsections (b)*
4 *and (c) shall take effect on the day after the date of*
5 *the enactment of this Act.*

6 (2) *EXCEPTIONS.*—

7 (A) *SEPARATE SPACE FORCE REPORTS.*—

8 *The requirement for the Secretary of the Air*
9 *Force to submit separate reports for the Space*
10 *Force under sections 486 and 487 of title 10,*
11 *United States Code (as added by subsections (b)*
12 *and (c) of this section) shall take effect on Octo-*
13 *ber 1, 2023 and shall apply with respect to re-*
14 *ports required to be submitted under such sec-*
15 *tions after such date.*

16 (B) *CERTAIN STATISTICAL INFORMATION.*—

17 *The requirement to include the information de-*
18 *scribed in subparagraphs (A) and (B) of section*
19 *486(b)(1) of title 10, United States Code, in the*
20 *annual reports under such section shall apply*
21 *with respect to reports required to be submitted*
22 *after January 1, 2023.*

1 **SEC. 573. AMENDMENTS TO ADDITIONAL DEPUTY INSPEC-**
2 **TOR GENERAL OF THE DEPARTMENT OF DE-**
3 **FENSE.**

4 *Section 554(a) of the William M. (Mac) Thornberry*
5 *National Defense Authorization Act for Fiscal Year 2021*
6 *(Public Law 116–283) is amended—*

7 *(1) in the section heading, by striking “DEP-*
8 *UTY” and inserting “ASSISTANT”;*

9 *(2) in paragraph (1)—*

10 *(A) in the matter preceding subparagraph*

11 *(A)—*

12 *(i) by striking “Secretary of Defense”*
13 *and inserting “Inspector General of the De-*
14 *partment of Defense”; and*

15 *(ii) by striking “Deputy” and insert-*
16 *ing “Assistant”;*

17 *(B) in subparagraph (A), by striking “of*
18 *the Department”; and*

19 *(C) in subparagraph (B), by striking “re-*
20 *port directly to and serve” and inserting “be”;*

21 *(3) in paragraph (2)—*

22 *(A) in the matter preceding clause (i) of*
23 *subparagraph (A)—*

24 *(i) by striking “Conducting and super-*
25 *vising” and inserting “Developing and car-*
26 *rying out a plan for the conduct of com-*

1 *prehensive oversight, including through the*
2 *conduct and supervision of”*; and

3 *(ii) by striking “evaluations” and in-*
4 *serting “inspections,”*;

5 *(B) in clause (ii) of subparagraph (A), by*
6 *striking “, including the duties of the Inspector*
7 *General under subsection (b)”*; and

8 *(C) in subparagraph (B), by striking “Sec-*
9 *retary or”*;

10 *(4) in paragraph (3)(A) in the matter preceding*
11 *subparagraph (A), by striking “Deputy” and insert-*
12 *ing “Assistant”*;

13 *(5) in paragraph (4)—*

14 *(A) in subparagraph (A), by striking “Dep-*
15 *uty” each place it appears and inserting “Assist-*
16 *ant”*;

17 *(B) in subparagraph (B)—*

18 *(i) by striking “Deputy” the first place*
19 *it appears;*

20 *(ii) by striking “and the Inspector*
21 *General”*;

22 *(iii) by striking “Deputy” the second*
23 *place it appears and inserting “Assistant”*;

24 *and*

1 (iv) by inserting before the period at
2 the end the following: “, for inclusion in the
3 next semiannual report of the Inspector
4 General under section 5 of the Inspector
5 General Act of 1978 (5 U.S.C. App.)”;

6 (C) in subparagraph (C)—

7 (i) by striking “Deputy”; and

8 (ii) by striking “and Inspector Gen-
9 eral”;

10 (D) in subparagraph (D)—

11 (i) by striking “Deputy”;

12 (ii) by striking “and the Inspector
13 General”;

14 (iii) by striking “Secretary or”; and

15 (iv) by striking “direct” and inserting
16 “determine”; and

17 (E) in subparagraph (E)—

18 (i) by striking “Deputy” ; and

19 (ii) by striking “of the Department”
20 and all that follows through “Representa-
21 tives” and inserting “consistent with the re-
22 quirements of the Inspector General Act of
23 1978 (5 U.S.C. App.)”.

1 **SEC. 574. EXTENSION OF DEADLINE FOR GAO REPORT ON**
2 **EQUAL OPPORTUNITY AT THE MILITARY**
3 **SERVICE ACADEMIES.**

4 *Section 558 of the William M. (Mac) Thornberry Na-*
5 *tional Defense Authorization Act for Fiscal Year 2021 (Pub-*
6 *lic Law 116–283) is amended, in the matter preceding*
7 *paragraph (1), by striking “one year after the date of the*
8 *enactment of this Act” and inserting “May 31, 2022”.*

9 **SEC. 575. GAO REVIEW OF EXTREMIST AFFILIATIONS AND**
10 **ACTIVITY AMONG MEMBERS OF THE ARMED**
11 **FORCES ON ACTIVE DUTY.**

12 *(a) REVIEW.—The Comptroller General of the United*
13 *States shall perform a review to determine the prevalence*
14 *of extremist affiliations and activity among members of the*
15 *Armed Forces on active duty. The review shall include the*
16 *following elements:*

17 *(1) Sources of information used by the Secretary*
18 *of Defense and Secretaries of the military depart-*
19 *ments to determine extremist affiliations and activity,*
20 *including the extent to which—*

21 *(A) the Armed Forces have established meth-*
22 *ods for anonymous reporting of suspected extrem-*
23 *ist affiliations and activity;*

24 *(B) the Armed Forces have established*
25 *guidelines to help ensure that commanders prop-*
26 *erly investigate such reports;*

1 (C) reports of violence by members of the
2 Armed Forces have been investigated for relation
3 to extremist affiliations and activity;

4 (D) members of the Armed Forces have been
5 discharged or disciplinary actions because of ex-
6 tremist affiliations or activity; and

7 (E) the Department of Defense tracking
8 cases described in subparagraph (D).

9 (2) The extent to which the Secretary of Defense
10 and Secretaries of the military departments use infor-
11 mation described in paragraph (1) in vetting mem-
12 bers, including the extent to which—

13 (A) recruiters have identified individuals
14 with suspected extremist affiliations;

15 (B) such individuals have received waivers;
16 and

17 (C) command climate surveys indicate a
18 culture in the Armed Forces that supports ex-
19 tremist affiliations and activity.

20 (3) The extent to which the Secretary of Defense
21 and Secretaries of the military departments use infor-
22 mation described in paragraph (1) in vetting mem-
23 bers.

24 (4) Procedures of the Department of Defense and
25 the Armed Forces for identifying, responding to, and

1 *tracking reported instances of extremist affiliations*
2 *and activity.*

3 *(5) Efforts of the Secretary of Defense and Secre-*
4 *taries of the military departments to train personnel*
5 *to identify and report members or recruits suspected*
6 *of extremist affiliations or activity, including the ex-*
7 *tent to which—*

8 *(A) commanders and recruiters trained to*
9 *identify potential indicators of extremist affili-*
10 *ations (including tattoos); and*

11 *(B) members are trained to identify and re-*
12 *port indicators of extremist affiliations and ac-*
13 *tivity in the Armed Forces or Department of De-*
14 *fense.*

15 *(6) Any other matter that the Comptroller Gen-*
16 *eral determines relevant.*

17 *(b) REPORT.—Not later than March 31, 2022, the*
18 *Comptroller General shall submit to the Committees on*
19 *Armed Services of the Senate and the House of Representa-*
20 *tives a report containing the results of the review under this*
21 *section.*

1 ***Subtitle I—Decorations and Awards***

2 ***SEC. 581. SEMIANNUAL REPORTS REGARDING REVIEW OF***
3 ***SERVICE RECORDS OF CERTAIN VETERANS.***

4 *(a) IN GENERAL.— Section 586 of the National De-*
5 *fense Authorization Act for Fiscal Year 2017 (Public Law*
6 *114–328; 10 U.S.C. 7271 note) is amended—*

7 *(1) by redesignating subsection (h) as subsection*
8 *(i);*

9 *(2) by inserting after subsection (g) the following*
10 *new subsection (h):*

11 *“(h) SEMIANNUAL REPORTS.—*

12 *“(1) REPORTS REQUIRED.—Not later than Janu-*
13 *ary 31 and July 31 each year, each Secretary of a*
14 *military department shall submit to the appropriate*
15 *committees of Congress a report regarding the review*
16 *of service records under the jurisdiction of that Sec-*
17 *retary pursuant to subsection (a).*

18 *“(2) ELEMENTS.—Each report under this sub-*
19 *section shall include the following:*

20 *“(A) The number of service records identi-*
21 *fied for review.*

22 *“(B) The number of service records reviewed*
23 *during the preceding two calendar quarters.*

24 *“(C) The number of service records reviewed*
25 *to date.*

1 “(D) *The number of full-time equivalent*
2 *employees conducting reviews under subsection*
3 *(a).*

4 “(E) *The number of work hours employees*
5 *described in subparagraph (D) spent reviewing*
6 *service records during the preceding two calendar*
7 *quarters.*

8 “(F) *The number of work hours employees*
9 *described in subparagraph (D) have spent re-*
10 *viewing service records to date.*

11 “(G) *A summary of any consultation with*
12 *or information provided by a veterans service or-*
13 *ganization under subsection (c) during the pre-*
14 *ceding two calendar quarters.*

15 “(H) *A summary of any consultation with*
16 *or information provided by a veterans service or-*
17 *ganization under subsection (c) to date.*

18 “(3) *TERMINATION.—The reporting requirement*
19 *under this subsection shall terminate for the Secretary*
20 *of a military department after that Secretary certifies*
21 *in writing to the appropriate committees of Congress*
22 *that the Secretary has—*

23 “(A) *completed the review of the service*
24 *record of each covered veteran under the jurisdic-*
25 *tion of that Secretary; and*

1 “(B) submitted every recommendation
2 under subsection (d) and every notification
3 under subsection (f) that the Secretary intends to
4 submit.”; and

5 (3) in subsection (i), as redesignated—

6 (A) in the heading, by striking “DEFINI-
7 TION” and inserting “DEFINITIONS”;

8 (B) by striking all that follows “section”
9 and inserting a colon; and

10 (C) by adding at the end the following:

11 “(1) The term ‘Native American Pacific Is-
12 lander’ means a Native Hawaiian or Native Amer-
13 ican Pacific Islander, as those terms are defined in
14 section 815 of the Native American Programs Act of
15 1974 (42 U.S.C. 2992c).

16 “(2) The term ‘appropriate committees of Con-
17 gress’ means—

18 “(A) The Committee on Armed Services and
19 the Committee on Veterans’ Affairs of the Senate;
20 and

21 “(B) The Committees on Armed Services
22 and the Committee on Veterans’ Affairs of the
23 House of Representatives.”.

1 (b) *DEADLINE.*—*The first report under subsection (h)*
2 *of such section 586, as inserted by subsection (a), shall be*
3 *due not later than July 31, 2022.*

4 **SEC. 582. ELIGIBILITY OF VETERANS OF OPERATION END**
5 **SWEEP FOR VIETNAM SERVICE MEDAL.**

6 *The Secretary of the military department concerned*
7 *may, upon the application of an individual who is a vet-*
8 *eran who participated in Operation End Sweep, award*
9 *that individual the Vietnam Service Medal.*

10 **SEC. 583. ESTABLISHMENT OF THE ATOMIC VETERANS**
11 **SERVICE MEDAL.**

12 (a) *SERVICE MEDAL REQUIRED.*—*The Secretary of*
13 *Defense shall design and produce a commemorative mili-*
14 *tary service medal, to be known as the “Atomic Veterans*
15 *Service Medal”, to honor retired and former members of the*
16 *Armed Forces who are radiation-exposed veterans (as such*
17 *term is defined in section 1112(c)(3) of title 38, United*
18 *States Code).*

19 (b) *DISTRIBUTION OF MEDAL.*—

20 (1) *ISSUANCE TO RETIRED AND FORMER MEM-*
21 *BERS.*—*At the request of a radiation-exposed veteran,*
22 *the Secretary of Defense shall issue the Atomic Vet-*
23 *erans Service Medal to the veteran.*

24 (2) *ISSUANCE TO NEXT-OF-KIN.*—*In the case of a*
25 *radiation-exposed veteran who is deceased, the Sec-*

1 *retary may provide for issuance of the Atomic Vet-*
2 *erans Service Medal to the next-of-kin of the person.*

3 (3) *APPLICATION.*—*The Secretary shall prepare*
4 *and disseminate as appropriate an application by*
5 *which radiation-exposed veterans and their next-of-*
6 *kin may apply to receive the Atomic Veterans Service*
7 *Medal.*

8 **SEC. 584. AUTHORIZATION FOR AWARD OF THE MEDAL OF**
9 **HONOR TO MARCELINO SERNA FOR ACTS OF**
10 **VALOR DURING WORLD WAR I.**

11 (a) *AUTHORIZATION.*—*Notwithstanding the time limi-*
12 *tations specified in section 7274 of title 10, United States*
13 *Code, or any other time limitation with respect to the*
14 *awarding of certain medals to persons who served in the*
15 *Armed Forces, the President may posthumously award the*
16 *Medal of Honor under section 7272 of such title to*
17 *Marcelino Serna for the acts of valor described in the sub-*
18 *section (b).*

19 (b) *ACTS OF VALOR DESCRIBED.*—*The acts of valor*
20 *described in this subsection are the actions of Marcelino*
21 *Serna as a private in the Army during World War I, for*
22 *which he was previously awarded the Distinguished-Service*
23 *Cross.*

1 ***Subtitle J—Miscellaneous Reports***
2 ***and Other Matters***

3 **SEC. 591. COMMAND CLIMATE ASSESSMENTS: INDE-**
4 **PENDENT REVIEW; REPORTS.**

5 *Section 587 of the National Defense Authorization Act*
6 *for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1561*
7 *note) is amended by adding at the end the following:*

8 “(d) *INDEPENDENT REVIEW.*—*During fiscal year 2022*
9 *and annually thereafter, the Secretary of a military depart-*
10 *ment shall establish an independent command climate re-*
11 *view board (in this section referred to as an ‘ICCRB’) for*
12 *each Armed Force under the jurisdiction of such Secretary.*

13 “(1) *DUTIES.*—*An ICCRB shall review the com-*
14 *mand climate, at each of no fewer than three military*
15 *installations of the Armed Force concerned, regarding*
16 *the following matters:*

17 “(A) *Command climate survey results.*

18 “(B) *Crime and other public safety issues.*

19 “(C) *Prevention of, and responses to, crime*
20 *at the military installation.*

21 “(D) *Prevention of, and responses to, sexual*
22 *assault and sexual harassment at the military*
23 *installation.*

24 “(E) *Discrimination and equal opportunity*
25 *at the military installation.*

1 “(F) *Suicides and other deaths of members*
2 *servicing at the military installation.*

3 “(G) *Any other matter determined appro-*
4 *priate by the Secretary of the military depart-*
5 *ment concerned or the ICCRB.*

6 “(2) *METHODS.—An ICCRB shall conduct such*
7 *review by means including—*

8 “(A) *an anonymous survey;*

9 “(B) *focus groups; and*

10 “(C) *individual interviews.*

11 “(3) *MEMBERSHIP.—An ICCRB shall be com-*
12 *posed of no fewer than six individuals—*

13 “(A) *appointed by the Secretary of the mili-*
14 *tary department concerned;*

15 “(B) *with expertise determined to be rel-*
16 *evant by such Secretary; and*

17 “(C) *none of whom may be a member of an*
18 *Armed Force or civilian employee of the Depart-*
19 *ment of Defense.*

20 “(4) *SELECTION OF MILITARY INSTALLATIONS.—*
21 *The Secretary of the military department concerned*
22 *shall select, for review by an ICCRB, military instal-*
23 *lations that have—*

24 “(A) *lower-than-average results on com-*
25 *mand climate surveys;*

1 “(B) *higher-than-average crime rates;*

2 “(C) *higher-than-average incidence of sui-*
3 *cide;*

4 “(D) *higher-than-average incidence of sex-*
5 *ual assault and sexual harassment; and*

6 “(E) *higher-than-average number of equal*
7 *opportunity complaints.*

8 “(5) *COORDINATION.—The Secretary of Defense*
9 *shall direct the Offices of People Analytics, and of*
10 *Force Resiliency, of the Department of Defense, to co-*
11 *ordinate with an ICCRB.*

12 “(6) *REPORTS.—*

13 “(A) *Not later than September 30, 2022,*
14 *and annually thereafter, an ICCRB shall submit*
15 *to the Secretary of the military department con-*
16 *cerned a report containing the results of the most*
17 *recent review conducted by the ICCRB and rec-*
18 *ommendations of the ICCRB to improve the cli-*
19 *mate command at the military installations re-*
20 *viewed.*

21 “(B) *Not later than November 30, 2022,*
22 *and annually thereafter, an ICCRB shall submit*
23 *to the Committees on Armed Services of the Sen-*
24 *ate and House of Representatives the report*
25 *under subparagraph (A).*

1 “(e) *REPORTS.*—Not later than April 30, 2023, and
2 *annually thereafter*—

3 “(1) *the Secretary of a military department shall*
4 *submit to the Secretary of Defense a report con-*
5 *taining, with respect to the most recent climate com-*
6 *mand assessment for each Armed Force under the ju-*
7 *risdiction of such Secretary of a military depart-*
8 *ment*—

9 “(A) *an analysis of responses, disaggregated*
10 *by, with respect to respondents*—

11 “(i) *military installation;*

12 “(ii) *unit;*

13 “(iii) *major organization (at the bri-*
14 *gade or equivalent level);*

15 “(iv) *major career fields (including*
16 *combat arms, aviation, logistics, and med-*
17 *ical);*

18 “(v) *ranks, grouped into junior, mid-*
19 *grade, and senior*—

20 “(I) *enlisted; and*

21 “(II) *officers (including warrant*
22 *officers);*

23 “(vi) *in the case of the Navy, sea duty*
24 *and shore duty;*

25 “(vii) *gender;*

1 “(viii) race; and

2 “(ix) ethnicity; and

3 “(B) actions taken and planned by the Sec-
4 retary of a military department to improve neg-
5 ative responses and promote a positive command
6 climate; and

7 “(2) the Secretary of Defense shall submit to the
8 Committees on Armed Services of the Senate and
9 House of Representatives a report containing, with
10 respect to the most recent climate command assess-
11 ment for each Armed Force—

12 “(A) a summary of responses, disaggregated
13 by, with respect to respondents—

14 “(i) Armed Force;

15 “(ii) military installation at which
16 more than 5,000 members serve;

17 “(iii) major organization (at the bri-
18 gade or equivalent level);

19 “(iv) major career fields (including
20 combat arms, aviation, logistics, and med-
21 ical);

22 “(v) ranks, grouped into junior, mid-
23 grade, and senior—

24 “(I) enlisted; and

1 “(II) officers (including warrant
2 officers);

3 “(vi) in the case of the Navy, sea duty
4 and shore duty;

5 “(vii) gender;

6 “(viii) race; and

7 “(ix) ethnicity; and

8 “(B) actions taken and planned by the Sec-
9 retary of Defense to improve negative responses
10 and promote a positive command climate.”.

11 **SEC. 592. HEALTHY EATING IN THE DEPARTMENT OF DE-**
12 **FENSE.**

13 (a) *AUTHORIZATION OF ELEMENT OF THE DEPART-*
14 *MENT OF DEFENSE; PLAN.—*

15 (1) *ESTABLISHMENT.—The Secretary of Defense*
16 *may establish an element of the Department of De-*
17 *fense responsible for implementing a plan to improve*
18 *access to healthy food on military installations. If es-*
19 *tablished, such element shall—*

20 (A) *be modelled on the Healthy Base Initia-*
21 *tive of the Department; and*

22 (B) *include personnel with—*

23 (i) *expertise in food service operations;*

24 (ii) *up-to-date knowledge of modern*
25 *healthy food delivery systems; and*

1 (iii) deep understanding of food service
2 in the Department.

3 (2) *PLAN.*—If implemented, the plan under
4 paragraph (1) shall include—

5 (A) leading practices from campus dining
6 services at institutions of higher learning and
7 private entities; and

8 (B) lessons learned from previous efforts of
9 the Secretary to make such improvements.

10 (b) *PILOT PROGRAM.*—

11 (1) *ESTABLISHMENT.*—The Secretary may carry
12 out a pilot program to develop and test appropriate
13 business models that increase the availability, afford-
14 ability, and acceptability of healthy foods in dining
15 facilities of the Department.

16 (2) *LOCATIONS.*—For each Armed Force under
17 the jurisdiction of the Secretary of a military depart-
18 ment, the Secretary may establish a pilot program lo-
19 cation at a military installation, located within the
20 United States, of—

21 (A) the regular component of such Armed
22 Force; and

23 (B) a reserve component of such Armed
24 Force.

1 (3) *MEAL CARD*.—A pilot program under this
2 subsection shall include—

3 (A) expansion of the use of meal cards by
4 members outside of the primary dining facility
5 at the military installation concerned; and

6 (B) providing access to all personnel of such
7 installation access to all dining venues at such
8 installation.

9 (4) *PARTNERSHIPS*.—The commander of each a
10 military installation described in paragraph (2) may
11 enter into an agreement with a local entity for the
12 purposes of the pilot.

13 **SEC. 593. PLANT-BASED PROTEIN PILOT PROGRAM OF THE**
14 **NAVY.**

15 (a) *ESTABLISHMENT*.—Not later than March 1, 2022,
16 the Secretary of the Navy shall establish a pilot program
17 to offer plant-based protein options at forward operating
18 bases for consumption by members of the Navy.

19 (b) *LOCATIONS*.—Not later than March 1, 2022, the
20 Secretary shall identify not fewer than two naval facilities
21 to participate in the pilot program and shall prioritize fa-
22 cilities (such as Joint Region Marianas, Guam, Navy Sup-
23 port Facility, Diego Garcia, and U.S. Fleet Activities
24 Sasebo, Japan) where livestock-based protein options may
25 be costly to obtain or store.

1 (c) *RULE OF CONSTRUCTION.*—*Nothing in this Act*
2 *shall be construed to prevent offering livestock-based protein*
3 *options alongside plant-based protein options at naval fa-*
4 *cilities identified under subsection (b).*

5 (d) *TERMINATION.*—*The requirement to carry out the*
6 *pilot program established under this section shall terminate*
7 *three years after the date on which the Secretary establishes*
8 *the pilot program required under this section.*

9 (e) *REPORT.*—*Not later than one year after the termi-*
10 *nation of the pilot program, the Secretary shall submit to*
11 *the appropriate congressional committees a report on the*
12 *pilot program that includes the following:*

13 (1) *The consumption rate of plant-based protein*
14 *options by members of the Navy under the pilot pro-*
15 *gram.*

16 (2) *Effective criteria to increase plant-based pro-*
17 *tein options at naval facilities not identified under*
18 *subsection (b).*

19 (3) *An analysis of the costs of obtaining and*
20 *storing plant-based protein options compared to the*
21 *costs of obtaining and storing livestock-based protein*
22 *options at selected naval facilities.*

23 (f) *DEFINITIONS.*—*In this section:*

1 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
2 *TEES.—The term “appropriate congressional commit-*
3 *tees” means—*

4 (A) *the Committee on Armed Services of the*
5 *House of Representatives; and*

6 (B) *the Committee on Armed Forces of the*
7 *Senate.*

8 (2) *PLANT-BASED PROTEIN OPTIONS.—The term*
9 *“plant-based protein options” means edible products*
10 *made to approximate the taste and texture of live-*
11 *stock-based protein, or vegan or vegetarian meat al-*
12 *ternative products made using plant and other non-*
13 *livestock-based proteins that are consistent with the*
14 *nutritional properties of meat products.*

15 **SEC. 594. REPORTS ON MISCONDUCT BY MEMBERS OF SPE-**
16 **CIAL OPERATIONS FORCES.**

17 (a) *REPORT REQUIRED.—Not later than 180 days*
18 *after the date of the enactment of this Act, and every six*
19 *months thereafter for five years, the Assistant Secretary of*
20 *Defense for Special Operations and Low Intensity Conflict*
21 *shall submit to the Committees on Armed Services of the*
22 *Senate and House of Representatives a report regarding*
23 *misconduct by members of special operations forces during*
24 *the six months preceding the date of such report.*

1 (b) *SPECIAL OPERATIONS FORCES DEFINED.*—*In this*
2 *section, the term “special operations forces” means forces*
3 *described in section 167(j) of title 10, United States Code.*

4 **SEC. 595. UPDATES AND PRESERVATION OF MEMORIALS TO**
5 **CHAPLAINS AT ARLINGTON NATIONAL CEME-**
6 **TERY.**

7 (a) *UPDATES AND PRESERVATION OF MEMORIALS.*—

8 (1) *PROTESTANT CHAPLAINS MEMORIAL.*—*The*
9 *Secretary of the Army may permit NCMAF—*

10 (A) *to modify the memorial to Protestant*
11 *chaplains located on Chaplains Hill to include a*
12 *granite, marble, or other stone base for the*
13 *bronze plaque of the memorial;*

14 (B) *to add an additional plaque to the stone*
15 *base added pursuant to subparagraph (A) to in-*
16 *clude the name of each chaplain, verified as de-*
17 *scribed in subsection (b), who died while serving*
18 *on active duty in the Armed Forces after the*
19 *date on which the original memorial was placed;*
20 *and*

21 (C) *to make such other updates and correc-*
22 *tions to the memorial that may be needed as de-*
23 *termined by the Secretary.*

24 (2) *CATHOLIC AND JEWISH CHAPLAIN MEMO-*
25 *RIALS.*—*The Secretary of the Army may permit*

1 *NCMAF to update and make corrections to the Catho-*
2 *lic and Jewish chaplain memorials located on Chap-*
3 *lains Hill that may be needed as determined by the*
4 *Secretary.*

5 (3) *NO COST TO FEDERAL GOVERNMENT.—The*
6 *activities of NCMAF authorized by this subsection*
7 *shall be carried out at no cost to the Federal Govern-*
8 *ment.*

9 (b) *VERIFICATION OF NAMES.—NCMAF may not in-*
10 *clude the name of a chaplain on a memorial on Chaplains*
11 *Hill under subsection (a) unless that name has been verified*
12 *by the Chief of Chaplains of the Army, Navy, or Air Force*
13 *or the Chaplain of the United States Marine Corps, depend-*
14 *ing on the branch of the Armed Forces in which the chap-*
15 *lain served.*

16 (c) *PROHIBITION ON EXPANSION OF MEMORIALS.—*
17 *Except as provided in subsection (a)(1)(A), this section may*
18 *not be construed as authorizing the expansion of any memo-*
19 *rial that is located on Chaplains Hill as of the date of the*
20 *enactment of this Act.*

21 (d) *DEFINITIONS.—In this section:*

22 (1) *The term “Chaplains Hill” means the area*
23 *in Arlington National Cemetery that, as of the date*
24 *of the enactment of this Act, is generally identified*
25 *and recognized as Chaplains Hill.*

1 (2) *The term “NCMAF” means the National*
 2 *Conference on Ministry to the Armed Forces or any*
 3 *successor organization recognized in law for purposes*
 4 *of the operation of this section.*

5 **TITLE VI—COMPENSATION AND**
 6 **OTHER PERSONNEL BENEFITS**

7 **Subtitle A—Pay and Allowances**

8 **SEC. 601. BASIC NEEDS ALLOWANCE FOR LOW-INCOME REG-**
 9 **ULAR MEMBERS.**

10 (a) *IN GENERAL.*—Chapter 7 of title 37, United States
 11 Code, is amended by inserting after section 402a the fol-
 12 lowing new section:

13 **“§ 402b. Basic needs allowance for low-income regular**
 14 **members**

15 “(a) *ALLOWANCE REQUIRED.*—(1) *Subject to para-*
 16 *graph (2), the Secretary of Defense shall pay to each covered*
 17 *member a basic needs allowance in the amount determined*
 18 *for such member under subsection (b).*

19 “(2) *In the event a household contains two or more*
 20 *covered members entitled to receive the allowance under this*
 21 *section in a given year, only one allowance may be paid*
 22 *for that year to a covered member among such covered mem-*
 23 *bers whom such covered members shall jointly elect.*

24 “(b) *AMOUNT OF ALLOWANCE FOR A COVERED MEM-*
 25 *BER.*—(1) *The amount of the monthly allowance payable*

1 *to a covered member under subsection (a) for a year shall*
2 *be the aggregate amount equal to—*

3 *“(A) the aggregate amount equal to—*

4 *“(i) 130 percent of the Federal poverty guide-*
5 *lines of the Department of Health and Human Serv-*
6 *ices for the location and number of persons in the*
7 *household of the covered member for such year; minus*

8 *“(ii) the gross household income of the covered*
9 *member during the preceding year; and*

10 *“(B) divided by 12.*

11 *“(2) The monthly allowance payable to a covered mem-*
12 *ber for a year shall be payable for each of the 12 months*
13 *following March of such year.*

14 *“(c) NOTICE OF ELIGIBILITY.—(1)(A) Not later than*
15 *December 31 each year, the Director of the Defense Finance*
16 *and Accounting Service shall notify, in writing, each indi-*
17 *vidual whom the Director estimates will be a covered mem-*
18 *ber during the following year of the potential entitlement*
19 *of that individual to the allowance described in subsection*
20 *(a) for that following year.*

21 *“(B) The preliminary notice under subparagraph (A)*
22 *shall include information regarding financial management*
23 *and assistance programs administered by the Secretary of*
24 *Defense for which a covered member is eligible.*

1 “(2) Not later than January 31 each year, each indi-
2 vidual who seeks to receive the allowance for such year
3 (whether or not subject to a notice for such year under para-
4 graph (1)) shall submit to the Director such information
5 as the Director shall require for purposes of this section in
6 order to determine whether or not such individual is a cov-
7 ered member for such year.

8 “(3) Not later than February 28 each year, the Direc-
9 tor shall notify, in writing, each individual the Director
10 determines to be a covered member for such year.

11 “(d) *ELECTION NOT TO RECEIVE ALLOWANCE.*—(1) A
12 covered member otherwise entitled to receive the allowance
13 under subsection (a) for a year may elect, in writing, not
14 to receive the allowance for such year. Any election under
15 this subsection shall be effective only for the year for which
16 made. Any election for a year under this subsection is irrev-
17 ocable.

18 “(2) A covered member who does not submit informa-
19 tion described in subsection (d)(2) for a year as otherwise
20 required by that subsection shall be deemed to have elected
21 not to receive the allowance for such year.

22 “(e) *DEFINITIONS.*—In this section:

23 “(1) The term ‘covered member’ means a regular
24 member of an armed force under the jurisdiction of
25 the Secretary of a military department—

1 “(A) *who has completed initial entry train-*
2 *ing;*

3 “(B) *whose gross household income during*
4 *the most recent year did not exceed an amount*
5 *equal to 130 percent of the Federal poverty*
6 *guidelines of the Department of Health and*
7 *Human Services for the location and number of*
8 *persons in the household of the covered member*
9 *for such year; and*

10 “(C) *who does not elect under subsection (d)*
11 *not to receive the allowance for such year.*

12 “(2) *The term ‘gross household income’ of a cov-*
13 *ered member for a year for purposes of paragraph*
14 *(1)(B) does not include any basic allowance for hous-*
15 *ing received by the covered member (and any depend-*
16 *ents of the covered member in the household of the cov-*
17 *ered member) during such year under section 403 of*
18 *this title.*

19 “(f) *REGULATIONS.—The Secretary of Defense shall*
20 *prescribe regulations for the administration of this section.*
21 *Subject to subsection (e)(2), such regulations shall specify*
22 *the income to be included in, and excluded from, the gross*
23 *household income of individuals for purposes of this sec-*
24 *tion.”.*

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 2 *the beginning of chapter 7 of such title is amended by in-*
 3 *serting after the item relating to section 402a the following*
 4 *new item:*

“402b. *Basic needs allowance for low-income regular members.*”.

5 **SEC. 602. EQUAL INCENTIVE PAY FOR MEMBERS OF THE RE-**
 6 **SERVE COMPONENTS OF THE ARMED**
 7 **FORCES.**

8 (a) *IN GENERAL.*—*Subchapter II of chapter 5 of title*
 9 *37, United States Code, is amended by adding at the end*
 10 *the following new section:*

11 **“§357. Incentive pay authorities for members of the**
 12 **reserve components of the armed forces**

13 *“Notwithstanding section 1004 of this title, the Sec-*
 14 *retary concerned shall pay a member of the reserve compo-*
 15 *nent of an armed force incentive pay in the same monthly*
 16 *amount as that paid to a member in the regular component*
 17 *of such armed force performing comparable work requiring*
 18 *comparable skills.”.*

19 (b) *TECHNICAL AMENDMENT.*—*The table of sections at*
 20 *the beginning of such chapter is amended by inserting after*
 21 *the item relating to section 356 the following:*

“357. *Incentive pay authorities for members of the reserve components of the*
armed forces.”.

22 (c) *REPORT.*—*Not later than September 30, 2022, the*
 23 *Secretary of Defense shall submit to the Committees on*

1 *Armed Services a report regarding the plan of the Secretary*
2 *to implement section 357 of such title, as added by sub-*
3 *section (a), an estimate of the costs of such implementation,*
4 *and the number of members described in such section.*

5 **SEC. 603. EXPANSIONS OF CERTAIN TRAVEL AND TRANS-**
6 **PORTATION AUTHORITIES.**

7 *(a) LODGING IN KIND FOR RESERVE COMPONENT*
8 *MEMBERS PERFORMING TRAINING.—*

9 *(1) IN GENERAL.—Section 12604 of title 10,*
10 *United States Code, is amended by adding at the end*
11 *the following new subsection:*

12 *“(c) LODGING IN KIND.—(1) In the case of a member*
13 *of a reserve component performing active duty for training*
14 *or inactive-duty training who is not otherwise entitled to*
15 *travel and transportation allowances in connection with*
16 *such duty, the Secretary concerned may reimburse the mem-*
17 *ber for housing service charge expenses incurred by the*
18 *member in occupying transient government housing during*
19 *the performance of such duty. If transient government hous-*
20 *ing is unavailable or inadequate, the Secretary concerned*
21 *may provide the member with lodging in kind.*

22 *“(2) Any payment or other benefit under this sub-*
23 *section shall be provided in accordance with regulations*
24 *prescribed by the Secretary concerned.*

1 “(3) *The Secretary may pay service charge expenses*
2 *under paragraph (1) and expenses of providing lodging in*
3 *kind under such paragraph out of funds appropriated for*
4 *operation and maintenance for the reserve component con-*
5 *cerned. Use of a Government charge card is authorized for*
6 *payment of these expenses.*

7 “(4) *Decisions regarding the availability or adequacy*
8 *of government housing at a military installation under*
9 *paragraph (1) shall be made by the installation com-*
10 *mander.*”.

11 (2) *CONFORMING AMENDMENT.*—*Section 474 of*
12 *title 37, United States Code, is amended by striking*
13 *subsection (i).*

14 (b) *MANDATORY PET QUARANTINE FEES FOR HOUSE-*
15 *HOLD PETS.*—*Section 451(b)(8) of title 37, United States*
16 *Code, is amended by adding at the end the following: “Such*
17 *costs include pet quarantine expenses.”.*

18 (c) *STUDENT DEPENDENT TRANSPORTATION.*—

19 (1) *IN GENERAL.*—*Section 452(b) of title 37,*
20 *United States Code, is amended by adding at the end*
21 *the following new paragraphs:*

22 “(18) *Travel by a dependent child to the United*
23 *States to obtain formal secondary, undergraduate,*
24 *graduate, or vocational education, if the permanent*
25 *duty assignment location of the member of the uni-*

1 *formed services is outside the continental United*
2 *States (other than in Alaska or Hawaii).*

3 “(19) *Travel by a dependent child within the*
4 *United States to obtain formal secondary, under-*
5 *graduate, graduate, or vocational education, if the*
6 *permanent duty assignment location of the member of*
7 *the uniformed services is in Alaska or Hawaii and*
8 *the school is located in a State outside of the perma-*
9 *nent duty assignment location.”.*

10 (2) *DEFINITIONS.—Section 451 of title 37,*
11 *United States Code, as amended by subsection (b) of*
12 *this section, is amended—*

13 (A) *in subsection (a)(2)(H), by adding at*
14 *the end the following new clauses:*

15 “(vii) *Transportation of a dependent*
16 *child of a member of the uniformed services*
17 *to the United States to obtain formal sec-*
18 *ondary, undergraduate, graduate, or voca-*
19 *tional education, if the permanent duty as-*
20 *ignment location of the member is outside*
21 *the continental United States (other than in*
22 *Alaska or Hawaii).*

23 “(viii) *Transportation of a dependent*
24 *child of a member of the uniformed services*
25 *within the United States to obtain formal*

1 *secondary, undergraduate, graduate, or vo-*
2 *ccational education, if the permanent duty*
3 *assignment location of the member is in*
4 *Alaska or Hawaii and the school is located*
5 *in a State outside of the permanent duty*
6 *assignment location.”; and*

7 *(B) in subsection (b), by adding at the end*
8 *the following new paragraph:*

9 “(10)(A) *The term ‘permanent duty assignment*
10 *location’ means—*

11 “(i) *the official station of a member of the*
12 *uniformed services; or*

13 “(ii) *the residence of a dependent of a mem-*
14 *ber of the uniformed services.*

15 “(B) *As used in subparagraph (A)(ii), the resi-*
16 *dence of a dependent who is a student not living with*
17 *the member while at school is the permanent duty as-*
18 *signment location of the dependent student.”.*

19 *(d) DEPENDENT TRANSPORTATION INCIDENT TO SHIP*
20 *CONSTRUCTION, INACTIVATION, AND OVERHAULING.—*

21 (1) *IN GENERAL.—Section 452 of title 37,*
22 *United States Code, as amended by subsection (c) of*
23 *this section, is further amended—*

24 (A) *in subsection (b), by adding at the end*
25 *the following new paragraph:*

1 “(20) Subject to subsection (i), travel by a de-
2 pendent to a location where a member of the uni-
3 formed services is on permanent duty aboard a ship
4 that is overhauling, inactivating, or under construc-
5 tion.”; and

6 (B) by adding at the end the following new
7 subsection:

8 “(i) *DEPENDENT TRANSPORTATION INCIDENT TO SHIP*
9 *CONSTRUCTION, INACTIVATION, AND OVERHAULING.—The*
10 *authority under subsection (a) for travel in connection with*
11 *circumstances described in subsection (b)(19) shall be sub-*
12 *ject to the following terms and conditions:*

13 “(1) *The Service member must be permanently*
14 *assigned to the ship for 31 or more consecutive days*
15 *to be eligible for allowances, and the transportation*
16 *allowances accrue on the 31st day and every 60 days*
17 *thereafter.*

18 “(2) *Transportation in kind, reimbursement for*
19 *personally procured transportation, or a monetary al-*
20 *lowance for mileage in place of the cost of transpor-*
21 *tation may be provided, in lieu of the member’s enti-*
22 *tlement to transportation, for the member’s depend-*
23 *ents from the location that was the home port of the*
24 *ship before commencement of overhaul or inactivation*
25 *to the port of overhaul or inactivation.*

1 “(3) *The total reimbursement for transportation*
2 *for the member’s dependents may not exceed the cost*
3 *of one Government-procured commercial round-trip*
4 *travel.*”.

5 (2) *DEFINITIONS.—Section 451(a)(2)(H) of title*
6 *37, United States Code, as amended by subsection (c)*
7 *of this section, is further amended by adding at the*
8 *end the following new clause:*

9 “(ix) *Transportation of a dependent to*
10 *a location where a member of the uniformed*
11 *services is on permanent duty aboard a ship*
12 *that is overhauling, inactivating, or under*
13 *construction.*”.

14 **SEC. 604. UNREIMBURSED MOVING EXPENSES FOR MEM-**
15 **BERS OF THE ARMED FORCES: REPORT; POL-**
16 **ICY.**

17 (a) *REPORT.—Not later than 60 days after the date*
18 *of the enactment of this Act, the Secretary of Defense shall*
19 *submit to the Committees on Armed Services of the Senate*
20 *and House of Representatives a report on unreimbursed*
21 *moving expenses incurred by members of the Armed Forces*
22 *and their families, disaggregated by Armed Force, rank,*
23 *and military housing area. In such report, the Secretary*
24 *shall examine the root causes of such unreimbursed ex-*
25 *penses.*

1 (b) *POLICY.*—*The Secretary shall establish a uniform*
2 *policy regarding unreimbursed expenses described in sub-*
3 *section (a).*

4 **SEC. 605. REPORT ON RELATIONSHIP BETWEEN BASIC AL-**
5 **LOWANCE FOR HOUSING AND SIZES OF MILI-**
6 **TARY FAMILIES.**

7 *Not later than 60 days after the date of the enactment*
8 *of this Act, the Secretary of Defense shall submit to the*
9 *Committees on Armed Services of the Senate and House of*
10 *Representatives a report on whether the basic allowance for*
11 *housing under section 403 of title 37, United States Code,*
12 *is sufficient for the average family size of members of the*
13 *Armed Forces, disaggregated by Armed Force, rank, and*
14 *military housing area.*

15 **SEC. 606. REPORT ON TEMPORARY LODGING EXPENSES IN**
16 **COMPETITIVE HOUSING MARKETS.**

17 *Not later than 60 days after the date of the enactment*
18 *of this Act, the Secretary of Defense shall submit to the*
19 *Committees on Armed Services of the Senate and House of*
20 *Representatives a report on the appropriateness of the max-*
21 *imum payment period of 10 days under subsection (c) of*
22 *section 474a of title 37, United States Code in highly com-*
23 *petitive housing markets. Such report shall include how the*
24 *Secretary educates members of the Armed Forces and their*

1 *families about their ability to request payment under such*
2 *section.*

3 **SEC. 607. REPORT ON RENTAL PARTNERSHIP PROGRAMS.**

4 (a) *REPORT REQUIRED.*—Not later than 120 days
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall submit to the appropriate congressional
7 committees a report on the rental partnership programs of
8 the Armed Forces. Such report shall include—

9 (1) *the numbers and percentages of members of*
10 *the Armed Forces who do not live in housing located*
11 *on military installations who participate in such pro-*
12 *grams; and*

13 (2) *the recommendation of the Secretary whether*
14 *Congress should establish annual funding for such*
15 *programs and, if so, what in amounts.*

16 (b) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
17 *FINED.*—In this section, the term “appropriate congres-
18 sional committees” means the following:

19 (1) *The Committee on Armed Services of the*
20 *House of Representatives.*

21 (2) *The Committee on Armed Services of the*
22 *Senate.*

23 (3) *The Committee on Transportation and Infra-*
24 *structure of the House of Representatives.*

1 (4) *The Committee on Commerce, Science, and*
2 *Transportation of the Senate.*

3 ***Subtitle B—Bonuses and Incentive***
4 ***Pays***

5 ***SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING***
6 ***BONUS AND SPECIAL PAY AUTHORITIES.***

7 (a) *AUTHORITIES RELATING TO RESERVE FORCES.—*
8 *Section 910(g) of title 37, United States Code, relating to*
9 *income replacement payments for reserve component mem-*
10 *bers experiencing extended and frequent mobilization for ac-*
11 *tive duty service, is amended by striking “December 31,*
12 *2021” and inserting “December 31, 2022”.*

13 (b) *TITLE 10 AUTHORITIES RELATING TO HEALTH*
14 *CARE PROFESSIONALS.—The following sections of title 10,*
15 *United States Code, are amended by striking “December 31,*
16 *2021” and inserting “December 31, 2022”:*

17 (1) *Section 2130a(a)(1), relating to nurse officer*
18 *candidate accession program.*

19 (2) *Section 16302(d), relating to repayment of*
20 *education loans for certain health professionals who*
21 *serve in the Selected Reserve.*

22 (c) *AUTHORITIES RELATING TO NUCLEAR OFFI-*
23 *CERS.—Section 333(i) of title 37, United States Code, is*
24 *amended by striking “December 31, 2021” and inserting*
25 *“December 31, 2022”.*

1 (d) *AUTHORITIES RELATING TO TITLE 37 CONSOLI-*
2 *DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-*
3 *THORITIES.*—*The following sections of title 37, United*
4 *States Code, are amended by striking “December 31, 2021”*
5 *and inserting “December 31, 2022”:*

6 (1) *Section 331(h), relating to general bonus au-*
7 *thority for enlisted members.*

8 (2) *Section 332(g), relating to general bonus au-*
9 *thority for officers.*

10 (3) *Section 334(i), relating to special aviation*
11 *incentive pay and bonus authorities for officers.*

12 (4) *Section 335(k), relating to special bonus and*
13 *incentive pay authorities for officers in health profes-*
14 *sions.*

15 (5) *Section 336(g), relating to contracting bonus*
16 *for cadets and midshipmen enrolled in the Senior Re-*
17 *serve Officers’ Training Corps.*

18 (6) *Section 351(h), relating to hazardous duty*
19 *pay.*

20 (7) *Section 352(g), relating to assignment pay or*
21 *special duty pay.*

22 (8) *Section 353(i), relating to skill incentive pay*
23 *or proficiency bonus.*

1 (9) *Section 355(h), relating to retention incen-*
2 *tives for members qualified in critical military skills*
3 *or assigned to high priority units.*

4 (e) *AUTHORITY TO PROVIDE TEMPORARY INCREASE IN*
5 *RATES OF BASIC ALLOWANCE FOR HOUSING.—Section*
6 *403(b)(7)(E) of title 37, United States Code, is amended*
7 *by striking “December 31, 2021” and inserting “December*
8 *31, 2022”.*

9 ***Subtitle C—Family and Survivor***
10 ***Benefits***

11 ***SEC. 621. EXPANSION OF PARENTAL LEAVE FOR MEMBERS***
12 ***OF THE ARMED FORCES.***

13 (a) *EXPANSION.—Section 701 of title 10, United*
14 *States Code, is amended—*

15 (1) *in subsection (i)—*

16 (A) *in paragraph (1)—*

17 (i) *in subparagraph (A), by striking*
18 *“twelve weeks” and inserting “18 weeks”;*

19 (ii) *in subparagraph (B), by striking*
20 *“six weeks” and inserting “12 weeks”; and*

21 (iii) *by adding at the end the following*
22 *new subparagraph:*

23 “(C) *Under the regulations prescribed for purposes of*
24 *this subsection, a member of the armed forces described in*
25 *paragraph (2) who is the primary caregiver in the case of*

1 *a long-term placement of a foster child is allowed up to*
2 *12 weeks of total leave to be used in connection with such*
3 *placement, subject to limits as determined by the Secretary*
4 *regarding—*

5 *“(i) the total number of times that a member of*
6 *the armed forces may use leave under this section*
7 *with respect to the placement of a foster child; and*

8 *“(ii) the frequency with which a member of the*
9 *armed forces may use leave under this section with*
10 *respect to the placement of a foster child.”;*

11 *(B) in paragraph (5), by striking “birth or*
12 *adoption” and inserting “birth, adoption, or fos-*
13 *ter child placement”; and*

14 *(C) in paragraph (6)(A), by striking “birth*
15 *or adoption” and inserting “birth, adoption, or*
16 *foster child placement”;*

17 *(2) in subsection (j)—*

18 *(A) in paragraph (1), by striking “21 days”*
19 *and inserting “12 weeks”;*

20 *(B) by redesignating paragraphs (2)*
21 *through (4) as paragraphs (3) through (5), re-*
22 *spectively;*

23 *(C) by inserting, after paragraph (1), the*
24 *following new paragraph (2):*

1 “(2) Under the regulations prescribed for purposes of
2 this subsection, a member of the armed forces described in
3 subsection (i)(2) who is the secondary caregiver in the case
4 of a long-term placement of a foster child is allowed up to
5 12 weeks of total leave to be used in connection with such
6 placement, subject to limits as determined by the Secretary
7 regarding—

8 “(A) the total number of times that a member of
9 the armed forces may use leave under this section
10 with respect to the placement of a foster child; and

11 “(B) the frequency with which a member of the
12 armed forces may use leave under this section with
13 respect to the placement of a foster child.”;

14 (D) in paragraph (4), as redesignated, by
15 striking “only in one increment in connection
16 with such birth or adoption” and inserting “in
17 more than one increment in connection with
18 such birth, adoption, or foster child placement in
19 accordance with regulations prescribed by the
20 Secretary of Defense”; and

21 (E) by adding at the end the following new
22 paragraph (6):

23 “(6) Under regulations prescribed for purposes of this
24 subsection, the Secretary shall provide a member of the
25 armed forces described in subsection (i)(2), who would have

1 *been a secondary caregiver but for a miscarriage, stillbirth,*
2 *or infant death, with leave—*

3 *“(A) in addition to leave under subsection (a);*
4 *and*

5 *“(B) not to exceed the amount of leave under*
6 *paragraph (1).”;*

7 *(3) in subsection (l), by inserting “ordered to*
8 *temporary duty overnight travel, or ordered to par-*
9 *ticipate in physically demanding field training exer-*
10 *cises,” before “during”; and*

11 *(4) by adding at the end the following new sub-*
12 *section (m):*

13 *“(m) A member of the armed forces who gives birth*
14 *while on active duty may be required to meet body composi-*
15 *tion standards or pass a physical fitness test during the*
16 *period of 12 months beginning on the date of such birth*
17 *only with the approval of a health care provider employed*
18 *at a military medical treatment facility and—*

19 *“(1) at the election of such member; or*

20 *“(2) in the interest of national security, as deter-*
21 *mined by the Secretary of Defense.”.*

22 *(b) REGULATIONS; GUIDANCE AND POLICIES.—*

23 *(1) REGULATIONS.—The Secretary of Defense*
24 *shall prescribe regulations—*

1 (A) for leave under subsection (i)(1)(C) and
2 subsection (j)(2) of section 701 of title 10, United
3 States Code, as amended by subsection (a), not
4 later than one year after the date of the enact-
5 ment of this Act;

6 (B) that establish leave, consistent across
7 the Armed Forces, under subsection (j)(6) of such
8 section not later than one year after the date of
9 the enactment of this Act; and

10 (C) that establish convalescent leave, con-
11 sistent across the Armed Forces, under subsection
12 (i)(1) of such section not later than 180 days
13 after the date of the enactment of this Act.

14 (2) *GUIDANCE AND POLICIES.*—Each Secretary
15 of a military department shall prescribe—

16 (A) policies to establish the maximum
17 amount of leave under subsection (i)(1) of section
18 701 of title 10, United States Code, as amended
19 by subsection (a), not later than one year after
20 the date of the enactment of this Act;

21 (B) policies to implement leave under sub-
22 section (i)(5) or (j)(4) of such section not later
23 than 180 days after the date of the enactment of
24 this Act;

1 (C) policies to implement not less than 21
2 days of leave pursuant to regulations prescribed
3 under paragraphs (1) and (2) of subsection (j) of
4 such section not later than one year after the
5 date of the enactment of this Act; and

6 (D) policies to implement the maximum
7 amount of leave pursuant to regulations pre-
8 scribed under paragraphs (1) and (2) of sub-
9 section (j) of such section not later than five
10 years after the date of the enactment of this Act.

11 (c) *REPORTING.*—Not later than January 1, 2023, and
12 annually thereafter, each Secretary of a military depart-
13 ment shall submit to the appropriate congressional commit-
14 tees a report containing the following:

15 (1) The use, during the preceding fiscal year, of
16 leave under subsections (i) and (j) of section 701 of
17 title 10, United States Code, as amended by sub-
18 section (a), disaggregated by births, adoptions, and
19 foster placements, including—

20 (A) the number of members in each Armed
21 Force under the jurisdiction of the Secretary who
22 became primary caregivers;

23 (B) the number of members in each Armed
24 Force under the jurisdiction of the Secretary who
25 became secondary caregivers;

1 (C) the number of primary caregivers who
2 used primary caregiver leave;

3 (D) the number of secondary caregivers who
4 used secondary caregiver leave;

5 (E) the number of primary caregivers who
6 used the maximum amount of primary caregiver
7 leave;

8 (F) the number of secondary caregivers who
9 used the maximum amount of secondary care-
10 giver leave;

11 (G) the number of primary caregivers who
12 utilized primary caregiver leave in multiple in-
13 crements;

14 (H) the number of secondary caregivers who
15 utilized primary caregiver leave in multiple in-
16 crements;

17 (I) the median duration of primary care-
18 giver leave used by primary caregivers;

19 (J) the median duration of secondary care-
20 giver leave used by secondary caregivers; and

21 (K) other information the Secretary deter-
22 mines appropriate.

23 (2) An analysis of the effect of leave described in
24 paragraph (1) on—

25 (A) readiness; and

1 (B) retention.

2 (3) Any actions taken by the Secretary to miti-
3 gate negative effects described in paragraph (2).

4 (4) The number of members deployed under each
5 paragraph of subsection (l) of section 701 of title 10,
6 United States Code, as amended by subsection (a).

7 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
8 *FINED.*—In this section, the term “appropriate congres-
9 sional committees” means—

10 (1) The Committee on Armed Services of the
11 House of Representatives.

12 (2) The Committee on Armed Services of the
13 Senate.

14 (3) The Committee on Transportation and Infra-
15 structure of the House of Representatives.

16 (4) The Committee on Commerce, Science, and
17 Transportation of the Senate.

18 **SEC. 622. TRANSITIONAL COMPENSATION AND BENEFITS**

19 **FOR THE FORMER SPOUSE OF A MEMBER OF**
20 **THE ARMED FORCES WHO ALLEGEDLY COM-**
21 **MITTED A DEPENDENT-ABUSE OFFENSE DUR-**
22 **ING MARRIAGE.**

23 (a) *IN GENERAL.*—Section 1059 of title 10, United
24 States Code, is amended—

25 (1) in the heading—

1 (A) by striking “**separated for**” and in-
2 serting “**who commit**”; and

3 (B) by inserting “; **health care**” after
4 “**exchange benefits**”;

5 (2) in subsection (b)—

6 (A) in the heading, by striking “PUNITIVE
7 AND OTHER ADVERSE ACTIONS COVERED” and
8 inserting “COVERED MEMBERS”;

9 (B) in paragraph (2), by striking “offense.”
10 and inserting “offense; or”; and

11 (C) by adding at the end the following new
12 paragraph:

13 “(3) who is not described in paragraph (1) or
14 (2) and whose former spouse alleges that the member
15 committed a dependent-abuse offense—

16 “(A) during the marriage to the former
17 spouse;

18 “(B) for which the applicable statute of lim-
19 itations has not lapsed; and

20 “(C) that an incident determination com-
21 mittee determines meets the criteria for abuse.”;

22 (3) in subsection (e)(1)—

23 (A) in subparagraph (A)(i), by striking “;
24 and” and inserting a semicolon;

1 (B) in subparagraph (B), by striking the
2 period at the end and inserting “; and”; and

3 (C) by adding at the end the following new
4 subparagraph:

5 “(C) in the case of a member described in sub-
6 section (b)(3), shall commence upon the date of the
7 final decree of divorce, dissolution, or annulment of
8 that member from the former spouse described in such
9 subsection.”; and

10 (4) by adding at the end the following new sub-
11 section:

12 “(n) *HEALTH CARE FOR CERTAIN FORMER*
13 *SPOUSES.—The Secretary concerned shall treat a former*
14 *spouse described in subsection (b)(3) as an abused depend-*
15 *ent described in section 1076(e) of this title.”.*

16 (b) *TECHNICAL AMENDMENT.—The table of sections at*
17 *the beginning of chapter 53 of such title is amended by*
18 *striking the item relating to section 1059 and inserting the*
19 *following:*

 “1059. *Dependents of members who commit dependent abuse: transitional com-*
 penation; commissary and exchange benefits; health care.”.

20 (c) *EFFECTIVE DATE.—The amendments made by this*
21 *Act shall apply to a former spouse described in subsection*
22 *(b)(3) of such section 1059, as added by subsection (a)(2)*
23 *of this section, whose final decree of divorce, dissolution, or*
24 *annulment described in subsection (e)(1)(C) of such section*

1 1059, as added by subsection (a)(3) of this section, is issued
2 on or after the date of the enactment of this Act.

3 **SEC. 623. CLAIMS RELATING TO THE RETURN OF PERSONAL**
4 **EFFECTS OF A DECEASED MEMBER OF THE**
5 **ARMED FORCES.**

6 Section 1482(a) of title 10, United States Code, is
7 amended by adding at the end the following new paragraph:

8 “(11)(A) Delivery of personal effects of a dece-
9 dent to the next of kin or other appropriate person.

10 “(B) If the Secretary concerned enters into an
11 agreement with an entity to carry out subparagraph
12 (A), the Secretary concerned shall pursue a claim
13 against such entity that arises from the failure of
14 such entity to substantially perform such subpara-
15 graph.

16 “(C) If an entity described in subparagraph (B)
17 fails to substantially perform subparagraph (A) by
18 damaging, losing, or destroying the personal effects of
19 a decedent, the Secretary concerned shall reimburse
20 the person designated under subsection (c) the fair
21 market value of the damage, loss, or destruction of
22 such personal effects. The Secretary concerned may re-
23 quest from, the person designated under subsection
24 (c), proof of fair market value and ownership of the
25 personal effects.”.

1 **SEC. 624. EXPANSION OF PILOT PROGRAM TO PROVIDE FI-**
2 **NANCIAL ASSISTANCE TO MEMBERS OF THE**
3 **ARMED FORCES FOR IN-HOME CHILD CARE.**

4 *Section 589(b) of the William M. (Mac) Thornberry*
5 *National Defense Authorization Act for Fiscal Year 2021*
6 *(Public Law 116–283) is amended—*

7 *(1) by inserting “(1)” before “The Secretary”;*

8 *and*

9 *(2) by adding at the end the following new para-*
10 *graph:*

11 *“(2) The Secretary may carry out the pilot program*
12 *at other locations the Secretary determines appropriate.”.*

13 **SEC. 625. CONTINUATION OF PAID PARENTAL LEAVE FOR A**
14 **MEMBER OF THE ARMED FORCES UPON**
15 **DEATH OF CHILD.**

16 *Not later than 180 days after the date of the enactment*
17 *of this Act, the Secretary of Defense shall amend the regula-*
18 *tions prescribed pursuant to subsections (i) and (j) of sec-*
19 *tion 701 of title 10, United States Code, to ensure that paid*
20 *parental leave that has already been approved for a member*
21 *of the Armed Forces who is a primary or secondary care-*
22 *giver (as defined under such regulations) may not be termi-*
23 *nated upon the death of the child for whom such leave is*
24 *taken.*

1 **SEC. 626. CASUALTY ASSISTANCE PROGRAM: REFORM; ES-**
2 **TABLISHMENT OF WORKING GROUP.**

3 (a) *CASUALTY ASSISTANCE REFORM WORKING*
4 *GROUP.—*

5 (1) *ESTABLISHMENT.—Not later than 60 days*
6 *after the date of the enactment of this Act, the Sec-*
7 *retary of Defense shall establish a working group to*
8 *be known as the “Casualty Assistance Reform Work-*
9 *ing Group” (in this section referred to as the “Work-*
10 *ing Group”).*

11 (2) *DUTIES.—The Working Group shall perform*
12 *the following duties:*

13 (A) *Create standards and training for*
14 *CAOs across the military departments.*

15 (B) *Explore the possibility of establishing a*
16 *unique badge designation for—*

17 (i) *CAOs who have performed CAO*
18 *duty more than five times; or*

19 (ii) *professional CAOs.*

20 (C) *Commission a 30-day study that—*

21 (i) *documents the current workflow of*
22 *casualty affairs support across the military*
23 *departments, including administrative*
24 *processes and survivor engagements; and*

25 (ii) *performs a gap analysis and solu-*
26 *tion document that clearly identifies and*

1 *prioritizes critical changes to modernize*
2 *and professionalize the casualty experience*
3 *for survivors.*

4 *(D) Review the organization of the Office of*
5 *Casualty, Mortuary Affairs and Military Fu-*
6 *neral Honors to ensure it is positioned to coordi-*
7 *nate policy and assist in all matters under its*
8 *jurisdiction, across the Armed Forces, including*
9 *any potential intersections with the Defense*
10 *Prisoner of War and Missing in Action Account-*
11 *ing Agency.*

12 *(E) Explore the establishment of—*

13 *(i) an annual meeting, led by the Sec-*
14 *retary of Defense, with gold star families;*
15 *and*

16 *(ii) a surviving and gold star family*
17 *leadership council.*

18 *(F) Recommend improvements to the family*
19 *notification process of Arlington National Ceme-*
20 *tery.*

21 *(G) Explore the redesign of the Days Ahead*
22 *Binder, including creating an electronic version.*

23 *(H) Consider the expansion of the DD Form*
24 *93 to include more details regarding the last*
25 *wishes of the deceased member.*

1 (I) *Assess coordination between the Depart-*
2 *ment of Defense and the Office of Survivors As-*
3 *sistance of the Department of Veterans Affairs.*

4 (3) *MEMBERSHIP.—The membership of the*
5 *Working Group shall be comprised of the following:*

6 (A) *The Under Secretary of Defense for Per-*
7 *sonnel and Readiness, who shall serve as Chair*
8 *of the Working Group.*

9 (B) *One individual from each Armed Force,*
10 *appointed by the Secretary of the military de-*
11 *partment concerned, who is—*

12 (i) *a civilian employee in the Senior*
13 *Executive Service; or*

14 (ii) *an officer in a grade higher than*
15 *O-6.*

16 (C) *One individual from the Joint Staff,*
17 *appointed by the Secretary of Defense, who is—*

18 (i) *a civilian employee in the Senior*
19 *Executive Service; or*

20 (ii) *an officer in a grade higher than*
21 *O-6.*

22 (D) *The Director of the Defense Prisoner of*
23 *War and Missing in Action Accounting Agency.*

24 (E) *The Director of the Defense Health*
25 *Agency (or the designee of such Director).*

1 (F) *The Chief of Chaplains of each Armed*
2 *Force.*

3 (G) *Such other members of the Armed*
4 *Forces or civilian employees of the Department*
5 *of Defense whom the Secretary of Defense deter-*
6 *mines to appoint.*

7 (4) *REPORT.—Not later than September 30,*
8 *2022, the Working Group shall submit to the Sec-*
9 *retary of Defense a report containing the determina-*
10 *tions and recommendations of the Working Group.*

11 (5) *TERMINATION.—The Working Group shall*
12 *terminate upon submission of the report under para-*
13 *graph (4).*

14 (b) *REPORT REQUIRED.—Not later than November 1,*
15 *2022, the Secretary of Defense shall submit to the Commit-*
16 *tees on Armed Services of the Senate and the House of Rep-*
17 *resentatives a report setting forth the results of a review*
18 *and assessment of the casualty assistance officer program,*
19 *including the report of the Working Group.*

20 (c) *ESTABLISHMENT OF CERTAIN DEFINITIONS.—Not*
21 *later than 90 days after the date of the enactment of this*
22 *Act, the Secretary of Defense, in coordination with the Sec-*
23 *retaries of the military departments, shall prescribe regula-*
24 *tions that establish standard definitions, for use across the*

1 *military departments, of the terms “gold star family” and*
2 *“gold star survivor”.*

3 *(d) CAO DEFINED.—In this section, the term “CAO”*
4 *means a casualty assistance officer of the Armed Forces.*

5 ***Subtitle D—Defense Resale Matters***

6 ***SEC. 631. ADDITIONAL SOURCES OF FUNDS AVAILABLE FOR*** 7 ***CONSTRUCTION, REPAIR, IMPROVEMENT,*** 8 ***AND MAINTENANCE OF COMMISSARY STORES.***

9 *Section 2484(h) of title 10, United States Code, is*
10 *amended—*

11 *(1) in paragraph (5), by adding at the end the*
12 *following new subparagraphs:*

13 *“(F) Amounts made available for any purpose*
14 *set forth in paragraph (1) pursuant to an agreement*
15 *with a host nation.*

16 *“(G) Amounts appropriated for repair or recon-*
17 *struction of a commissary store in response to a dis-*
18 *aster or emergency.”; and*

19 *(2) by adding at the end the following new para-*
20 *graph:*

21 *“(6) Revenues made available under paragraph (5) for*
22 *the purposes set forth in paragraphs (1), (2), and (3) may*
23 *be supplemented with additional funds derived from—*

1 “(A) improved management practices imple-
2 mented pursuant to sections 2481(c)(3), 2485(b), and
3 2487(c) of this title; and

4 “(B) the variable pricing program implemented
5 pursuant to subsection (i).”.

6 ***Subtitle E—Miscellaneous Rights***
7 ***and Benefits***

8 ***SEC. 641. ELECTRONIC OR ONLINE NOTARIZATION FOR***
9 ***MEMBERS OF THE ARMED FORCES.***

10 *Section 1044a of title 10, United States Code, is*
11 *amended by adding at the end the following new subsection:*

12 “(e)(1) *A person named in subsection (b) may exercise*
13 *the powers described in subsection (a) through electronic or*
14 *online means, including under circumstances where the in-*
15 *dividual with respect to whom such person is performing*
16 *the notarial act is not physically present in the same loca-*
17 *tion as such person.*

18 “(2) *A determination of the authenticity of a notarial*
19 *act authorized in this section shall be made without regard*
20 *to whether the notarial act was performed through elec-*
21 *tronic or online means.*

22 “(3) *A log or journal of a notarial act authorized in*
23 *this section shall be considered for evidentiary purposes*
24 *without regard to whether the log or journal is in electronic*
25 *or online form.”.*

1 **TITLE VII—HEALTH CARE**
2 **PROVISIONS**
3 **Subtitle A—TRICARE and Other**
4 **Health Care Benefits**

5 **SEC. 701. IMPROVEMENT OF POSTPARTUM CARE FOR CER-**
6 **TAIN MEMBERS OF THE ARMED FORCES AND**
7 **DEPENDENTS.**

8 *(a) POSTPARTUM CARE FOR CERTAIN MEMBERS AND*
9 *DEPENDENTS.—*

10 *(1) POSTPARTUM CARE.—Chapter 55 of title 10,*
11 *United States Code, is amended by inserting after sec-*
12 *tion 1074o the following new section:*

13 **“§1074p. Postpartum care for certain members and**
14 **dependents**

15 *“(a) POSTPARTUM MENTAL HEALTH ASSESSMENTS.—*

16 *(1) At the intervals described in paragraph (2), and upon*
17 *the consent of the covered individual, the Secretary shall*
18 *furnish to a covered individual postpartum mental health*
19 *assessments, which shall include screening questions related*
20 *to postpartum anxiety and postpartum depression.*

21 *“(2) The intervals described in this subparagraph are,*
22 *with respect to the date on which the covered individual*
23 *gives birth, as follows:*

24 *“(A) One month after such date.*

25 *“(B) Two months after such date.*

1 “(C) *Four months after such date.*

2 “(D) *Six months after such date.*

3 “(3) *The Secretary may adjust the intervals described*
4 *in paragraph (2) as the Secretary determines appropriate,*
5 *taking into account the recommendations of established pro-*
6 *fessional medical associations such as the American Acad-*
7 *emy of Pediatrics.*

8 “(4) *Postpartum mental health assessments furnished*
9 *under paragraph (1) may be provided concurrently with*
10 *the well-child visits for the infant of the covered individual,*
11 *including with respect to the initial well-child visit speci-*
12 *fied in subsection (c).*

13 “(b) *PELVIC HEALTH.—(1) Prior to the initial*
14 *postpartum discharge of a covered individual from the mili-*
15 *tary medical treatment facility at which the covered indi-*
16 *vidual gave birth, the Secretary shall furnish to the covered*
17 *individual a medical evaluation for pelvic health.*

18 “(2) *The Secretary shall ensure that if, as the result*
19 *of an evaluation furnished pursuant to paragraph (1), the*
20 *health care provider who provided such evaluation deter-*
21 *mines that physical therapy for pelvic health (including the*
22 *pelvic floor) is appropriate, a consultation for such physical*
23 *therapy is provided upon discharge and in connection with*
24 *a follow-up appointment of the covered individual for*
25 *postpartum care that occurs during the period that is six*

1 *to eight weeks after the date on which the covered individual*
2 *gives birth.*

3 “(3) *Consultations offered pursuant to paragraph (2)*
4 *shall be conducted in-person wherever possible, but if the*
5 *Secretary determines that a covered individual for whom*
6 *the consultation is offered is located in a geographic area*
7 *with an inadequate number of physical therapists or health*
8 *professionals trained in providing such consultations, the*
9 *consultation may be provided through a telehealth appoint-*
10 *ment.*

11 “(c) *CONCURRENT SCHEDULING OF CERTAIN AP-*
12 *POINTMENTS.—The Secretary shall ensure that there is pro-*
13 *vided within each military medical treatment facility an*
14 *option for any covered individual who has given birth at*
15 *the facility, and who is eligible to receive care at the facil-*
16 *ity, to schedule a follow-up appointment for postpartum*
17 *care of the covered individual that is concurrent with the*
18 *date of the initial well-child visit for the infant of the cov-*
19 *ered individual.*

20 “(d) *DEFINITIONS.—In this section:*

21 “(1) *The term ‘covered individual’ means a*
22 *member of the armed forces (including the reserve*
23 *components) performing active service, or a dependent*
24 *of such member, who is entitled to medical care under*
25 *this chapter.*

1 “(2) *The term ‘well-child visit’ means a regu-*
2 *larly scheduled medical appointment with a pediatri-*
3 *cian for the general health and development of a*
4 *child, as recommended by the American Academy of*
5 *Pediatrics or a similarly established professional*
6 *medical association.”.*

7 (2) *CLERICAL AMENDMENT.—The table of sec-*
8 *tions at the beginning of such chapter is amended by*
9 *inserting after the item relating to section 1074o the*
10 *following new item:*

“1074p. Postpartum care for certain members and dependents.”.

11 (3) *EFFECTIVE DATE AND APPLICABILITY.—The*
12 *amendments made by this subsection shall take effect*
13 *on the date of the enactment of this Act and shall*
14 *apply with respect to births that occur on or after the*
15 *date that is six months after the date of the enactment*
16 *of this Act.*

17 (b) *STANDARDIZED POLICIES.—Not later than after*
18 *180 days after the date of the enactment of this Act, the*
19 *Secretary of Defense shall—*

20 (1) *develop a standardized policy under which*
21 *neither a member of the Armed Forces who gives birth*
22 *while on active duty, nor a member of the reserve*
23 *components who gives birth (regardless of whether*
24 *such birth occurs while the member of the reserve com-*
25 *ponents is performing active service), may be required*

1 to take a physical fitness test until the date that is
2 one year after the date on which such member gave
3 birth;

4 (2) develop a standardized policy for postpartum
5 body composition assessments with respect to such
6 members; and

7 (3) ensure the policies developed under para-
8 graphs (1) and (2) are implemented uniformly across
9 each of the Armed Forces.

10 (c) *PILOT PROGRAM TO STREAMLINE POSTPARTUM*
11 *APPOINTMENTS.*—

12 (1) *PILOT PROGRAM.*—*The Secretary shall carry*
13 *out a one-year pilot program to further streamline the*
14 *process of scheduling postpartum appointments at*
15 *military medical treatment facilities by reducing the*
16 *number of distinct visits required for such appoint-*
17 *ments.*

18 (2) *STREAMLINING OF APPOINTMENTS.*—*In car-*
19 *rying out the pilot program under paragraph (1), the*
20 *Secretary shall ensure that there is provided within*
21 *each military medical treatment facility selected*
22 *under paragraph (3) an option for covered individ-*
23 *uals who have recently given birth at the facility, and*
24 *who are eligible to receive care at the facility, to re-*
25 *ceive a physical therapy evaluation in connection*

1 with each appointment provided by the facility for
2 postpartum care of the covered individual or for care
3 of the infant of the covered individual, including such
4 appointments provided concurrently pursuant to sec-
5 tion 1074p(c) of title 10, United 25 States Code (as
6 added by subsection (a)).

7 (3) *SELECTION.*—The Secretary shall select not
8 fewer than three military medical treatment facilities
9 from each military department at which to carry out
10 the pilot program under paragraph (1). In making
11 such selection—

12 (A) the Secretary may not select a military
13 medical treatment facility that already provides
14 covered individuals with the option to receive a
15 physical therapy evaluation as specified in para-
16 graph (2); and

17 (B) the Secretary shall ensure geographic
18 diversity with respect to the location of the mili-
19 tary medical treatment facilities, including by
20 considering for selection military medical treat-
21 ment facilities located outside of the United
22 States.

23 (4) *REPORT.*—Not later than one year after the
24 commencement of the pilot program under paragraph
25 (1), the Secretary shall submit to the Committees on

1 *Armed Services of the House of Representatives and*
2 *the Senate a report on the effectiveness of the pilot*
3 *program. Such report shall include—*

4 (A) *a recommendation by the Secretary on*
5 *whether to expand or extend the pilot program;*
6 *and*

7 (B) *a summary of the findings that led to*
8 *such recommendation.*

9 (5) *COVERED INDIVIDUAL DEFINED.—In this*
10 *subsection, the term “covered individual” has the*
11 *meaning given such term in section 1074p(d) of title*
12 *10, United States Code (as added by subsection (a)).*

13 (d) *PELVIC HEALTH AT MILITARY MEDICAL TREAT-*
14 *MENT FACILITIES.—The Secretary shall take such steps as*
15 *are necessary to increase the capacity of military medical*
16 *treatment facilities to provide pelvic health rehabilitation*
17 *services, including by increasing the number of physical*
18 *therapists employed at such facilities who are trained in*
19 *pelvic health rehabilitation.*

20 (e) *REVIEW OF PELVIC HEALTH REHABILITATION*
21 *PROGRAMS.—*

22 (1) *REVIEW.—The Secretary shall conduct a re-*
23 *view of any current pelvic health rehabilitation pro-*
24 *grams of the Department of Defense, including an*
25 *evaluation of the outcomes of any such programs.*

1 (2) *REPORT.*—Not later than nine months after
2 the date of the enactment of this Act, the Secretary
3 shall submit to the Committees on Armed Services of
4 the House of Representatives and the Senate a report
5 containing the findings of the review under para-
6 graph (1).

7 (f) *GUIDANCE ON OBSTETRIC HEMORRHAGE TREAT-*
8 *MENT.*—Not later than 180 days after the date of the enact-
9 ment of this Act, the Secretary shall issue guidance on the
10 development and implementation of standard protocols
11 across the military health system for the treatment of obstet-
12 ric hemorrhages, including through the use of pathogen re-
13 duced resuscitative blood products.

14 **SEC. 702. EATING DISORDERS TREATMENT FOR CERTAIN**
15 **MEMBERS OF THE ARMED FORCES AND DE-**
16 **PENDENTS.**

17 (a) *EATING DISORDERS TREATMENT FOR CERTAIN*
18 *DEPENDENTS.*—Section 1079 of title 10, United States
19 Code, is amended—

20 (1) in subsection (a), by adding at the end the
21 following new paragraph:

22 “(18) Treatment for eating disorders may be
23 provided in accordance with subsection (r).”; and

24 (2) by adding at the end the following new sub-
25 section:

1 “(r)(1) *The provision of health care services for an eat-*
2 *ing disorder under subsection (a)(18) shall include the fol-*
3 *lowing services:*

4 “(A) *Inpatient services, including residential*
5 *services.*

6 “(B) *Outpatient services for in-person or tele-*
7 *health care, including partial hospitalization services*
8 *and intensive outpatient services.*

9 “(2) *A dependent may be provided health care services*
10 *for an eating disorder under subsection (a)(18) without re-*
11 *gard to—*

12 “(A) *the age of the dependent, except with respect*
13 *to residential services under paragraph (1)(A), which*
14 *may be provided only to a dependent who is not eligi-*
15 *ble for hospital insurance benefits under part A of*
16 *title XVIII of the Social Security Act (42 U.S.C.*
17 *1395c et seq.); and*

18 “(B) *whether the eating disorder is the primary*
19 *or secondary diagnosis of the dependent.*

20 “(3) *In this section, the term ‘eating disorder’ has the*
21 *meaning given the term ‘feeding and eating disorders’ in*
22 *the Diagnostic and Statistical Manual of Mental Disorders,*
23 *5th Edition (or successor edition), published by the Amer-*
24 *ican Psychiatric Association.”.*

25 (b) *LIMITATION WITH RESPECT TO RETIREES.—*

1 (1) *IN GENERAL.*—Section 1086(a) of title 10,
2 *United States Code*, is amended by inserting “and
3 *(except as provided in subsection (i)) treatments for*
4 *eating disorders”* after “*eye examinations*”.

5 (2) *EXCEPTION.*—Such section is further amend-
6 ed by adding at the end the following new subsection:

7 “(i) *If, prior to October 1, 2022, a category of persons*
8 *covered by this section was eligible to receive a specific type*
9 *of treatment for eating disorders under a plan contracted*
10 *for under subsection (a), the general prohibition on the pro-*
11 *vision of treatments for eating disorders specified in such*
12 *subsection shall not apply with respect to the provision of*
13 *the specific type of treatment to such category of persons.”.*

14 (c) *IDENTIFICATION AND TREATMENT OF EATING DIS-*
15 *ORDERS FOR MEMBERS OF THE ARMED FORCES.*—

16 (1) *IN GENERAL.*—Section 1090 of title 10,
17 *United States Code*, is amended—

18 (A) *in the heading*, by inserting “***eating***
19 ***disorders and***” after “***treating***”;

20 (B) *by striking “The Secretary of Defense”*
21 *and inserting the following:*

22 “(a) *IDENTIFICATION AND TREATMENT OF EATING*
23 *DISORDERS AND DRUG AND ALCOHOL DEPENDENCE.*—*Ex-*
24 *cept as provided in subsection (b), the Secretary of De-*
25 *fense*”;

1 (C) by inserting “have an eating disorder
2 or” before “are dependent on drugs or alcohol”;
3 and

4 (D) by adding at the end the following new
5 subsections:

6 “(b) *FACILITIES AVAILABLE TO INDIVIDUALS WITH*
7 *EATING DISORDERS.—For purposes of this section, ‘nec-*
8 *essary facilities’ described in subsection (a) shall include,*
9 *with respect to individuals who have an eating disorder,*
10 *facilities that provide the services specified in section*
11 *1079(r)(1) of this title.*

12 “(c) *EATING DISORDER DEFINED.—In this section, the*
13 *term ‘eating disorder’ has the meaning given that term in*
14 *section 1079(r) of this title.”.*

15 (2) *CLERICAL AMENDMENT.—The table of sec-*
16 *tions at the beginning of chapter 55 of title 10,*
17 *United States Code, is amended by striking the item*
18 *relating to section 1090 and inserting the following*
19 *new item:*

 “1090. *Identifying and treating eating disorders and drug and alcohol depend-*
 ence.”.

20 (d) *EFFECTIVE DATE.—The amendments made by this*
21 *section shall take effect on October 1, 2022.*

1 **SEC. 703. MODIFICATIONS RELATING TO COVERAGE OF**
2 **TELEHEALTH SERVICES UNDER TRICARE**
3 **PROGRAM AND OTHER MATTERS.**

4 (a) *COVERAGE OF TELEHEALTH SERVICES UNDER*
5 *TRICARE PROGRAM DURING CERTAIN HEALTH EMER-*
6 *GENCIES.—*

7 (1) *COVERAGE DURING HEALTH EMER-*
8 *GENCIES.—Chapter 55 of title 10, United States Code,*
9 *is amended by inserting after section 1076f the fol-*
10 *lowing new section:*

11 **“§ 1076g. TRICARE program: coverage of telehealth**
12 **services during certain health emer-**
13 **gencies**

14 *“(a) TELEHEALTH COVERAGE REQUIREMENTS.—Dur-*
15 *ing a covered health emergency—*

16 *“(1) no cost sharing amount (including copay-*
17 *ments and deductibles, as applicable) may be charged*
18 *under the TRICARE program to a covered bene-*
19 *ficiary for a telehealth service;*

20 *“(2) telehealth appointments that involve audio*
21 *communication shall be considered to be telehealth ap-*
22 *pointments for purposes of coverage under the*
23 *TRICARE program, notwithstanding that such ap-*
24 *pointments do not involve video communication; and*

25 *“(3) the Secretary of Defense may reimburse pro-*
26 *viders of telehealth services under the TRICARE pro-*

1 *gram for the provision of such services to covered*
2 *beneficiaries regardless of whether the provider is li-*
3 *censed in the State in which the covered beneficiary*
4 *is located.*

5 “(b) *APPLICATION TO OVERSEAS PROVIDERS.*—Sub-
6 *section (a)(3) shall apply with respect to a provider located*
7 *in a foreign country if the provider holds a license to prac-*
8 *tice that is determined by the Secretary to be an equivalent*
9 *to a U.S. license and the provider is authorized to practice*
10 *by the respective foreign government.*

11 “(c) *EXTENSION.*—*The Secretary may extend the cov-*
12 *erage requirements under subsection (a) for a period of time*
13 *after the date on which a covered health emergency termi-*
14 *nates, as determined appropriate by the Secretary.*

15 “(d) *COVERED HEALTH EMERGENCY DEFINED.*—*In*
16 *this section, the term ‘covered health emergency’ means a*
17 *national emergency or disaster related to public health that*
18 *is declared pursuant to the National Emergencies Act (50*
19 *U.S.C. 1601 et seq.), the Robert T. Stafford Disaster Relief*
20 *and Emergency Assistance Act (42 U.S.C. 5121 et seq.), sec-*
21 *tion 319 of the Public Health Service Act (42 U.S.C. 247d),*
22 *or any other Federal law determined relevant by the Sec-*
23 *retary.”.*

24 (2) *CLERICAL AMENDMENT.*—*Such chapter is*
25 *further amended in the table of sections by inserting*

1 *after the item relating to section 1076f the following*
2 *new item:*

 “1076g. *TRICARE* program: coverage of telehealth services during certain health emergencies.”.

3 (3) *APPLICATION AND EXTENSION FOR COVID-*
4 19.—

5 (A) *APPLICATION.*—*The amendments made*
6 *by paragraph (1) shall apply with respect to the*
7 *emergency declared by the President on March*
8 *13, 2020, pursuant to section 501(b) of the Rob-*
9 *ert T. Stafford Disaster Relief and Emergency*
10 *Assistance Act (42 U.S.C. 5191(b)) with respect*
11 *to the coronavirus disease 2019 (COVID–19).*

12 (B) *EXTENSION.*—*The Secretary shall ex-*
13 *tend the telehealth coverage requirements pursu-*
14 *ant to section 1074g(c) of title 10, United States*
15 *Code, as added by paragraph (1), until the date*
16 *that is 180 days after the date on which the*
17 *emergency specified in subparagraph (A) termi-*
18 *nates.*

19 (b) *PILOT PROGRAM TO PLACE CERTAIN RETIRED*
20 *MEMBERS OF THE ARMED FORCES IN THE READY RE-*
21 *SERVE; PAY.*—

22 (1) *AUTHORITY.*—

23 (A) *IN GENERAL.*—*Notwithstanding section*
24 *10145 of title 10, United States Code, the Sec-*

1 *retary of a military department may prescribe*
2 *regulations to carry out a pilot program under*
3 *which a retired member of a regular component*
4 *of the Armed Forces entitled to retired pay may*
5 *be placed in the Ready Reserve if the Secretary*
6 *concerned—*

7 *(i) determines that the retired member*
8 *has more than 20 years of creditable service*
9 *in that regular component; and*

10 *(ii) makes a special finding that the*
11 *member possesses a skill in which the Ready*
12 *Reserve of the Armed Force concerned has a*
13 *critical shortage of personnel.*

14 *(B) LIMITATION ON DELEGATION.—The au-*
15 *thority of the Secretary concerned under sub-*
16 *paragraph (A) may not be delegated—*

17 *(i) to a civilian officer or employee of*
18 *the military department concerned below*
19 *the level of Assistant Secretary; or*

20 *(ii) to a member of the Armed Forces*
21 *below the level of the lieutenant general or*
22 *vice admiral in an Armed Force with re-*
23 *sponsibility for military personnel policy in*
24 *that Armed Force.*

1 (2) *PAY FOR DUTIES PERFORMED IN THE READY*
2 *RESERVE IN ADDITION TO RETIRED PAY.*—*Notwith-*
3 *standing section 12316 of such title 10, a member*
4 *placed in the Ready Reserve under paragraph (1)*
5 *may receive—*

6 (A) *retired pay; and*

7 (B) *the pay and allowances authorized by*
8 *law for duty that member performs.*

9 (3) *TERMINATION.*—*A pilot program under this*
10 *subsection shall terminate not later than four years*
11 *after the date of the enactment of this Act.*

12 (4) *REPORT.*—*Not later than 90 days after a*
13 *pilot program terminates under paragraph (3), the*
14 *Secretary concerned shall submit to the Committees*
15 *on Armed Services of the Senate and House of Rep-*
16 *resentatives a report regarding such pilot program,*
17 *including the recommendation of the Secretary con-*
18 *cerned whether such pilot program should be made*
19 *permanent.*

20 (c) *SURVIVOR BENEFIT PLAN OPEN ENROLLMENT PE-*
21 *RIOD.*—

22 (1) *PERSONS NOT CURRENTLY PARTICIPATING IN*
23 *SURVIVOR BENEFIT PLAN.*—

24 (A) *ELECTION OF SBP COVERAGE.*—*An eli-*
25 *gible retired or former member may elect to par-*

1 *participate in the Survivor Benefit Plan during the*
2 *open enrollment period specified in paragraph*
3 *(4).*

4 *(B) ELIGIBLE RETIRED OR FORMER MEM-*
5 *BER.—For purposes of subparagraph (A), an eli-*
6 *gible retired or former member is a member or*
7 *former member of the uniformed services who, on*
8 *the day before the first day of the open enroll-*
9 *ment period, discontinued participation in the*
10 *Survivor Benefit Plan under section 1452(g) of*
11 *title 10, United States Code, and—*

12 *(i) is entitled to retired pay; or*

13 *(ii) would be entitled to retired pay*
14 *under chapter of title 10, United States*
15 *Code (or chapter 67 of such title as in effect*
16 *before October 5, 1994), but for the fact that*
17 *such member or former member is under 60*
18 *years of age.*

19 *(C) STATUS UNDER SBP OF PERSONS MAK-*
20 *ING ELECTIONS.—*

21 *(i) STANDARD ANNUITY.—A person*
22 *making an election under subparagraph (A)*
23 *by reason of eligibility under subparagraph*
24 *(B)(i) shall be treated for all purposes as*

1 *providing a standard annuity under the*
2 *Survivor Benefit Plan.*

3 (ii) *RESERVE-COMPONENT ANNUITY.—*

4 *A person making an election under sub-*
5 *paragraph (A) by reason of eligibility under*
6 *subparagraph (B)(ii) shall be treated for all*
7 *purposes as providing a reserve-component*
8 *annuity under the Survivor Benefit Plan.*

9 (2) *MANNER OF MAKING ELECTIONS.—*

10 (A) *IN GENERAL.—An election under this*
11 *subsection must be made in writing, signed by*
12 *the person making the election, and received by*
13 *the Secretary concerned before the end of the*
14 *open enrollment period. Except as provided in*
15 *subparagraph (B), any such election shall be*
16 *made subject to the same conditions, and with*
17 *the same opportunities for designation of bene-*
18 *ficiaries and specification of base amount, that*
19 *apply under the Survivor Benefit Plan. A person*
20 *making an election under paragraph (1) to pro-*
21 *vide a reserve-component annuity shall make a*
22 *designation described in section 1448(e) of title*
23 *10, United States Code.*

24 (B) *ELECTION MUST BE VOLUNTARY.—An*
25 *election under this subsection is not effective un-*

1 *less the person making the election declares the*
2 *election to be voluntary. An election to partici-*
3 *pate in the Survivor Benefit Plan under this*
4 *subsection may not be required by any court. An*
5 *election to participate or not to participate in*
6 *the Survivor Benefit Plan is not subject to the*
7 *concurrence of a spouse or former spouse of the*
8 *person.*

9 (3) *EFFECTIVE DATE FOR ELECTIONS.*—*Any*
10 *such election shall be effective as of the first day of*
11 *the first calendar month following the month in which*
12 *the election is received by the Secretary concerned.*

13 (4) *OPEN ENROLLMENT PERIOD DEFINED.*—*The*
14 *open enrollment period is the period beginning on the*
15 *date of the enactment of this Act and ending on Jan-*
16 *uary 1, 2023.*

17 (5) *APPLICABILITY OF CERTAIN PROVISIONS OF*
18 *LAW.*—*The provisions of sections 1449, 1453, and*
19 *1454 of title 10, United States Code, are applicable*
20 *to a person making an election, and to an election,*
21 *under this subsection in the same manner as if the*
22 *election were made under the Survivor Benefit Plan.*

23 (6) *PREMIUMS FOR OPEN ENROLLMENT ELEC-*
24 *TION.*—

1 (A) *PREMIUMS TO BE CHARGED.*—*The Sec-*
2 *retary of Defense shall prescribe in regulations*
3 *premiums which a person electing under this*
4 *subsection shall be required to pay for partici-*
5 *pating in the Survivor Benefit Plan pursuant to*
6 *the election. The total amount of the premiums*
7 *to be paid by a person under the regulations*
8 *shall be equal to the sum of—*

9 (i) *the total amount by which the re-*
10 *tired pay of the person would have been re-*
11 *duced before the effective date of the election*
12 *if the person had elected to participate in*
13 *the Survivor Benefit Plan (for the same*
14 *base amount specified in the election) at the*
15 *first opportunity that was afforded the*
16 *member to participate under chapter 73 of*
17 *title 10, United States Code;*

18 (ii) *interest on the amounts by which*
19 *the retired pay of the person would have*
20 *been so reduced, computed from the dates on*
21 *which the retired pay would have been so*
22 *reduced at such rate or rates and according*
23 *to such methodology as the Secretary of De-*
24 *fense determines reasonable; and*

1 (iii) any additional amount that the
2 Secretary determines necessary to protect
3 the actuarial soundness of the Department
4 of Defense Military Retirement Fund
5 against any increased risk for the fund that
6 is associated with the election.

7 (B) *PREMIUMS TO BE CREDITED TO RE-*
8 *TIREMENT FUND.*—Premiums paid under the
9 regulations shall be credited to the Department of
10 Defense Military Retirement Fund.

11 (7) *DEFINITIONS.*—In this subsection:

12 (A) The term “Survivor Benefit Plan”
13 means the program established under subchapter
14 II of chapter 73 of title 10, United States Code.

15 (B) The term “retired pay” includes re-
16 tainer pay paid under section 8330 of title 10,
17 United States Code.

18 (C) The terms “uniformed services” and
19 “Secretary concerned” have the meanings given
20 those terms in section 101 of title 37, United
21 States Code.

22 (D) The term “Department of Defense Mili-
23 tary Retirement Fund” means the Department of
24 Defense Military Retirement Fund established

1 *under section 1461(a) of title 10, United States*
2 *Code.*

3 **SEC. 704. MODIFICATIONS TO PILOT PROGRAM ON HEALTH**
4 **CARE ASSISTANCE SYSTEM.**

5 *Section 731(d) of the National Defense Authorization*
6 *Act for Fiscal Year 2018 (10 U.S.C. 1075 note) is amend-*
7 *ed—*

8 (1) *in the matter preceding paragraph (1), by*
9 *striking “January 1, 2021” and inserting “November*
10 *1, 2022”;*

11 (2) *in paragraph (1), by striking “; and” and*
12 *inserting a semicolon;*

13 (3) *in paragraph (2), by striking the period and*
14 *inserting “; and”;* and

15 (4) *by adding at the end the following new para-*
16 *graph:*

17 “(3) *input from covered beneficiaries who have*
18 *participated in the pilot program regarding their sat-*
19 *isfaction with, and any benefits attained from, such*
20 *participation.”.*

21 **SEC. 705. TEMPORARY REQUIREMENT FOR CONTRACEP-**
22 **TION COVERAGE PARITY UNDER THE**
23 **TRICARE PROGRAM.**

24 (a) *IN GENERAL.—The Secretary of Defense shall en-*
25 *sure that, during the one-year period beginning on the date*

1 *that is 30 days after the date of the enactment of the Act,*
2 *the imposition or collection of cost-sharing for certain serv-*
3 *ices is prohibited as follows:*

4 (1) *PHARMACY BENEFITS PROGRAM.*—*Notwith-*
5 *standing subparagraphs (A), (B), and (C), of section*
6 *1074g(a)(6) of title 10, United States Code, cost-shar-*
7 *ing may not be imposed or collected with respect to*
8 *any eligible covered beneficiary for any prescription*
9 *contraceptive on the uniform formulary provided*
10 *through a retail pharmacy described in section*
11 *1074(a)(2)(E)(ii) of such title or through the national*
12 *mail-order pharmacy program of the TRICARE Pro-*
13 *gram.*

14 (2) *TRICARE SELECT.*—*Notwithstanding any*
15 *provision under section 1075 of title 10, United*
16 *States Code, cost-sharing may not be imposed or col-*
17 *lected with respect to any beneficiary under such sec-*
18 *tion for a covered service that is provided by a net-*
19 *work provider under the TRICARE program.*

20 (3) *TRICARE PRIME.*—*Notwithstanding sub-*
21 *sections (a), (b), and (c) of section 1075a of title 10,*
22 *United States Code, cost-sharing may not be imposed*
23 *or collected with respect to any beneficiary under such*
24 *section for a covered service that is provided under*
25 *TRICARE Prime.*

1 (b) *DEFINITIONS.—In this section:*

2 (1) *The term “covered service” means any meth-*
3 *od of contraception approved by the Food and Drug*
4 *Administration, any contraceptive care (including*
5 *with respect to insertion, removal, and follow up),*
6 *any sterilization procedure, or any patient education*
7 *or counseling service provided in connection with any*
8 *such method, care, or procedure.*

9 (2) *The term “eligible covered beneficiary” has*
10 *the meaning given such term in section 1074g of title*
11 *10, United States Code.*

12 (3) *The terms “TRICARE Program” and*
13 *“TRICARE Prime” have the meaning given such*
14 *terms in section 1072 of title 10, United States Code.*

15 ***Subtitle B—Health Care***
16 ***Administration***

17 ***SEC. 711. MODIFICATION OF CERTAIN DEFENSE HEALTH***
18 ***AGENCY ORGANIZATION REQUIREMENTS.***

19 *Section 1073c(c)(5) of title 10, United States Code, is*
20 *amended by striking “paragraphs (1) through (4)” and in-*
21 *serting “paragraph (3) or (4)”.*

1 **SEC. 712. REQUIREMENT FOR CONSULTATIONS RELATED**
2 **TO MILITARY MEDICAL RESEARCH AND DE-**
3 **FENSE HEALTH AGENCY RESEARCH AND DE-**
4 **VELOPMENT.**

5 (a) *CONSULTATIONS REQUIRED.*—Section 1073c of
6 title 10, United States Code, is amended—

7 (1) *by redesignating subsections (f) and (g) as*
8 *subsections (g) and (h); and*

9 (2) *by inserting after subsection (e) the following*
10 *new subsection:*

11 “(f) *CONSULTATIONS ON MEDICAL RESEARCH OF*
12 *MILITARY DEPARTMENTS.*—*In implementing subsection*
13 *(e)(1) (and on an ongoing basis after the establishment of*
14 *the Defense Health Agency Research and Development pur-*
15 *suant to such subsection), the Secretary of Defense, acting*
16 *through the Secretaries of the military departments, shall*
17 *ensure that periodic consultations are carried out within*
18 *each military department regarding the plans and require-*
19 *ments for military medical research organizations and ac-*
20 *tivities of the military department.”.*

21 (b) *REQUIREMENTS FOR INITIAL CONSULTATIONS.*—
22 *The Secretary of Defense shall ensure that initial consulta-*
23 *tions under section 1073c(f) of title 10, United States Code*
24 *(as added by subsection (a)), are carried out prior to the*
25 *establishment of the Defense Health Agency Research and*
26 *Development and address—*

1 (1) *the plans of each military department to en-*
2 *sure a comprehensive transition of any military med-*
3 *ical research organizations of the military department*
4 *with respect to the establishment of the Defense*
5 *Health Agency Research and Development; and*

6 (2) *any risks involved in such transition that*
7 *may compromise ongoing medical research and devel-*
8 *opment activities of the military department.*

9 **SEC. 713. AUTHORIZATION OF PROGRAM TO PREVENT**
10 **FRAUD AND ABUSE IN THE MILITARY HEALTH**
11 **SYSTEM.**

12 (a) *IN GENERAL.*—Chapter 55 of title 10, United
13 *States Code, is amended by inserting after section 1073e*
14 *the following new section:*

15 **“§ 1073f. Health care fraud and abuse prevention pro-**
16 **gram**

17 “(a) *PROGRAM AUTHORIZED.*—(1) *The Secretary of*
18 *Defense may carry out a program under this section to pre-*
19 *vent and remedy fraud and abuse in the health care pro-*
20 *grams of the Department of Defense.*

21 “(2) *At the discretion of the Secretary, such program*
22 *may be administered jointly by the Inspector General of*
23 *the Department of Defense and the Director of the Defense*
24 *Health Agency.*

1 “(3) *In carrying out such program, the authorities*
2 *granted to the Secretary of Defense and the Inspector Gen-*
3 *eral of the Department of Defense under section 1128A(m)*
4 *of the Social Security Act (42 U.S.C. 1320a–7a(m)) shall*
5 *be available to the Secretary and the Inspector General.*

6 “(b) *CIVIL MONETARY PENALTIES.—(1) Except as*
7 *provided in paragraph (2), the provisions of section 1128A*
8 *of the Social Security Act (42 U.S.C. 1320a–7a) shall apply*
9 *with respect to any civil monetary penalty imposed in car-*
10 *rying out the program authorized under subsection (a).*

11 “(2) *Consistent with section 1079a of this title,*
12 *amounts recovered in connection with any such civil mone-*
13 *tary penalty imposed—*

14 “(A) *shall be credited to appropriations avail-*
15 *able as of the time of the collection for expenses of the*
16 *health care program of the Department of Defense af-*
17 *ected by the fraud and abuse for which such penalty*
18 *was imposed; and*

19 “(B) *may be used to support the administration*
20 *of the program authorized under subsection (a), in-*
21 *cluding to support any interagency agreements en-*
22 *tered into under subsection (d).*

23 “(c) *INTERAGENCY AGREEMENTS.—The Secretary of*
24 *Defense may enter into agreements with the Secretary of*
25 *Health and Human Services, the Attorney General, or the*

1 *heads of other Federal agencies, for the effective and efficient*
2 *implementation of the program authorized under subsection*
3 *(a).*

4 “(d) *RULE OF CONSTRUCTION.*—*Joint administration*
5 *of the program authorized under subsection (a) may not*
6 *be construed as limiting the authority of the Inspector Gen-*
7 *eral of the Department of Defense under any other provision*
8 *of law.*

9 “(e) *FRAUD AND ABUSE DEFINED.*—*In this section,*
10 *the term ‘fraud and abuse’ means any conduct specified in*
11 *subsection (a) or (b) of section 1128A of the Social Security*
12 *Act (42 U.S.C. 1320a–7a).”*

13 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
14 *the beginning of such chapter is amended by inserting after*
15 *the item relating to section 1073e the following new item:*
“1073f. Health care fraud and abuse prevention program.”

16 **SEC. 714. MANDATORY REFERRAL FOR MENTAL HEALTH**
17 **EVALUATION.**

18 *Section 1090a of title 10, United States Code, is*
19 *amended—*

20 (1) *by redesignating subsection (e) as subsection*
21 *(f); and*

22 (2) *by inserting after subsection (d) the following*
23 *new subsection:*

24 “(e) *PROCESS APPLICABLE TO MEMBER DISCLO-*
25 *SURE.*—*The regulations required by subsection (a) shall—*

1 “(1) establish a phrase that enables a member of
2 the armed forces to trigger a referral of the member
3 by a commanding officer or supervisor for a mental
4 health evaluation;

5 “(2) require a commanding officer or supervisor
6 to make such referral as soon as practicable following
7 disclosure by the member to the commanding officer
8 or supervisor of the phrase established under para-
9 graph (1); and

10 “(3) ensure that the process protects the confiden-
11 tiality of the member in a manner similar to the con-
12 fidentiality provided for members making restricted
13 reports under section 1565b(b) of this title.”.

14 **SEC. 715. INCLUSION OF EXPOSURE TO PERFLUOROALKYL**
15 **AND POLYFLUOROALKYL SUBSTANCES AS**
16 **COMPONENT OF PERIODIC HEALTH ASSESS-**
17 **MENTS.**

18 (a) *PERIODIC HEALTH ASSESSMENT.*—Each Sec-
19 retary concerned shall ensure that any periodic health as-
20 sessment provided to a member of the Armed Forces in-
21 cludes an evaluation of whether the member has been—

22 (1) based or stationed at a military installation
23 identified by the Secretary concerned as a location
24 with a known or suspected release of perfluoroalkyl
25 substances or polyfluoroalkyl substances during the

1 *period in which the member was based or stationed*
2 *at the military installation; or*

3 *(2) exposed to such substances, including by eval-*
4 *uating any information in the health record of the*
5 *member.*

6 **(b) SEPARATION HISTORY AND PHYSICAL EXAMINA-**
7 **TIONS.—***Section 1145 of title 10, United States Code, is*
8 *amended—*

9 *(1) in subsection (a)(5), by adding at the end the*
10 *following new subparagraph:*

11 *“(D) The Secretary concerned shall ensure that each*
12 *physical examination of a member under subparagraph (A)*
13 *includes an assessment of whether the member was—*

14 *“(i) based or stationed at a military installation*
15 *identified by the Secretary concerned as a location*
16 *with a known or suspected release of perfluoroalkyl*
17 *substances or polyfluoroalkyl substances during the*
18 *period in which the member was based or stationed*
19 *at the military installation; or*

20 *“(ii) exposed to such substances, including by as-*
21 *sessing any information in the health record of the*
22 *member.”; and*

23 *(2) by adding at the end the following new sub-*
24 *section:*

1 “(g) *SECRETARY CONCERNED DEFINED.*—*In this sec-*
2 *tion, the term ‘Secretary concerned’ has the meaning given*
3 *such term in section 101 of this title (and otherwise includes*
4 *the Secretary of the department in which the Coast Guard*
5 *is operating).’”.*

6 (c) *DEPLOYMENT ASSESSMENTS.*—*Section 1074f of*
7 *title 10, United States Code, is amended—*

8 (1) *in subsection (b)(2), by adding at the end the*
9 *following new subparagraph:*

10 “(E) *An assessment of whether the member*
11 *was—*

12 “(i) *based or stationed at a military instal-*
13 *lation identified by the Secretary concerned as a*
14 *location with a known or suspected release of*
15 *perfluoroalkyl substances or polyfluoroalkyl sub-*
16 *stances during the period in which the member*
17 *was based or stationed at the military installa-*
18 *tion; or*

19 “(ii) *exposed to such substances, including*
20 *by assessing any information in the health*
21 *record of the member.’”; and*

22 (2) *by adding at the end the following new sub-*
23 *section:*

24 “(h) *SECRETARY CONCERNED DEFINED.*—*In this sec-*
25 *tion, the term ‘Secretary concerned’ has the meaning given*

1 *such term in section 101 of this title (and otherwise includes*
2 *the Secretary of the department in which the Coast Guard*
3 *is operating).”.*

4 (d) *PROVISION OF BLOOD TESTING TO DETERMINE*
5 *EXPOSURE TO PERFLUOROALKYL SUBSTANCES OR*
6 *POLYFLUOROALKYL SUBSTANCES.—*

7 (1) *PROVISION OF BLOOD TESTING.—*

8 (A) *IN GENERAL.—If a covered evaluation*
9 *of a member of the Armed Forces results in a*
10 *positive determination of potential exposure to*
11 *perfluoroalkyl substances or polyfluoroalkyl sub-*
12 *stances, the Secretary concerned shall provide to*
13 *that member, during the covered evaluation,*
14 *blood testing to determine and document poten-*
15 *tial exposure to such substances.*

16 (B) *INCLUSION IN HEALTH RECORD.—The*
17 *results of blood testing of a member of the Armed*
18 *Forces conducted under subparagraph (A) shall*
19 *be included in the health record of the member.*

20 (2) *DEFINITIONS.—In this section:*

21 (A) *The term “covered evaluation” means—*

22 (i) *a periodic health assessment con-*
23 *ducted in accordance with subsection (a);*

24 (ii) *a separation history and physical*
25 *examination conducted under section*

1 1145(a)(5) of title 10, United States Code,
2 as amended by subsection (b); or

3 (iii) a deployment assessment con-
4 ducted under section 1074f(b)(2) of such
5 title, as amended by subsection (c).

6 (B) The term “Secretary concerned” has the
7 meaning given such term in section 101 of title
8 10, United States Code (and otherwise includes
9 the Secretary of the department in which the
10 Coast Guard is operating).

11 **SEC. 716. PROHIBITION ON ADVERSE PERSONNEL ACTIONS**
12 **TAKEN AGAINST CERTAIN MEMBERS OF THE**
13 **ARMED FORCES BASED ON DECLINING**
14 **COVID-19 VACCINE.**

15 (a) *FINDINGS.*—Congress finds the following:

16 (1) *The Secretary of Defense has announced a*
17 *COVID-19 vaccine mandate will take effect for the*
18 *Department of Defense*

19 (2) *Many Americans have reservations about*
20 *taking a vaccine that has only been available for less*
21 *than a year.*

22 (3) *Reports of adverse actions being taken, or*
23 *threatened, by military leadership at all levels are*
24 *antithetical to our fundamental American values.*

1 (4) *Any discharge other than honorable denotes*
2 *a dereliction of duty or a failure to serve the United*
3 *States and its people to the best of the ability of an*
4 *individual.*

5 (b) *PROHIBITION.—Chapter 55 of title 10, United*
6 *States Code, is amended by inserting after section 1107a*
7 *the following new section:*

8 **“§ 1107b. Prohibition on certain adverse personnel ac-**
9 **tions related to COVID–19 vaccine re-**
10 **quirement**

11 “(a) *PROHIBITION.—Notwithstanding any other pro-*
12 *vision of law, a member of an Armed Force under the juris-*
13 *diction of the Secretary of a military department subject*
14 *to discharge on the basis of the member choosing not to re-*
15 *ceive the COVID–19 vaccine may only receive an honorable*
16 *discharge.*

17 “(b) *MEMBER OF AN ARMED FORCE DEFINED.—In*
18 *this section, the term ‘member of an Armed Force’ means*
19 *a member of the Army, Navy, Air Force, Marine Corps,*
20 *or the Space Force.”.*

21 (c) *CLERICAL AMENDMENT.—The table of sections for*
22 *such chapter is amended by inserting after the item relating*
23 *to section 1107a the following new item:*

 “1107b. *Prohibition on certain adverse personnel actions related to COVID–19*
 vaccine requirement”.

1 **SEC. 717. ESTABLISHMENT OF DEPARTMENT OF DEFENSE**
2 **SYSTEM TO TRACK AND RECORD INFORMA-**
3 **TION ON VACCINE ADMINISTRATION.**

4 (a) *ESTABLISHMENT OF SYSTEM.*—Section 1110 of
5 title 10, United States Code, is amended—

6 (1) by redesignating subsections (a) and (b) as
7 subsections (b) and (c), respectively; and

8 (2) by inserting after the heading the following
9 new subsection:

10 “(a) *SYSTEM TO TRACK AND RECORD VACCINE INFOR-*
11 *MATION.*—(1) *The Secretary of Defense, in coordination*
12 *with the Secretaries of the military departments, shall es-*
13 *tablish a system to track and record the following informa-*
14 *tion:*

15 “(A) *Each vaccine administered by a health care*
16 *provider of the Department of Defense to a member*
17 *of an armed force under the jurisdiction of the Sec-*
18 *retary of a military department.*

19 “(B) *Any adverse reaction of the member related*
20 *to such vaccine.*

21 “(C) *Each refusal of a vaccine by such a member*
22 *on the basis that the vaccine is being administered by*
23 *a health care provider of the Department pursuant to*
24 *an emergency use authorization granted by the Com-*
25 *missioner of Food and Drugs under section 564 of the*

1 *Federal Food, Drug, and Cosmetic Act (21 U.S.C.*
2 *360bbb-3).*

3 “(2) *In carrying out paragraph (1), the Secretary of*
4 *Defense shall ensure that—*

5 “(A) *any electronic health record maintained by*
6 *the Secretary for a member of an armed force under*
7 *the jurisdiction of the Secretary of a military depart-*
8 *ment is updated with the information specified in*
9 *such paragraph with respect to the member; and*

10 “(B) *any collection, storage, or use of such infor-*
11 *mation is conducted through means involving such*
12 *cyber protections as the Secretary determines nec-*
13 *essary to safeguard the personal information of the*
14 *member.”.*

15 (b) *CONFORMING AMENDMENTS.—Such section is fur-*
16 *ther amended—*

17 (1) *in the heading by striking “**Anthrax vac-***
18 ***cine immunization program; procedures***
19 ***for exemptions and monitoring reactions”***
20 *and inserting “**System for tracking and re-***
21 ***cording vaccine information; anthrax vac-***
22 ***cine immunization program”**; and*

23 (2) *in subsection (b), as redesignated by sub-*
24 *section (a)(1), by striking “Secretary of Defense” and*
25 *inserting “Secretary”.*

1 (c) *CLERICAL AMENDMENT.*—*The table of sections for*
2 *chapter 55 of title 10, United States Code, is amended by*
3 *striking the item relating to section 1110 and inserting the*
4 *following new item:*

“1110. System for tracking and recording vaccine information; anthrax vaccine immunization program.”.

5 (d) *DEADLINE FOR ESTABLISHMENT OF SYSTEM.*—
6 *The Secretary of Defense shall establish the system under*
7 *section 1110 of title 10, United States Code. as added by*
8 *subsection (a), by not later than January 1, 2023.*

9 (e) *REPORT.*—*Not later than 180 days after the date*
10 *of the enactment of this Act, the Secretary of Defense shall*
11 *submit to the Committees on Armed Services of the House*
12 *of Representatives and the Senate a report on the adminis-*
13 *tration of vaccines to members of the Armed Forces under*
14 *the jurisdiction of the Secretary of a military department*
15 *and on the status of establishing the system under section*
16 *1110(a) of title 10, United States Code (as added by sub-*
17 *section (a)). Such report shall include information on the*
18 *following:*

19 (1) *The process by which such members receive*
20 *vaccines, and the process by which the Secretary*
21 *tracks, records, and reports on, vaccines received by*
22 *such members (including with respect to any transfers*
23 *by a non-Department provider to the Department of*
24 *vaccination records or other medical information of*

1 *the member related to the administration of vaccines*
2 *by the non-Department provider).*

3 (2) *The storage of information related to the ad-*
4 *ministration of vaccines in the electronic health*
5 *records of such members, and the cyber protections in-*
6 *volved in such storage, as required under such section*
7 *1110(a)(2) of title 10, United States Code.*

8 (3) *The general process by which medical infor-*
9 *mation of beneficiaries under the TRICARE program*
10 *is collected, tracked, and recorded, including the proc-*
11 *ess by which medical information from providers con-*
12 *tracted by the Department or from a State or local*
13 *department of health is transferred to the Department*
14 *and associated with records maintained by the Sec-*
15 *retary.*

16 (4) *Any gaps or challenges relating to the vac-*
17 *cine administration process of the Department and*
18 *any legislative or budgetary recommendations to ad-*
19 *dress such gaps or challenges.*

20 (f) *DEFINITIONS.—In this section:*

21 (1) *The term “military departments” has the*
22 *meaning given such term in section 101 of title 10,*
23 *United States Code.*

24 (2) *The term “TRICARE program” has the*
25 *meaning given such term in section 1072 of such title.*

1 **SEC. 718. AUTHORIZATION OF PROVISION OF INSTRUCTION**
2 **AT UNIFORMED SERVICES UNIVERSITY OF**
3 **THE HEALTH SCIENCES TO CERTAIN FED-**
4 **ERAL EMPLOYEES.**

5 *Section 2114(h) of title 10, United States Code, is*
6 *amended—*

7 *(1) by striking “The Secretary of Defense” and*
8 *inserting “(1) The Secretary of Defense, in coordina-*
9 *tion with the Secretary of Health and Human Serv-*
10 *ices and the Secretary of Veterans Affairs,”; and*

11 *(2) by adding at the end the following new para-*
12 *graph:*

13 *“(2)(A) A covered employee whose employment or serv-*
14 *ice with the Department of Veterans Affairs, Public Health*
15 *Service, or Coast Guard (as applicable) is in a position*
16 *relevant to national security or health sciences may receive*
17 *instruction at the University within the scope of such em-*
18 *ployment or service.*

19 *“(B) If a covered employee receives instruction at the*
20 *University pursuant to subparagraph (A), the head of the*
21 *Federal agency concerned shall reimburse the University for*
22 *the cost of providing such instruction to the covered em-*
23 *ployee. Amounts received by the University under this sub-*
24 *paragraph shall be retained by the University to defray the*
25 *costs of such instruction.*

1 “(C) Notwithstanding subsections (b) through (e) and
2 subsection (i), the head of the Federal agency concerned
3 shall determine the service obligations of the covered em-
4 ployee receiving instruction at the University pursuant to
5 subparagraph (A) in accordance with applicable law.

6 “(D) In this paragraph—

7 “(i) the term ‘covered employee’ means an em-
8 ployee of the Department of Veterans Affairs, a civil-
9 ian employee of the Public Health Service, a member
10 of the commissioned corps of the Public Health Serv-
11 ice, a member of the Coast Guard, or a civilian em-
12 ployee of the Coast Guard; and

13 “(ii) the term ‘head of the Federal agency con-
14 cerned’ means the head of the Federal agency that em-
15 ploys, or has jurisdiction over the uniformed service
16 of, a covered employee permitted to receive instruction
17 at the University under subparagraph (A) in the rel-
18 evant position described in such subparagraph.”.

19 **SEC. 719. MANDATORY TRAINING ON HEALTH EFFECTS OF**
20 **BURN PITS.**

21 The Secretary of Defense shall provide to each medical
22 provider of the Department of Defense mandatory training
23 with respect to the potential health effects of burn pits.

1 **SEC. 720. DEPARTMENT OF DEFENSE PROCEDURES FOR EX-**
2 **EMPTIONS FROM MANDATORY COVID-19 VAC-**
3 **CINES.**

4 (a) *EXEMPTIONS.*—*The Secretary of Defense shall es-*
5 *tablish uniform procedures under which covered members*
6 *may be exempted from receiving an otherwise mandated*
7 *COVID-19 vaccine for administrative, medical, or religious*
8 *reasons, including on the basis of possessing an antibody*
9 *test result demonstrating previous COVID-19 infection.*

10 (b) *DEFINITIONS.*—*In this section:*

11 (1) *The term “covered member” means a member*
12 *of an Armed Force under the jurisdiction of the Sec-*
13 *retary of a military department.*

14 (2) *The term “COVID-19 vaccine” means any*
15 *vaccine for the coronavirus disease 2019 (COVID-19),*
16 *including any subsequent booster shot for COVID-19.*

17 **SEC. 721. MODIFICATIONS AND REPORT RELATED TO RE-**
18 **DUCTION OR REALIGNMENT OF MILITARY**
19 **MEDICAL MANNING AND MEDICAL BILLETS.**

20 (a) *MODIFICATIONS TO LIMITATION ON REDUCTION OR*
21 *REALIGNMENT.*—*Section 719 of the National Defense Au-*
22 *thorization Act for Fiscal Year 2020 (Public Law 116-92;*
23 *133 Stat. 1454), as amended by section 717 of the William*
24 *M. (Mac) Thornberry National Defense Authorization Act*
25 *for Fiscal Year 2021 (Public Law 116-283), is further*
26 *amended—*

1 (1) *in subsection (a), by striking “180 days fol-*
2 *lowing the date of the enactment of the William M.*
3 *(Mac) Thornberry National Defense Authorization Act*
4 *for Fiscal Year 2021” and inserting “the year fol-*
5 *lowing the date of the enactment of the National De-*
6 *fense Authorization Act for Fiscal Year 2022”;* and

7 (2) *in subsection (b)(1), by inserting “, includ-*
8 *ing any billet validation requirements determined*
9 *pursuant to estimates provided in the joint medical*
10 *estimate under section 732 of the John S. McCain*
11 *National Defense Authorization Act for Fiscal Year*
12 *2019 (Public Law 115–232),” after “requirements of*
13 *the military department of the Secretary”.*

14 **(b) GAO REPORT ON REDUCTION OR REALIGNMENT**
15 **OF MILITARY MEDICAL MANNING AND MEDICAL BIL-**
16 **LETS.—**

17 (1) *REPORT.—Not later than one year after the*
18 *date of the enactment of this Act, the Comptroller*
19 *General of the United States shall submit to the Com-*
20 *mittees on Armed Services of the House of Represent-*
21 *atives and the Senate a report on the analyses used*
22 *to support any reduction or realignment of military*
23 *medical manning, including any reduction or re-*
24 *alignment of medical billets of the military depart-*
25 *ments.*

1 (2) *ELEMENTS.*—*The report under paragraph*
2 *(1) shall include the following:*

3 (A) *An analysis of the use of the joint med-*
4 *ical estimate under section 732 of the John S.*
5 *McCain National Defense Authorization Act for*
6 *Fiscal Year 2019 (Public Law 115–232; 132*
7 *Stat. 1817) and wartime scenarios to determine*
8 *military medical manpower requirements, in-*
9 *cluding with respect to pandemic influenza and*
10 *homeland defense missions.*

11 (B) *An assessment of whether the Secre-*
12 *taries of the military departments have used the*
13 *processes under section 719(b) of the National*
14 *Defense Authorization Act for Fiscal Year 2020*
15 *(Public Law 116–92; 133 Stat. 1454) to ensure*
16 *that a sufficient combination of skills, special-*
17 *ties, and occupations are validated and filled*
18 *prior to the transfer of any medical billets of a*
19 *military department to fill other military med-*
20 *ical manpower needs.*

21 (C) *An assessment of the effect of the reduc-*
22 *tion or realignment of such billets on local health*
23 *care networks and whether the Director of the*
24 *Defense Health Agency has conducted such an*

1 *assessment in coordination with the Secretaries*
2 *of the military departments.*

3 **SEC. 722. CROSS-FUNCTIONAL TEAM FOR EMERGING**
4 ***THREAT RELATING TO ANOMALOUS HEALTH***
5 ***INCIDENTS.***

6 *(a) ESTABLISHMENT.—Using the authority provided*
7 *under section 911(c) of the National Defense Authorization*
8 *Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.*
9 *111 note), the Secretary of Defense shall establish a cross-*
10 *functional team to address national security challenges*
11 *posed by anomalous health incidents (as defined by the Sec-*
12 *retary) and ensure that individuals affected by anomalous*
13 *health incidents receive timely and comprehensive health*
14 *care and treatment pursuant to title 10, United States*
15 *Code, or other provisions of law administered by the Sec-*
16 *retary, for symptoms consistent with an anomalous health*
17 *incident.*

18 *(b) DUTIES.—The duties of the cross-functional team*
19 *established under subsection (a) shall be—*

20 *(1) to assist the Secretary of Defense with ad-*
21 *ressing the challenges posed by anomalous health in-*
22 *cidents and any other efforts regarding such incidents*
23 *that the Secretary determines necessary; and*

24 *(2) to integrate the efforts of the Department of*
25 *Defense regarding anomalous health incidents with*

1 *the efforts of other departments or agency of the Fed-*
2 *eral Government regarding such incidents.*

3 (c) *TEAM LEADER.*—*The Secretary shall select an*
4 *Under Secretary of Defense to lead the cross-functional team*
5 *and a senior military officer to serve as the deputy to the*
6 *Under Secretary so selected.*

7 (d) *DETERMINATION OF ORGANIZATIONAL ROLES AND*
8 *RESPONSIBILITIES.*—*The Secretary, in coordination with*
9 *the Director of National Intelligence and acting through the*
10 *cross-functional team established under subsection (a), shall*
11 *determine the roles and responsibilities of the organizations*
12 *and elements of the Department of Defense with respect to*
13 *addressing anomalous health incidents, including the roles*
14 *and responsibilities of the Office of the Secretary of Defense,*
15 *the intelligence components of the Department, Defense*
16 *agencies, and Department of Defense field activities, the*
17 *military departments, combatant commands, and the Joint*
18 *Staff.*

19 (e) *BRIEFINGS.*—

20 (1) *INITIAL BRIEFING.*—*Not later than 30 days*
21 *after the date of the enactment of this Act, the Sec-*
22 *retary shall provide to the appropriate congressional*
23 *committees a briefing on—*

24 (A) *the progress of the Secretary in estab-*
25 *lishing the cross-functional team; and*

1 (B) the progress the team has made in—

2 (i) determining the roles and respon-
3 sibilities of the organizations and elements
4 of the Department of Defense with respect
5 the cross-functional team; and

6 (ii) carrying out the duties under sub-
7 section (b).

8 (2) *UPDATES.*—Not later than 75 days after the
9 date of the enactment of this Act, and once every 45
10 days thereafter during the one-year period following
11 such date of enactment, the Secretary shall provide to
12 the appropriate congressional committees a briefing
13 containing updates with respect to the efforts of the
14 Department regarding anomalous health incidents.

15 (f) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
16 *FINED.*—In this section, the term “appropriate congres-
17 sional committees” means—

18 (1) the congressional defense committees; and

19 (2) the Permanent Select Committee on Intel-
20 ligence of the House of Representatives and the Select
21 Committee on Intelligence of the Senate.

1 **SEC. 723. IMPLEMENTATION OF INTEGRATED PRODUCT**
2 **FOR MANAGEMENT OF POPULATION HEALTH**
3 **ACROSS MILITARY HEALTH SYSTEM.**

4 (a) *INTEGRATED PRODUCT.*—*The Secretary of Defense*
5 *shall develop and implement an integrated product for the*
6 *management of population health across the military health*
7 *system. Such integrated product shall serve as a repository*
8 *for the health care, demographic, and other relevant data*
9 *of all covered beneficiaries, including with respect to data*
10 *on health care services furnished to such beneficiaries*
11 *through the purchased care and direct care components of*
12 *the TRICARE program, and shall—*

13 (1) *be compatible with the electronic health*
14 *record system maintained by the Secretary for mem-*
15 *bers of the Armed Forces;*

16 (2) *enable the coordinated case management of*
17 *covered beneficiaries with respect to health care serv-*
18 *ices furnished to such beneficiaries at military med-*
19 *ical treatment facilities and at private sector facilities*
20 *through health care providers contracted by the De-*
21 *partment of Defense;*

22 (3) *enable the collection and stratification of*
23 *data from multiple sources to measure population*
24 *health goals, facilitate disease management programs*
25 *of the Department, improve patient education, and*

1 *integrate wellness services across the military health*
2 *system; and*

3 *(4) enable predictive modeling to improve health*
4 *outcomes for patients and to facilitate the identifica-*
5 *tion and correction of medical errors in the treatment*
6 *of patients, issues regarding the quality of health care*
7 *services provided, and gaps in health care coverage.*

8 *(b) DEFINITIONS.—In this section:*

9 *(1) The terms “covered beneficiary” and*
10 *“TRICARE program” have the meanings given such*
11 *terms in section 1072 of title 10, United States Code.*

12 *(2) The term “integrated product” means an*
13 *electronic system of systems (or solutions or products)*
14 *that provides for the integration and sharing of data*
15 *to meet the needs of an end user in a timely and cost*
16 *effective manner.*

17 **SEC. 724. DIGITAL HEALTH STRATEGY OF DEPARTMENT OF**
18 **DEFENSE.**

19 *(a) DIGITAL HEALTH STRATEGY.—*

20 *(1) STRATEGY.—Not later than April 1, 2022,*
21 *the Secretary of Defense shall develop a digital health*
22 *strategy of the Department of Defense to incorporate*
23 *new and emerging technologies and methods (includ-*
24 *ing three-dimensional printing, virtual reality, wear-*
25 *able devices, big data and predictive analytics, and*

1 *other innovative methods that leverage new or emerg-*
2 *ing technologies) in the provision of clinical care*
3 *within the military health system.*

4 (2) *ELEMENTS.—The strategy under paragraph*
5 *(1) shall address, with respect to future use within the*
6 *military health system, the following:*

7 (A) *Emerging technology to improve the de-*
8 *livery of clinical care and health services.*

9 (B) *Design thinking to improve the delivery*
10 *of clinical care and health services.*

11 (C) *Advanced clinical decision support sys-*
12 *tems.*

13 (D) *Simulation technologies for clinical*
14 *training (including through simulation*
15 *immersive training) and clinical education, and*
16 *for the training of health care personnel in the*
17 *adoption of emerging technologies for clinical*
18 *care delivery.*

19 (E) *Wearable devices.*

20 (F) *Three-dimensional printing and related*
21 *technologies.*

22 (G) *Data-driven decision making, including*
23 *through the use of big data and predictive ana-*
24 *lytics, in the delivery of clinical care and health*
25 *services.*

1 (b) *REPORT.*—Not later than July 1, 2022, the Sec-
2 retary shall submit to the Committees on Armed Services
3 of the House of Representatives and the Senate a report set-
4 ting forth—

5 (1) *the strategy under subsection (a); and*

6 (2) *a plan to implement such strategy, including*
7 *the estimated timeline and cost for such implementa-*
8 *tion.*

9 **SEC. 725. DEVELOPMENT AND UPDATE OF CERTAIN POLI-**
10 **CIES RELATING TO MILITARY HEALTH SYS-**
11 **TEM AND INTEGRATED MEDICAL OPER-**
12 **ATIONS.**

13 (a) *IN GENERAL.*—By not later than October 1, 2022,
14 the Secretary of Defense, in coordination with the Secre-
15 taries of the military departments and the Chairman of the
16 Joint Chiefs of Staff, shall develop and update certain poli-
17 cies relating to the military health system and integrated
18 medical operations of the Department of Defense as follows:

19 (1) *UPDATED PLAN ON INTEGRATED MEDICAL*
20 *OPERATIONS IN CONTINENTAL UNITED STATES.*—The
21 Secretary of Defense shall develop an updated plan on
22 integrated medical operations in the continental
23 United States and update the Department of Defense
24 Instruction 6010.22, titled “National Disaster Med-

1 *ical System (NDMS)” (or such successor instruction)*
2 *accordingly. Such updated plan shall—*

3 *(A) be informed by the operational plans of*
4 *the combatant commands and by the joint med-*
5 *ical estimate under section 732 of the John S.*
6 *McCain National Defense Authorization Act for*
7 *Fiscal Year 2019 (Public Law 115–232; 132*
8 *Stat. 1817);*

9 *(B) include a determination as to whether*
10 *combat casualties should receive medical care*
11 *under the direct care or purchased care compo-*
12 *nent of the military health system and a risk*
13 *analysis in support of such determination;*

14 *(C) identify the manning levels required to*
15 *furnish medical care under the updated plan, in-*
16 *cluding with respect to the levels of military per-*
17 *sonnel, civilian employees of the Department,*
18 *and contractors of the Department; and*

19 *(D) include a cost estimate for the*
20 *furnishment of such medical care.*

21 *(2) UPDATED PLAN ON GLOBAL PATIENT MOVE-*
22 *MENT.—The Secretary of Defense shall develop an up-*
23 *dated plan on global patient movement and update*
24 *the Department of Defense Instruction 5154.06, relat-*
25 *ing to medical military treatment facilities and pa-*

1 *tient movement (or such successor instruction) accord-*
2 *ingly. Such updated plan shall—*

3 *(A) be informed by the operational plans of*
4 *the combatant commands and by the joint med-*
5 *ical estimate under section 732 of the John S.*
6 *McCain National Defense Authorization Act for*
7 *Fiscal Year 2019 (Public Law 115–232; 132*
8 *Stat. 1817);*

9 *(B) include a risk assessment with respect*
10 *to patient movement compared against overall*
11 *operational plans;*

12 *(C) include a description of any capabili-*
13 *ties-based assessment of the Department that in-*
14 *formed the updated plan or that was in progress*
15 *during the time period in which the updated*
16 *plan was developed; and*

17 *(D) identify the manning levels, equipment*
18 *and consumables, and funding levels, required to*
19 *carry out the updated plan.*

20 *(3) ASSESSMENT OF BIOSURVEILLANCE AND*
21 *MEDICAL RESEARCH CAPABILITIES.—The Secretary of*
22 *Defense shall conduct an assessment of biosurveillance*
23 *and medical research capabilities of the Department*
24 *of Defense. Such assessment shall include the fol-*
25 *lowing:*

1 (A) *An identification of the location and*
2 *strategic value of the overseas medical labora-*
3 *tories and overseas medical research programs of*
4 *the Department.*

5 (B) *An assessment of the current capabili-*
6 *ties of such laboratories and programs with re-*
7 *spect to force health protection and evidence-*
8 *based medical research.*

9 (C) *A determination as to whether such lab-*
10 *oratories and programs have the capabilities, in-*
11 *cluding as a result of the geographic location of*
12 *such laboratories and programs, to provide force*
13 *health protection and evidence-based medical re-*
14 *search, including by actively monitoring for fu-*
15 *ture pandemics, infectious diseases, and other*
16 *potential health threats to members of the Armed*
17 *Forces.*

18 (D) *The current capabilities, with respect to*
19 *biosurveillance and medical research, of the fol-*
20 *lowing entities:*

21 (i) *The Army Medical Research Devel-*
22 *opment Command.*

23 (ii) *The Navy Medical Research Com-*
24 *mand.*

1 (iii) *The Air Force Medical Readiness*
2 *Agency.*

3 (iv) *The Walter Reed Army Institute of*
4 *Research.*

5 (v) *The United States Army Medical*
6 *Research Institute of Infectious Disease.*

7 (vi) *The Armed Forces Health Surveil-*
8 *lance Branch (including the Global Emerg-*
9 *ing Infectious Surveillance program).*

10 (vii) *Such other entities as the Sec-*
11 *retary may determine appropriate.*

12 (E) *A determination as to whether the enti-*
13 *ties specified in subparagraph (D) have the ca-*
14 *pabilities, including as a result of the geographic*
15 *location of the entity, to provide force health pro-*
16 *tection and evidence-based medical research, in-*
17 *cluding by actively monitoring for future*
18 *pandemics, infectious diseases, and other poten-*
19 *tial health threats to members of the Armed*
20 *Forces.*

21 (F) *The current manning levels of the enti-*
22 *ties specified in subparagraph (D), including an*
23 *assessment of whether such entities are manned*
24 *at a level necessary to support the missions of*
25 *the combatant commands (including with respect*

1 to missions related to pandemic influenza or
2 homeland defense).

3 (G) The current funding levels of the enti-
4 ties specified in subparagraph (D), including a
5 risk assessment as to whether such funding is
6 sufficient to sustain the manning levels necessary
7 to support missions as specified in subparagraph
8 (F).

9 (4) ANALYSIS OF MILITARY HEALTH SYSTEM OR-
10 GANIZATION.—The Secretary of Defense shall conduct
11 an analysis to determine whether the current organi-
12 zational structure of the military health system allows
13 for the implementation of the updated plans under
14 paragraphs (1) and (2) and of any recommendations
15 made by the Secretary as a result of the assessment
16 under paragraph (3). Such analysis shall include—

17 (A) an assessment of how the Secretary may
18 leverage TRICARE Regional Offices, TRICARE
19 managed care support contractors, and local or
20 regional health care systems, to address any po-
21 tential gaps in the provision of medical care
22 under the military health system that may limit
23 the progress of such implementation or may
24 arise as the result of such implementation; and

1 (B) recommendations on any organizational
2 changes to the military health system that would
3 be necessary for such implementation.

4 (b) *INTERIM BRIEFING*.—Not later than April 1, 2022,
5 the Secretary of Defense, in coordination with the Secre-
6 taries of the military departments and the Chairman of the
7 Joint Chiefs of Staff, shall provide to the Committees on
8 Armed Services of the House of Representatives and the
9 Senate an interim briefing on the progress of implementa-
10 tion of the plans, assessment, and analysis required under
11 subsection (a).

12 (c) *REPORT*.—Not later than December 1, 2022, the
13 Secretary of Defense shall submit to the Committees on
14 Armed Services of the House of Representatives and the
15 Senate a report describing each updated plan, assessment,
16 and analysis required under subsection (a).

17 **SEC. 726. STANDARDIZATION OF DEFINITIONS USED BY**
18 **THE DEPARTMENT OF DEFENSE FOR TERMS**
19 **RELATED TO SUICIDE.**

20 (a) *STANDARDIZATION OF DEFINITIONS*.—Not later
21 than 90 days after the date of the enactment of this Act,
22 the Secretary of Defense, in coordination with the Secre-
23 taries of the military departments, shall develop standard-
24 ized definitions for the following terms:

25 (1) “Suicide”.

1 (2) “Suicide attempt”.

2 (3) “Suicidal ideation”.

3 (b) *REQUIRED USE OF STANDARDIZED DEFINI-*
4 *TIONS.—Not later than 180 days after the date of the enact-*
5 *ment of this Act, the Secretary shall issue policy guidance*
6 *requiring the exclusive and uniform use across the Depart-*
7 *ment of Defense and within each military department of*
8 *the standardized definitions developed under subsection (a)*
9 *for the terms specified in such subsection.*

10 (c) *REPORT.—Not later than 180 days after the date*
11 *of the enactment of this Act, the Secretary shall submit to*
12 *the Committees on Armed Services of the House of Rep-*
13 *resentatives and the Senate a report that sets forth the*
14 *standardized definitions developed under subsection (a) and*
15 *includes—*

16 (1) *a description of the process that was used to*
17 *develop such definitions;*

18 (2) *a description of the methods by which data*
19 *shall be collected on suicide, suicide attempts, and su-*
20 *icidal ideations (as those terms are defined pursuant*
21 *to such definitions) in a standardized format across*
22 *the Department and within each military depart-*
23 *ment; and*

1 (3) *an implementation plan to ensure the use of*
2 *such definitions as required pursuant to subsection*
3 *(b).*

4 ***Subtitle C—Reports and Other***
5 ***Matters***

6 ***SEC. 731. GRANT PROGRAM FOR INCREASED COOPERATION***
7 ***ON POST-TRAUMATIC STRESS DISORDER RE-***
8 ***SEARCH BETWEEN UNITED STATES AND***
9 ***ISRAEL.***

10 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
11 *that the Secretary of Defense, acting through the Psycho-*
12 *logical Health and Traumatic Brain Injury Research Pro-*
13 *gram, should seek to explore scientific collaboration between*
14 *American academic institutions and nonprofit research en-*
15 *tities, and Israeli institutions with expertise in researching,*
16 *diagnosing, and treating post-traumatic stress disorder.*

17 *(b) GRANT PROGRAM.—The Secretary of Defense, in*
18 *coordination with the Secretary of State, shall award*
19 *grants to eligible entities to carry out collaborative research*
20 *between the United States and Israel with respect to post-*
21 *traumatic stress disorders. The Secretary of Defense shall*
22 *carry out the grant program under this section in accord-*
23 *ance with the agreement titled “Agreement Between the*
24 *Government of the United States of America and the Gov-*

1 *ernment of Israel on the United States-Israel Binational*
2 *Science Foundation”, dated September 27, 1972.*

3 (c) *ELIGIBLE ENTITIES.—To be eligible to receive a*
4 *grant under this section, an entity shall be an academic*
5 *institution or a nonprofit entity located in the United*
6 *States.*

7 (d) *AWARD.—The Secretary shall award grants under*
8 *this section to eligible entities that—*

9 (1) *carry out a research project that—*

10 (A) *addresses a requirement in the area of*
11 *post-traumatic stress disorders that the Secretary*
12 *determines appropriate to research using such*
13 *grant; and*

14 (B) *is conducted by the eligible entity and*
15 *an entity in Israel under a joint research agree-*
16 *ment; and*

17 (2) *meet such other criteria that the Secretary*
18 *may establish.*

19 (e) *APPLICATION.—To be eligible to receive a grant*
20 *under this section, an eligible entity shall submit an appli-*
21 *cation to the Secretary at such time, in such manner, and*
22 *containing such commitments and information as the Sec-*
23 *retary may require.*

24 (f) *GIFT AUTHORITY.—The Secretary may accept,*
25 *hold, and administer, any gift of money made on the condi-*

1 *tion that the gift be used for the purpose of the grant pro-*
2 *gram under this section. Such gifts of money accepted under*
3 *this subsection shall be deposited in the Treasury in the De-*
4 *partment of Defense General Gift Fund and shall be avail-*
5 *able, subject to appropriation, without fiscal year limita-*
6 *tion.*

7 *(g) REPORTS.—Not later than 180 days after the date*
8 *on which an eligible entity completes a research project*
9 *using a grant under this section, the Secretary shall submit*
10 *to Congress a report that contains—*

11 *(1) a description of how the eligible entity used*
12 *the grant; and*

13 *(2) an evaluation of the level of success of the re-*
14 *search project.*

15 *(h) TERMINATION.—The authority to award grants*
16 *under this section shall terminate on the date that is seven*
17 *years after the date on which the first such grant is award-*
18 *ed.*

19 **SEC. 732. PILOT PROGRAM ON CARDIAC SCREENING AT**
20 **CERTAIN MILITARY SERVICE ACADEMIES.**

21 *(a) PILOT PROGRAM.—The Secretary of Defense shall*
22 *establish a pilot program to furnish mandatory electro-*
23 *cardiograms to candidates who are seeking admission to a*
24 *covered military service academy in connection with the*

1 *military accession screening process, at no cost to such can-*
2 *didates.*

3 (b) *SCOPE.*—*The scope of the pilot program under sub-*
4 *section (a) shall include at least 25 percent of the incoming*
5 *class of candidates who are seeking admission to a covered*
6 *military service academy during the first fall semester that*
7 *follows the date of the enactment of this Act, and the pilot*
8 *program shall terminate on the date on which the Secretary*
9 *determines the military accession screening process for such*
10 *class has concluded.*

11 (c) *FACILITIES.*—*In carrying out the pilot program*
12 *under subsection (a), the Secretary shall furnish each man-*
13 *datory electrocardiogram under the pilot program in a fa-*
14 *cility of the Department of Defense, to the extent prac-*
15 *ticable, but may furnish such electrocardiograms in a non-*
16 *Department facility as determined necessary by the Sec-*
17 *retary.*

18 (d) *REPORT.*—*Not later than 180 days after the date*
19 *on which the pilot program under subsection (a) terminates,*
20 *the Secretary shall submit to the Committees on Armed*
21 *Services of the Senate and the House of Representatives a*
22 *report on the pilot program. Such report shall include the*
23 *following:*

24 (1) *The results of all electrocardiograms fur-*
25 *nished to candidates under the pilot program,*

1 disaggregated by military service academy, race, and
2 gender.

3 (2) *The rate of significant cardiac issues detected*
4 *pursuant to electrocardiograms furnished under the*
5 *pilot program, disaggregated by military service*
6 *academy, race, and gender.*

7 (3) *The cost of carrying out the pilot program.*

8 (4) *The number of candidates, if any, who were*
9 *disqualified from admission based solely on the result*
10 *of an electrocardiogram furnished under the pilot pro-*
11 *gram.*

12 (e) *COVERED MILITARY SERVICE ACADEMY DE-*
13 *FINED.—In this section, the term “covered military service*
14 *academy” does not include the United States Coast Guard*
15 *Academy or the United States Merchant Marine Academy.*

16 **SEC. 733. PILOT PROGRAM ON CRYOPRESERVATION AND**
17 **STORAGE.**

18 (a) *PILOT PROGRAM.—The Secretary of Defense shall*
19 *establish a pilot program to provide not more than 1,000*
20 *members of the Armed Forces serving on active duty with*
21 *the opportunity to cryopreserve and store their gametes*
22 *prior to deployment to a combat zone.*

23 (b) *PERIOD.—*

24 (1) *IN GENERAL.—The Secretary shall provide*
25 *for the cryopreservation and storage of gametes of a*

1 *participating member of the Armed Forces under sub-*
2 *section (a), at no cost to the member, in a facility of*
3 *the Department of Defense or at a private entity pur-*
4 *suant to a contract under subsection (d) until the*
5 *date that is one year after the retirement, separation,*
6 *or release of the member from the Armed Forces.*

7 (2) *CONTINUED CRYOPRESERVATION AND STOR-*
8 *AGE.—At the end of the one-year period specified in*
9 *paragraph (1), the Secretary shall authorize an indi-*
10 *vidual whose gametes were cryopreserved and stored*
11 *in a facility of the Department as described in that*
12 *paragraph to select, including pursuant to an ad-*
13 *vance medical directive or military testamentary in-*
14 *strument completed under subsection (c), one of the*
15 *following options:*

16 (A) *To continue such cryopreservation and*
17 *storage in such facility with the cost of such*
18 *cryopreservation and storage borne by the indi-*
19 *vidual.*

20 (B) *To transfer the gametes to a private*
21 *cryopreservation and storage facility selected by*
22 *the individual.*

23 (C) *To authorize the Secretary to dispose of*
24 *the gametes of the individual not earlier than the*
25 *date that is 90 days after the end of the one-year*

1 *period specified in paragraph (1) with respect to*
2 *the individual.*

3 (c) *ADVANCE MEDICAL DIRECTIVE AND MILITARY*
4 *TESTAMENTARY INSTRUMENT.*—*A member of the Armed*
5 *Forces who elects to cryopreserve and store their gametes*
6 *under this section shall complete an advance medical direc-*
7 *tive described in section 1044c(b) of title 10, United States*
8 *Code, and a military testamentary instrument described in*
9 *section 1044d(b) of such title, that explicitly specifies the*
10 *use of their cryopreserved and stored gametes if such mem-*
11 *ber dies or otherwise loses the capacity to consent to the*
12 *use of their cryopreserved and stored gametes.*

13 (d) *AGREEMENTS.*—*To carry out this section, the Sec-*
14 *retary may enter into agreements with private entities that*
15 *provide cryopreservation and storage services for gametes.*

16 **SEC. 734. PILOT PROGRAM ON ASSISTANCE FOR MENTAL**
17 **HEALTH APPOINTMENT SCHEDULING AT**
18 **MILITARY MEDICAL TREATMENT FACILITIES.**

19 (a) *PILOT PROGRAM.*—*The Secretary of Defense shall*
20 *carry out a pilot program to provide direct assistance for*
21 *mental health appointment scheduling at military medical*
22 *treatment facilities and clinics selected by the Secretary for*
23 *participation in the pilot program in a number determined*
24 *by the Secretary.*

1 (b) *REPORT.*—Not later than 90 days after the date
2 on which the pilot program terminates, the Secretary shall
3 submit to the Committees on Armed Services of the House
4 of Representatives and the Senate a report on the pilot pro-
5 gram. Such report shall include an assessment of—

6 (1) the effectiveness of the pilot program with re-
7 spect to improved access to mental health appoint-
8 ments; and

9 (2) any barriers to scheduling mental health ap-
10 pointments under the pilot program observed by
11 health care professionals or other individuals involved
12 in scheduling such appointments.

13 (c) *TERMINATION.*—The authority to carry out the
14 pilot program under subsection (a) shall terminate on the
15 date that is one year after the commencement of the pilot
16 program.

17 **SEC. 735. PILOT PROGRAM ON ORAL REHYDRATION SOLU-**
18 **TIONS.**

19 (a) *PILOT PROGRAM.*—The Secretary of Defense may
20 carry out a pilot program under which the Secretary shall
21 furnish medically approved oral rehydration solutions to
22 members of the Armed Forces.

23 (b) *DISTRIBUTION.*—Oral rehydration solutions fur-
24 nished under the pilot program carried out pursuant to sub-
25 section (a) shall be distributed to members of the Armed

1 *Forces at the brigade level, through the Airborne and Rang-*
2 *er Training Brigade, the Maneuver Center of Excellence of*
3 *the Army, and the United States Army Training and Doc-*
4 *trine Command. Such distribution shall be carried out dur-*
5 *ing a period of summer months, as determined by the Sec-*
6 *retary.*

7 (c) *REPORT.*—*Not later than 60 after the date of the*
8 *conclusion of the pilot program carried out pursuant to sub-*
9 *section (a), the Secretary shall submit to the Committees*
10 *on Armed Services of the House of Representatives and the*
11 *Senate a report on the effectiveness of the oral rehydration*
12 *solutions furnished under the pilot program. Such report*
13 *shall include—*

14 (1) *all data tracking the prevention of heat cas-*
15 *ualties and hyponatremia among participants under*
16 *the pilot program; and*

17 (2) *any other benefits realized under the pilot*
18 *program, including benefits related to cost savings,*
19 *readiness, or wellness of members of the Armed*
20 *Forces.*

21 **SEC. 736. AUTHORIZATION OF PILOT PROGRAM TO SURVEY**
22 **ACCESS TO MENTAL HEALTH CARE UNDER**
23 **MILITARY HEALTH SYSTEM.**

24 (a) *FINDINGS; SENSE OF CONGRESS.*—

25 (1) *FINDINGS.*—*Congress finds that—*

1 (A) *there is a connection between stigma,*
2 *mental health care access, and death by suicide;*
3 *and*

4 (B) *current command climate surveys lack*
5 *sufficient questions regarding mental health stig-*
6 *ma.*

7 (2) *SENSE OF CONGRESS.—It is the sense of*
8 *Congress that—*

9 (A) *military research and research of the*
10 *Department of Veterans Affairs significantly*
11 *contribute to overall health care research useful*
12 *for all individuals; and*

13 (B) *command climate surveys provide an*
14 *important function for ensuring safe command*
15 *environments.*

16 (b) *AUTHORIZATION OF PILOT PROGRAM TO SURVEY*
17 *ACCESS TO MENTAL HEALTH CARE UNDER MILITARY*
18 *HEALTH SYSTEM.—*

19 (1) *PILOT PROGRAM AUTHORIZED.—The Sec-*
20 *retary of Defense may carry out a pilot program to*
21 *survey access to mental health care under the military*
22 *health system.*

23 (2) *ELEMENTS.—In carrying out a pilot pro-*
24 *gram pursuant to paragraph (1), the Secretary shall*
25 *ensure that an adequate number of command climate*

1 surveys that include questions on access to mental
2 health care under the military health system are ad-
3 ministered to a representative sample of active duty
4 members of the Armed Forces across each military de-
5 partment. Such questions shall be developed by the
6 survey administrator of the Defense Organizational
7 Climate Survey and shall address, at a minimum, the
8 following matters:

9 (A) The perceived ability of the respondent
10 to access mental health care under the military
11 health system.

12 (B) Whether the respondent has previously
13 been prohibited from, or advised against, access-
14 ing such care.

15 (C) Any overall stigma perceived by the re-
16 spondent with respect to such care.

17 (D) The belief of the respondent that receiv-
18 ing care from a mental health care provider may
19 harm the career, or the ability to obtain a secu-
20 rity clearance, of the respondent.

21 (E) The belief of the respondent that receiv-
22 ing a mental health diagnosis may harm the ca-
23 reer, or the ability to obtain a security clearance,
24 of the respondent.

1 (3) *TERMINATION.*—*The authority to carry out a*
2 *pilot program under paragraph (1) shall terminate*
3 *on September 1, 2023.*

4 (4) *REPORT.*—*Not later than 90 days after the*
5 *date on which a pilot program carried out pursuant*
6 *to paragraph (1) terminates, the Secretary shall sub-*
7 *mit to the Committees on Armed Services of the*
8 *House of Representatives and the Senate a report on*
9 *the results of the updated surveys administered pursu-*
10 *ant to the pilot program.*

11 (c) *DEFINITIONS.*—*In this section, the terms “active*
12 *duty”, “Armed Forces”, and “military departments” have*
13 *the meanings given those terms in section 101 of title 10,*
14 *United States Code.*

15 **SEC. 737. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
16 **RESEARCH CONNECTED TO CHINA.**

17 (a) *PROHIBITION.*—*None of the funds authorized to be*
18 *appropriated by this Act or otherwise made available for*
19 *fiscal year 2022 for the Department of Defense may be obli-*
20 *gated or expended—*

21 (1) *to conduct research in China, including bio-*
22 *medical, infectious disease, gene editing, genetics,*
23 *virus, or military medical research, whether directly*
24 *or through a third-party entity; or*

1 (2) *to provide funds for research, including bio-*
2 *medical, infectious disease, gene editing, genetics,*
3 *virus, or military medical research, to any entity de-*
4 *termined by the Secretary of Defense to be owned or*
5 *controlled, directly or indirectly, by China;*

6 (b) *WAIVER.—The Secretary of Defense may waive a*
7 *prohibition under subsection (a) if the Secretary—*

8 (1) *determines that the waiver is in the national*
9 *security interests of United States; and*

10 (2) *not later than 14 days after granting the*
11 *waiver, submits to the congressional defense commit-*
12 *tees a detailed justification for the waiver, includ-*
13 *ing—*

14 (A) *an identification of the Department of*
15 *Defense entity obligating or expending the funds;*

16 (B) *an identification of the amount of such*
17 *funds;*

18 (C) *an identification of the intended pur-*
19 *pose of such funds;*

20 (D) *an identification of the recipient or*
21 *prospective recipient of such funds (including*
22 *any third-party entity recipient, as applicable);*

23 (E) *an explanation for how the waiver is in*
24 *the national security interests of the United*
25 *States; and*

1 (F) any other information the Secretary de-
2 termines appropriate.

3 **SEC. 738. INDEPENDENT ANALYSIS OF DEPARTMENT OF DE-**
4 **FENSE COMPREHENSIVE AUTISM CARE DEM-**
5 **ONSTRATION PROGRAM.**

6 (a) *AGREEMENT.*—

7 (1) *IN GENERAL.*—The Secretary of Defense shall
8 seek to enter into an agreement with the National
9 Academies of Sciences, Engineering, and Medicine (in
10 this section referred to as the “National Academies”)
11 for the National Academies to carry out the activities
12 described in subsections (b) and (c).

13 (2) *TIMING.*—The Secretary shall seek to enter
14 into the agreement described in paragraph (1) not
15 later than 60 days after the date of the enactment of
16 this Act.

17 (b) *ANALYSIS BY THE NATIONAL ACADEMIES.*—

18 (1) *ANALYSIS.*—Under an agreement between the
19 Secretary and the National Academies entered into
20 pursuant to subsection (a), the National Academies
21 shall conduct an analysis of the effectiveness of the
22 Department of Defense Comprehensive Autism Care
23 Demonstration program (in this section referred to as
24 the “demonstration program”) and develop rec-

1 *ommendations for the Secretary based on such anal-*
2 *ysis.*

3 (2) *ELEMENTS.*—*The analysis conducted and*
4 *recommendations developed under paragraph (1) shall*
5 *include the following:*

6 (A) *An assessment of the Pervasive Develop-*
7 *mental Disabilities Behavior Inventory as a*
8 *measure to assist in the assessment of domains*
9 *related to autism spectrum disorder, and a deter-*
10 *mination as to whether the Secretary is applying*
11 *such inventory appropriately under the dem-*
12 *onstration project.*

13 (B) *An assessment of the methods used*
14 *under the demonstration project to measure the*
15 *effectiveness of applied behavior analysis in the*
16 *treatment of autism spectrum disorder.*

17 (C) *A review of any guidelines or industry*
18 *standards of care adhered to in the provision of*
19 *applied behavior analysis services under the*
20 *demonstration program, including a review of*
21 *the effects of such adherence with respect to dose-*
22 *response or expected health outcomes for an indi-*
23 *vidual who has received such services.*

1 (D) *A review of the expected health out-*
2 *comes for an individual who has received ap-*
3 *plied behavior analysis treatments over time.*

4 (E) *An analysis of the increased utilization*
5 *of the demonstration program by beneficiaries*
6 *under the TRICARE program, to improve un-*
7 *derstanding of such utilization.*

8 (F) *Such other analyses to measure the ef-*
9 *fectiveness of the demonstration program as may*
10 *be determined appropriate by the National Acad-*
11 *emies.*

12 (G) *An analysis on whether the incidence of*
13 *autism is higher among the children of military*
14 *families.*

15 (H) *The development of a list of findings*
16 *and recommendations related to the measure-*
17 *ment, effectiveness, and increased understanding*
18 *of the demonstration program and its effect on*
19 *beneficiaries under the TRICARE program.*

20 (c) *REPORT.—Under an agreement entered into be-*
21 *tween the Secretary and the National Academies under sub-*
22 *section (a), the National Academies, not later than nine*
23 *months after the date of the execution of the agreement,*
24 *shall—*

- 1 (1) *submit to the congressional defense commit-*
2 *tees a report on the findings of the National Acad-*
3 *emies with respect to the analysis conducted and rec-*
4 *ommendations developed under subsection (b); and*
- 5 (2) *make such report available on a public*
6 *website in unclassified form.*

7 **SEC. 739. INDEPENDENT REVIEW OF SUICIDE PREVENTION**
8 **AND RESPONSE AT MILITARY INSTALLA-**
9 **TIONS.**

10 (a) *ESTABLISHMENT OF COMMITTEE.*—*Not later than*
11 *90 days after the date of the enactment of this Act, the Sec-*
12 *retary of Defense shall establish an independent suicide pre-*
13 *vention and response review committee.*

14 (b) *MEMBERSHIP.*—*The committee established under*
15 *subsection (a) shall be composed of not fewer than five indi-*
16 *viduals—*

17 (1) *designated by the Secretary;*

18 (2) *with expertise determined to be relevant by*
19 *the Secretary, including at least one individual who*
20 *is an experienced provider of mental health services*
21 *and at least one individual who is an experienced*
22 *criminal investigator;*

23 (3) *none of whom may be a member of an Armed*
24 *Force or a civilian employee of the Department of De-*
25 *fense.*

1 (c) *SELECTION OF MILITARY INSTALLATIONS.*—The
2 Secretary shall select, for review by the committee estab-
3 lished under subsection (a), not fewer than three military
4 installations that have a higher-than-average incidence of
5 suicide by members of the Armed Forces serving at the in-
6 stallation. The Secretary shall ensure that at least one of
7 the installations selected under this subsection is a remote
8 installation of the Department of Defense located outside
9 the contiguous United States.

10 (d) *DUTIES.*—The committee established under sub-
11 section (a) shall review the suicide prevention and response
12 programs and other factors that may contribute to the inci-
13 dence or prevention of suicide at the military installations
14 selected for review pursuant to subsection (c). Such review
15 shall be conducted through means including—

16 (1) a confidential survey;

17 (2) focus groups; and

18 (3) individual interviews.

19 (e) *COORDINATION.*—In carrying out this section, the
20 Secretary shall ensure that the Director of the Office of Peo-
21 ple Analytics of the Department of Defense and the Director
22 of the Office of Force Resiliency of the Department of De-
23 fense coordinate and cooperate with the committee estab-
24 lished under subsection (a).

25 (f) *REPORTS.*—

1 (1) *INITIAL REPORT.*—Not later than 270 days
2 after the establishment of the committee under sub-
3 section (a), the committee shall submit to the Sec-
4 retary a report containing the results of the reviews
5 conducted by the committee and recommendations of
6 the committee to reduce the incidence of suicide at the
7 military installations reviewed.

8 (2) *REPORT TO CONGRESS.*—Not later than 330
9 days after the establishment of the committee under
10 subsection (a), the committee shall submit to the Com-
11 mittees on Armed Services of the House of Represent-
12 atives and the Senate the report under paragraph (1).

13 **SEC. 740. FEASIBILITY AND ADVISABILITY STUDY ON ES-**
14 **TABLISHMENT OF AEROMEDICAL SQUADRON**
15 **AT JOINT BASE PEARL HARBOR-HICKAM.**

16 (a) *STUDY.*—Not later than April 1, 2022, the Sec-
17 retary of Defense, in consultation with the Chief of the Na-
18 tional Guard Bureau and the Director of the Air National
19 Guard, shall complete a study on the feasibility and advis-
20 ability of establishing at Joint Base Pearl Harbor-Hickam
21 an aeromedical squadron of the Air National Guard in Ha-
22 waii to support the aeromedical mission needs of the State
23 of Hawaii and the United States Indo-Pacific Command.

24 (b) *ELEMENTS.*—The study under subsection (a) shall
25 assess the following:

1 (1) *The manpower required for the establishment*
2 *of an aeromedical squadron of the Air National*
3 *Guard in Hawaii as specified in subsection (a).*

4 (2) *The overall cost of such establishment.*

5 (3) *The length of time required for such estab-*
6 *lishment.*

7 (4) *The mission requirements for such establish-*
8 *ment.*

9 (5) *Such other matters as may be determined rel-*
10 *evant by the Secretary.*

11 (c) *SUBMISSION TO CONGRESS.—Not later than April*
12 *1, 2022, the Secretary shall submit to the Committees on*
13 *Armed Services of the House of Representatives and the*
14 *Senate a report containing the findings of the feasibility*
15 *and advisability study under subsection (a), including with*
16 *respect to each element specified in subsection (b).*

17 **SEC. 741. PLAN TO ADDRESS FINDINGS RELATED TO AC-**
18 **CESS TO CONTRACEPTION FOR MEMBERS OF**
19 **THE ARMED FORCES.**

20 (a) *PLAN REQUIRED.—The Secretary of Defense (in*
21 *coordination with the Secretaries of the military depart-*
22 *ments) shall develop and implement a plan to address the*
23 *findings of the report of the Department of Defense on the*
24 *status of implementation of guidance for ensuring access*
25 *to contraception published in response to pages 155 through*

1 156 of the report of the Committee on Armed Services of
2 the House of Representatives accompanying H.R. 6395 of
3 the 116th Congress (H. Rept. 116-617).

4 (b) *ELEMENTS.*—The plan under subsection (a) shall
5 address—

6 (1) the barriers and challenges to implementa-
7 tion identified in the report of the Department speci-
8 fied in such subsection; and

9 (2) the inability of certain members of the
10 Armed Forces to access their preferred method of con-
11 traception and have ongoing access during deploy-
12 ment.

13 (c) *REPORT.*—Not later than 180 days after the date
14 of the enactment of this Act, the Secretary shall submit to
15 the appropriate congressional committees a report on the
16 plan under subsection (a) and any progress made pursuant
17 to such plan.

18 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
19 *FINED.*—In this section, the term “appropriate congres-
20 sional committees” means—

21 (1) the Committee on Armed Services and the
22 Committee on Transportation and Infrastructure of
23 the House of Representatives; and

1 (2) *the Committee on Armed Services and the*
2 *Committee on Commerce, Science, and Transpor-*
3 *tation of the Senate.*

4 **SEC. 742. GAO BIENNIAL STUDY ON INDIVIDUAL LONGITU-**
5 **DINAL EXPOSURE RECORD PROGRAM.**

6 (a) *STUDIES AND REPORTS REQUIRED.*—*Not later*
7 *than December 31, 2022, and once every two years there-*
8 *after until December 31, 2030, the Comptroller General of*
9 *the United States shall—*

10 (1) *conduct a study on the implementation and*
11 *effectiveness of the Individual Longitudinal Exposure*
12 *Record program of the Department of Defense and the*
13 *Department of Veterans Affairs; and*

14 (2) *submit to the appropriate congressional com-*
15 *mittees a report containing the findings of the most*
16 *recently conducted study.*

17 (b) *ELEMENTS.*—*The biennial studies under subsection*
18 (a) *shall include an assessment of elements as follows:*

19 (1) *INITIAL STUDY.*—*The initial study conducted*
20 *under subsection (a) shall assess, at a minimum, the*
21 *following:*

22 (A) *Statistics relating to use of the Indi-*
23 *vidual Longitudinal Exposure Record program,*
24 *including the total number of individuals the*
25 *records of whom are contained therein and the*

1 *total number of records accessible under the pro-*
2 *gram.*

3 *(B) Costs associated with the program, in-*
4 *cluding any cost overruns associated with the*
5 *program.*

6 *(C) The capacity to expand the program to*
7 *include the medical records of veterans who*
8 *served prior to the establishment of the program.*

9 *(D) Any illness recently identified as relat-*
10 *ing to a toxic exposure (or any guidance relating*
11 *to such an illness recently issued) by either the*
12 *Secretary of Defense or the Secretary of Veterans*
13 *Affairs, including any such illness or guidance*
14 *that relates to open burn pit exposure.*

15 *(E) How the program has enabled (or failed*
16 *to enable) the discovery, notification, and med-*
17 *ical care of individuals affected by an illness de-*
18 *scribed in subparagraph (D).*

19 *(F) Physician and patient feedback on the*
20 *program, particularly feedback that relates to*
21 *ease of use.*

22 *(G) Cybersecurity and privacy protections*
23 *of patient data stored under the program, in-*
24 *cluding whether any classified or restricted data*
25 *has been stored under the program (such as data*

1 relating to deployment locations or duty sta-
2 tions).

3 (H) Any technical or logistical impediments
4 to the implementation or expansion of the pro-
5 gram, including any impediments to the inclu-
6 sion in the program of databases or materials
7 originally intended to be included.

8 (I) Any issues relating to read-only access
9 to data under the program by veterans.

10 (J) Any issues relating to the interoper-
11 ability of the program between the Department
12 of Defense and the Department of Veterans Af-
13 fairs.

14 (2) *SUBSEQUENT STUDIES.*—*Except as provided*
15 *in paragraph (3), each study conducted under sub-*
16 *section (a) following the initial study specified in*
17 *paragraph (1) shall assess—*

18 (A) *statistics relating to use of the Indi-*
19 *vidual Longitudinal Exposure Record program,*
20 *including the total number of individuals the*
21 *records of whom are contained therein and the*
22 *total number of records accessible under the pro-*
23 *gram; and*

24 (B) *such other elements as the Comptroller*
25 *General determines appropriate, which may in-*

1 *clude any other element specified in paragraph*
2 *(1).*

3 *(3) FINAL STUDY.—The final study conducted*
4 *under subsection (a) shall assess—*

5 *(A) the elements specified in subparagraphs*
6 *(A), (B), (D), (E), (F), and (H) of paragraph*
7 *(1); and*

8 *(B) such other elements as the Comptroller*
9 *General determines appropriate, which may in-*
10 *clude any other element specified in paragraph*
11 *(1).*

12 *(c) ACCESS BY COMPTROLLER GENERAL.—*

13 *(1) INFORMATION AND MATERIALS.—Upon re-*
14 *quest of the Comptroller General, the Secretary of De-*
15 *fense and the Secretary of Veterans Affairs shall make*
16 *available to the Comptroller General any information*
17 *or other materials necessary for the conduct of each*
18 *biennial study under subsection (a).*

19 *(2) INTERVIEWS.—In addition to such other au-*
20 *thorities as are available, the Comptroller General*
21 *shall have the right to interview officials and employ-*
22 *ees of the Department of Defense and the Department*
23 *of Veterans Affairs (including clinicians, claims adju-*
24 *dicators, and researchers) as necessary for the conduct*
25 *of each biennial study under subsection (a).*

1 (3) *INFORMATION FROM PATIENTS AND FORMER*
2 *PATIENTS.—*

3 (A) *DEVELOPMENT OF QUESTIONNAIRE.—In*
4 *carrying out each biennial study under sub-*
5 *section (a), the Comptroller General may develop*
6 *a questionnaire for individuals the records of*
7 *whom are contained in the Individual Longitu-*
8 *dinal Exposure Record, to obtain the informa-*
9 *tion necessary for the conduct of the study.*

10 (B) *DISTRIBUTION.—The Secretary con-*
11 *cerned shall ensure that any questionnaire devel-*
12 *oped pursuant to subparagraph (A) is distrib-*
13 *uted to individuals the records of whom are con-*
14 *tained in the Individual Longitudinal Exposure*
15 *Record.*

16 (d) *DEFINITIONS.—In this Act:*

17 (1) *The term “appropriate congressional com-*
18 *mittees” means—*

19 (A) *the Committee on Armed Services and*
20 *the Committee on Veterans’ Affairs of the House*
21 *of Representatives; and*

22 (B) *the Committee on Armed Services and*
23 *the Committee on Veterans’ Affairs of the Senate.*

24 (2) *The term “Secretary concerned” means—*

1 (A) the Secretary of Defense, with respect to
2 matters concerning the Department of Defense;
3 and

4 (B) the Secretary of Veterans Affairs, with
5 respect to matters concerning the Department of
6 Veterans Affairs.

7 **SEC. 743. GAO STUDY ON EXCLUSION OF CERTAIN REMAR-**
8 **RIED INDIVIDUALS FROM MEDICAL AND DEN-**
9 **TAL COVERAGE UNDER TRICARE PROGRAM.**

10 (a) GAO STUDY.—

11 (1) STUDY.—The Comptroller General of the
12 United States shall conduct a study on the purpose
13 and effects of limiting medical and dental coverage
14 under the TRICARE program to exclude remarried
15 widows, widowers, and former spouses of members or
16 former members of the uniformed services.

17 (2) ELEMENTS.—The study under paragraph (1)
18 shall include the following:

19 (A) A census of the widows and widowers
20 who currently qualify as a dependent under the
21 TRICARE program pursuant to subparagraph
22 (B) or (C) of section 1072(2) of title 10, United
23 States Code.

24 (B) A census of the former spouses who cur-
25 rently qualify as a dependent under the

1 *TRICARE* program pursuant to subparagraph
2 (F), (G), or (H) of such section.

3 (C) *An identification of the number of such*
4 *widows, widowers, and former spouses who in-*
5 *tend to remarry, and an assessment of whether*
6 *potential loss of coverage under the TRICARE*
7 *program has affected the decisions of such indi-*
8 *viduals to remarry or remain unremarried.*

9 (D) *An assessment of the effect, if any, on*
10 *the military and local communities of an indi-*
11 *vidual who formerly qualified as a dependent*
12 *under the TRICARE program by reason of being*
13 *an unremarried widow, widower, or former*
14 *spouse, as specified in section 1072(2) of title 10,*
15 *United States Code, when the individual remar-*
16 *ries and loses such coverage.*

17 (E) *A cost analysis of the expansion of med-*
18 *ical and dental coverage under the TRICARE*
19 *program to include remarried individuals who,*
20 *but for their remarried status, would otherwise*
21 *qualify as a dependent under such program.*

22 (b) *REPORT.*—*Not later than one year after the date*
23 *of the enactment of this Act, the Comptroller General shall*
24 *submit to the Committees on Armed Services of the House*
25 *of Representatives and the Senate a report containing—*

1 (1) *the findings and conclusions of the study*
2 *under subsection (a); and*

3 (2) *recommendations based on such findings and*
4 *conclusions to improve the dependent categories speci-*
5 *fied in section 1072(2) of title 10, United States Code,*
6 *including with respect to whether remarried widows,*
7 *widowers, and former spouses of members or former*
8 *members of the uniformed services should remain ex-*
9 *cluded from coverage under the TRICARE program*
10 *pursuant to such section.*

11 (c) *DEFINITIONS.*—*In this section, the terms “depend-*
12 *ent” and “TRICARE program” have the meanings given*
13 *such terms in section 1072 of title 10, United States Code.*

14 **SEC. 744. STUDY ON JOINT FUND OF THE DEPARTMENT OF**
15 **DEFENSE AND THE DEPARTMENT OF VET-**
16 **ERANS AFFAIRS FOR FEDERAL ELECTRONIC**
17 **HEALTH RECORD MODERNIZATION OFFICE.**

18 (a) *STUDY.*—*The Secretary of Defense, in coordination*
19 *with the Secretary of Veterans Affairs, shall conduct a study*
20 *on—*

21 (1) *the development of a joint fund of the De-*
22 *partment of Defense and the Department of Veterans*
23 *Affairs for the Federal Electronic Health Record Mod-*
24 *ernization Office; and*

1 (2) *the operations of the Federal Electronic*
2 *Health Record Modernization Office since its estab-*
3 *lishment, including how the Office has supported the*
4 *implementation of the Individual Longitudinal Expo-*
5 *sure Record program of the Department of Defense*
6 *and the Department of Veterans Affairs.*

7 (b) *ELEMENTS.—The study under subsection (a) shall*
8 *assess the following:*

9 (1) *Justifications for the development of the joint*
10 *fund.*

11 (2) *Options for the governance structure of the*
12 *joint fund, including how accountability would be di-*
13 *vided between the Department of Defense and the De-*
14 *partment of Veterans Affairs.*

15 (3) *An estimated timeline for implementation of*
16 *the joint fund.*

17 (4) *The anticipated contents of the joint fund,*
18 *including the anticipated process for annual transfers*
19 *to the joint fund from the Department of Defense and*
20 *the Department of Veterans Affairs, respectively.*

21 (5) *The progress and accomplishments of the*
22 *Federal Electronic Health Record Modernization Of-*
23 *fice during fiscal year 2021 in fulfilling the purposes*
24 *specified in subparagraphs (C) through (R) of section*

1 1635(b)(2) of the Wounded Warrior Act (title XVI of
2 Public Law 110–181; 10 U.S.C. 1071 note).

3 (6) *The role and contributions of the Federal*
4 *Electronic Health Record Modernization Office with*
5 *respect to—*

6 (A) *the current implementation of the Elec-*
7 *tronic Health Record Modernization Program at*
8 *the Mann-Grandstaff Department of Veterans Af-*
9 *airs Medical Center located in Spokane, Wash-*
10 *ington; and*

11 (B) *the strategic review of the Electronic*
12 *Health Record Modernization Program con-*
13 *ducted by the Department of Veterans Affairs.*

14 (7) *How dedicated funding for the Federal Elec-*
15 *tronic Health Record Modernization Office would*
16 *have affected or altered the role and contributions*
17 *specified in paragraph (6).*

18 (8) *An estimated timeline for the completion of*
19 *the implementation milestones under section 1635(e)*
20 *of the Wounded Warrior Act (title XVI of Public Law*
21 *110–181; 10 U.S.C. 1071 note), taking into account*
22 *delays in the implementation of the Electronic Health*
23 *Record Modernization Program.*

24 (c) *REPORT.—Not later than April 1, 2022, the Sec-*
25 *retary of Defense, in coordination with the Secretary of Vet-*

1 *erans Affairs, shall submit to the appropriate congressional*
2 *committees a report on the findings of the study under sub-*
3 *section (a), including recommendations on the development*
4 *of the joint fund specified in such subsection. Such rec-*
5 *ommendations shall address—*

6 *(1) the purpose of the joint fund; and*

7 *(2) requirements related to the joint fund.*

8 *(d) DEFINITIONS.—In this section:*

9 *(1) The term “appropriate congressional com-*
10 *mittees” means—*

11 *(A) the Committees on Armed Services of*
12 *the House of Representatives and the Senate; and*

13 *(B) the Committees on Veterans’ Affairs of*
14 *the House of Representatives and the Senate.*

15 *(2) The term “Electronic Health Record Mod-*
16 *ernization Program” has the meaning given such*
17 *term in section 503(e) of the Veterans Benefits and*
18 *Transition Act of 2018 (Public Law 115–407; 132*
19 *Stat. 5376).*

20 *(3) The term “Federal Electronic Health Record*
21 *Modernization Office” means the Office established*
22 *under section 1635(b) of the Wounded Warrior Act*
23 *(title XVI of Public Law 110–181; 10 U.S.C. 1071*
24 *note).*

1 **SEC. 745. BRIEFING ON DOMESTIC PRODUCTION OF CRIT-**
2 **ICAL ACTIVE PHARMACEUTICAL INGREDI-**
3 **ENTS.**

4 *Not later than April 1, 2022, the Secretary of Defense*
5 *shall provide to the Committees on Armed Services of the*
6 *House of Representatives and the Senate a briefing on the*
7 *development of a domestic production capability for critical*
8 *active pharmaceutical ingredients and drug products in*
9 *finished dosage form. Such briefing shall include a descrip-*
10 *tion of the following:*

11 *(1) The anticipated cost over the period covered*
12 *by the most recent future-years defense program sub-*
13 *mitted under section 221 of title 10, United States*
14 *Code (as of the date of the briefing), to develop a do-*
15 *mestic production capability for critical active phar-*
16 *maceutical ingredients.*

17 *(2) The cost of producing critical active pharma-*
18 *ceutical ingredients through such a domestic produc-*
19 *tion capability, as compared with the cost of standard*
20 *manufacturing processes used by the pharmaceutical*
21 *industry.*

22 *(3) The average time to produce critical active*
23 *pharmaceutical ingredients through such a domestic*
24 *production capability, as compared with the average*
25 *time to produce such ingredients through standard*

1 *manufacturing processes used by the pharmaceutical*
2 *industry.*

3 *(4) Any intersections between the development of*
4 *such a domestic production capability, the military*
5 *health system, and defense-related medical research or*
6 *operational medical requirements.*

7 *(5) Lessons learned from the progress made in*
8 *developing such a domestic production capability as*
9 *of the date of the briefing, including from any con-*
10 *tracts entered into by the Secretary with respect to*
11 *such a domestic production capability.*

12 *(6) Any critical active pharmaceutical ingredi-*
13 *ents that are under consideration by the Secretary for*
14 *future domestic production as of the date of the brief-*
15 *ing.*

16 *(7) The plan of the Secretary regarding the fu-*
17 *ture use of domestic production capability for critical*
18 *active pharmaceutical ingredients.*

19 **SEC. 746. BRIEFING ON ANOMALOUS HEALTH INCIDENTS**
20 **INVOLVING MEMBERS OF THE ARMED**
21 **FORCES.**

22 *(a) BRIEFING.—Not later than March 1, 2022, the Sec-*
23 *retary of Defense shall provide to the appropriate congres-*
24 *sional committees a briefing on anomalous health incidents*
25 *affecting members of the Armed Forces and civilian employ-*

1 *ees of the Department of Defense, any ongoing efforts car-*
2 *ried out by the Secretary to protect such members and em-*
3 *ployees from the effects of anomalous health incidents, and*
4 *the extent and nature of engagement by the Secretary with*
5 *the heads of other Federal departments and agencies regard-*
6 *ing anomalous health incidents affecting the employees of*
7 *such other departments and agencies.*

8 *(b) MATTERS.—The briefing provided under subsection*
9 *(a) shall include, at a minimum, the following:*

10 *(1) Information on cases of confirmed or sus-*
11 *pected anomalous health incidents affecting members*
12 *of the Armed Forces or civilian employees of the De-*
13 *partment.*

14 *(2) An update on the strategy of the Department*
15 *to protect such members and employees from the ef-*
16 *fects of anomalous health incidents, including any ef-*
17 *forts carried out by the Secretary to ensure that—*

18 *(A) suspected anomalous health incidents*
19 *are promptly reported; and*

20 *(B) victims of anomalous health incidents*
21 *are provided immediate and long-term medical*
22 *treatment.*

23 *(3) The current efforts of the Department to con-*
24 *tribute to the overall approach of the U.S. Govern-*
25 *ment to address, prevent, and respond to, anomalous*

1 *health incidents, including such contributed efforts of*
2 *the Department to defend against anomalous health*
3 *incident attacks against personnel of the U.S. Govern-*
4 *ment and United States citizens.*

5 *(4) The current efforts of the Department to pre-*
6 *pare members of the Armed Forces and civilian em-*
7 *ployees of the Department for the effects of anomalous*
8 *health incidents, including prior to deployment.*

9 *(5) Recommendations on how to improve the*
10 *identification and reporting of anomalous health inci-*
11 *dents affecting such members and employees, includ-*
12 *ing a recommendation on whether to conduct a health*
13 *assessment prior to the deployment of such members*
14 *or employees if the prospective deployment is to an*
15 *embassy of the United States (or to another location*
16 *that the Secretary determines may present a height-*
17 *ened risk of anomalous health incidents), to establish*
18 *a medical baseline against which medical data of the*
19 *member or employee may be compared following a*
20 *suspected anomalous health incident.*

21 *(6) An identification by the Secretary of a senior*
22 *official of the Department who has been designated by*
23 *the Secretary as the official with principal responsi-*
24 *bility for leading the efforts of the Department regard-*
25 *ing anomalous health incidents (and related issues*

1 *within the Department) and for coordinating with the*
2 *heads of other Federal departments and agencies re-*
3 *garding such incidents and related issues.*

4 *(c) SENATE CONFIRMATION OF RESPONSIBLE INDI-*
5 *VIDUAL.—If the designated senior official identified pursu-*
6 *ant to subsection (b)(6) has not been appointed by and with*
7 *the advice and consent of the Senate, the Secretary shall*
8 *ensure that the principal responsibility for the actions spec-*
9 *ified in such subsection is transferred to a senior official*
10 *of the Department who has been so appointed.*

11 *(d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
12 *FINED.—In this section, the term “appropriate congres-*
13 *sional committees” means—*

14 *(1) the Committee on Armed Services, the Com-*
15 *mittee on Oversight and Reform, and the Committee*
16 *on Transportation and Infrastructure of the House of*
17 *Representatives; and*

18 *(2) the Committee on Armed Services, the Com-*
19 *mittee on Homeland Security and Governmental Af-*
20 *airs, and the Committee on Commerce, Science, and*
21 *Transportation of the Senate.*

22 **SEC. 747. SENSE OF CONGRESS ON NATIONAL WARRIOR**
23 **CALL DAY.**

24 *(a) FINDINGS.—Congress finds the following:*

1 (1) *Establishing an annual “National Warrior*
2 *Call Day” will draw attention to those members of*
3 *the Armed Forces whose connection to one another is*
4 *key to our veterans and first responders who may be*
5 *dangerously disconnected from family, friends, and*
6 *support systems.*

7 (2) *The number of suicides of members of the*
8 *Armed Forces serving on active duty increased to 377*
9 *in 2020, a figure up from 348 the previous year.*

10 (3) *The epidemic of veteran suicide has steadily*
11 *increased since 2014 with 6,435 veterans taking their*
12 *own lives in 2018.*

13 (4) *After adjusting for sex and age, the rate of*
14 *veteran suicide in 2018 was 27.5 per 100,000 individ-*
15 *uals, higher than the rate among all United States*
16 *adults at 18.3.*

17 (5) *More veterans have died by suicide in the*
18 *last 10 years than members of the Armed Forces who*
19 *died from combat in Vietnam.*

20 (6) *Roughly two-thirds of these veterans who take*
21 *their own lives have had no contact with the Depart-*
22 *ment of Veterans Affairs.*

23 (7) *The COVID-19 pandemic has only increased*
24 *isolation and disconnection, further exacerbating*

1 *mental and physical ailments such as post-traumatic*
2 *stress disorder and traumatic brain injury.*

3 *(8) The Centers for Disease Control and Preven-*
4 *tion note that law enforcement officers and firefighters*
5 *are more likely to die by suicide than in the line of*
6 *duty, and emergency medical services providers are*
7 *1.39 times more likely to die by suicide than members*
8 *of the general public.*

9 *(9) Invisible wounds linked to an underlying*
10 *and undiagnosed traumatic brain injury can mirror*
11 *many mental health conditions, a problem that can*
12 *be addressed through connections to members of the*
13 *Armed Forces and veterans who can better identify*
14 *and address these wounds.*

15 *(10) Urgent research is needed to highlight the*
16 *connection between traumatic brain injury as a root*
17 *cause of invisible wounds and suicide by members of*
18 *the Armed Forces and veterans.*

19 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
20 *that Congress—*

21 *(1) supports the designation of a “National War-*
22 *rior Call Day”;*

23 *(2) encourages all Americans, especially members*
24 *of the Armed Forces serving on active duty and vet-*
25 *erans, to call up a warrior, have an honest conversa-*

1 *tion, and connect them with support, understanding*
2 *that making a warrior call could save a life; and*

3 *(3) implores all Americans to recommit them-*
4 *selves to engaging with members of the Armed Forces*
5 *through “National Warrior Call Day” and construc-*
6 *tive efforts that result in solutions and treatment for*
7 *the invisible scars they carry.*

8 **TITLE VIII—ACQUISITION POL-**
9 **ICY, ACQUISITION MANAGE-**
10 **MENT, AND RELATED MAT-**
11 **TERS**

12 **Subtitle A—Acquisition Policy and**
13 **Management**

14 **SEC. 801. ACQUISITION WORKFORCE EDUCATIONAL PART-**
15 **NERSHIPS.**

16 *(a) IN GENERAL.—Subchapter IV of chapter 87 of title*
17 *10, United States Code, is amended by inserting after sec-*
18 *tion 1746 the following new section:*

19 **“§ 1746a. Acquisition workforce educational partner-**
20 **ships**

21 *“(a) ESTABLISHMENT.—The Secretary of Defense, act-*
22 *ing through the Under Secretary of Defense for Acquisition*
23 *and Sustainment, shall establish a program within Defense*
24 *Acquisition University to—*

1 “(1) facilitate the engagement of experts in in-
2 structional design from participants in the acquisi-
3 tion research organization established under section
4 2361a with the faculty of the Defense Acquisition
5 University to organize and adjust the curriculum of
6 the Defense Acquisition University, as appropriate, to
7 ensure that—

8 “(A) the curriculum accords with the edu-
9 cational framework commonly known as Bloom’s
10 taxonomy;

11 “(B) classes are composed of students from
12 diverse positions in the acquisition workforce;
13 and

14 “(C) higher level classes require students to
15 create solutions to operational challenges related
16 to acquisition policy reform through human-cen-
17 tered design projects;

18 “(2) in coordination with the Office of Human
19 Capital Initiatives, facilitate the retention of critical
20 members of the acquisition workforce by providing
21 academic advising with respect to classes offered by
22 the Defense Acquisition University to both members of
23 the acquisition workforce and the supervisors of the
24 members to ensure that each member takes the classes

1 *that are suited to the experience level, position, and*
2 *professional development of such member;*

3 “(3) *partner with extramural institutions to*
4 *offer training to all members of the acquisition work-*
5 *force addressing operational challenges that affect pro-*
6 *curement decision-making, including training on—*

7 “(A) *intellectual property and data rights*
8 *negotiations;*

9 “(B) *the effects of climate change and the*
10 *need to invest in mitigating such effects through-*
11 *out the full life cycle of a project;*

12 “(C) *partnering with contractors and other*
13 *suppliers to attract new companies with emerg-*
14 *ing technologies and to ensure supply chain re-*
15 *siliency; and*

16 “(D) *enabling rapid and efficient procure-*
17 *ment of technologies in a manner that permits*
18 *quick response to technological changes;*

19 “(4) *support the partnerships between the De-*
20 *partment of Defense and extramural institutions with*
21 *missions relating to the training and development of*
22 *members of the acquisition workforce;*

23 “(5) *accelerate the adoption of flexible con-*
24 *tracting techniques by the acquisition workforce by*
25 *expanding the availability of training on such tech-*

1 *niques and incorporating such training into the cur-*
2 *riculum of the Defense Acquisition University, includ-*
3 *ing partnering with extramural institutions to ex-*
4 *pend the availability of training related to trans-*
5 *action authorities under sections 2371 and 2371b to*
6 *attorneys and technical specialists; and*

7 *“(6) enhance the reputation of the faculty of the*
8 *Defense Acquisition University by—*

9 *“(A) building partnerships between the fac-*
10 *ulty of the Defense Acquisition University and*
11 *participants in the activity established under*
12 *section 2361a; and*

13 *“(B) supporting the preparation and draft-*
14 *ing of the reports required under subsection*
15 *(f)(2).*

16 *“(b) CURRICULUM ADJUSTMENTS.—Not later than the*
17 *date that is one year after the date of the enactment of this*
18 *section, the President of the Defense Acquisition University*
19 *shall reorganize and adjust the curriculum of the Defense*
20 *Acquisition University, as appropriate, to comply with the*
21 *criteria described in subparagraphs (A), (B), and (C) of*
22 *subsection (a)(1).*

23 *“(c) PROGRAM DIRECTOR OF STRATEGIC PARTNER-*
24 *SHIPS.—*

1 “(1) *ESTABLISHMENT.*—*There is established in*
2 *the Office of the President of the Defense Acquisition*
3 *University the position of Program Director of Stra-*
4 *tegic Partnerships.*

5 “(2) *DUTIES.*—*The Program Director of Stra-*
6 *tegic Partnerships shall establish, develop, and main-*
7 *tain partnerships between the Defense Acquisition*
8 *University and extramural institutions.*

9 “(3) *APPOINTMENT.*—

10 “(A) *IN GENERAL.*—*The President of the*
11 *Defense Acquisition University shall appoint the*
12 *Program Director of Strategic Partnerships.*

13 “(B) *INITIAL APPOINTMENT.*—*Not later*
14 *than 180 days after the enactment of this section,*
15 *the President of the Defense Acquisition Univer-*
16 *sity shall appoint a Program Director of Stra-*
17 *tegic Partnerships.*

18 “(d) *IMPLEMENTATION.*—

19 “(1) *SUPPORT FROM OTHER DEPARTMENT OF*
20 *DEFENSE ORGANIZATIONS.*—*The Secretary of Defense*
21 *may direct other elements of the Department of De-*
22 *fense to provide personnel, resources, and other sup-*
23 *port to the program established under this section, as*
24 *the Secretary determines appropriate.*

25 “(2) *IMPLEMENTATION PLAN.*—

1 “(A) *IN GENERAL.*—Not later than one year
2 after the date of the enactment of this section, the
3 President of the Defense Acquisition University
4 shall submit to the congressional defense commit-
5 tees a plan for implementing the program estab-
6 lished under this section.

7 “(B) *ELEMENTS.*—The plan required under
8 subparagraph (A) shall include the following:

9 “(i) Plans that describe any support
10 that will be provided for the program by
11 other elements of the Department of Defense
12 under paragraph (1).

13 “(ii) Plans for the implementation of
14 the program, including plans for—

15 “(I) future funding and adminis-
16 trative support of the program;

17 “(II) integration of the program
18 into the programming, planning, budg-
19 eting, and execution process of the De-
20 partment of Defense;

21 “(III) integration of the program
22 with the other programs and initia-
23 tives within the Department relating to
24 innovation and outreach to the aca-
25 demic and the private sector; and

1 “(IV) performance indicators by
2 which the program will be assessed and
3 evaluated.

4 “(iii) A description of any additional
5 authorities the Secretary of Defense may re-
6 quire to carry out the responsibilities under
7 this section.

8 “(e) FUNDING.—Subject to the availability of appro-
9 priations, the Under Secretary of Defense for Acquisition
10 and Sustainment may use amounts available in the Defense
11 Acquisition Workforce and Development Account (as estab-
12 lished under section 1705) to carry out the requirements
13 of this section.

14 “(f) ANNUAL REPORTS.—

15 “(1) IN GENERAL.—Not later than September 30,
16 2022, and annually thereafter, the President of the
17 Defense Acquisition University shall submit to the
18 Secretary of Defense and the congressional defense
19 committees a report describing the activities con-
20 ducted under this section during the one-year period
21 ending on the date on which such report is submitted.

22 “(2) FACULTY REPORTS.—

23 “(A) IN GENERAL.—Except as provided in
24 subparagraph (C), not later than six months
25 after the date of the enactment of this section,

1 *and not later than March 1 of each year there-*
2 *after, each individual employed by the Defense*
3 *Acquisition University as a full-time professor,*
4 *instructor, or lecturer and each group created*
5 *under subparagraph (B) shall submit to the con-*
6 *gressional defense committees a report on the*
7 *area of Federal acquisition expertise of such in-*
8 *dividual or group, including—*

9 “(i) *developments in such area during*
10 *the one-year ending on the date on which*
11 *the report is submitted; and*

12 “(ii) *suggested legislative and regu-*
13 *latory reforms.*

14 “(B) *GROUP DETERMINATIONS.—The Presi-*
15 *dent of the Defense Acquisition University may*
16 *group together individuals described in subpara-*
17 *graph (A) that the President of the Defense Ac-*
18 *quisition University determines to be experts in*
19 *the same or substantially overlapping areas of*
20 *Federal acquisition.*

21 “(C) *INDIVIDUAL REPORT EXCEPTION.—*
22 *Subparagraph (A) shall not apply with respect*
23 *to an individual that is a member of a group*
24 *created under subparagraph (B) for any year in*
25 *which such group submits a report under this*

1 *paragraph to which such individual contributed*
2 *as a member of such group.*

3 “(g) *EXEMPTION TO REPORT TERMINATION REQUIRE-*
4 *MENTS.—Section 1080(a) of the National Defense Author-*
5 *ization Act for Fiscal Year 2016 (Public Law 114–92; 129*
6 *Stat. 1000; 10 U.S.C. 111 note), as amended by section*
7 *1061(j) of the National Defense Authorization Act for Fiscal*
8 *Year 2017 (Public Law 114–328; 130 Stat. 2405; 10 U.S.C.*
9 *111 note), does not apply with respect to the reports re-*
10 *quired to be submitted to Congress under this section.*

11 “(h) *DEFINITIONS.—In this section:*

12 “(1) *ACQUISITION WORKFORCE.—The term ‘ac-*
13 *quisition workforce’ has the meaning given such term*
14 *in section 1705(g).*

15 “(2) *EXTRAMURAL INSTITUTIONS.—The term ‘ex-*
16 *tramural institutions’ means participants in an ac-*
17 *tivity established under section 2361a, public sector*
18 *organizations, and nonprofit credentialing organiza-*
19 *tions.*

20 “(3) *HUMAN-CENTERED DESIGN.—The term*
21 *‘human-centered design’ means a solution to a prob-*
22 *lem that is based on a problem-solving approach*
23 *under which the individual or entity seeking to solve*
24 *the problem—*

1 “(A) develops an understanding of the prob-
2 lem primarily by interacting with individuals
3 who are experiencing the problem;

4 “(B) creates solutions to the problem that
5 are based on such understanding and which are
6 designed to address the needs of such individuals
7 with respect to the problem; and

8 “(C) involves such individuals in the devel-
9 opment and testing of such solutions.

10 “(4) NONPROFIT CREDENTIALING ORGANIZA-
11 TION.—The term ‘nonprofit credentialing organiza-
12 tion’ means a nonprofit organization that offers a
13 credentialing program that—

14 “(A) is accredited by a nationally-recog-
15 nized, third-party personnel certification pro-
16 gram accreditor;

17 “(B)(i) is sought or accepted by employers
18 within the industry or sector involved as a recog-
19 nized, preferred, or required credential for re-
20 cruitment, screening, hiring, retention, or ad-
21 vancement purposes; and

22 “(ii) where appropriate, is endorsed by
23 a nationally-recognized trade association or
24 organization representing a significant part
25 of the industry or sector; or

1 “(C) meets credential standards of a Fed-
2 eral agency.

3 “(5) *TECHNICAL SPECIALIST*.—The term ‘tech-
4 nical specialist’ means an individual who is author-
5 ized by the Secretary of Defense or a Secretary of a
6 military department to enter into agreements under
7 the authority of section 2371 or 2371b and is not oth-
8 erwise authorized to enter into procurement contracts
9 or cooperative agreements.”.

10 (b) *CLERICAL AMENDMENT*.—The table of sections for
11 subchapter IV of chapter 87 of title 10, United States Code,
12 is amended by inserting after the item relating to section
13 1746 the following new item:

 “1746a. Acquisition workforce educational partnerships.”.

14 **SEC. 802. SPECIAL EMERGENCY REIMBURSEMENT AUTHOR-**
15 **ITY.**

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

19 **“§ 2265. Special emergency reimbursement authority**

20 “(a) *SPECIAL EMERGENCY REIMBURSEMENT AUTHOR-*
21 *ITY*.—

22 “(1) *IN GENERAL*.—Notwithstanding any other
23 provision of law, the Secretary of Defense may, in ac-
24 cordance with paragraph (2) and subsection (c), mod-
25 ify the terms and conditions of a covered contract,

1 *without consideration, to reimburse a contractor for*
2 *the cost of any paid leave, including sick leave, that*
3 *such contractor provides to the employees of such con-*
4 *tractor or employees of subcontractors (at any tier) of*
5 *such contractor in response to a covered emergency to*
6 *keep such employees or subcontractors in a ready*
7 *state with respect to such covered contract.*

8 *“(2) REIMBURSEMENT REQUIREMENTS.—*

9 *“(A) ELIGIBLE EMPLOYEE AND SUB-*
10 *CONTRACT COSTS.—Reimbursements under this*
11 *subsection may be made only with respect to em-*
12 *ployees of a contractor or employees of sub-*
13 *contractors (at any tier) of a contractor which,*
14 *for the relevant covered contract—*

15 *“(i) are unable to perform work on a*
16 *covered site due to facility closures or other*
17 *restrictions; and*

18 *“(ii) cannot telework because the duties*
19 *of such employee or contractor cannot be*
20 *performed remotely.*

21 *“(B) AVERAGE HOURS.—The number of*
22 *hours of paid leave for which the cost may be re-*
23 *imbursement under this subsection may not ex-*
24 *ceed an average of 40 hours per week per em-*
25 *ployee described in subparagraph (A).*

1 “(C) *BILL RATE.*—*The minimum applicable*
2 *contract billing rate under the relevant covered*
3 *contract shall be used to calculate reimburse-*
4 *ments under this subsection.*

5 “(b) *ENHANCED REIMBURSEMENT FOR SMALL BUSI-*
6 *NESS CONTRACTORS.*—

7 “(1) *IN GENERAL.*—*In addition to any reim-*
8 *bursement under subsection (a), the Secretary of De-*
9 *fense may, in accordance with paragraph (2) and*
10 *subsection (c), modify the terms and conditions of a*
11 *covered contract, without consideration, to reimburse*
12 *a small business contractor for costs, other than costs*
13 *reimbursable under subsection (a), that are direct*
14 *costs of a covered emergency with respect to which re-*
15 *imbursement is permitted under subsection (a).*

16 “(2) *LIMITATIONS.*—*The Secretary of Defense*
17 *may reimburse a small business contractor under this*
18 *subsection to the extent that the relevant contracting*
19 *officer determines in writing that—*

20 “(A) *such reimbursement is necessary to en-*
21 *sure the continuation of contractor performance*
22 *during, or the resumption of contractor perform-*
23 *ance after, the covered emergency;*

1 “(B) *the small business contractor mitigated*
2 *the costs that may be reimbursed under this sub-*
3 *section to the extent practicable; and*

4 “(C) *it is in the best interest of the United*
5 *States to reimburse such costs.*

6 “(c) *REIMBURSEMENT CONDITIONS.—*

7 “(1) *COST IDENTIFICATION.—A cost is eligible*
8 *for reimbursement under subsection (a) or (b) only if*
9 *the relevant contracting officer determines that the*
10 *records of the contractor to identify such cost as a cost*
11 *described in either such subsection such that such con-*
12 *tracting officer may audit such cost.*

13 “(2) *OTHER FEDERAL BENEFIT OFFSET.—*

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

20 “(B) *NOTIFICATION.—A contractor that re-*
21 *ceives a payment, allowance, or credit described*
22 *in subparagraph (A) for a cost which such con-*
23 *tractor seeks reimbursement under subsection (a)*
24 *or (b) shall submit to the relevant contracting of-*

1 *ficer a notice of the receipt of such payment, al-*
2 *lowance, or credit—*

3 “(i) *prior to the execution of a contract*
4 *modification providing such reimbursement;*
5 *and*

6 “(ii) *not later than 30 days after such*
7 *receipt.*

8 “(C) *POST REIMBURSEMENT.—A contractor*
9 *that receives a payment, allowance, or credit de-*
10 *scribed in subparagraph (A) for a cost after the*
11 *execution of a contract modification under sub-*
12 *section (a) or (b) reimbursing such cost, or that*
13 *is unable to provide the notice required under*
14 *subparagraph (B) in accordance with clause (i)*
15 *of such subparagraph, shall—*

16 “(i) *not later than 30 days after the re-*
17 *ceipt of the payment, allowance, or credit,*
18 *notify the relevant contracting officer in*
19 *writing of such receipt; and*

20 “(ii) *agree to execute a contract modi-*
21 *fication to reduce the amount reimbursed*
22 *under subsections (a) and (b) by the*
23 *amount of such payment, allowance, or*
24 *credit.*

1 “(3) *APPROPRIATIONS AVAILABILITY.*—*Reim-*
2 *bursments under subsections (a) and (b) shall be sub-*
3 *ject to the availability of appropriations.*

4 “(d) *COST ACCOUNTING STANDARDS.*—*For the pur-*
5 *poses of this section, a cognizant Federal agency official*
6 *shall provide a contractor subject to the cost accounting*
7 *standards issued pursuant to section 1502 of title 41 and*
8 *required to submit one or more disclosure statements, a rea-*
9 *sonable opportunity to amend any such disclosure state-*
10 *ments to reflect any costs that are reimbursable under sub-*
11 *section (a).*

12 “(e) *DEFINITIONS.*—*In this section:*

13 “(1) *COGNIZANT FEDERAL AGENCY OFFICIAL.*—
14 *The term ‘cognizant Federal agency official’ has the*
15 *meaning given such term in section 30.001 of title 48,*
16 *Code of Federal Regulations.*

17 “(2) *COVERED CONTRACT.*—*The term ‘covered*
18 *contract’ means any contract, including a fixed-price*
19 *or cost-reimbursement contract, or any other agree-*
20 *ment for the procurement of goods or services by or*
21 *for the Department of Defense.*

22 “(3) *COVERED EMERGENCY.*—*The term ‘covered*
23 *emergency’ means a declared pandemic which pre-*
24 *vents the employees of a contractor of the Department*
25 *of Defense or the employees of a subcontractor (at any*

1 *tier) of such a contractor from performing work under*
2 *a covered contract, as determined by the Secretary.*

3 “(4) *COVERED SITE.*—*The term ‘covered site’*
4 *means any government-owned, government-leased,*
5 *contractor-owned, or contractor-leased facility ap-*
6 *proved by the Federal Government for contract per-*
7 *formance.*

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

12 “(6) *MINIMUM APPLICABLE CONTRACT BILLING*
13 *RATE.*—*The term ‘minimum applicable contract bill-*
14 *ing rate’ means a rate capturing the financial impact*
15 *incurred as a consequence of keeping the employees of*
16 *a contractor or employees of subcontractors (at any*
17 *tier) of a contractor in a ready state, including the*
18 *base hourly pay rate of such employees and employees*
19 *of such subcontractors, indirect costs, general and ad-*
20 *ministrative expenses, and other relevant costs.*

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

24 “(8) *SMALL BUSINESS CONTRACTOR.*—*The term*
25 *‘small business contractor’ means a contractor for a*

1 *covered contract that is a small business concern (as*
2 *such term is defined under section 3 of the Small*
3 *Business Act (15 U.S.C. 632).”.*

4 **(b) CLERICAL AMENDMENT.**—*The table of sections for*
5 *subchapter II of chapter 134 of title 10, United States Code,*
6 *is amended by adding at the end the following new item:*
 “2265. Special emergency reimbursement authority.”.

7 **SEC. 803. PROHIBITION ON PROCUREMENT OF PERSONAL**
8 **PROTECTIVE EQUIPMENT FROM NON-ALLIED**
9 **FOREIGN NATIONS.**

10 **(a) PROHIBITION.**—

11 **(1) IN GENERAL.**—*Chapter 137 of title 10,*
12 *United States Code, is amended by adding at the end*
13 *the following new section:*

14 **“§ 2339d. Prohibition on procurement of personal pro-**
15 **TECTIVE EQUIPMENT AND CERTAIN OTHER ITEMS**
16 **FROM NON-ALLIED FOREIGN NATIONS**

17 **“(a) IN GENERAL.**—*Except as provided in subsection*
18 *(c), the Secretary of Defense may not procure any covered*
19 *item from any covered nation.*

20 **“(b) APPLICABILITY.**—*Subsection (a) shall apply to*
21 *prime contracts and subcontracts at any tier.*

22 **“(c) EXCEPTIONS.**—

23 **(1) IN GENERAL.**—*Subsection (a) does not*
24 *apply under the following circumstances:*

1 “(A) *If the Secretary of Defense determines*
2 *that covered materials of satisfactory quality and*
3 *quantity, in the required form, cannot be pro-*
4 *cured as and when needed from nations other*
5 *than covered nations to meet requirements at a*
6 *reasonable price.*

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

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

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

15 “(d) *DEFINITIONS.—In this section:*

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

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

1 *and foot coverings) or clothing, and the mate-*
 2 *rials and components thereof, other than sensors,*
 3 *electronics, or other items added to and not nor-*
 4 *mally associated with such personal protective*
 5 *equipment or clothing; or*

6 *“(B) sanitizing and disinfecting wipes, test-*
 7 *ing swabs, gauze, and bandages.*

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

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

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

13 *“(C) the Russian Federation; and*

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

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

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

19 (b) *FUTURE TRANSFER.*—

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

1 *William M. (Mac) Thornberry National Defense Au-*
2 *thorization Act for Fiscal Year 2021 (Public Law*
3 *116–283), and redesignated as section 3882.*

4 (2) *CLERICAL AMENDMENTS.—*

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

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

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

18 (3) *EFFECTIVE DATE.—The transfer, redesigna-*
19 *tion, and amendments made by this subsection shall*
20 *take effect on January 1, 2022.*

21 (4) *REFERENCES; SAVINGS PROVISION; RULE OF*
22 *CONSTRUCTION.—Sections 1883 through 1885 of the*
23 *William M. (Mac) Thornberry National Defense Au-*
24 *thorization Act for Fiscal Year 2021 (Public Law*

1 116–283) shall apply with respect to the transfers, re-
2 designations, and amendments made under this sub-
3 section as if such transfers, redesignations, and
4 amendments were made under title XVIII of such Act.

5 **SEC. 804. MINIMUM WAGE FOR EMPLOYEES OF DEPART-**
6 **MENT OF DEFENSE CONTRACTORS.**

7 (a) *IN GENERAL.*—

8 (1) *MINIMUM WAGE FOR EMPLOYEES OF DE-*
9 *PARTMENT OF DEFENSE CONTRACTORS.*—Chapter 141
10 of title 10, United States Code is amended by insert-
11 ing after section 2402 the following new section:

12 **“§2403. Minimum wage for employees of Department**
13 **of Defense contractors**

14 “(a) *IN GENERAL.*—Notwithstanding section 6 of the
15 *Fair Labor Standards Act of 1938 (29 U.S.C. 206), an em-*
16 *ployee of a Department of Defense contractor performing*
17 *a covered contract who is paid at an hourly rate shall be*
18 *paid a minimum wage as follows:*

19 “(1) *Beginning January 30, 2022, \$15.00 an*
20 *hour.*

21 “(2) *Beginning January 1, 2023, at a minimum*
22 *wage determined annually by the Secretary, except*
23 *such wage may not be less than \$15.00 an hour.*

1 “(b) *COVERED CONTRACT DEFINED.*—*In this section,*
 2 *the term ‘covered contract’ means a contract or other agree-*
 3 *ment entered into on or after January 30, 2022, that—*

4 “(1) *is for the procurement of services or con-*
 5 *struction; and*

6 “(2) *with respect to which wages under such con-*
 7 *tract or other agreement are subject to—*

8 “(A) *the Fair Labor Standards Act of 1938*
 9 *(29 U.S.C. 201 et seq.);*

10 “(B) *section 6702 of title 41; or*

11 “(C) *subchapter IV of chapter 31 of title 40*
 12 *(known as the ‘Davis-Bacon Act’).”.*

13 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 14 *tions at the beginning of such chapter is amended by*
 15 *inserting after the item relating to section 2042 the*
 16 *following new item:*

“2403. *Minimum wage for employees of Department of Defense contractors.”.*

17 (b) *RULEMAKING.*—*Not later than January 30, 2022,*
 18 *the Secretary of Defense shall issue rules to carry out the*
 19 *requirement of section 2403 of title 10, United States Code,*
 20 *as added by subsection (a).*

21 **SEC. 805. DIVERSITY AND INCLUSION REPORTING RE-**
 22 **QUIREMENTS FOR COVERED CONTRACTORS.**

23 (a) *IN GENERAL.*—*Subchapter V of chapter 325 of title*
 24 *10, United States Code, is amended by inserting after sec-*
 25 *tion 4892 the following new section:*

1 **“§4893. Diversity and inclusion reporting require-**
2 **ments for covered contractors**

3 “(a) COVERED CONTRACTOR REPORTS.—

4 “(1) IN GENERAL.—The Secretary of Defense
5 shall require each covered contractor awarded a major
6 contract to submit to the Secretary of Defense by the
7 last day of each full fiscal year that occurs during the
8 period of performance of any major contract a report
9 on diversity and inclusion.

10 “(2) ELEMENTS.—Each report under paragraph
11 (1) shall include, for the fiscal year covered by the re-
12 port—

13 “(A) a description of each major contract
14 with a period of performance during the fiscal
15 year covered by the report, including the period
16 of performance, expected total value, and value
17 to date of each major contract;

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

21 “(C) the total number of participants in the
22 board of directors of each covered contractor,
23 nominees for the board of directors of the covered
24 contractor, and the senior leaders of the covered
25 contractor, disaggregated by demographic classi-
26 fications;

1 “(D) with respect to employees of each cov-
2 ered contractor—

3 “(i) the total number of such employ-
4 ees; and

5 “(ii) the number of such employees (ex-
6 pressed as a numeral and as a percentage
7 of the total number), identified by member-
8 ship in demographic classification and
9 major occupational group;

10 “(E) the value of first-tier subcontracts
11 under each major contract entered into during
12 such fiscal year;

13 “(F) with respect to employees of each cov-
14 ered subcontractor—

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

17 “(ii) the number of such employees (ex-
18 pressed as a numeral and as a percentage
19 of the total number), identified by member-
20 ship in demographic classification and
21 major occupational group;

22 “(G) whether the board of directors of the
23 covered contractor has, as of the date on which
24 the covered contractor submits a report under
25 this section, adopted any policy, plan, or strat-

1 *egy to promote racial, ethnic, and gender diver-*
2 *sity among the members of the board of directors*
3 *of the covered contractor, nominees for the board*
4 *of directors of the covered contractor, or the sen-*
5 *ior leaders of the covered contractor; and*

6 *“(H) a description of participation by the*
7 *contractor in diversity programs, to include*
8 *hours spent, funds expended in support of, and*
9 *the number of unique relationships established by*
10 *each such diversity program.*

11 *“(b) ANNUAL SUMMARY REPORT.—*

12 *“(1) REPORT REQUIRED.—Not later than 60*
13 *days after the first day of each fiscal year, the Sec-*
14 *retary shall submit to the congressional defense com-*
15 *mittees a report summarizing the reports submitted*
16 *pursuant to subsection (a).*

17 *“(2) ELEMENTS.—Each report under paragraph*
18 *(1) shall include—*

19 *“(A) an index of the reports submitted pur-*
20 *suant to subsection (a);*

21 *“(B) a compilation of the data described in*
22 *such subsection, disaggregated as described in*
23 *such subsection;*

24 *“(C) an aggregation of the data provided in*
25 *such reports; and*

1 “(D) a narrative that analyzes the informa-
2 tion disclosed in such reports and identifies any
3 year-to-year trends in such information.

4 “(c) *PUBLIC AVAILABILITY.*—Each report required
5 under this subsection shall be posted on a single publicly
6 available website of the Department of Defense and made
7 available in a machine-readable format that is
8 downloadable, searchable, and sortable.

9 “(d) *DEFINITIONS.*—In this section:

10 “(1) *COVERED CONTRACTOR.*—The term ‘covered
11 contractor’ means a contractor awarded a major con-
12 tract.

13 “(2) *COVERED SUBCONTRACTOR.*—The term ‘cov-
14 ered subcontractor’ means a subcontractor performing
15 a subcontract that is one of the 10 highest aggregate
16 value subcontracts under a major contract.

17 “(3) *DEMOGRAPHIC CLASSIFICATIONS.*—The
18 term ‘demographic classifications’ means classifica-
19 tions by race, gender, veteran status, or ethnicity.

20 “(4) *DIVERSITY PROGRAM.*—The term ‘diversity
21 program’ means—

22 “(A) a program conducted under section
23 3904 of this title;

1 “(B) a mentor-protége relationship estab-
2 lished under section 831 of the National Defense
3 Authorization Act for Fiscal Year 1991;

4 “(C) a program conducted under section
5 2192a of this title; or

6 “(D) any other program designated by the
7 Secretary of Defense as designed to increase the
8 diversity of the workforce of the defense indus-
9 trial base.

10 “(5) MAJOR CONTRACT.—The term ‘major con-
11 tract’ has the meaning given the term in section 2432
12 of this title.

13 “(6) MAJOR OCCUPATIONAL GROUP.—The term
14 ‘major occupational group’ means a major occupa-
15 tional group as defined by the Bureau of Labor Sta-
16 tistics.

17 “(7) SENIOR LEADER.—The term ‘senior leader’
18 means—

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

20 “(B) any vice president in charge of a prin-
21 cipal business unit, division, or function of a
22 covered contractor;

23 “(C) any other officer of a covered con-
24 tractor who performs a policy-making function;
25 or

1 “(D) an individual responsible for the di-
2 rect or indirect management of more than 200
3 individuals.”.

4 (b) *CLERICAL AMENDMENT.*—The table of sections for
5 subchapter V of chapter 325 of title 10, United States Code,
6 is amended by adding after the item related to section 4892
7 the following:

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

8 (c) *EFFECTIVE DATE AND APPLICABILITY.*—The
9 amendments made by this section shall take effect on July
10 1, 2022, and shall apply with respect to contracts entered
11 into on or after July 1, 2022.

12 **SEC. 806. WEBSITE FOR CERTAIN DOMESTIC PROCUREMENT**
13 **WAIVERS.**

14 (a) *IN GENERAL.*—Section 4814 of title 10, United
15 States Code, as transferred and redesignated by section
16 1867(b) of the National Defense Authorization Act for Fis-
17 cal Year 2021 (Public Law 116–283), is amended by adding
18 at the end the following new subsection:

19 “(c) *WEBSITE REQUIRED.*—Not later than 18 months
20 after the date of the enactment of this subsection, the Sec-
21 retary of Defense shall establish and maintain a single pub-
22 licly available website for the purpose of publishing the in-
23 formation required by subsection (a)(5).”.

24 (b) *EFFECTIVE DATE.*—The amendments made by this
25 section shall take effect on January 1, 2022.

1 **SEC. 807. SUSPENSION OR DEBARMENT REFERRAL FOR**
2 **EGREGIOUS VIOLATIONS OF CERTAIN DOMES-**
3 **TIC PREFERENCE LAWS.**

4 (a) *IN GENERAL.*—A contracting officer shall refer to
5 the appropriate suspension or debarment official any cur-
6 rent or former contractor of the Department of Defense if
7 such contracting officer reasonably believes that such con-
8 tractor has egregiously violated any covered domestic pref-
9 erence law.

10 (b) *EGREGIOUS VIOLATION DETERMINATION.*—For the
11 purposes of this section, a contractor egregiously violates
12 a covered domestic preference law when—

13 (1) such contractor knowingly or willfully uses
14 or provides goods, articles, materials, or supplies in
15 violation of a covered domestic preference law; and

16 (2) such violation, individually or in the aggre-
17 gate with other violations of domestic preference laws
18 by such contractor, is severe (including through the ef-
19 fects, dollar value, or frequency, or any combination
20 thereof, of such violations).

21 (c) *DEBARMENT OR SUSPENSION BASIS.*—An egre-
22 gious violation of a covered domestic preference law by a
23 contractor may be a basis for suspension or debarment of
24 the contractor.

25 (d) *SAFE HARBOR.*—The use or provision of goods, ar-
26 ticles, materials, or supplies by a contractor in violation

1 *of a covered domestic preference law may not be considered*
2 *such a violation for the purposes of a determining whether*
3 *such contractor has egregiously violated any covered domes-*
4 *tic preference law if such contractor reasonably acted in*
5 *good-faith reliance on—*

6 (1) *a written waiver from an individual who is*
7 *permitted by law or regulation to waive the covered*
8 *domestic preference law; or*

9 (2) *a representation by a third party about the*
10 *origin of such goods, articles, materials, or supplies.*

11 (e) *COVERED DOMESTIC PREFERENCE LAW DE-*
12 *FINED.—In this section, the term “covered domestic pref-*
13 *erence law” means any provision of section 2533a or 2533b*
14 *of title 10, United States Code, or chapter 83 of title 41*
15 *of such Code that requires or creates a preference for the*
16 *procurement of goods, articles, materials, or supplies, that*
17 *are grown, mined, reprocessed, reused, manufactured, or*
18 *produced in the United States.*

1 ***Subtitle B—Amendments to General***
2 ***Contracting Authorities, Proce-***
3 ***dures, and Limitations***

4 **SEC. 811. EXTENSION OF AUTHORIZATION FOR THE DE-**
5 *****FENSE CIVILIAN ACQUISITION WORKFORCE*****
6 *****PERSONNEL DEMONSTRATION PROJECT.*****

7 *Section 1762(g) of title 10, United States Code, is*
8 *amended by striking “2023” and inserting “2025”.*

9 **SEC. 812. MODIFICATIONS TO CONTRACTS SUBJECT TO**
10 *****COST OR PRICING DATA CERTIFICATION.*****

11 *Section 2306a(a)(6) of title 10, United States Code,*
12 *is amended—*

13 *(1) by striking “Upon the request” and all that*
14 *follows through “paragraph (1)” and inserting*
15 *“Under paragraph (1),”; and*

16 *(2) by striking “modify the contract” and all*
17 *that follows through “consideration.” and inserting*
18 *“modify the contract as soon as practicable to reflect*
19 *subparagraphs (B) and (C) of such paragraph, with-*
20 *out requiring consideration.”.*

21 **SEC. 813. OFFICE OF CORROSION POLICY AND OVERSIGHT**
22 *****EMPLOYEE TRAINING REQUIREMENTS.*****

23 *Section 2228 of title 10, United States Code, is amend-*
24 *ed—*

1 (1) *in subsection (b), by adding at the end the*
2 *following new paragraph:*

3 “(6) *To the greatest extent practicable, the Direc-*
4 *tor shall ensure that contractors of the Department of*
5 *Defense carrying out activities for the prevention and*
6 *mitigation of corrosion of the military equipment and*
7 *infrastructure of the Department of Defense employ*
8 *for such activities a substantial number of individ-*
9 *uals who have completed, or who are currently en-*
10 *rolled in, a qualified training program that meets in-*
11 *dustry-wide recognized corrosion control standards.”;*

12 (2) *in subsection (c)—*

13 (A) *in paragraph (2), by striking “; and”*
14 *and inserting a semicolon;*

15 (B) *in paragraph (3), by striking the period*
16 *at the end and inserting “; and” ; and*

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

19 “(4) *require that any training or professional*
20 *development activities for military personnel or civil-*
21 *ian employees of the Department of Defense for the*
22 *prevention and mitigation of corrosion of the military*
23 *equipment and infrastructure of the Department of*
24 *Defense be under a qualified training program such*
25 *that, to the greatest extent practicable, the military*

1 *personnel or civilian employees participating in such*
 2 *qualified training program are trained and certified*
 3 *by the qualified training program as meeting indus-*
 4 *try-wide recognized corrosion control standards.”; and*

5 *(3) in subparagraph (f), by adding at the end*
 6 *the following new paragraph:*

7 *“(6) The term ‘qualified training program’*
 8 *means a training program in corrosion control, miti-*
 9 *gation, and prevention that is either—*

10 *“(A) offered or accredited by an organiza-*
 11 *tion that sets industry corrosion standards; or*

12 *“(B) an industrial coatings applicator*
 13 *training program registered under the Act of Au-*
 14 *gust 16, 1937 (popularly known as the ‘National*
 15 *Apprenticeship Act’; 29 U.S.C. 50 et seq.).”.*

16 **SEC. 814. STANDARD GUIDELINES FOR EVALUATION OF RE-**
 17 **QUIREMENTS FOR SERVICES CONTRACTS.**

18 *(a) INCLUSION OF INVENTORY AND STANDARD GUIDE-*
 19 *LINES IN BUDGET REQUEST.—Section 2329 of title 10,*
 20 *United States Code, is amended—*

21 *(1) in subsection (b)—*

22 *(A) in the matter preceding paragraph (1),*
 23 *by striking “Effective October 1, 2021,” and in-*
 24 *serting “Effective February 1, 2022,”;*

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

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

6 (C) in paragraph (5), by inserting “, except
7 with respect to information on services contracts
8 in support of contingency operations, humani-
9 tarian assistance, disaster relief, in support of a
10 national security emergency declared with re-
11 spect to a named operation, or entered into pur-
12 suant to an international agreement shall be ex-
13 cluded from such submission” before the period
14 at the end;

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

16 (3) redesignating subsection (g) as subsection (f).

17 (b) *STANDARD GUIDELINES*.—Section 2329(d) of title
18 10, *United States Code*, is amended—

19 (1) by striking “Each Services Requirements Re-
20 view Board” and inserting “(1) Each Services Re-
21 quirements Review Board”; and

22 (2) by adding at the end the following new para-
23 graph:

24 “(2) The Secretary of Defense shall establish and issue
25 standard guidelines within the Department of Defense for

1 *the evaluation of requirements for services contracts. Any*
2 *such guidelines issued—*

3 “(A) *shall be based on the checklist relating to*
4 *services contract approval established and in use by*
5 *the Department of the Army (as set forth in the re-*
6 *quest for services contract approval form updated as*
7 *of August 2012, or any successor form); and*

8 “(B) *shall be updated as necessary to incorporate*
9 *applicable statutory changes to total force manage-*
10 *ment policies and procedures and any other guide-*
11 *lines or procedures relating to the use Department of*
12 *Defense civilian employees to perform new functions*
13 *and functions that are performed by contractors.*

14 “(3) *A general or flag officer, or a civilian employee*
15 *of the Department of Defense in the Senior Executive Serv-*
16 *ice, with responsibility for supervising requirements owners*
17 *shall certify—*

18 “(A) *that a task order or statement of work being*
19 *submitted to a contracting office is in compliance*
20 *with the standard guidelines;*

21 “(B) *that all appropriate statutory risk mitiga-*
22 *tion efforts have been made; and*

23 “(C) *that such task order or statement of work*
24 *does not include requirements formerly performed by*
25 *Department of Defense civilian employees.*

1 “(4) A general or flag officer, or a civilian employee
2 of the Department of Defense in the Senior Executive Serv-
3 ice may not delegate the duties described in paragraph (3)
4 to an officer in a grade below O-7 (or a civilian employee
5 of the Department of Defense at or below grade GS-15 of
6 the General Schedule) without authorization from the As-
7 sistant Secretary of the Department of Defense concerned.

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

11 (c) *REPEALS*.—

12 (1) Section 235 of title 10, United States Code,
13 is repealed.

14 (2) Section 852 of the National Defense Author-
15 ization Act for Fiscal Year 2018 (Public Law 115-
16 91; 131 Stat. 1492; 10 U.S.C. 2329 note) is repealed.

17 **SEC. 815. EXTENSION OF REQUIREMENT TO SUBMIT SE-**
18 **LECTED ACQUISITION REPORTS.**

19 (a) *REPEAL OF TERMINATION*.—Section 2432 of title
20 10, United States Code, is amended by striking subsection
21 (j).

22 (b) *REPEAL OF TERMINATION OF CERTAIN ADDI-*
23 *TIONAL REPORTS*.—Section 1051(x) of the National Defense
24 Authorization Act for Fiscal Year 2018 (Public Law 115-

1 91; 131 Stat. 1567; 10 U.S.C. 111 note) is amended by
2 striking paragraph (4).

3 **SEC. 816. LIMITATION ON PROCUREMENT OF WELDED SHIP-**
4 **BOARD ANCHOR AND MOORING CHAIN FOR**
5 **NAVAL VESSELS.**

6 Section 2534 of title 10, United States Code, is amend-
7 ed—

8 (1) in subsection (a)(2), by adding at the end the
9 following new subparagraph:

10 “(F) Welded shipboard anchor and mooring
11 chain.”; and

12 (2) in subsection (b)—

13 (A) by striking “A manufacturer” and in-
14 serting “(1) Except as provided in paragraph
15 (2), a manufacturer”; and

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

18 “(2) A manufacturer of welded shipboard anchor and
19 mooring chain for naval vessels meets the requirements of
20 this subsection if the manufacturer is part of the national
21 technology and industrial base.”.

22 **SEC. 817. COMPETITION REQUIREMENTS FOR PURCHASES**
23 **FROM FEDERAL PRISON INDUSTRIES.**

24 (a) **COMPETITION REQUIREMENTS FOR PURCHASES**
25 **FROM FEDERAL PRISON INDUSTRIES.**—Section 3905 of

1 *title 10, United States Code, as transferred and redesign-*
2 *ated by section 1838(b) of the National Defense Authoriza-*
3 *tion Act for Fiscal Year 2021 (Public Law 116–283), is*
4 *amended by striking subsections (a) and (b) and inserting*
5 *the following new sections:*

6 “(a) *MARKET RESEARCH.*—*Before purchasing a prod-*
7 *uct listed in the latest edition of the Federal Prison Indus-*
8 *tries catalog published under section 4124(d) of title 18, the*
9 *Secretary of Defense shall conduct market research to deter-*
10 *mine whether such product—*

11 “(1) *is comparable to products available from the*
12 *private sector; and*

13 “(2) *best meets the needs of the Department of*
14 *Defense in terms of price, quality, and time of deliv-*
15 *ery.*

16 “(b) *COMPETITION REQUIREMENT.*—*If the Secretary*
17 *determines that a Federal Prison Industries product is not*
18 *comparable to products available from the private sector*
19 *and does not best meet the needs of the Department of De-*
20 *fense in terms of price, quality, or time of delivery, the Sec-*
21 *retary shall use competitive procedures or make an indi-*
22 *vidual purchase under a multiple award contract for the*
23 *procurement of the product. In conducting such a competi-*
24 *tion or making such a purchase, the Secretary shall con-*
25 *sider a timely offer from Federal Prison Industries.”.*

1 (b) *EFFECTIVE DATE.*—The amendment made by sub-
2 section (a) shall take effect on February 1, 2022.

3 **SEC. 818. REPEAL OF PREFERENCE FOR FIXED-PRICE CON-**
4 **TRACTS.**

5 (a) *REPEAL.*—Section 829 of the National Defense Au-
6 thorization Act for Fiscal Year 2017 (10 U.S.C. 2306 note)
7 is repealed.

8 (b) *CONFORMING AMENDMENT.*—Chapter 242 of title
9 10, United States Code, as amended by section 1817(a) of
10 the William M. (Mac) Thornberry National Defense Author-
11 ization Act for Fiscal Year 2021 (Public Law 116–283) is
12 amended—

13 (1) in table of contents for such chapter, by strik-
14 ing the item relating to section 3324; and

15 (2) by striking the enumerator, section heading,
16 and subsequent matter relating to section 3324.

17 **SEC. 819. MODIFICATION TO THE PILOT PROGRAM FOR**
18 **STREAMLINING AWARDS FOR INNOVATIVE**
19 **TECHNOLOGY PROJECTS.**

20 (a) *EXTENSION.*—Section 873(f) of the National De-
21 fense Authorization Act for Fiscal Year 2016 (Public Law
22 114–92; 10 U.S.C. 2306a note) is amended by striking “Oc-
23 tober 1, 2022” and inserting “October 1, 2024”.

24 (b) *RECOMMENDATION ON EXTENSION.*—

1 (1) *IN GENERAL.*—Not later than April 1, 2023,
2 the Secretary of Defense shall submit to the congress-
3 sional defense committees a recommendation regard-
4 ing the extension of the pilot program for stream-
5 lining awards for innovative technology projects es-
6 tablished under section 873(f) of the National Defense
7 Authorization Act for Fiscal Year 2016 (Public Law
8 114–92; 10 U.S.C. 2306a note), and if applicable, the
9 duration of any such extension.

10 (2) *DATA ON EXTENSION.*—If the Secretary of
11 Defense recommends an extension of the pilot pro-
12 gram under paragraph (1), not later than 60 days
13 after making such recommendation, the Secretary
14 shall submit to the congressional defense committees a
15 report on the outcomes of the pilot program, includ-
16 ing—

17 (A) the number of small business concerns
18 (as defined under section 3 of the Small Business
19 Act (15 U.S.C. 632)) or nontraditional defense
20 contractors (as defined under section 2302 of
21 title 10, United States Code) that benefitted from
22 the implementation of the pilot program;

23 (B) the number of small business concerns
24 that would not have entered into a contract with

1 *the Department of Defense but for the implemen-*
2 *tation of the pilot program; and*

3 *(C) a description of the goods and services*
4 *acquired by the Department through the pilot*
5 *program that otherwise would not have been ac-*
6 *quired.*

7 **SEC. 820. OTHER TRANSACTION AUTHORITY INFORMATION**
8 **ACCESSIBILITY.**

9 *Not later than 180 days after the date of the enactment*
10 *of this Act, the Under Secretary of Defense for Acquisition*
11 *& Sustainment shall submit to the congressional defense*
12 *committees recommendations for making data on the exer-*
13 *cise of the authorities provided under sections 2371 or*
14 *2371b of title 10, United States Code, more accessible to*
15 *the public and improving the reporting of such information,*
16 *including recommendations for—*

17 *(1) reducing data reporting requirements to the*
18 *minimum necessary to identify—*

19 *(A) with respect to a transaction under ei-*
20 *ther such section—*

21 *(i) the participants to the transaction*
22 *(other than the Federal Government), in-*
23 *cluding each business selected to perform*
24 *work under the transaction by a partici-*

1 *pant to the transaction that is a consortium*
2 *of private entities;*

3 *(ii) the date on which each participant*
4 *entered into the transaction; and*

5 *(iii) the amount of the transaction;*
6 *and*

7 *(B) with respect to a follow-on contract or*
8 *transaction awarded under section 2371b of title*
9 *10, United States Code—*

10 *(i) the awardee;*

11 *(ii) the amount; and*

12 *(iii) the date awarded.*

13 *(2) a method for collecting such information in*
14 *an online, public, searchable database.*

15 ***Subtitle C—Provisions Relating to***
16 ***Supply Chain Security***

17 ***SEC. 831. DEPARTMENT OF DEFENSE RESEARCH AND DE-***
18 ***VELOPMENT PRIORITIES.***

19 *The Secretary of Defense shall coordinate with the Sec-*
20 *retary of Energy to ensure that the priorities of the Depart-*
21 *ment of Defense with respect to the research and develop-*
22 *ment of alternative technologies to, and methods for the ex-*
23 *traction, processing, and recycling of, critical minerals (as*
24 *defined in section 2(b) of the National Materials and Min-*
25 *erals Policy, Research, and Development Act of 1980 (30*

1 *U.S.C. 1601(b)) are included in the appropriate research*
2 *and development activities funded by the Secretary of En-*
3 *ergy pursuant to the program established under paragraph*
4 *(g) of section 7002 of division Z of the Consolidated Appro-*
5 *priations Act, 2021 (Public Law 116–260).*

6 **SEC. 832. DEFENSE SUPPLY CHAIN RISK ASSESSMENT**
7 **FRAMEWORK.**

8 *(a) IN GENERAL.—Not later than one year after the*
9 *date of the enactment of this Act, the Secretary of Defense*
10 *shall establish a framework, which may be included as part*
11 *of a framework developed under section 2509 of title 10,*
12 *United States Code, and pursuant to recommendations pro-*
13 *vided under section 5 of Executive Order 14017 (86 Fed.*
14 *Reg. 11849, relating to America’s supply chains), to con-*
15 *solidate the information relating to risks to the defense sup-*
16 *ply chain that is collected by the elements of the Department*
17 *of Defense to—*

18 *(1) enable Department-wide risk assessments of*
19 *the defense supply chain; and*

20 *(2) support the development of strategies to miti-*
21 *gate risks to the defense supply chain.*

22 *(b) FRAMEWORK REQUIREMENTS.—The framework es-*
23 *tablished under subsection (a) shall—*

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

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

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

13 (4) enable the Department to—

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

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

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

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

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

7 (6) provide for—

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

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

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

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

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

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

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

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

11 (e) *REPORTS.—*

12 (1) *PROGRESS REPORT.—Not later than 180*
13 *days after the date of the enactment of this Act, the*
14 *Secretary of Defense shall submit to the congressional*
15 *defense committees a report on the progress of estab-*
16 *lishing the framework as required under subsection*
17 *(a).*

18 (2) *FINAL REPORT.—Not later than one year*
19 *after the date of the enactment of this Act, the Sec-*
20 *retary of Defense shall submit to the congressional de-*
21 *fense committees a report describing the framework*
22 *established under subsection (a) and the organiza-*
23 *tional structure to manage and oversee the framework.*

24 (f) *DEFINITIONS.—In this section:*

1 (1) *COVERED APPLICATION.*—The term “covered
2 application” means a software-as-a-service applica-
3 tion that uses decision science, commercial data, and
4 machine learning techniques.

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

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

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

20 **SEC. 833. PLAN TO REDUCE RELIANCE ON SUPPLIES AND**
21 **MATERIALS FROM ADVERSARIES IN THE DE-**
22 **FENSE SUPPLY CHAIN.**

23 (a) *RELIANCE REDUCTION PLAN.*—

1 (1) *IN GENERAL.*—*The Secretary of Defense, in*
2 *coordination with the Secretary of State, shall develop*
3 *and implement a plan to—*

4 (A) *partner with covered private sector enti-*
5 *ties and partner countries and allies of the*
6 *United States to reduce the reliance of the*
7 *United States on covered supplies and materials*
8 *obtained from sources located in geographic*
9 *areas controlled by foreign adversaries; and*

10 (B) *mitigate the risks to national security*
11 *and the defense supply chain arising from the re-*
12 *liance of the United States on covered supplies*
13 *and materials that cannot be acquired in suffi-*
14 *cient quantities to meet the needs of major end*
15 *items without procuring covered supplies and*
16 *materials from sources located in geographic*
17 *areas controlled by foreign adversaries.*

18 (2) *CONSIDERATION.*—*The Secretary of Defense*
19 *shall consider the determinations made under para-*
20 *graph (3) when developing the plan under paragraph*
21 *(1).*

22 (3) *SUPPLIES AND MATERIALS SOURCE DETER-*
23 *MINATIONS.*—*Before developing the plan under para-*
24 *graph (1), the Secretary of Defense, in coordination*
25 *with Secretary of State, shall determine—*

1 (A) the covered supplies and materials for
2 which a source is located in a geographic area
3 controlled by a foreign adversary;

4 (B) the covered supplies and materials de-
5 scribed in subparagraph (A) that may be ac-
6 quired from sources located domestically or in
7 geographic areas controlled by partner countries
8 or allies of the United States in sufficient quan-
9 tities to—

10 (i) reduce the reliance of the Depart-
11 ment on covered supplies and materials de-
12 scribed in subparagraph (A); and

13 (ii) increase the resiliency of the de-
14 fense supply chain;

15 (C) the difference in cost to acquire covered
16 supplies and materials described in subpara-
17 graph (A) from sources located domestically or
18 in geographic areas controlled by partner coun-
19 tries or allies of the United States, if available;
20 and

21 (D) the covered supplies and materials de-
22 scribed in subparagraph (A) that cannot be ac-
23 quired in sufficient quantities to meet the needs
24 of major end items without sources located in ge-
25 ographic areas controlled by foreign adversaries.

1 (b) *REPORT.*—Not later than two years after the enact-
2 *ment of this Act, the Secretary of Defense shall submit to*
3 *the appropriate congressional committees a report describ-*
4 *ing—*

5 (1) *the determinations made under subsection*
6 *(a)(3);*

7 (2) *the plan required under subsection (a)(1).*

8 (c) *DEFINITIONS.*—*In this section:*

9 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
10 *TEES.*—*The term “appropriate congressional commit-*
11 *tees” means the following:*

12 (A) *The Committee on Armed Services of*
13 *the House of Representatives.*

14 (B) *The Committee on Armed Services of*
15 *the Senate.*

16 (C) *The Committee on Foreign Affairs of*
17 *the House of Representatives.*

18 (D) *The Committee on Foreign Relations of*
19 *the Senate.*

20 (2) *COVERED PRIVATE SECTOR ENTITY.*—*The*
21 *term “covered private sector entity” means a private*
22 *sector entity able to provide, or facilitate the acquisi-*
23 *tion of, covered supplies and materials from domestic*
24 *sources or sources located in geographic areas con-*

1 *trolled by partner countries or allies of the United*
2 *States.*

3 (3) *COVERED SUPPLIES AND MATERIALS.—*

4 (A) *IN GENERAL.—Except as provided in*
5 *subparagraph (B), the term “covered supplies*
6 *and materials”—*

7 (i) *means—*

8 (I) *critical safety systems and*
9 *subsystems;*

10 (II) *assemblies and subassemblies*
11 *integral to a system or subsystem; and*

12 (III) *repair, maintenance, logis-*
13 *tics support, and overhaul services for*
14 *systems, subsystems, assemblies, sub-*
15 *assemblies, and parts integral to a sys-*
16 *tems; and*

17 (ii) *includes systems, subsystems, as-*
18 *semblies, subassemblies, and parts described*
19 *in clause (i) acquired with respect to com-*
20 *mercial items (as defined under section*
21 *2.101 of title 48, Code of Federal Regula-*
22 *tions) and non-commercial items.*

23 (B) *CERTAIN STRATEGIC AND CRITICAL MA-*
24 *TERIALS EXCLUDED.—The term “covered sup-*
25 *plies and materials” does not include any stra-*

1 *tegic and critical materials (as defined under*
2 *section 12 of the Strategic and Critical Materials*
3 *Stock Piling Act (50 U.S.C. 98h-3)) with respect*
4 *to which the Secretary includes an appropriate*
5 *reduction plan in a report required under sec-*
6 *tion 14 of such Act (50 U.S.C. 98h-5).*

7 (4) *FOREIGN ADVERSARY.*—*The term “foreign*
8 *adversary” has the meaning given such term in sec-*
9 *tion 8(c) of the Secure and Trusted Communications*
10 *Networks Act of 2019 (47 U.S.C. 1607(c)).*

11 (5) *MAJOR END ITEM.*—*The term “major end*
12 *item” means an item subject to a unique item-level*
13 *traceability requirement at any time in the life cycle*
14 *of such item under Department of Defense Instruction*
15 *8320.04, titled “Item Unique Identification (IUID)*
16 *Standards for Tangible Personal Property” and dated*
17 *September 3, 2015, or any successor instruction.*

18 **SEC. 834. ENHANCED DOMESTIC CONTENT REQUIREMENT**
19 **FOR MAJOR DEFENSE ACQUISITION PRO-**
20 **GRAMS.**

21 (a) *ASSESSMENT REQUIRED.*—

22 (1) *IN GENERAL.*—*Not later than one year after*
23 *the date of the enactment of this Act, the Secretary of*
24 *Defense shall submit to the congressional defense com-*

1 *mittees a report assessing the domestic source content*
2 *of any procurement.*

3 (2) *INFORMATION REPOSITORY.—The Secretary*
4 *of Defense shall establish an information repository*
5 *for the collection and analysis of information related*
6 *to domestic source content that can be used for contin-*
7 *uous data analysis and program management activi-*
8 *ties.*

9 (b) *ENHANCED DOMESTIC CONTENT REQUIREMENT.—*

10 (1) *IN GENERAL.—Except as provided in para-*
11 *graph (2), for purposes of chapter 83 of title 41,*
12 *United States Code, manufactured articles, materials,*
13 *or supplies procured are manufactured substantially*
14 *all from articles, materials, or supplies mined, pro-*
15 *duced, or manufactured in the United States if the*
16 *cost of such component articles, materials, or sup-*
17 *plies—*

18 (A) *supplied not later than the date of the*
19 *enactment of this Act, exceeds 60 percent of cost*
20 *of the manufactured articles, materials, or sup-*
21 *plies procured;*

22 (B) *supplied during the period beginning*
23 *January 1, 2024, and ending December 31,*
24 *2028, exceeds 65 percent of the cost of the manu-*
25 *factured articles, materials, or supplies; and*

1 (C) supplied on or after January 1, 2029,
2 exceeds 75 percent of the cost of the manufac-
3 tured articles, materials, or supplies.

4 (2) *EXCLUSION FOR CERTAIN MANUFACTURED*
5 *ARTICLES.*—Paragraph (1) shall not apply to manu-
6 factured articles that consist wholly or predominantly
7 of iron, steel, or a combination of iron and steel.

8 (3) *RULEMAKING.*—

9 (A) *IN GENERAL.*—Not later than 180 days
10 after the date of the enactment of this Act, the
11 Secretary of Defense shall issue rules to deter-
12 mine the treatment of the lowest price offered for
13 a foreign end product for which 55 percent or
14 more of the component articles, materials, or
15 supplies of such foreign end product are manu-
16 factured substantially all from articles, mate-
17 rials, or supplies mined, produced, or manufac-
18 tured in the United States if—

19 (i) the application paragraph (1) re-
20 sults in an unreasonable cost; or

21 (ii) no offers are submitted to supply
22 manufactured articles, materials, or sup-
23 plies manufactured substantially all from
24 articles, materials, or supplies mined, pro-

1 duced, or manufactured in the United
2 States.

3 (B) *TERMINATION.*—Rules issued under this
4 paragraph shall cease to have force or effect on
5 January 1, 2030.

6 (4) *APPLICABILITY.*—The requirements of this
7 subsection shall apply to contracts entered into on or
8 after the date of the enactment of this Act.

9 **SEC. 835. REDUCTION OF FLUCTUATIONS OF SUPPLY AND**
10 **DEMAND FOR CERTAIN COVERED ITEMS.**

11 (a) *SUPPLY AND DEMAND REQUIREMENTS.*—Not later
12 than one year after the date of the enactment of this Act,
13 the Secretary of Defense shall—

14 (1) *specify methods and processes to track and*
15 *reduce fluctuations in supply chain forecasting and*
16 *demand requirements of the Office of the Secretary of*
17 *Defense, each military department, and the Defense*
18 *Logistics Agency for covered items; and*

19 (2) *implement policies to encourage predictable*
20 *demand requirements for covered items for the Office*
21 *of the Secretary of Defense, each military department,*
22 *and the Defense Logistics Agency.*

23 (b) *REPORT.*—Not later than 15 months after the date
24 of the enactment of this Act, and quarterly thereafter, each
25 Secretary of a military department and the Director of the

1 *Defense Logistics Agency shall submit to the Under Sec-*
2 *retary of Defense for Acquisition and Sustainment a report*
3 *on the fluctuations in supply chain forecasting and demand*
4 *requirements for each covered item, expressed as a percent-*
5 *age.*

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

10 **SEC. 836. PROHIBITION ON CERTAIN PROCUREMENTS**
11 **FROM THE XINJIANG UYGHUR AUTONOMOUS**
12 **REGION.**

13 (a) *PROHIBITION ON THE AVAILABILITY OF FUNDS*
14 *FOR CERTAIN PROCUREMENTS FROM XUAR.*—*None of the*
15 *funds authorized to be appropriated by this Act or otherwise*
16 *made available for fiscal year 2022 for the Department of*
17 *Defense may be obligated or expended to procure any prod-*
18 *ucts mined, produced, or manufactured wholly or in part*
19 *by forced labor from XUAR or from an entity that has used*
20 *labor from within or transferred from XUAR as part of*
21 *a “poverty alleviation” or “pairing assistance” program.*

22 (b) *RULEMAKING.*—*The Secretary of Defense shall*
23 *issue rules not later than 90 days after the date of the enact-*
24 *ment of this Act to require a certification from offerors for*
25 *contracts with the Department of Defense stating the offeror*

1 *has made a good faith effort to determine that forced labor*
2 *from XUAR, as described in subsection (a), was not or will*
3 *not be used in the performance of such contract.*

4 *(c) DEFINITIONS.—In this section:*

5 *(1) FORCED LABOR.—The term “forced labor”*
6 *means all work or service which is exacted from any*
7 *person under the menace of any penalty for its non-*
8 *performance and for which the worker does not offer*
9 *himself voluntarily.*

10 *(2) 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; or*

15 *(B) any successor, subunit, parent entity, or*
16 *subsidiary of, or any entity under common own-*
17 *ership or control with, any entity described in*
18 *subparagraph (A).*

19 *(3) XUAR.—The term “XUAR” means the*
20 *Xinjiang Uyghur Autonomous Region of the People’s*
21 *Republic of China.*

1 ***Subtitle D—Industrial Base Matters***

2 ***SEC. 841. MODIFICATION OF PILOT PROGRAM FOR DEVELOPMENT OF TECHNOLOGY-ENHANCED CAPABILITIES WITH PARTNERSHIP INTERMEDIARIES.***

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4
5
6 *Section 851 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1510; 10 U.S.C. 2283 note) is amended to read as follows:*

7
8
9 ***“SEC. 851. PILOT PROGRAM FOR DEVELOPMENT OF TECHNOLOGY-ENHANCED CAPABILITIES WITH PARTNERSHIP INTERMEDIARIES.***

10
11
12 *“(a) ESTABLISHMENT.—The Secretary of Defense may authorize the Commander of the United States Special Operations Command to use funds described in subsection (b) for a pilot program under which the Commander shall make, through the use of a partnership intermediary, covered awards to small business concerns to develop technology-enhanced capabilities for special operations forces.*

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19 *“(b) FUNDS.—*

20 *“(1) IN GENERAL.—The funds described in this subsection are funds transferred to the Commander of the United States Special Operations Command to carry out the pilot program established under this section from funds available to be expended by each*

1 *covered entity pursuant to section 9(f) of the Small*
2 *Business Act.*

3 “(2) *LIMITATIONS.*—

4 “(A) *FISCAL YEAR.*—*A covered entity may*
5 *not transfer to the Commander an amount great-*
6 *er than 10 percent of the funds available to be*
7 *expended by such covered entity pursuant to sec-*
8 *tion 9(f) of the Small Business Act for a fiscal*
9 *year.*

10 “(B) *AGGREGATE AMOUNT.*—*The aggregate*
11 *amount of funds to be transferred to the Com-*
12 *mander may not exceed \$20,000,000.*

13 “(c) *PARTNERSHIP INTERMEDIARIES.*—

14 “(1) *AUTHORIZATION.*—*The Commander may*
15 *modify an existing agreement with a partnership*
16 *intermediary to assist the Commander in carrying*
17 *out the pilot program under this section, including*
18 *with respect to the award of contracts and agreements*
19 *to small business concerns.*

20 “(2) *LIMITATION.*—*None of the funds described*
21 *in subsection (b) may be used to pay a partnership*
22 *intermediary for any costs associated with the pilot*
23 *program.*

24 “(3) *DATA.*—*With respect to a covered award*
25 *made under this section, the Commander shall gather*

1 *data on the role of the partnership intermediary to*
2 *include the—*

3 *“(A) staffing structure;*

4 *“(B) funding sources; and*

5 *“(C) methods for identifying and evaluating*
6 *small business concerns eligible for a covered*
7 *award.*

8 *“(d) REPORT.—*

9 *“(1) ANNUAL REPORT.—Not later than October 1*
10 *of each year until October 1, 2026, the Commander*
11 *of the United States Special Operations Command, in*
12 *coordination with the Under Secretary of Defense for*
13 *Research and Engineering, shall submit to the con-*
14 *gressional defense committees, the Committee on*
15 *Small Business of the House of Representatives, and*
16 *the Committee on Small Business and Entrepreneur-*
17 *ship of the Senate a report including—*

18 *“(A) a description of each agreement with a*
19 *partnership intermediary entered into pursuant*
20 *to this section;*

21 *“(B) for each covered award made under*
22 *this section—*

23 *“(i) a description of the role served by*
24 *the partnership intermediary;*

25 *“(ii) the amount of funds obligated;*

1 “(iii) an identification of the small
2 business concern that received such covered
3 award;

4 “(iv) a description of the use of such
5 covered award;

6 “(v) a description of the role served by
7 the program manager (as defined in section
8 1737 of title 10, United States Code) of the
9 covered entity with respect to the small
10 business concern that received such covered
11 award, including a description of inter-
12 actions and the process of the program
13 manager in producing a past performance
14 evaluation of such concern; and

15 “(vi) the benefits achieved as a result
16 of the use of a partnership intermediary for
17 the pilot program established under this sec-
18 tion as compared to previous efforts of the
19 Commander to increase participation by
20 small business concerns in the development
21 of technology-enhanced capabilities for spe-
22 cial operations forces; and

23 “(C) a plan detailing how each covered en-
24 tity will apply lessons learned from the pilot
25 program to improve processes for directly work-

1 *ing with and supporting small business concerns*
2 *to develop technology-enhanced capabilities for*
3 *special operations forces.*

4 “(2) *FINAL REPORT.*—*The final report required*
5 *under this subsection shall include, along with the re-*
6 *quirements of paragraph (1), a recommendation re-*
7 *garding—*

8 “(A) *whether and for how long the pilot*
9 *program established under this section should be*
10 *extended; and*

11 “(B) *whether to increase funding for the*
12 *pilot program, including a justification for such*
13 *an increase.*

14 “(e) *TERMINATION.*—*The authority to carry out a*
15 *pilot program under this section shall terminate on Sep-*
16 *tember 30, 2025.*

17 “(f) *DEFINITIONS.*—*In this section:*

18 “(1) *The term ‘covered award’ means an award*
19 *made under the Small Business Innovation Research*
20 *Program.*

21 “(2) *The term ‘covered entity’ means—*

22 “(A) *the Army;*

23 “(B) *the Navy;*

24 “(C) *the Air Force;*

25 “(D) *the Marine Corps;*

1 “(E) the Space Force; and

2 “(F) any element of the Department of De-
3 fense that makes awards under the Small Busi-
4 ness Innovation Research Program or Small
5 Business Technology Transfer Program.

6 “(3) The term ‘partnership intermediary’ has the
7 meaning given the term in section 23(c) of the Steven-
8 son-Wylder Technology Innovation Act of 1980 (15
9 U.S.C. 3715(c)).

10 “(4) The term ‘small business concern’ has the
11 meaning given the term under section 3 of the Small
12 Business Act (15 U.S.C. 632).

13 “(5) The term ‘Small Business Innovation Re-
14 search Program’ has the meaning given the term in
15 section 9(e)(4) of the Small Business Act (15 U.S.C.
16 638(e)).

17 “(6) The term ‘technology-enhanced capability’
18 means a product, concept, or process that improves
19 the ability of a member of the Armed Forces to
20 achieve an assigned mission.”.

21 **SEC. 842. DESIGNATING CERTAIN SBIR AND STTR PRO-**
22 **GRAMS AS ENTREPRENEURIAL INNOVATION**
23 **PROJECTS.**

24 (a) *ENTREPRENEURIAL INNOVATION PROJECT PILOT*
25 *PROGRAM.*—

1 (1) *IN GENERAL.*—*The Secretary of Defense and*
2 *the covered Secretaries concerned shall each establish*
3 *and carry out a pilot program to more effectively*
4 *transition projects that have completed a Phase II*
5 *SBIR or STTR award and that present the potential*
6 *to meet operational needs of elements of the Depart-*
7 *ment of Defense to Phase III by designating eligible*
8 *programs as Entrepreneurial Innovation Projects.*

9 (2) *DESIGNATION.*—*Not later than one year after*
10 *the date of the enactment of this section, and annu-*
11 *ally thereafter, not less than five eligible programs*
12 *shall be designated as Entrepreneurial Innovation*
13 *Projects by—*

14 (A) *each covered Secretary concerned, in*
15 *consultation with each chief of a covered Armed*
16 *Force under the jurisdiction of the Secretary con-*
17 *cerned; and*

18 (B) *the Secretary of Defense for each cov-*
19 *ered element of the Department.*

20 (b) *SELECTION REQUIREMENTS.*—

21 (1) *FUTURE YEARS DEFENSE PROGRAM INCLU-*
22 *SION.*—*The Secretary of Defense shall include the esti-*
23 *mated expenditures of each designated program in the*
24 *first future-years defense program submitted to Con-*
25 *gress under section 221 of title 10, United States*

1 *Code, after such designated program is designated*
2 *under subsection (a)(2).*

3 (2) *PPBE COMPONENT.*—*Each designated pro-*
4 *gram shall be considered by the designating Secretary*
5 *as an integral part of the planning, programing,*
6 *budgeting, and execution process of the Department of*
7 *Defense.*

8 (3) *PROGRAMMING PROPOSAL.*—*Each designated*
9 *program shall be included by the designating Sec-*
10 *retary under a separate heading in any programming*
11 *proposals submitted to the congressional defense com-*
12 *mittees.*

13 (4) *DESIGNATION CRITERIA.*—*In making des-*
14 *ignations required under subsection (a)(2), the cov-*
15 *ered Secretary concerned or the Secretary of Defense,*
16 *as applicable, shall consider—*

17 (A) *the potential of the eligible program*

18 *to—*

19 (i) *advance the national security capa-*
20 *bilities of the United States;*

21 (ii) *provide new technologies or proc-*
22 *esses, or new applications of existing tech-*
23 *nologies, that will enable new alternatives to*
24 *existing programs;*

25 (iii) *provide future cost savings; and*

1 (iv) significantly reduce the time to de-
2 liver capabilities to members of the covered
3 Armed Forces; and

4 (B) any other criteria that the covered Sec-
5 retary concerned or Secretary of Defense, as ap-
6 plicable, determines appropriate.

7 (5) *MITIGATE CONFLICTS OF INTEREST.*—The
8 covered Secretary concerned or the Secretary of De-
9 fense, as applicable, shall establish procedures for the
10 designation of Entrepreneurial Innovation Projects
11 which will mitigate, to the greatest extent practicable,
12 organizational conflicts of interests, including those
13 from within Governmental organizations or programs
14 that could view the designation and successful comple-
15 tion of an Entrepreneurial Innovation Project as a
16 competing alternative to an existing or proposed pro-
17 gram or other activity.

18 (6) *APPLICATION.*—The Secretary of Defense and
19 each covered Secretary concerned shall establish an
20 application process for eligible programs seeking des-
21 ignation as Entrepreneurial Innovation Projects.

22 (c) *REVOCAION OF DESIGNATION.*—If the designating
23 Secretary determines that a designated program no longer
24 meets the criteria in subsection (b)(4) or that the technology
25 has become irrelevant, the designating Secretary may revoke

1 *the Entrepreneurial Innovation Project designation for such*
2 *designated program.*

3 (d) *REPORTS TO CONGRESS.—*

4 (1) *ANNUAL REPORT.—The Secretary of Defense*
5 *shall submit to congressional defense committees, the*
6 *Committee on Small Business and Entrepreneurship*
7 *of the Senate, and the Committee on Small Business*
8 *of the House of Representatives, concurrently with the*
9 *President’s annual budget request, an annual report*
10 *that includes for each designated program—*

11 (A) *a description of the designated program;*

12 (B) *a summary of the potential of the des-*
13 *ignated program as considered under subsection*
14 *(b)(4)(A);*

15 (C) *the progress made towards inclusion in*
16 *the future-years defense program;*

17 (D) *the progress made towards delivering on*
18 *the potential of the designated program; and*

19 (E) *such other information that the Sec-*
20 *retary determines appropriate to inform the con-*
21 *gressional defense committees about the status of*
22 *the pilot programs established under this section.*

23 (2) *FINAL REPORT.—In the last report submitted*
24 *under paragraph (1) prior to December 31, 2027, the*
25 *Secretary of Defense shall include a recommendation*

1 *on whether to extend the pilot programs established*
2 *under this section and the appropriate duration of*
3 *such extension, if any.*

4 *(e) EFFECTIVE DATE.—This section shall take effect on*
5 *January 1, 2022.*

6 *(f) TERMINATION DATE.—The pilot programs estab-*
7 *lished under this section shall terminate on December 31,*
8 *2027.*

9 *(g) DEFINITIONS.—In this section:*

10 *(1) COVERED ARMED FORCES.—The term “cov-*
11 *ered Armed Forces” means—*

12 *(A) the Army;*

13 *(B) the Navy;*

14 *(C) the Air Force;*

15 *(D) the Marine Corps; and*

16 *(E) the Space Force.*

17 *(2) COVERED ELEMENT OF THE DEPARTMENT.—*

18 *The term “covered element of the Department” means*
19 *any element of the Department of Defense, other than*
20 *an element referred to in paragraph (3), that is asso-*
21 *ciated with the Small Business Innovation Research*
22 *or Small Business Technology Transfer programs.*

23 *(3) COVERED SECRETARY CONCERNED.—The*
24 *term “covered Secretary concerned” means—*

1 (A) *the Secretary of the Army, with respect*
2 *to matters concerning the Department of the*
3 *Army;*

4 (B) *the Secretary of the Navy, with respect*
5 *to matters concerning the Department of the*
6 *Navy (other than matters concerning the Coast*
7 *Guard); and*

8 (C) *the Secretary of the Air Force, with re-*
9 *spect to matters concerning the Department of*
10 *the Air Force.*

11 (4) *ELIGIBLE PROGRAM.*—*The term “eligible*
12 *program” means a project that has completed a Phase*
13 *II SBIR or STTR award.*

14 (5) *DESIGNATED PROGRAM.*—*The term “des-*
15 *ignated program” means an eligible program that has*
16 *been designated as an Entrepreneurial Innovation*
17 *Project under this section and for which such designa-*
18 *tion has not been revoked under subsection (c).*

19 (6) *DESIGNATING SECRETARY.*—*The term “desig-*
20 *nating Secretary” means—*

21 (A) *with respect to a designated program*
22 *designated as an Entrepreneurial Innovation*
23 *Project under this section by a covered Secretary*
24 *concerned, such covered Secretary concerned; and*

1 (B) with respect to all other designated pro-
2 grams, the Secretary of Defense.

3 (7) PHASE II; PHASE III; SBIR; STTR.—The terms
4 “Phase II”, “Phase III”, “SBIR”, and “STTR” have
5 the meanings given such terms in section 9(e) of the
6 Small Business Act (15 U.S.C. 638(e)).

7 **SEC. 843. MODIFICATIONS TO PRINTED CIRCUIT BOARD AC-**
8 **QUISITION RESTRICTIONS.**

9 (a) IN GENERAL.—Section 2533d of title 10, United
10 States Code, is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1), by striking “January
13 1, 2023” and inserting “the date determined
14 under paragraph (3)”; and

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

17 “(3) Paragraph (1) shall take effect on January
18 1, 2027.”;

19 (2) in subsection (c)—

20 (A) in paragraph (2)—

21 (i) in the matter preceding subpara-
22 graph (A), by inserting “specified type of”
23 after “means any”;

1 (ii) in subparagraph (A), by striking
2 “(as such terms are defined under sections
3 103 and 103a of title 41, respectively)”;

4 (iii) by amending subparagraph (B) to
5 read as follows:

6 “(B) is a component of—

7 “(i) a defense security system; or

8 “(ii) a system, other than a defense se-
9 curity system, that transmits or stores in-
10 formation and which the Secretary identi-
11 fies as national security sensitive in the
12 contract under which such printed circuit
13 board is acquired.”; and

14 (B) by adding at the end the following new
15 paragraphs:

16 “(3) *COMMERCIAL PRODUCT; COMMERCIAL SERV-*
17 *ICE; COMMERCIALLY AVAILABLE OFF-THE SHELF*
18 *ITEM.—The terms ‘commercial product’, ‘commercial*
19 *service’, and ‘commercially available off-the-shelf*
20 *item’ have the meanings given such terms in sections*
21 *103, 103a, and 104 of title 41, respectively.*

22 “(4) *DEFENSE SECURITY SYSTEM.—*

23 “(A) *The term ‘defense security system’*
24 *means an information system (including a tele-*
25 *communications system) used or operated by the*

1 *Department of Defense, by a contractor of the*
2 *Department, or by another organization on be-*
3 *half of the Department, the function, operation,*
4 *or use of which—*

5 “(i) *involves command and control of*
6 *an armed force;*

7 “(ii) *involves equipment that is an in-*
8 *tegral part of a weapon or weapon system;*
9 *or*

10 “(iii) *subject to subparagraph (B), is*
11 *critical to the direct fulfillment of military*
12 *missions.*

13 “(B) *Subparagraph (A)(iii) does not in-*
14 *clude a system that is to be used for routine ad-*
15 *ministrative and business applications (includ-*
16 *ing payroll, finance, logistics, and personnel*
17 *management applications).*

18 “(5) *SPECIFIED TYPE.—The term ‘specified type’*
19 *means a printed circuit board that is—*

20 “(A) *a component of an electronic device*
21 *that facilitates the routing, connecting, transmit-*
22 *ting or securing of data and is commonly con-*
23 *nected to a network, and*

1 “(B) any other end item, good, or product
2 specified by the Secretary in accordance with
3 subsection (d)(2).”; and

4 (3) by amending subsection (d) to read as fol-
5 lows:

6 “(d) RULEMAKING.—

7 “(1) The Secretary may issue rules providing
8 that subsection (a) may not apply with respect to an
9 acquisition of commercial products, commercial serv-
10 ices, and commercially available off-the-shelf items
11 if—

12 “(A) the contractor is capable of meeting
13 minimum requirements that the Secretary deems
14 necessary to provide for the security of national
15 security networks and weapon systems, includ-
16 ing, at a minimum, compliance with section 224
17 of the National Defense Authorization Act for
18 Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.
19 2302 note); and

20 “(B) either—

21 “(i) the Government and the contractor
22 have agreed to a contract requiring the con-
23 tractor to take certain actions to ensure the
24 integrity and security of the item, including
25 protecting the item from unauthorized ac-

1 *cess, use, disclosure, disruption, modifica-*
2 *tion, or destruction; or*

3 “(ii) *the Secretary has determined that*
4 *the contractor has adopted such procedures,*
5 *tools, and methods for identifying the*
6 *sources of components of such item, based on*
7 *commercial best practices, that meet or ex-*
8 *ceed the applicable trusted supply chain*
9 *and operational security standards of the*
10 *Department of Defense.*

11 “(2) *The Secretary may issue rules specifying*
12 *end items, goods, and products for which a printed*
13 *circuit board that is a component thereof shall be a*
14 *‘specified type’ if the Secretary has promulgated final*
15 *regulations, after an opportunity for notice and com-*
16 *ment that is not less than 12 months, implementing*
17 *this section.*

18 “(3) *In carrying out this section, the Secretary*
19 *shall, to the maximum extent practicable, avoid im-*
20 *posing contractual certification requirements with re-*
21 *spect to the acquisition of commercial products, com-*
22 *mercial services, or commercially available off-the-*
23 *shelf items.”.*

24 **(b) MODIFICATION OF INDEPENDENT ASSESSMENT OF**
25 **PRINTED CIRCUIT BOARDS.—Section 841(d) of the William**

1 *M. (Mac) Thornberry National Defense Authorization Act*
2 *for Fiscal Year 2021 (Public Law 116–283) is amended—*

3 *(1) in paragraph (1)—*

4 *(A) by striking “the date of enactment of*
5 *this Act” and inserting “the date of the enact-*
6 *ment of the National Defense Authorization Act*
7 *for Fiscal Year 2022”;*

8 *(B) by striking “shall seek to enter” and in-*
9 *serting “shall enter”;*

10 *(C) by striking “to include printed circuit*
11 *boards in commercial products or services, or in”*
12 *and inserting “to printed circuit boards in other*
13 *commercial or”;* and

14 *(D)) by striking “the scope of mission crit-*
15 *ical” and all that follows through the period at*
16 *the end and inserting “types of systems other*
17 *than defense security systems (as defined in sec-*
18 *tion 2533d(c) of title 10, United States Code)*
19 *that should be subject to the prohibition in sec-*
20 *tion 2533d(a) of title 10, United States Code.”;*

21 *(2) in the heading for paragraph (2), by striking*
22 *“DEPARTMENT OF DEFENSE” and inserting “DEPART-*
23 *MENT OF DEFENSE”;*

1 (3) in paragraph (2), by striking “one year after
2 entering into the contract described in paragraph
3 (1)” and inserting “January 1, 2023”;

4 (4) in the heading for paragraph (3), by striking
5 “CONGRESS” and inserting “CONGRESS”; and

6 (5) in paragraph (3), by inserting after “the rec-
7 ommendations of the report.” the following: “The Sec-
8 retary shall use the report to determine whether any
9 systems (other than defense security systems (as de-
10 fined in section 2533d(c) of title 10, United States
11 Code)) or other types of printed circuit boards should
12 be subject to the prohibition in section 2533d(a) of
13 title 10, United States Code.”.

14 **SEC. 844. DEFENSE INDUSTRIAL BASE COALITION FOR CA-**
15 **REER DEVELOPMENT.**

16 (a) *IN GENERAL.*—The Under Secretary of Defense for
17 *Acquisition and Sustainment* shall establish and manage
18 *a coalition among covered institutions of higher education,*
19 *career and technical education programs, workforce devel-*
20 *opment boards, labor organizations, and organizations rep-*
21 *resenting defense industrial base contractors to focus on ca-*
22 *reer pathways for individuals seeking careers in manufac-*
23 *turing. The goals of the coalition shall be—*

24 (1) *to highlight the importance of expertise in*
25 *manufacturing careers;*

1 (2) *to share experiences of successful partnerships*
2 *between such organizations and covered institutions of*
3 *higher education to create opportunities for individ-*
4 *uals attending such institutions to be hired by defense*
5 *industrial base contractors; and*

6 (3) *to encourage opportunities for donating used*
7 *equipment of defense industrial base contractors to*
8 *covered institutions of higher education for use in*
9 *training such individuals.*

10 (b) *REPORT.—Not later than 270 days after the date*
11 *of the enactment of this Act, the Under Secretary of Defense*
12 *for Acquisition and Sustainment, in coordination with the*
13 *coalition established under subsection (a), shall submit to*
14 *the congressional defense committees a report including—*

15 (1) *the results of any cooperative work-education*
16 *program established by defense laboratories pursuant*
17 *to section 2195 of title 10, United States Code;*

18 (2) *an assessment of whether such programs*
19 *could be expanded to include individuals attending*
20 *secondary schools and career and technical education*
21 *programs to create opportunities for such individuals*
22 *to be hired by defense industrial base contractors; and*

23 (3) *recommendations for whether incentive con-*
24 *tracts are needed to encourage defense industrial base*

1 *contractors to provide career pathways for individ-*
2 *uals seeking careers in manufacturing.*

3 *(c) DEFINITIONS.—In this section:*

4 *(1) COVERED INSTITUTION OF HIGHER EDU-*
5 *CATION.—The term “covered institution of higher edu-*
6 *cation” means—*

7 *(A) an institution of higher education, as*
8 *defined in section 101 of the Higher Education*
9 *Act of 1965 (20 U.S.C. 1001); and*

10 *(B) a postsecondary vocational institution,*
11 *as defined in section 102(c) of such Act (20*
12 *U.S.C. 1002(c)).*

13 *(2) DEFENSE INDUSTRIAL BASE CONTRACTOR.—*
14 *The term “defense industrial base contractor” means*
15 *a prime contractor or subcontractor (at any tier) in*
16 *the defense industrial base.*

17 *(3) LABOR ORGANIZATION.—The term “labor or-*
18 *ganization” has the meaning given such term in sec-*
19 *tion 2(5) of the National Labor Relations Act (29*
20 *U.S.C. 152(5)).*

21 *(4) SECONDARY SCHOOL.—The term “secondary*
22 *school” has the meaning given such term in section*
23 *8101 of the Elementary and Secondary Education*
24 *Act of 1965 (20 U.S.C. 7801).*

1 (5) *CAREER AND TECHNICAL EDUCATION*.—The
2 term “career and technical education” has the mean-
3 ing given such term in section 3 of the Carl D. Per-
4 kins Career and Technical Education Act of 2006 (20
5 U.S.C. 2302).

6 (6) *WORKFORCE DEVELOPMENT BOARD*.—The
7 term “workforce development board” means a State
8 board or a local board, as such terms are defined in
9 section 3 of the Workforce Innovation and Oppor-
10 tunity Act (29 U.S.C. 3102).

11 **SEC. 845. ADDITIONAL TESTING OF COMMERCIAL E-COM-**
12 **MERCE PORTAL MODELS.**

13 Section 846(c) of the National Defense Authorization
14 Act for Fiscal Year 2018 (41 U.S.C. 1901 note) is amended
15 by adding at the end the following new paragraphs:

16 “(5) *ADDITIONAL TESTING*.—Not later than 90
17 days after the date of the enactment of this para-
18 graph, the Administrator shall—

19 “(A) begin testing commercial e-commerce
20 portal models other than any commercial e-com-
21 merce portal identified in the recommendations
22 issued under paragraph (3); and

23 “(B) shall submit to the congressional de-
24 fense committees a report that includes—

1 “(i) a summary of the assessments con-
2 ducted under subsection (c)(2) with respect
3 to a commercial e-commerce portal provider
4 identified in the recommendations issued
5 under subsection (c)(3);

6 “(ii) a list of the types of commercial
7 products procured from such provider;

8 “(iii) the amount spent by the head of
9 a department or agency under the program,
10 disaggregated by type of commercial prod-
11 uct and commercial e-commerce portal pro-
12 vider;

13 “(iv) a update on the commercial e-
14 commerce portal models being tested and a
15 timeline for completion of such testing.

16 “(6) *REPORT.*—Upon completion of testing con-
17 ducted under paragraph (5) and before taking any
18 action with respect to the commercial e-commerce por-
19 tal models tested, the Administrator of General Serv-
20 ices shall submit to the congressional defense commit-
21 tees a report on the results of such testing that in-
22 cludes—

23 “(A) an assessment and comparison of com-
24 mercial e-commerce portal providers with respect
25 to—

1 “(i) price and quality of the commer-
2 cial product supplied by each commercial e-
3 commerce portal model;

4 “(ii) supplier reliability and service;

5 “(iii) safeguards for the security of
6 Government information and third-party
7 supplier proprietary information;

8 “(iv) protections against counterfeit
9 commercial products;

10 “(v) supply chain risks, particularly
11 with respect to complex commercial prod-
12 ucts; and

13 “(vi) overall adherence to Federal pro-
14 curement rules and policies; and

15 “(B) an analysis of the costs and benefits of
16 the convenience to the Federal Government of
17 procuring commercial products from each com-
18 mercial e-commerce portal providers.”.

19 **SEC. 846. SUPPORT FOR INDUSTRY PARTICIPATION IN**
20 **GLOBAL STANDARDS ORGANIZATIONS.**

21 (a) *DEFINITION.*—*In this section:*

22 (1) *ADMINISTRATOR.*—*The term “Adminis-*
23 *trator” means the Administrator of the Small Busi-*
24 *ness Administration.*

1 (2) *APPROPRIATE CONGRESSIONAL COMMIT-*
2 *TEES.*—*The term “appropriate congressional commit-*
3 *tees” means the following:*

4 (A) *The Committee on Science, Space, and*
5 *Technology of the House of Representatives.*

6 (B) *The Committee on Commerce, Science,*
7 *and Transportation of the Senate.*

8 (C) *The Committee on Energy and Com-*
9 *merce of the House of Representatives.*

10 (D) *The Committee on Energy and Natural*
11 *Resources of the Senate.*

12 (E) *The Committee on Small Business of*
13 *the House of Representatives.*

14 (F) *The Committee on Small Business and*
15 *Entrepreneurship of the Senate.*

16 (3) *ARTIFICIAL INTELLIGENCE.*—*The term “arti-*
17 *ficial intelligence” has the meaning given the term in*
18 *section 238(g) of the John S. McCain National De-*
19 *fense Authorization Act for Fiscal Year 2019 (10*
20 *U.S.C. 2358 note).*

21 (4) *COVERED ENTITY.*—*The term “covered enti-*
22 *ty” means a small business concern that is incor-*
23 *porated and maintains a primary place of business*
24 *in the United States.*

1 (5) *SMALL BUSINESS CONCERN.*—*The term*
2 *“small business concern” has the meaning given the*
3 *term in section 3 of the Small Business Act (15*
4 *U.S.C. 632).*

5 (b) *ESTABLISHMENT.*—*Not later than 180 days after*
6 *the date of enactment of this Act, the Administrator shall*
7 *establish a program to support participation by covered en-*
8 *tities in meetings and proceedings of standards development*
9 *organizations in the development of voluntary technical*
10 *standards.*

11 (c) *ACTIVITIES.*—*In carrying out the program estab-*
12 *lished under subsection (a), the Administrator shall award*
13 *competitive, merit-reviewed grants to covered entities to*
14 *cover the reasonable costs, up to a specified ceiling, of par-*
15 *ticipation of employees of those covered entities in meetings*
16 *and proceedings of standards development organizations,*
17 *including—*

18 (1) *regularly attending meetings;*

19 (2) *contributing expertise and research;*

20 (3) *proposing new work items; and*

21 (4) *volunteering for leadership roles such as a*
22 *convener or editor.*

23 (d) *AWARD CRITERIA.*—*The Administrator may only*
24 *provide a grant under this section to a covered entity that—*

1 (1) *demonstrates deep technical expertise in key*
2 *emerging technologies and technical standards, in-*
3 *cluding artificial intelligence and related technologies;*

4 (2) *commits personnel with such expertise to reg-*
5 *ular participation in global bodies responsible for de-*
6 *veloping standards for such technologies over the pe-*
7 *riod of the grant;*

8 (3) *agrees to participate in efforts to coordinate*
9 *between the Federal Government and industry to en-*
10 *sure protection of national security interests in the*
11 *setting of global standards so long as such standards*
12 *are not dictated by the Federal Government; and*

13 (4) *provides a plan to the Administrator that de-*
14 *tails the relationship between the activities described*
15 *in paragraphs (1), (2), and (3) and the proposed*
16 *standards to be adopted.*

17 (e) *NO MATCHING CONTRIBUTION.*—*A recipient of an*
18 *award under this section shall not be required to provide*
19 *a matching contribution.*

20 (f) *EVALUATION.*—

21 (1) *IN GENERAL.*—*In making awards under this*
22 *section, the Administrator shall coordinate with the*
23 *Director of the National Institute of Standards and*
24 *Technology, who shall provide support in the assess-*

1 *ment of technical expertise in emerging technologies*
2 *and standards setting needs.*

3 (2) *PANEL RANKING.—In carrying out the re-*
4 *quirements under paragraph (1), the Administrator*
5 *and the Director shall jointly establish a panel of ex-*
6 *perts to rank the proposed standards, based on merit*
7 *and relevance, to be composed of experts from—*

8 (A) *private industry;*

9 (B) *non-profit institutions;*

10 (C) *non-profit standards development orga-*
11 *nizations;*

12 (D) *academia; and*

13 (E) *the Federal Government.*

14 (g) *REPORT.—Not less than annually, the Adminis-*
15 *trator shall submit to the appropriate congressional com-*
16 *mittees a report on—*

17 (1) *the efficacy of the program;*

18 (2) *an explanation of any standard adopted as*
19 *a result of the program;*

20 (3) *any challenges faced in carrying out the pro-*
21 *gram; and*

22 (4) *proposed solutions to the challenges identified*
23 *in paragraph (3).*

1 **Subtitle E—Other Matters**

2 **SEC. 851. MISSION MANAGEMENT PILOT PROGRAM.**

3 (a) *IN GENERAL.*—Subject to the availability of appro-
4 priations, the Secretary of Defense shall establish within the
5 Strategic Capabilities Office of the Department of Defense
6 a pilot program to identify lessons learned and improved
7 mission outcomes achieved by quickly delivering solutions
8 that fulfill critical operational needs arising from cross-
9 service missions undertaken by combatant commands
10 through the use of a coordinated and iterative approach to
11 develop, evaluate, and transition such solutions.

12 (b) *MISSIONS SELECTION.*—

13 (1) *IN GENERAL.*—Except as provided in para-
14 graph (3), the Deputy Secretary of Defense shall select
15 missions with respect to which to carry out the pilot
16 program.

17 (2) *SELECTION CRITERIA.*—When selecting mis-
18 sions under paragraph (1), the Deputy Secretary of
19 Defense shall—

20 (A) select missions with critical cross-service
21 operational needs; and

22 (B) consider—

23 (i) the strategic importance of the crit-
24 ical cross-service operational needs to the

1 *operational plans of the relevant combatant*
2 *commands; and*

3 *(ii) the advice of the Cross-Functional*
4 *Teams of the Strategic Capabilities Office*
5 *regarding mission selection.*

6 *(3) INITIAL MISSION.—*

7 *(A) IN GENERAL.—Not later than four*
8 *months after the date of the enactment of this*
9 *section, the Director of the Strategic Capabilities*
10 *Office shall select a mission under the pilot pro-*
11 *gram that has critical cross-service operational*
12 *needs and which is of strategic importance to the*
13 *operational plans of the United States Indo-Pa-*
14 *cific Command.*

15 *(B) MISSION SELECTION APPROVAL.—The*
16 *mission selected by the Director of the Strategic*
17 *Capabilities Office under subparagraph (A) shall*
18 *be subject to the approval of the Deputy Sec-*
19 *retary of Defense.*

20 *(c) MISSION MANAGERS.—*

21 *(1) IN GENERAL.—A mission manager shall*
22 *carry out the pilot program with respect to each mis-*
23 *sion.*

24 *(2) RESPONSIBILITIES.—With respect to each*
25 *mission, the relevant mission manager shall—*

1 (A) *identify critical cross-service oper-*
2 *ational needs by enumerating the options avail-*
3 *able to the combatant command responsible for*
4 *carrying out such mission and determining the*
5 *resiliency of such options to threats from adver-*
6 *saries;*

7 (B) *in coordination with the military serv-*
8 *ices and appropriate Defense Agencies and Field*
9 *Activities, develop and deliver solutions, includ-*
10 *ing software and information technology solu-*
11 *tions and other functionalities unaligned with*
12 *any one weapon system of a covered Armed*
13 *Service, to—*

14 (i) *fulfill critical cross-service oper-*
15 *ational needs; and*

16 (ii) *address future changes to existing*
17 *critical cross-service operational needs by*
18 *providing additional capabilities;*

19 (C) *work with the combatant command re-*
20 *sponsible for such mission and the related plan-*
21 *ning organizers, service program managers, and*
22 *defense research and development activities to*
23 *carry out iterative testing and support to initial*
24 *operational fielding of the solutions described in*
25 *subparagraph (B);*

1 (D) conduct research, development, test,
2 evaluation, and transition support activities
3 with respect to the delivery of the solutions de-
4 scribed in subparagraph (B);

5 (E) seek to integrate existing, emerging, and
6 new capabilities available to the Department of
7 Defense in the development of the solutions de-
8 scribed in subparagraph (B); and

9 (F) provide to the Deputy Secretary of De-
10 fense mission management activity updates and
11 reporting on the use of funds under the pilot pro-
12 gram with respect to such mission.

13 (3) *DIRECTOR OF THE STRATEGIC CAPABILITIES*
14 *OFFICE.*—The Director of the Strategic Capabilities
15 Office shall be the mission manager for each mission
16 selected under subsection (b).

17 (4) *ITERATIVE APPROACH.*—The mission man-
18 ager shall, to the extent practicable, carry out the
19 pilot program with respect to each mission selected
20 under subsection (b) by integrating existing, emerg-
21 ing, and new military capabilities, and managing a
22 portfolio of small, iterative development and support
23 to initial operational fielding efforts.

24 (5) *OTHER PROGRAM MANAGEMENT RESPON-*
25 *SIBILITIES.*—The activities undertaken by the mission

1 *manager with respect to a mission, including mission*
2 *management, do not supersede or replace the program*
3 *management responsibilities of any other individual*
4 *that are related to such missions.*

5 *(d) DATA COLLECTION REQUIREMENT.—The Deputy*
6 *Secretary of Defense shall develop and implement a plan*
7 *to collect and analyze data on the pilot program for the*
8 *purposes of—*

9 *(1) developing and sharing best practices for ap-*
10 *plying emerging technology and supporting new oper-*
11 *ational concepts to improve outcomes on key military*
12 *missions and operational challenges; and*

13 *(2) providing information to the leadership of*
14 *the Department on the implementation of the pilot*
15 *program and related policy issues.*

16 *(e) ASSESSMENTS.—During the five-year period begin-*
17 *ning on the date of the enactment of this Act, the Deputy*
18 *Secretary of Defense shall regularly assess—*

19 *(1) the authorities required by the missions man-*
20 *ager to effectively and efficiently carry out the pilot*
21 *program with respect to the missions selected under*
22 *subsection (b); and*

23 *(2) whether the mission manager has access to*
24 *sufficient funding to carry out the research, develop-*
25 *ment, test, evaluation, and support to initial oper-*

1 *ational fielding activities required to deliver solutions*
2 *fulfilling the critical cross-service operational needs of*
3 *the missions.*

4 (f) *BRIEFINGS.*—

5 (1) *SEMIANNUAL BRIEFING.*—

6 (A) *IN GENERAL.*—*Not later than July 1,*
7 *2022, and every six months thereafter until the*
8 *date that is five years after the date of the enact-*
9 *ment of this Act, the mission manager shall pro-*
10 *vide to the congressional defense committees a*
11 *briefing on the progress of the pilot program*
12 *with respect to each mission selected under sub-*
13 *section (b), the anticipated mission outcomes,*
14 *and the funds used to carry out the pilot pro-*
15 *gram with respect to such mission.*

16 (B) *INITIAL BRIEFING.*—*The Deputy Sec-*
17 *retary of Defense shall include in the first brief-*
18 *ing submitted under subparagraph (A) a briefing*
19 *on the implementation of the pilot program, in-*
20 *cluding—*

21 (i) *the actions taken to implement the*
22 *pilot program;*

23 (ii) *an assessment of the pilot pro-*
24 *gram;*

1 (iii) requests for Congress to provide
2 authorities required to successfully carry
3 out the pilot program; and

4 (iv) a description of the data plan re-
5 quired under subsection (d).

6 (2) *ANNUAL BRIEFING.*—Not later than one year
7 after the date on which the pilot program is estab-
8 lished, and annually thereafter until the date that is
9 five years after the date of the enactment of this Act,
10 the Deputy Secretary of Defense shall submit to the
11 congressional defense committees a briefing on the
12 pilot program, including—

13 (A) the data collected and analysis per-
14 formed under subsection (d);

15 (B) lessons learned;

16 (C) the priorities for future activities of the
17 pilot program; and

18 (D) such other information as the Deputy
19 Secretary determines appropriate.

20 (3) *RECOMMENDATION.*—Not later than two
21 years after the date of the enactment of this Act, the
22 Deputy Secretary of Defense shall submit to Congress
23 a briefing on the recommendations of the Deputy Sec-
24 retary with respect to the pilot program and shall
25 concurrently submit to Congress—

1 (A) a written assessment of the pilot pro-
2 gram;

3 (B) a written recommendation on con-
4 tinuing or expanding the mission integration
5 pilot program;

6 (C) requests for Congress to provide authori-
7 ties required to successfully carry out the pilot
8 program; and

9 (D) the data collected and analysis per-
10 formed under subsection (d).

11 (g) *TRANSITION.*—Beginning in fiscal year 2025, the
12 Deputy Secretary of Defense may transition responsibilities
13 for research, development, test, evaluation, and support to
14 initial operational fielding activities started under the pilot
15 program to other elements of the Department for purposes
16 of delivering solutions fulfilling critical cross-service oper-
17 ational needs.

18 (h) *TERMINATION DATE.*—The pilot program shall ter-
19 minate on the date that is 5 years after the date of the en-
20 actment of this Act.

21 (i) *RULE OF CONSTRUCTION.*—Nothing in this section
22 shall be construed as providing any authority not otherwise
23 provided by law to procure, or enter agreements to procure,
24 any goods, materials, or services.

25 (j) *DEFINITIONS.*—In this section:

1 (1) *COVERED ARMED FORCE*.—The term “covered
2 *Armed Force*” means—

3 (A) *the Army*;

4 (B) *the Navy*;

5 (C) *the Air Force*;

6 (D) *the Marine Corps*; or

7 (E) *the Space Force*.

8 (2) *CROSS-FUNCTIONAL TEAMS OF THE STRA-*
9 *TEGIC CAPABILITIES OFFICE*.—The term “*Cross-Func-*
10 *tional Teams of the Strategic Capabilities Office*”
11 *means the teams established in the Strategic Capa-*
12 *bilities Office of the Department of Defense pursuant*
13 *to section 233(b) of the National Defense Authoriza-*
14 *tion Act for Fiscal Year 2020 (Public Law 116–92;*
15 *133 Stat. 1277; 10 U.S.C. 132 note).*

16 (3) *CROSS-SERVICE*.—The term “*cross-service*”
17 *means pertaining to multiple covered Armed Forces.*

18 (4) *CROSS-SERVICE OPERATIONAL NEED*.—The
19 *term “cross-service operational need” means an oper-*
20 *ational need arising from a mission undertaken by a*
21 *combatant command which involves multiple covered*
22 *Armed Forces.*

23 (5) *DEFENSE AGENCY; MILITARY DEPART-*
24 *MENT*.—The terms “*Defense Agency*” and “*military*

1 *department” have the meanings given such terms in*
2 *section 101(a) of title 10, United States Code.*

3 (6) *FIELD ACTIVITY.*—*The term “Field Activity”*
4 *has the meaning given the term “Department of De-*
5 *fense Field Activity” in section 101(a) of title 10,*
6 *United States Code.*

7 (7) *MISSION MANAGEMENT.*—*The term “mission*
8 *management” means the integration of materiel, dig-*
9 *ital, and operational elements to improve defensive*
10 *and offensive options and outcomes for a specific mis-*
11 *sion or operational challenge.*

12 (8) *PILOT PROGRAM.*—*The term “pilot program”*
13 *means the pilot program established under subsection*
14 *(a).*

15 **SEC. 852. PILOT PROGRAM TO DETERMINE THE COST COM-**
16 **PETITIVENESS OF DROP-IN FUELS.**

17 (a) *ESTABLISHMENT.*—*The Secretary of Defense, in*
18 *consultation with the Under Secretary of Defense for Acqui-*
19 *sition and Sustainment and the Under Secretary of Defense*
20 *(Comptroller), shall establish a pilot program to determine*
21 *the cost competitiveness of the fully burdened cost of drop-*
22 *in fuels compared with the fully burdened cost of traditional*
23 *fuels using a scenario-based strategic sourcing tool as de-*
24 *scribed in subsection (b).*

1 (b) *USE OF SCENARIO-BASED STRATEGIC SOURCING*
2 *TOOL.*—*The Under Secretary of Defense (Comptroller), in*
3 *coordination with the Director of Defense Logistics Agency,*
4 *shall identify an aviation fuel program and use a commer-*
5 *cially available scenario-based strategic sourcing tool to—*

6 (1) *analyze performance risks and benefits of*
7 *drop-in fuels compared to traditional fuels;*

8 (2) *determine cost-competitiveness of drop-in*
9 *fuels compared to traditional fuels;*

10 (3) *improve supplier performance of contracts to*
11 *procure aviation fuel; and*

12 (4) *minimize risk, increase transparency, and*
13 *manage unforeseen circumstances for the Department*
14 *of Defense.*

15 (c) *DOCUMENTATION.*—*The Under Secretary of De-*
16 *fense (Comptroller) shall use the scenario-based strategic*
17 *sourcing tool described in subsection (b) to maintain docu-*
18 *mentation of the costs of each such contract in order to de-*
19 *velop better price estimates and procurement strategies for*
20 *acquiring aviation fuel.*

21 (d) *REPORT.*—*Not later than September 30, 2022, and*
22 *annually thereafter until the termination date described in*
23 *subsection (f), the Secretary of Defense shall submit a report*
24 *to the congressional defense committees on the status and*
25 *impact of the pilot program established under this section.*

1 (e) *DEFINITIONS.*—*In this section:*

2 (1) *The terms “drop-in fuel”, “fully burdened*
3 *cost”, and “traditional fuel” have the meanings given,*
4 *respectively, in section 2922h of title 10, United*
5 *States Code.*

6 (2) *The term “scenario-based strategic sourcing”*
7 *means a method for testing the supply chain effects*
8 *using automated software to model various scenarios*
9 *relating to—*

10 (A) *contract management;*

11 (B) *spend analysis;*

12 (C) *supplier management;*

13 (D) *sourcing; and*

14 (E) *external market variables.*

15 (f) *TERMINATION.*—*The pilot program established*
16 *under this section shall terminate on September 30, 2027.*

17 **SEC. 853. ASSURING INTEGRITY OF OVERSEAS FUEL SUP-**
18 **PLIES.**

19 (a) *IN GENERAL.*—*Before awarding a contract to an*
20 *offeror for the supply of fuel for any overseas contingency*
21 *operation, the Secretary of Defense shall—*

22 (1) *ensure, to the maximum extent practicable,*
23 *that no otherwise responsible offeror is disqualified for*
24 *such award on the basis of an unsupported denial of*

1 *access to a facility or equipment by the host nation*
2 *government; and*

3 (2) *require assurances that the offeror will com-*
4 *ply with the requirements of subsections (b) and (c).*

5 **(b) REQUIREMENT.**—*An offeror for the supply of fuel*
6 *for any overseas contingency operation shall—*

7 (1) *certify that the provided fuel, in whole or in*
8 *part, or derivatives of such fuel, is not sourced from*
9 *a nation or region prohibited from selling petroleum*
10 *to the United States; and*

11 (2) *furnish such records as are necessary to*
12 *verify compliance with such anti-corruption statutes*
13 *and regulations as the Secretary determines nec-*
14 *essary, including—*

15 (A) *the Foreign Corrupt Practices Act (15*
16 *U.S.C. 78dd-1 et seq.);*

17 (B) *the regulations contained in parts 120*
18 *through 130 of title 22, Code of Federal Regula-*
19 *tions, or successor regulations (commonly known*
20 *as the “International Traffic in Arms Regula-*
21 *tions”);*

22 (C) *the regulations contained in parts 730*
23 *through 774 of title 15, Code of Federal Regula-*
24 *tions, or successor regulations (commonly known*

1 as the “*Export Administration Regulations*”);
2 and

3 (D) such regulations as may be promul-
4 gated by the Office of Foreign Assets Control of
5 the Department of the Treasury.

6 (c) *REPORT REQUIRED*.—Not more than 180 days
7 after the award of a contract for the supply of fuel for any
8 overseas contingency operation that is greater than
9 \$50,000,000, the Inspector General of the Department of De-
10 fense shall submit to the congressional defense committees
11 a report including—

12 (1) an assessment of the price per gallon for such
13 fuel, along with an assessment of the price per gallon
14 for fuel paid by other entities in the same nation or
15 region of the nation; and

16 (2) an assessment of the ability of the contractor
17 awarded such contract to comply with sanctions on
18 Iran and monitor for violations of those sanctions.

19 (d) *APPLICABILITY*.—Subsections (a), (b), and (c) of
20 this section shall apply with respect to contracts entered
21 into on or after the date of the enactment of this Act.

22 (e) *AVOIDANCE OF USE OF LOWEST PRICE TECH-*
23 *NICALLY ACCEPTABLE SOURCE SELECTION CRITERIA FOR*
24 *FUEL PROCUREMENT AND FUEL-RELATED SERVICES*.—
25 Section 813(c)(3) of the National Defense Authorization Act

1 *for Fiscal Year 2017 (10 U.S.C. 2305 note) is amended by*
2 *inserting “, including fuel procurement and fuel-related*
3 *services,” after “logistics services,”.*

4 **SEC. 854. CADRE OF SOFTWARE DEVELOPMENT AND ACQUI-**
5 **SITION EXPERTS.**

6 *(a) CADRE OF SOFTWARE DEVELOPMENT AND ACQUI-*
7 *SITION EXPERTS.—*

8 *(1) Not later than January 1, 2022, the Sec-*
9 *retary of Defense, acting through the Under Secretary*
10 *of Defense for Acquisition and Sustainment, shall es-*
11 *tablish a cadre of personnel who are experts in devel-*
12 *opment and acquisition of software. The purpose of*
13 *the cadre is to ensure a consistent, strategic, and*
14 *highly knowledgeable approach to developing and ac-*
15 *quiring software by providing expert advice, assist-*
16 *ance, and resources to the acquisition workforce in*
17 *support of the policies established in accordance with*
18 *Department of Defense Instruction 5000.02, Oper-*
19 *ation of the Adaptive Acquisition Framework, dated*
20 *January 23, 2020.*

21 *(2) The Under Secretary shall establish an ap-*
22 *propriate leadership structure and office within which*
23 *the cadre shall be managed, and shall determine the*
24 *appropriate official to whom members of the cadre*
25 *shall report.*

1 (3) *The cadre of experts shall be assigned to a*
2 *program office or an acquisition command within a*
3 *military department to advise, assist, and provide re-*
4 *sources to a program manager or program executive*
5 *officer on matters pertaining to software at various*
6 *stages of the life cycle of a system, including but not*
7 *limited to integration, testing, production, certifi-*
8 *cation, deployment of capabilities to the operational*
9 *environment, and maintenance. In performing such*
10 *duties, the experts shall—*

11 (A) *Advise and assist in integration of mod-*
12 *ern software development practices such as agile*
13 *software development; development, security, and*
14 *operations (DevSecOps); and lean practices.*

15 (B) *Advise and assist in leveraging indus-*
16 *try best practices for software development, de-*
17 *ployment, upgrades, and sustainment to include*
18 *contracting for software as a service, subscrip-*
19 *tion models, use of prime contractors to assist in*
20 *integration, and other methods for acquiring or*
21 *accessing capability.*

22 (C) *In conjunction with the Cadre of Intel-*
23 *lectual Property Experts established pursuant to*
24 *section 2322 of this title, develop a strategy and*

1 *licensing framework to enable government pro-*
2 *curement of commercial software, to include:*

3 *(i) in accordance with section 2377 of*
4 *this title, a preference for the acquisition of*
5 *commercial software under the license cus-*
6 *tomarily provided to the public, except as*
7 *specified in paragraphs (ii) and (iii);*

8 *(ii) identification of terms or condi-*
9 *tions that may be inconsistent with federal*
10 *procurement law;*

11 *(iii) identification of operational user*
12 *needs that may necessitate the negotiation*
13 *of customized licenses to ensure authorized*
14 *use in unique operational environments;*
15 *and*

16 *(iv) methods and procedures for use of*
17 *stand-alone software licensing in cases*
18 *where other contract vehicles are inappro-*
19 *propriate or unavailable.*

20 *(D) Establish and lead cross-functional gov-*
21 *ernment-industry teams that include operational*
22 *users, data and system architects, experts in ar-*
23 *tificial intelligence, developmental and oper-*
24 *ational testers, software developers, and cyberse-*
25 *curity experts to deliver software rapidly and*

1 *iteratively to meet the highest priority user*
2 *needs.*

3 *(E) Advise and assist in the development of*
4 *requirements, acquisition strategy, product sup-*
5 *port strategy, and intellectual property strategy*
6 *for a system.*

7 *(F) Advise and assist in planning and*
8 *budgeting for agile software development and de-*
9 *ployment, and the sustainment of software over*
10 *the life-cycle of the program, to include consider-*
11 *ation of the shifting landscape of continual cyber*
12 *threat and evolving cyber requirements.*

13 *(G) Conduct or assist with financial anal-*
14 *ysis, cost estimation, and valuation of software,*
15 *to include agile software development, to include*
16 *valuation of embedded software as a standalone*
17 *product or as part of modular open system ap-*
18 *proach.*

19 *(H) Assist in the drafting of a solicitation,*
20 *contract, or other transaction agreement.*

21 *(I) Interact with or assist in interactions*
22 *with contractors, including communications and*
23 *negotiations with contractors on solicitations*
24 *and awards.*

1 *(J) Foster culture change necessary to en-*
2 *able the Department of Defense to embrace and*
3 *leverage modern software practices by:*

4 *(i) recommending policies to ensure*
5 *program managers are empowered to set*
6 *and maintain the integrity of agile develop*
7 *process and priorities; and*

8 *(ii) educating key stakeholders in con-*
9 *siderations regarding the integration and*
10 *incorporation of agile software development*
11 *practices with systems acquired under the*
12 *major capability acquisition pathway.*

13 *(4)(A) In order to achieve the purpose set forth*
14 *in paragraph (1), the Under Secretary shall ensure*
15 *the cadre has the appropriate number of staff and*
16 *such staff possesses the necessary skills, knowledge,*
17 *and experience to carry out the duties under para-*
18 *graph (2), including in relevant areas of law, com-*
19 *mercial software licensing, contracting, acquisition,*
20 *logistics, engineering, financial analysis, cost esti-*
21 *mation, and valuation. The Under Secretary, in co-*
22 *ordination with the Defense Acquisition University*
23 *and in consultation with academia and industry,*
24 *shall develop a career path, including development*
25 *opportunities, exchanges, talent management pro-*

1 grams, and training, for the cadre. The Under Sec-
2 retary may use existing authorities to staff the cadre,
3 including those in subparagraphs (B), (C), (D), and
4 (F).

5 (B) Civilian personnel from within the Of-
6 fice of the Secretary of Defense, Joint Staff, mili-
7 tary departments, Defense Agencies, and combat-
8 ant commands may be assigned to serve as mem-
9 bers of the cadre, upon request of the Director.

10 (C) The Under Secretary may use the au-
11 thorities for highly qualified experts under sec-
12 tion 9903 of title 5, to hire experts as members
13 of the cadre who are skilled professionals in soft-
14 ware development and acquisition, commercial
15 software licensing, and related matters.

16 (D) The Under Secretary may enter into a
17 contract with a private-sector entity for special-
18 ized expertise to support the cadre. Such entity
19 may be considered a covered Government support
20 contractor, as defined in section 2320 of this
21 title.

22 (E) In establishing the cadre, the Under
23 Secretary shall give preference to civilian em-
24 ployees of the Department of Defense, rather than

1 *members of the armed forces, to maintain con-*
2 *tinuity in the cadre.*

3 *(F) The Under Secretary is authorized to*
4 *use amounts in the Defense Acquisition Work-*
5 *force Development Fund for the purpose of re-*
6 *ruitment, training, and retention of the cadre,*
7 *including paying salaries of newly hired mem-*
8 *bers of the cadre for up to three years.*

9 *(G) In implementing this section, the Under*
10 *Secretary shall ensure compliance with applica-*
11 *ble total force management policies, require-*
12 *ments, and restrictions provided in sections*
13 *129a, 2329, and 2461 of title 10, United States*
14 *Code.*

15 *(H) The Under Secretary shall ensure that*
16 *any contractor employee providing services in*
17 *support of, or participation in, the cadre estab-*
18 *lished under this section and is considered a*
19 *Special Government Employee as defined by sec-*
20 *tion 202 of title 18, United States Code, is re-*
21 *quired to file a confidential financial disclosure*
22 *in accordance with the Ethics in Government*
23 *Act of 1978.*

1 **SEC. 855. ACQUISITION PRACTICES AND POLICIES ASSESS-**
2 **MENT.**

3 (a) *IN GENERAL.*—*The Department of Defense Climate*
4 *Working Group established pursuant to Executive Order*
5 *14008 (86 Fed. Reg. 7619, related to tackling the climate*
6 *crisis), in coordination with the Assistant Secretary of De-*
7 *fense for Energy, Installations, and Environment, shall as-*
8 *sess and develop recommendations for implementing, in reg-*
9 *ulations, the acquisition practices and policies described in*
10 *subsection (b) with respect to acquisitions by the Depart-*
11 *ment of Defense.*

12 (b) *ACQUISITION PRACTICES AND POLICIES.*—*The*
13 *practices and policies described in this subsection are—*

14 (1) *acquisition planning practices that promote*
15 *the acquisition of resource-efficient goods and services*
16 *and that support innovation in environmental tech-*
17 *nologies, including—*

18 (A) *weighing the cost savings and resource*
19 *and energy preservation of environmentally pref-*
20 *erable goods or services against the speed and*
21 *uniformity of traditional goods or services when*
22 *identifying requirements or drafting the state-*
23 *ment of work;*

24 (B) *designing the technical specifications*
25 *that set product performance levels to diminish*
26 *greenhouse gas emissions;*

1 (C) restricting the statement of work or
2 specifications to only environmentally preferable
3 goods or services where the quality, availability,
4 and price comparable to traditional goods or
5 services;

6 (D) engaging in public-private partnerships
7 with private sector and nonprofit institutions to
8 design, build, and fund low-carbon infrastruc-
9 ture; and

10 (E) collaborating with local jurisdictions
11 surrounding military installations, with a focus
12 on military installations located in States with
13 established policies, guidance, and processes for
14 procuring goods and services in a manner that
15 minimizes environmental and social costs;

16 (2) source selection practices that promote the
17 acquisition of resource-efficient goods and services and
18 that support innovation in environmental tech-
19 nologies, including—

20 (A) considering any low-carbon or low-tox-
21 icity criteria as competition factors on the basis
22 of which the award is made in addition to cost,
23 past performance, and quality factors;

24 (B) using accepted standards, emissions
25 data, certifications, and labels to verify the envi-

1 *ronmental impact of a good or service and en-*
2 *hance procurement efficiency;*

3 *(C) training acquisition professionals to*
4 *evaluate the credibility of certifications and la-*
5 *bels purporting to convey information about the*
6 *environmental impact of a good or service; and*

7 *(D) considering all the costs of a good or*
8 *service that will be incurred throughout its life-*
9 *time by calculating and measuring operating*
10 *costs, maintenance, end of life costs, and residual*
11 *value, including costs resulting from the carbon*
12 *and other greenhouse gas emissions associated*
13 *with the good or service; and*

14 *(3) consideration of the external economic, envi-*
15 *ronmental, and social effects arising over the entire*
16 *life cycle of an acquisition when making acquisition*
17 *planning and source selectpacion decisions.*

18 *(c) REPORT.—Not later than 180 days after the date*
19 *of the enactment of this Act, the chair of the Department*
20 *of Defense Climate Working Group shall submit to the con-*
21 *gressional defense committees a report on the assessment*
22 *conducted under subsection (a), which shall include the rec-*
23 *ommendations developed under such subsection.*

24 *(d) DEFINITIONS.—In this section:*

1 (1) *ENVIRONMENTALLY PREFERABLE.*—*The term*
2 *“environmentally preferable”, with respect to a good*
3 *or service, means that the good or service has a lesser*
4 *or reduced effect on human health and the environ-*
5 *ment when compared with competing goods or serv-*
6 *ices that serve the same purpose. The comparison may*
7 *consider raw materials acquisition, production, man-*
8 *ufacturing, packaging, distribution, reuse, operation,*
9 *maintenance, or disposal of the good or service.*

10 (2) *RESOURCE-EFFICIENT GOODS AND SERV-*
11 *ICES.*—*The term “resource-efficient goods and serv-*
12 *ices” means goods and services—*

13 (A) *that use fewer resources than competing*
14 *goods and services to serve the same purposes or*
15 *achieve the same or substantially similar result*
16 *as such competing goods and services; and*

17 (B) *for which the negative environmental*
18 *impacts across the full life cycle of such goods*
19 *and services are minimized.*

1 **TITLE IX—DEPARTMENT OF DE-**
2 **FENSE ORGANIZATION AND**
3 **MANAGEMENT**

4 ***Subtitle A—Office of the Secretary***
5 ***of Defense and Related Matters***

6 **SEC. 901. MODIFICATION OF REQUIREMENTS FOR APPOINT-**
7 **MENT OF A PERSON AS SECRETARY OF DE-**
8 **FENSE AFTER RELIEF FROM ACTIVE DUTY.**

9 *Section 113(a) of title 10, United States Code, is*
10 *amended—*

11 *(1) by inserting “(1)” before “There is”; and*

12 *(2) by striking the second sentence and inserting*
13 *the following new paragraph:*

14 *“(2)(A) Except as provided by subparagraph (B), a*
15 *person may not be appointed as Secretary of Defense during*
16 *the period of 10 years after relief from active duty as a*
17 *commissioned officer of a regular component of an armed*
18 *force in pay grade O–6 or above.*

19 *“(B) A person described in subparagraph (A) may be*
20 *appointed as Secretary of Defense if—*

21 *“(i) the President submits to Congress a request*
22 *for approval for such appointment; and*

23 *“(ii) Congress enacts a joint resolution of ap-*
24 *proval, with not fewer than three-quarters of the*

1 *Members of the House of Representatives and Senate,*
2 *duly chosen and sworn, voting in the affirmative.*

3 “(C) *In this subsection, the term ‘joint resolution of*
4 *approval’ means a joint resolution of either House of Con-*
5 *gress, the sole matter after the resolving clause of which is*
6 *as follows: “The Congress approves exempting _____*
7 *from the prohibition under section 113(a) of title 10, United*
8 *States Code, pursuant to the request of the President for*
9 *such exemption submitted to Congress on _____.”,*
10 *with the blank spaces being filled with the appropriate*
11 *name and date, respectively.”.*

12 **SEC. 902. IMPLEMENTATION OF REPEAL OF CHIEF MANAGE-**
13 **MENT OFFICER OF THE DEPARTMENT OF DE-**
14 **FENSE.**

15 *Section 901(b)(1) of the William M. (Mac) Thornberry*
16 *National Defense Authorization Act for Fiscal Year 2021*
17 *(Public Law 116–283) is amended by striking “, except that*
18 *any officer or employee so designated may not be an indi-*
19 *vidual who served as the Chief Management Officer before*
20 *the date of the enactment of this Act”.*

21 **SEC. 903. DESIGNATION OF SENIOR OFFICIAL FOR IMPLE-**
22 **MENTATION OF ELECTROMAGNETIC SPEC-**
23 **TRUM SUPERIORITY STRATEGY.**

24 (a) *DESIGNATION.*—*Not later than 60 days after the*
25 *date of the enactment of this Act, the Secretary of Defense*

1 *shall designate a senior official of the Department of De-*
2 *fense to be responsible for, and accountable to the Secretary*
3 *with respect to, the implementation of the electromagnetic*
4 *spectrum superiority strategy. The Secretary shall des-*
5 *ignate the senior official from among individuals who are*
6 *appointed to a position in the Department by the President,*
7 *by and with the advice and consent of the Senate.*

8 **(b) RESPONSIBILITIES.**—*The senior official designated*
9 *under subsection (a) shall be responsible for the following:*

10 (1) *Oversight of policy, strategy, planning, re-*
11 *source management, operational considerations, per-*
12 *sonnel, and technology development necessary to im-*
13 *plement the electromagnetic spectrum superiority*
14 *strategy.*

15 (2) *Evaluating whether the amount that the De-*
16 *partment of Defense expends on electromagnetic war-*
17 *fare and electromagnetic spectrum operations capa-*
18 *bilities is properly aligned.*

19 (3) *Evaluating whether the Department is effec-*
20 *tively incorporating electromagnetic spectrum oper-*
21 *ations capabilities and considerations into current*
22 *and future operational plans and concepts.*

23 (4) *Such other matters relating to electro-*
24 *magnetic spectrum operations as the Secretary speci-*
25 *fies for purposes of this subsection.*

1 (c) *REPORT.*—Not later than 270 days after the date
2 of the enactment of this Act, the Secretary shall submit to
3 the congressional defense committees a report that includes
4 the following:

5 (1) *A review of the sufficiency of the rules of en-*
6 *gagement of the Department of Defense relating to*
7 *electromagnetic spectrum operations, in particular*
8 *with respect to operating below the level of armed con-*
9 *flict and to protect the Department from electronic at-*
10 *tack and disruption.*

11 (2) *Any other matters the Secretary determines*
12 *relevant.*

13 (d) *IMPLEMENTATION PLAN.*—

14 (1) *SUBMISSION.*—Not later than 15 days after
15 the date of the enactment of this Act, the Secretary
16 shall submit to the congressional defense committees a
17 complete copy of the implementation plan signed by
18 the Secretary of Defense in July 2021 for the *Electro-*
19 *magnetic Spectrum Superiority Strategy* published in
20 *October 2020.*

21 (2) *REPORT.*—Not later than 45 days after the
22 date of the enactment of this Act, the Secretary shall
23 submit to the congressional defense committees a re-
24 port on the implementation plan specified in para-
25 graph (1). The report shall include—

1 (A) an evaluation of the additional per-
2 sonnel, resources, and authorities the Secretary
3 determines will be needed by the senior official of
4 the Department of Defense designated under sub-
5 section (a) who is responsible for implementing
6 the *Electromagnetic Spectrum Superiority Strat-*
7 *egy published in October 2020; and*

8 (B) a description of how the Secretary will
9 ensure that such implementation will be success-
10 ful.

11 (e) *LIMITATION ON AVAILABILITY OF FUNDS; QUAR-*
12 *TERLY BRIEFINGS.—*

13 (1) *LIMITATION.—Of the funds authorized to be*
14 *appropriated or otherwise made available for fiscal*
15 *year 2022 for the Office of the Under Secretary of De-*
16 *fense for Acquisition and Sustainment for the travel*
17 *of persons—*

18 (A) *not more than 25 percent may be obli-*
19 *gated or expended until the Secretary provides to*
20 *the congressional defense committees the first*
21 *quarterly briefing under paragraph (2);*

22 (B) *not more than 50 percent may be obli-*
23 *gated or expended until the Secretary provides to*
24 *such committees the second quarterly briefing*
25 *under such paragraph; and*

1 (C) not more than 75 percent may be obli-
2 gated or expended until the Secretary provides to
3 such committees the third quarterly briefing
4 under such paragraph.

5 (2) *QUARTERLY BRIEFINGS.*—On a quarterly
6 basis during the one-year period beginning on the
7 date of the enactment of this Act, the Secretary shall
8 provide to the congressional defense committees a
9 briefing on the status of the implementation plan
10 specified in subsection (d)(1). Each briefing shall in-
11 clude the following:

12 (A) An update on the efforts of the Depart-
13 ment of Defense to—

14 (i) achieve the strategic goals set out in
15 the electromagnetic spectrum superiority
16 strategy; and

17 (ii) implement such strategy through
18 various elements of the Department.

19 (B) An identification of any additional au-
20 thorities or resources relating to electromagnetic
21 spectrum operations that the Secretary deter-
22 mines is necessary to implement the strategy.

23 (f) *ELECTROMAGNETIC SPECTRUM SUPERIORITY*
24 *STRATEGY DEFINED.*—In this section, the term “electro-
25 magnetic spectrum superiority strategy” means the Electro-

1 *magnetic Spectrum Superiority Strategy of the Department*
 2 *of Defense published in October 2020, and any such suc-*
 3 *cessor strategy.*

4 ***Subtitle B—Other Department of***
 5 ***Defense Organization and Man-***
 6 ***agement Matters***

7 ***SEC. 911. CLARIFICATION OF TREATMENT OF OFFICE OF***
 8 ***LOCAL DEFENSE COMMUNITY COOPERATION***
 9 ***AS A DEPARTMENT OF DEFENSE FIELD ACTIV-***
 10 ***ITY.***

11 *(a) TREATMENT OF OFFICE OF LOCAL DEFENSE COM-*
 12 *MUNITY COOPERATION AS A DEPARTMENT OF DEFENSE*
 13 *FIELD ACTIVITY.—*

14 *(1) TRANSFER TO CHAPTER 8.—Section 146 of*
 15 *title 10, United States Code, is transferred to sub-*
 16 *chapter I of chapter 8 of such title, inserted after sec-*
 17 *tion 197, and redesignated as section 198.*

18 *(2) TREATMENT AS DEPARTMENT OF DEFENSE*
 19 *FIELD ACTIVITY.—Section 198(a) of such title, as*
 20 *transferred and redesignated by subsection (a) of this*
 21 *subsection, is amended—*

22 *(A) by striking “in the Office of the Sec-*
 23 *retary of Defense an office to be known as the”*
 24 *and inserting “in the Department of Defense*
 25 *an”; and*

1 (B) by adding at the end the following:
2 *“The Secretary shall designate the Office as a*
3 *Department of Defense Field Activity pursuant*
4 *to section 191, effective as of the date of the en-*
5 *actment of the William M. (Mac) Thornberry*
6 *National Defense Authorization Act for Fiscal*
7 *Year 2021 (Public Law 116–283).”.*

8 (3) *APPOINTMENT OF DIRECTOR.*—Such section
9 198 is further amended—

10 (A) in subsection (b) in the matter pre-
11 ceding paragraph (1), by striking *“Under Sec-*
12 *retary of Defense for Acquisition and*
13 *Sustainment”* and inserting *“Secretary of De-*
14 *fense”*; and

15 (B) in subsection (c)(4), by striking *“Under*
16 *Secretary of Defense for Acquisition and*
17 *Sustainment”* and inserting *“Secretary”*.

18 (4) *CLERICAL AMENDMENTS.*—

19 (A) *CHAPTER 4.*—The table of sections at
20 the beginning of chapter 4 of title 10, United
21 States Code, is amended by striking the item re-
22 lating to section 146.

23 (B) *CHAPTER 8.*—The table of sections at
24 the beginning of subtitle I of chapter 8 of such

1 *title is amended by inserting after the item relat-*
2 *ing to section 197 the following new item:*

 “198. *Office of Local Defense Community Cooperation.*”.

3 **(b) LIMITATION ON INVOLUNTARY SEPARATION OF**
4 **PERSONNEL.**—*No personnel of the Office of Local Defense*
5 *Community Cooperation under section 198 of title 10,*
6 *United States Code (as added by subsection (a)), may be*
7 *involuntarily separated from service with that Office dur-*
8 *ing the one-year period beginning on the date of the enact-*
9 *ment of this Act, except for cause.*

10 **(c) ADMINISTRATION OF PROGRAMS.**—*Any program,*
11 *project, or other activity administered by the Office of Eco-*
12 *nomics Adjustment of the Department of Defense as of the*
13 *date of the enactment of the William M. (Mac) Thornberry*
14 *National Defense Authorization Act for Fiscal Year 2021*
15 *(Public Law 116–283) shall be administered by the Office*
16 *of Local Defense Community Cooperation under section 198*
17 *of title 10, United States Code (as added by subsection (a)).*

18 **(d) CONFORMING REPEAL.**—*Section 905 of the Wil-*
19 *liam M. (Mac) Thornberry National Defense Authorization*
20 *Act for Fiscal Year 2021 (Public Law 116–283) is repealed.*

21 **SEC. 912. USE OF COMBATANT COMMANDER INITIATIVE**
22 **FUND FOR CERTAIN ENVIRONMENTAL MAT-**
23 **TERS.**

24 **(a) AUTHORIZED ACTIVITIES.**—*Subsection (b) of sec-*
25 *tion 166a of title 10, United States Code, is amended—*

1 **SEC. 914. COORDINATION OF CERTAIN NAVAL ACTIVITIES**
2 **WITH THE SPACE FORCE.**

3 *Section 8062(d) of title 10, United States Code, is*
4 *amended by inserting “the Space Force,” after “the Air*
5 *Force,”.*

6 **SEC. 915. SPACE FORCE ORGANIZATIONAL MATTERS AND**
7 **MODIFICATION OF CERTAIN SPACE-RELATED**
8 **ACQUISITION AUTHORITIES.**

9 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
10 *that—*

11 *(1) Congress established the Space Force to im-*
12 *prove the acquisition of resilient satellite and ground*
13 *system architectures, encourage personnel retention,*
14 *and emphasize the need to organize, train, and equip*
15 *for a potential future conflict in the space domain;*

16 *(2) as the Space Force continues efforts to be-*
17 *come fully operational, it should remain committed to*
18 *building a “lean, agile, and fast” organization, as the*
19 *Chief of Space Operations, General John W. Ray-*
20 *mond, has often stated; and*

21 *(3) in areas in which legislative action is needed,*
22 *including with respect to organizational structure*
23 *and personnel requirements, the Secretary of the Air*
24 *Force and the Chief of Space Operations should*
25 *maintain consistent communication with Congress to*
26 *ensure that the founding principle behind the estab-*

1 *lishment of the Space Force—to build a small organi-*
2 *zation responsive to a rapidly changing domain—is*
3 *upheld.*

4 *(b) IMPLEMENTATION DATE FOR SERVICE ACQUI-*
5 *SITION EXECUTIVE OF THE DEPARTMENT OF THE AIR FORCE*
6 *FOR SPACE SYSTEMS AND PROGRAM.—*

7 *(1) IMPLEMENTATION DATE.—Section 957 of the*
8 *National Defense Authorization Act for Fiscal Year*
9 *2020 (Public Law 116–92; 10 U.S.C. 9016 note) is*
10 *amended—*

11 *(A) in subsection (a), by striking “Effective*
12 *October 1, 2022, there shall be” and inserting*
13 *“Effective on the date specified in subsection (d),*
14 *there shall be”;*

15 *(B) in subsection (b)—*

16 *(i) in paragraph (1), by striking “Ef-*
17 *fective as of October 1, 2022,” and inserting*
18 *“Effective as of the date specified in sub-*
19 *section (d)”;* and

20 *(ii) in paragraph (2), by striking “as*
21 *of October 1, 2022,” and inserting “as of*
22 *the date specified in subsection (d)”;*

23 *(C) in subsection (c)(3), by striking “Octo-*
24 *ber 1, 2022” and inserting “the date specified in*
25 *subsection (d)”;* and

1 (D) by adding at the end the following new
2 subsection:

3 “(d) *DATE SPECIFIED.*—The date specified in this sub-
4 section is a date determined by the Secretary of the Air
5 Force that is not later than October 1, 2022.”.

6 (2) *CONFORMING AMENDMENTS.*—

7 (A) *TRANSFER OF ACQUISITION PROJECTS*
8 *FOR SPACE SYSTEMS AND PROGRAMS.*—Section
9 956(b)(3) of the National Defense Authorization
10 Act for Fiscal Year 2020 (Public Law 116–92;
11 10 U.S.C. 9016 note) is amended—

12 (i) by striking “Effective October 1,
13 2022,” and inserting “Effective on the date
14 specified in section 957(d),”; and

15 (ii) by striking “as of September 30,
16 2022” and inserting “as of the day before
17 the date specified in section 957(d)”.

18 (B) *RESPONSIBILITIES OF ASSISTANT SEC-*
19 *RETARY OF THE AIR FORCE FOR SPACE ACQUI-*
20 *SION AND INTEGRATION.*—Section
21 9016(b)(6)(B)(vi) of title 10, United States Code,
22 is amended by striking “Effective as of October
23 1, 2022, in accordance with section 957 of that
24 Act,” and inserting “Effective as of the date

1 *specified in section 957(d) of such Act, and in*
2 *accordance with such section 957.”.*

3 (c) *SENIOR PROCUREMENT EXECUTIVE AUTHORI-*
4 *TIES.—*

5 (1) *OFFICE OF THE SECRETARY OF THE AIR*
6 *FORCE.—Section 9014(c) of title 10, United States*
7 *Code, is amended—*

8 (A) *in paragraph (2), by striking “The Sec-*
9 *retary of the Air Force shall” and inserting*
10 *“Subject to paragraph (6), the Secretary of the*
11 *Air Force shall”; and*

12 (B) *by inserting after paragraph (5) the fol-*
13 *lowing new paragraph:*

14 *“(6) Notwithstanding section 1702 of title 41, the Sec-*
15 *retary of the Air Force may assign to the Assistant Sec-*
16 *retary of the Air Force for Space Acquisition and Integra-*
17 *tion duties and authorities of the senior procurement execu-*
18 *tive that pertain to space systems and programs.”.*

19 (2) *ASSISTANT SECRETARIES OF THE AIR*
20 *FORCE.—Section 9016(b)(6)(B)(vi) of title 10, United*
21 *States Code, as amended by subsection (b)(2)(B) of*
22 *this section, is further amended by inserting “and*
23 *discharge any senior procurement executive duties*
24 *and authorities assigned by the Secretary of the Air*

1 *Force pursuant to section 9014(c)(6) of this title”*
2 *after “Space Systems and Programs”.*

3 **SEC. 916. REPORT ON ESTABLISHMENT OF OFFICE TO**
4 **OVERSEE SANCTIONS WITH RESPECT TO CHI-**
5 **NESE MILITARY COMPANIES.**

6 *(a) REPORT REQUIRED.—Not later than 90 days after*
7 *the date of the enactment of this Act, the Secretary of De-*
8 *fense shall submit to the Committees on Armed Services of*
9 *the Senate and the House of Representatives a report on*
10 *the feasibility of establishing an office within the Depart-*
11 *ment of Defense to oversee sanctions with respect to Chinese*
12 *military companies.*

13 *(b) ELEMENTS.—The report under subsection (a) shall*
14 *include, at a minimum, the following:*

15 *(1) An explanation of where in the organiza-*
16 *tional structure of the Department such an office*
17 *should be established.*

18 *(2) An assessment any benefits and drawbacks*
19 *that may result from—*

20 *(A) establishing such an office; and*

21 *(B) making oversight of sanctions with re-*
22 *spect to Chinese military companies an internal*
23 *responsibility of the Department.*

24 *(c) CHINESE MILITARY COMPANY DEFINED.—In this*
25 *section, the term “Chinese military company” has the*

1 *meaning given that term in section 1260H(d) of the Wil-*
2 *liam M. (Mac) Thornberry National Defense Authorization*
3 *Act for Fiscal Year 2021 (Public Law 116–283).*

4 **SEC. 917. INDEPENDENT REVIEW OF AND REPORT ON THE**
5 **UNIFIED COMMAND PLAN.**

6 *(a) REVIEW REQUIRED.—*

7 *(1) IN GENERAL.—The Secretary of Defense shall*
8 *provide for an independent review of the current Uni-*
9 *fied Command Plan.*

10 *(2) ELEMENTS.—The review required by para-*
11 *graph (1) shall include the following:*

12 *(A) An assessment of the most recent Uni-*
13 *fied Command Plan with respect to—*

14 *(i) current and anticipated threats;*

15 *(ii) deployment and mobilization of the*
16 *Armed Forces; and*

17 *(iii) the most current versions of the*
18 *National Defense Strategy and Joint*
19 *Warfighting Concept.*

20 *(B) An evaluation of the missions, respon-*
21 *sibilities, and associated force structure of each*
22 *geographic and functional combatant command.*

23 *(C) An assessment of the feasibility of alter-*
24 *native Unified Command Plan structures.*

1 (D) *Recommendations, if any, for alter-*
2 *native Unified Command Plan structures.*

3 (E) *Recommendations, if any, for how com-*
4 *batant command assessments of the capabilities*
5 *and capacities required to conduct the routine*
6 *and contingency operations assigned to such*
7 *commands can more effectively drive military*
8 *service modernization and procurement plan-*
9 *ning.*

10 (F) *Recommendations, if any, for modifica-*
11 *tions to sections 161 through 169 of title 10,*
12 *United States Code.*

13 (G) *Any other matter the Secretary con-*
14 *siders appropriate.*

15 (3) *CONDUCT OF REVIEW BY INDEPENDENT ENTI-*
16 *TY.—*

17 (A) *IN GENERAL.—The Secretary shall—*

18 (i) *select an entity described in sub-*
19 *paragraph (B) to conduct the review re-*
20 *quired by paragraph (1); and*

21 (ii) *ensure that the review is conducted*
22 *independently of the Department of Defense.*

23 (B) *ENTITY DESCRIBED.—An entity de-*
24 *scribed in this subparagraph is—*

1 (i) a federally funded research and de-
2 velopment center; or

3 (ii) an independent, nongovernmental
4 institute that—

5 (I) is described in section
6 501(c)(3) of the Internal Revenue Code
7 of 1986;

8 (II) is exempt from taxation
9 under section 501(c) of that Code; and

10 (III) has recognized credentials
11 and expertise in national security and
12 military affairs.

13 (b) *REPORT TO CONGRESS.*—

14 (1) *IN GENERAL.*—Not later than October 1,
15 2022, the Secretary shall submit to the Committees on
16 Armed Services of the Senate and House of Represent-
17 atives the results of the review conducted under sub-
18 section (a).

19 (2) *FORM.*—The report required by paragraph
20 (1) shall be submitted in unclassified form, but may
21 include a classified annex.

22 ***Subtitle C—Space National Guard***

23 ***SEC. 921. ESTABLISHMENT OF SPACE NATIONAL GUARD.***

24 (a) *ESTABLISHMENT.*—

1 (1) *IN GENERAL.*—*There is established a Space*
2 *National Guard that is part of the organized militia*
3 *of the several States and Territories, Puerto Rico, and*
4 *the District of Columbia—*

5 (A) *in which the Space Force operates; and*
6 (B) *active and inactive.*

7 (2) *RESERVE COMPONENT.*—*There is established*
8 *a Space National Guard of the United States that is*
9 *the reserve component of the United States Space*
10 *Force all of whose members are members of the Space*
11 *National Guard.*

12 (b) *COMPOSITION.*—*The Space National Guard shall*
13 *be composed of the Space National Guard forces of the sev-*
14 *eral States and Territories, Puerto Rico and the District*
15 *of Columbia—*

16 (1) *in which the Space Force operates; and*
17 (2) *active and inactive.*

18 **SEC. 922. NO EFFECT ON MILITARY INSTALLATIONS.**

19 *Nothing in this subtitle, or the amendments made by*
20 *this subtitle, shall be construed to authorize or require the*
21 *relocation of any facility, infrastructure, or military instal-*
22 *lation of the Space National Guard or Air National Guard.*

23 **SEC. 923. IMPLEMENTATION OF SPACE NATIONAL GUARD.**

24 (a) *REQUIREMENT.*—*Except as specifically provided*
25 *by this subtitle, the Secretary of the Air Force and Chief*

1 *of the National Guard Bureau shall implement this subtitle,*
2 *and the amendments made by this subtitle, not later than*
3 *18 months after the date of the enactment of this Act.*

4 **(b) BRIEFINGS.**—*Not later than 90 days after the date*
5 *of the enactment of this Act, and annually for the five subse-*
6 *quent years, the Secretary of the Air Force, Chief of the*
7 *Space Force and Chief of the National Guard Bureau shall*
8 *jointly provide to the congressional defense committees a*
9 *briefing on the status of the implementation of the Space*
10 *National Guard pursuant to this subtitle and the amend-*
11 *ments made by this subtitle. This briefing shall address the*
12 *current missions, operations and activities, personnel re-*
13 *quirements and status, and budget and funding require-*
14 *ments and status of the Space National Guard, and such*
15 *other matters with respect to the implementation and oper-*
16 *ation of the Space National Guard as the Secretary and*
17 *the Chiefs jointly determine appropriate to keep Congress*
18 *fully and currently informed on the status of the implemen-*
19 *tation of the Space National Guard.*

20 **SEC. 924. CONFORMING AMENDMENTS AND CLARIFICATION**
21 **OF AUTHORITIES.**

22 **(a) DEFINITIONS.**—

23 **(1) TITLE 10, UNITED STATES CODE.**—*Title 10,*
24 *United States Code, is amended—*

25 **(A) in section 101—**

1 (i) in subsection (c)—

2 (I) by redesignating paragraphs
3 (6) and (7) as paragraphs (8) and (9),
4 respectively; and

5 (II) by inserting after paragraph
6 (5) the following new paragraphs:

7 “(6) The term ‘Space National Guard’ means
8 that part of the organized militia of the several States
9 and territories, Puerto Rico, and the District Of Co-
10 lumbia, active and inactive, that—

11 “(A) is a space force;

12 “(B) is trained, and has its officers ap-
13 pointed under the sixteenth clause of section 8,
14 article I of the Constitution;

15 “(C) is organized, armed, and equipped
16 wholly or partly at Federal expense; and

17 “(D) is federally recognized.

18 “(7) The term ‘Space National Guard of the
19 United States’ means the reserve component of the
20 Space Force all of whose members are members of the
21 Space National Guard.”.

22 (B) in section 10101—

23 (i) in the matter preceding paragraph
24 (1), by inserting “the following” before the
25 colon; and

1 (ii) by adding at the end the following
2 new paragraph:

3 “(8) *The Space National Guard of the United*
4 *States.*”; and

5 (2) *TITLE 32, UNITED STATES CODE.—Section*
6 *101 of title 32, United States Code is amended—*

7 (A) by redesignating paragraphs (8)
8 through (19) as paragraphs (10) and (21), re-
9 spectively; and

10 (B) by inserting after paragraph (7) the fol-
11 lowing new paragraphs:

12 “(8) *The term ‘Space National Guard’ means*
13 *that part of the organized militia of the several States*
14 *and territories, Puerto Rico, and the District Of Co-*
15 *lumbia, in which the Space Force operates, active and*
16 *inactive, that—*

17 “(A) *is a space force;*

18 “(B) *is trained, and has its officers ap-*
19 *pointed under the sixteenth clause of section 8,*
20 *article I of the Constitution;*

21 “(C) *is organized, armed, and equipped*
22 *wholly or partly at Federal expense; and*

23 “(D) *is federally recognized.*

24 “(9) *The term ‘Space National Guard of the*
25 *United States’ means the reserve component of the*

1 *Space Force all of whose members are members of the*
2 *Space National Guard.”.*

3 **(b) RESERVE COMPONENTS.**—Chapter 1003 of title 10,
4 *United States Code, is amended—*

5 *(1) by adding at the end the following new sec-*
6 *tions:*

7 **“§ 10115. Space National Guard of the United States:**
8 ***composition***

9 *“The Space National Guard of the United States is*
10 *the reserve component of the Space Force that consists of—*

11 *“(1) federally recognized units and organizations*
12 *of the Space National Guard; and*

13 *“(2) members of the Space National Guard who*
14 *are also Reserves of the Space Force.*

15 **“§ 10116. Space National Guard: when a component of**
16 ***the Space Force***

17 *“The Space National Guard while in the service of the*
18 *United States is a component of the Space Force.*

19 **“§ 10117. Space National Guard of the United States:**
20 ***status when not in Federal service***

21 *“When not on active duty, members of the Space Na-*
22 *tional Guard of the United States shall be administered,*
23 *armed, equipped, and trained in their status as members*
24 *of the Space National Guard.”; and*

1 (2) *in the table of sections at the beginning of*
2 *such chapter, by adding at the end the following new*
3 *items:*

“10115. *Space National Guard of the United States: composition.*

“10116. *Space National Guard: when a component of the Space Force.*

“10117. *Space National Guard of the United States: status when not in Federal service.*”.

4 **TITLE X—GENERAL PROVISIONS**

5 **Subtitle A—Financial Matters**

6 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

7 (a) *AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

8 (1) *AUTHORITY.—Upon determination by the*
9 *Secretary of Defense that such action is necessary in*
10 *the national interest, the Secretary may transfer*
11 *amounts of authorizations made available to the De-*
12 *partment of Defense in this division for fiscal year*
13 *2022 between any such authorizations for that fiscal*
14 *year (or any subdivisions thereof). Amounts of au-*
15 *thorizations so transferred shall be merged with and*
16 *be available for the same purposes as the authoriza-*
17 *tion to which transferred.*

18 (2) *LIMITATION.—Except as provided in para-*
19 *graph (3), the total amount of authorizations that the*
20 *Secretary may transfer under the authority of this*
21 *section may not exceed \$6,500,000,000.*

22 (3) *EXCEPTION FOR TRANSFERS BETWEEN MILI-*
23 *TARY PERSONNEL AUTHORIZATIONS.—A transfer of*

1 *funds between military personnel authorizations*
2 *under title IV shall not be counted toward the dollar*
3 *limitation in paragraph (2).*

4 (b) *LIMITATIONS.—The authority provided by sub-*
5 *section (a) to transfer authorizations—*

6 (1) *may only be used to provide authority for*
7 *items that have a higher priority than the items from*
8 *which authority is transferred; and*

9 (2) *may not be used to provide authority for an*
10 *item that has been denied authorization by Congress.*

11 (c) *EFFECT ON AUTHORIZATION AMOUNTS.—A trans-*
12 *fer made from one account to another under the authority*
13 *of this section shall be deemed to increase the amount au-*
14 *thorized for the account to which the amount is transferred*
15 *by an amount equal to the amount transferred.*

16 (d) *NOTICE TO CONGRESS.—The Secretary shall*
17 *promptly notify Congress of each transfer made under sub-*
18 *section (a).*

19 **SEC. 1002. DETERMINATION OF BUDGETARY EFFECTS.**

20 *The budgetary effects of this Act, for the purpose of*
21 *complying with the Statutory Pay-As-You-Go Act of 2010,*
22 *shall be determined by reference to the latest statement titled*
23 *“Budgetary Effects of PAYGO Legislation” for this Act,*
24 *submitted for printing in the Congressional Record by the*
25 *Chairman of the House Budget Committee, provided that*

1 *such statement has been submitted prior to the vote on pas-*
2 *sage.*

3 **SEC. 1003. BUDGET JUSTIFICATION FOR OPERATION AND**
4 **MAINTENANCE.**

5 *(a) SUBACTIVITY GROUP BY FUTURE YEARS.—Section*
6 *233 of title 10, United States Code, is amended—*

7 *(1) by redesignating subsection (c) as subsection*
8 *(e); and*

9 *(2) by inserting after subsection (b) the following*
10 *new subsection (c):*

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

19 *(b) BUDGET SUBMISSION DISPLAY.—Section 233 of*
20 *title 10, United States Code, is further amended by insert-*
21 *ing after subsection (c), as added by subsection (a), the fol-*
22 *lowing new subsection:*

23 *“(d) BUDGET DISPLAY.—The Secretary of Defense, in*
24 *consultation with the Secretary of each of the military de-*
25 *partments, shall include in the O&M justification docu-*

1 *ments a budget display to provide for discussion and eval-*
2 *uation of the resources required to meet material readiness*
3 *objectives, as identified in the metrics required by section*
4 *118 of this title. For each major weapon system, by des-*
5 *ignated mission design series, variant, or class, the budget*
6 *display required under this subsection for the budget year*
7 *shall include each of the following:*

8 “(1) *The material availability objective estab-*
9 *lished in accordance with the requirements of section*
10 *118 of this title.*

11 “(2) *The funds obligated by subactivity group*
12 *within the operation and maintenance accounts for*
13 *the second fiscal year preceding the budget year.*

14 “(3) *The funds estimated to be obligated by sub-*
15 *activity group within the operation and maintenance*
16 *accounts for the fiscal year preceding the budget year.*

17 “(4) *The funds budgeted and programmed across*
18 *the future years defense program within the operation*
19 *and maintenance accounts by subactivity group.*

20 “(5) *A narrative discussing the performance of*
21 *the Department against established material readiness*
22 *objectives for each major weapon system by mission*
23 *design series, variant, or class (and any related sup-*
24 *ply chain risks) and any specific actions or invest-*

1 *ments the Department intends to take to achieve the*
2 *material readiness objectives for each such system.”.*

3 (c) *IMPLEMENTATION DEADLINE.—The Secretary of*
4 *Defense shall ensure that the budget display requirements*
5 *required under the amendments made by this section are*
6 *included in the budget request for fiscal year 2023 and all*
7 *fiscal years thereafter.*

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

12 ***Subtitle B—Naval Vessels***

13 ***SEC. 1011. CRITICAL COMPONENTS OF NATIONAL SEA-*** 14 ***BASED DETERRENCE VESSELS.***

15 *Section 2218a(k)(3) of title 10, United States Code, is*
16 *amended by adding at the end the following new subpara-*
17 *graphs:*

18 *“(P) Major bulkheads and tanks.*

19 *“(Q) All major pumps and motors.*

20 *“(R) Large vertical array.*

21 *“(S) Atmosphere control equipment.*

22 *“(T) Diesel systems and components.*

23 *“(U) Hydraulic valves and components.*

24 *“(V) Bearings.*

1 “(W) Major air and blow valves and compo-
2 nents.

3 “(X) Decks and superstructure.

4 “(Y) Castings, forgings, and tank structure.

5 “(Z) Hatches and hull penetrators.”.

6 **SEC. 1012. BIENNIAL REPORT ON SHIPBUILDER TRAINING**
7 **AND THE DEFENSE INDUSTRIAL BASE.**

8 (a) *TECHNICAL CORRECTION.*—The second section
9 8692 of title 10, United States Code, as added by section
10 1026 of the William M. (Mac) Thornberry National Defense
11 Authorization Act for Fiscal Year 2021 (Public Law 116–
12 283) is redesignated as section 8693 and the table of sections
13 at the beginning of chapter 863 of such title is conformed
14 accordingly.

15 (b) *MODIFICATION OF REPORT.*—Such section is fur-
16 ther amended—

17 (1) by striking “Not later” and inserting “(a) *IN*
18 *GENERAL.*—Not later”;

19 (2) in subsection (a), as so redesignated, by add-
20 ing at the end the following new paragraph:

21 “(7) An analysis of the potential benefits of
22 multi-year procurement contracting for the stability
23 of the shipbuilding defense industrial base.”; and

24 (3) by adding at the end the following new sub-
25 section:

1 “(b) *SOLICITATION AND ANALYSIS OF INFORMATION.*—
2 *In order to carry out subsection (a)(2), the Secretary of the*
3 *Navy and Secretary of Labor shall—*

4 “(1) *solicit information regarding the age demo-*
5 *graphics and occupational experience level from the*
6 *private shipyards of the shipbuilding defense indus-*
7 *trial base; and*

8 “(2) *analyze such information for findings rel-*
9 *evant to carrying out subsection (a)(2), including*
10 *findings related to the current and projected defense*
11 *shipbuilding workforce, current and projected labor*
12 *needs, and the readiness of the current and projected*
13 *workforce to supply the proficiencies analyzed in sub-*
14 *section (a)(1).”.*

15 **SEC. 1013. REVISION OF SUSTAINMENT KEY PERFORMANCE**
16 **PARAMETERS FOR SHIPBUILDING PRO-**
17 **GRAMS.**

18 “(a) *IN GENERAL.*—*Not later than 120 days after the*
19 *date of the enactment of this Act, the Secretary of Defense*
20 *shall update the policy for the Joint Capabilities Integra-*
21 *tion and Development System to ensure that the guidance*
22 *for setting sustainment key performance parameters for*
23 *shipbuilding programs accounts for all factors that could*
24 *affect the operational availability and materiel availability*
25 *of a ship. Such changes shall include—*

1 (1) *changing the definition of “operational avail-*
2 *ability” as it applies to ships so that such definition*
3 *applies according to mission area and includes all*
4 *equipment failures that affect the ability of a ship to*
5 *perform primary missions; and*

6 (2) *changing the definition of “materiel avail-*
7 *ability” as is it applies to ships so that such defini-*
8 *tion takes into account all factors that could result in*
9 *a ship being unavailable for operations, including un-*
10 *planned maintenance, unplanned losses, and train-*
11 *ing.*

12 (b) *REPORT REQUIRED.—Not later than 180 days*
13 *after the date of the enactment of this Act, the Secretary*
14 *of Defense shall submit to congressional defense committees*
15 *a report on the plan of the Secretary to—*

16 (1) *incorporate the sustainment key performance*
17 *parameters revised under subsection (a) into the re-*
18 *quirement documents of new and ongoing ship-*
19 *building programs; and*

20 (2) *establish a process for translating such*
21 *sustainment key performance parameters into specific*
22 *contract requirements for systems engineering and*
23 *ship design.*

24 (c) *COMPTROLLER GENERAL REVIEW.—Not later than*
25 *one year after the Secretary of Defense submits the report*

1 *required under subsection (b), the Comptroller General of*
2 *the United States shall submit to the congressional defense*
3 *committees an assessment of such report that includes an*
4 *evaluation of—*

5 *(1) the sustainment key performance parameters*
6 *for Department of Defense shipbuilding programs;*

7 *(2) how shipbuilding programs translate*
8 *sustainment key performance parameters into con-*
9 *tract requirements for systems engineering and ship*
10 *design activities; and*

11 *(3) any other matter the Comptroller General de-*
12 *termines appropriate.*

13 **SEC. 1014. PROHIBITION ON USE OF FUNDS FOR RETIRE-**
14 **MENT OF MARK VI PATROL BOATS.**

15 *(a) PROHIBITION.—None of the funds authorized to be*
16 *appropriated by this Act or otherwise made available for*
17 *fiscal year 2022 for the Navy may be obligated or expended*
18 *to retire, prepare to retire, or place in storage any Mark*
19 *VI patrol boat.*

20 *(b) REPORT.—Not later than February 15, 2022, the*
21 *Secretary of the Navy, in consultation with the Com-*
22 *mandant of the Marine Corps, shall submit to the congres-*
23 *sional defense committees a report that includes each of the*
24 *following:*

1 (1) *The rationale for the retirement of existing*
2 *Mark VI patrol boats, including an operational anal-*
3 *ysis of the effect of such retirements on the*
4 *warfighting requirements of the combatant com-*
5 *manders.*

6 (2) *A review of operating concepts for escorting*
7 *high value units without the Mark VI patrol boat.*

8 (3) *A description of the manner and concept of*
9 *operations in which the Marine Corps could use the*
10 *Mark VI patrol boat to support distributed maritime*
11 *operations, advanced expeditionary basing operations,*
12 *and persistent presence near maritime choke points*
13 *and strategic littorals in the Indo-Pacific region.*

14 (4) *An assessment of the potential for modifica-*
15 *tion, and the associated costs, of the Mark VI patrol*
16 *boat for the inclusion of loitering munitions or anti-*
17 *ship cruise missiles, such as the Long Range Anti*
18 *Ship Missile and the Naval Strike Missile, particu-*
19 *larly to support the concept of operations described in*
20 *paragraph (3).*

21 (5) *A description of resources required for the*
22 *Marine Corps to possess, man, train, and maintain*
23 *the Mark VI patrol boat in the performance of the*
24 *concept of operations described in paragraph (3) and*
25 *modifications described in paragraph (4).*

1 (6) *At the discretion of the Commandant of the*
2 *Marine Corps, a plan for the Marine Corps to take*
3 *possession of the Mark VI patrol boat not later than*
4 *September 30, 2022.*

5 (7) *Such other matters the Secretary determines*
6 *appropriate.*

7 **SEC. 1015. ASSESSMENT OF SECURITY OF GLOBAL MARI-**
8 **TIME CHOKEPOINTS.**

9 (a) *IN GENERAL.—Not later than 180 days after the*
10 *date of the enactment of this Act, the Secretary of Defense*
11 *shall submit to the congressional defense committees a re-*
12 *port on the security of global maritime chokepoints from*
13 *the threat of hostile kinetic attacks, cyber disruptions, and*
14 *other form of sabotage. The report shall include an assess-*
15 *ment of each of the following with respect to each global*
16 *maritime chokepoint covered by the report:*

17 (1) *The expected length of time and resources re-*
18 *quired for operations to resume at the chokepoint in*
19 *the event of attack, sabotage, or other disruption of*
20 *regular maritime operations.*

21 (2) *The security of any secondary chokepoint*
22 *that could be affected by a disruption at the global*
23 *maritime chokepoint.*

1 (3) *Options to mitigate any vulnerabilities re-*
2 *sulting from a hostile kinetic attack, cyber disruption,*
3 *or other form of sabotage at the chokepoint.*

4 (b) *FORM OF REPORT.*—*The report required by sub-*
5 *section (a) shall be submitted in unclassified form, but may*
6 *contain a classified annex.*

7 (c) *GLOBAL MARITIME CHOKEPOINT.*—*In this section,*
8 *the term “global maritime chokepoint” means any of the*
9 *following:*

10 (1) *The Panama Canal.*

11 (2) *The Suez Canal.*

12 (3) *The Strait of Malacca.*

13 (4) *The Strait of Hormuz.*

14 (5) *Any other chokepoint determined appropriate*
15 *by the Secretary.*

16 **SEC. 1016. ANNUAL REPORT ON SHIP MAINTENANCE.**

17 (a) *IN GENERAL.*—*Chapter 863 of title 10, United*
18 *States Code, is amended by adding at the end the following*
19 *new section:*

20 **“§ 8694. Annual report on ship maintenance**

21 “(a) *REPORT REQUIRED.*—*Not later than October 15*
22 *of each year, the Secretary of the Navy shall submit to the*
23 *Committees on Armed Services of the Senate and House of*
24 *Representatives a report setting forth each of the following:*

1 “(1) A description of all ship maintenance
2 planned for the fiscal year during which the report is
3 submitted, by hull.

4 “(2) The estimated cost of the maintenance de-
5 scribed in paragraph (1).

6 “(3) A summary of all ship maintenance con-
7 ducted by the Secretary during the previous fiscal
8 year.

9 “(4) A detailed description of any ship mainte-
10 nance that was deferred during the previous fiscal
11 year, including specific reasons for the delay or can-
12 cellation of any availability.

13 “(5) A detailed description of the effect of each
14 of the planned ship maintenance actions that were de-
15 layed or cancelled during the previous fiscal year, in-
16 cluding—

17 “(A) a summary of the effects on the costs
18 and schedule for each delay or cancellation; and

19 “(B) the accrued operational and fiscal cost
20 of all the deferments over the fiscal year.

21 “(b) *FORM OF REPORT.*— Each report submitted
22 under subsection (a) shall be submitted in unclassified form
23 and made publicly available on an appropriate internet
24 website in a searchable format, but may contain a classified
25 annex.”.

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
2 *the beginning of such chapter is amended by adding at the*
3 *end the following new section:*

“8694. Annual report on ship maintenance.”.

4 **SEC. 1017. AVAILABILITY OF FUNDS FOR RETIREMENT OR**
5 **INACTIVATION OF TICONDEROGA CLASS**
6 **CRUISERS.**

7 (a) *LIMITATION ON AVAILABILITY OF FUNDS.*—*Except*
8 *as provided in subsection (b), none of the funds authorized*
9 *to be appropriated by this Act or otherwise made available*
10 *for fiscal year 2022 for the Department of Defense may be*
11 *obligated or expended to retire, prepare to retire, inactivate,*
12 *or place in storage a cruiser.*

13 (b) *EXCEPTION.*—*Notwithstanding subsection (a), the*
14 *funds referred to in such subsection may be obligated or*
15 *expended to retire any of the following vessels:*

16 (1) *The USS Hue City (CG 66).*

17 (2) *The USS Vela Gulf (CG72).*

18 (3) *The USS Port Royal (CG 73).*

19 (4) *USS Anzio (CG 68).*

20 ***Subtitle C—Counterterrorism***

21 **SEC. 1021. INCLUSION IN COUNTERTERRORISM BRIEFINGS**
22 **OF INFORMATION ON USE OF MILITARY**
23 **FORCE IN COLLECTIVE SELF-DEFENSE.**

24 Section 485(b) of title 10, United States Code, is
25 amended—

1 (1) *by redesignating paragraph (4) as para-*
2 *graph (5); and*

3 (2) *by inserting after paragraph (3) the fol-*
4 *lowing new paragraph (4):*

5 “(4) *A detailed overview of all instances of the*
6 *use of military force by Special Operations Forces*
7 *under the notion of the collective self-defense of foreign*
8 *partners that includes, for each such instance—*

9 “(A) *the date, location, and duration of the*
10 *use of military force;*

11 “(B) *an identification of any foreign forces*
12 *involved;*

13 “(C) *a description of the capabilities em-*
14 *ployed;*

15 “(D) *a description of the circumstances that*
16 *led to use of military force; and*

17 “(E) *the operational authorities or execute*
18 *orders for the instance.”.*

19 **SEC. 1022. EXTENSION OF AUTHORITY FOR JOINT TASK**
20 **FORCES TO PROVIDE SUPPORT TO LAW EN-**
21 **FORCEMENT AGENCIES CONDUCTING**
22 **COUNTER-TERRORISM ACTIVITIES.**

23 *Section 1022(b) of the National Defense Authorization*
24 *Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C.*

1 271 note) is amended by striking “2022” and inserting
2 “2024”.

3 **SEC. 1023. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
4 **OR RELEASE OF INDIVIDUALS DETAINED AT**
5 **UNITED STATES NAVAL STATION, GUANTA-**
6 **NAMO BAY, CUBA, TO CERTAIN COUNTRIES.**

7 *No amounts authorized to be appropriated or otherwise*
8 *made available for the Department of Defense may be used*
9 *during the period beginning on the date of the enactment*
10 *of this Act and ending on December 31, 2022, to transfer,*
11 *release, or assist in the transfer or release of any individual*
12 *detained in the custody or under the control of the Depart-*
13 *ment of Defense at United States Naval Station, Guanta-*
14 *namo Bay, Cuba, to the custody or control of any country,*
15 *or any entity within such country, as follows:*

- 16 (1) *Libya.*
17 (2) *Somalia.*
18 (3) *Syria.*
19 (4) *Yemen.*

1 ***Subtitle D—Miscellaneous***
2 ***Authorities and Limitations***

3 **SEC. 1031. NAVY COORDINATION WITH COAST GUARD ON**
4 ***AIRCRAFT, WEAPONS, TACTICS, TECHNIQUE,***
5 ***ORGANIZATION, AND EQUIPMENT OF JOINT***
6 ***CONCERN.***

7 *Section 8062(d) of title 10, United States Code, is*
8 *amended by inserting “the Coast Guard,” after “the Air*
9 *Force,”.*

10 **SEC. 1032. PROHIBITION ON USE OF NAVY, MARINE CORPS,**
11 ***AND SPACE FORCE AS POSSE COMITATUS.***

12 *(a) IN GENERAL.—Section 1385 of title 18, United*
13 *States Code, is amended—*

14 *(1) by striking “or” after “Army” and inserting*
15 *“; the Navy, the Marine Corps,”;*

16 *(2) by inserting “; or the Space Force” after*
17 *“Air Force”; and*

18 *(3) in the section heading, by striking “**Army***
19 ***and Air Force*” and inserting “**Army, Navy,****
20 ***Marine Corps, Air Force, and Space***
21 ***Force*”.**

22 *(b) CLERICAL AMENDMENT.—The table of sections at*
23 *the beginning of chapter 67 of such title is amended by*
24 *striking the item relating to section 1385 and inserting the*
25 *following new item:*

“1385. Use of Army, Navy, Marine Corps, Air Force, and Space Force as posse comitatus”.

1 **SEC. 1033. PROGRAM TO IMPROVE RELATIONS BETWEEN**
2 **MEMBERS OF THE ARMED FORCES AND MILI-**
3 **TARY COMMUNITIES.**

4 (a) *IN GENERAL.*—Chapter 23 of title 10, United
5 States Code, is amended by inserting after section 481a the
6 following new section:

7 **“§481b. Program to improve relations between mem-**
8 **bers of the Armed Forces and military**
9 **communities**

10 “(a) *SURVEY.*—(1) *The Secretary of Defense, acting*
11 *through the Office of Diversity Management and Equal Op-*
12 *portunity, shall conduct a biennial survey of covered indi-*
13 *viduals regarding relations between covered individuals and*
14 *covered communities.*

15 “(2) *The survey shall be conducted to solicit informa-*
16 *tion from covered individuals regarding the following:*

17 “(A) *Rank, age, racial, ethnic, and gender demo-*
18 *graphics of the covered individuals.*

19 “(B) *Relationships of covered individuals with*
20 *the covered community, including support services*
21 *and acceptance of the military community.*

22 “(C) *Availability of housing, employment oppor-*
23 *tunities for military spouses, health care, education,*
24 *and other relevant issues.*

1 “(D) *Initiatives of local government and commu-*
2 *nity organizations in addressing diversity, equity,*
3 *and inclusion.*

4 “(E) *Physical safety while in a covered commu-*
5 *nity but outside the military installation located in*
6 *such covered community.*

7 “(F) *Any other matters designated by the Sec-*
8 *retary of Defense.*

9 “(b) *ADDITIONAL ACTIVITIES.—Additional activities*
10 *under this section may include the following:*

11 “(1) *Facilitating local listening sessions and in-*
12 *formation exchanges.*

13 “(2) *Developing educational campaigns.*

14 “(3) *Supplementing existing local and national*
15 *defense community programs.*

16 “(4) *Sharing best practices and activities.*

17 “(c) *COORDINATION.—To support activities under this*
18 *section, the Secretary of Defense may coordinate with local*
19 *governments or not-for-profit organizations that represent*
20 *covered individuals.*

21 “(d) *REPORT.—(1) Not later than September 30 of*
22 *every other year, the Secretary of Defense shall submit to*
23 *the Committees on Armed Services of the Senate and the*
24 *House of Representatives a report on the most recent survey*
25 *under subsection (a).*

1 “(2) *Each report under paragraph (1) shall include—*

2 “(A) *with respect to each covered community—*

3 “(i) *the results of the survey required under*
4 *subsection (b); and*

5 “(ii) *activities conducted to address racial*
6 *inequity in the community;*

7 “(B) *aggregate results of the survey required*
8 *under subsection (b); and*

9 “(C) *best practices for creating positive relation-*
10 *ships between covered individuals and covered com-*
11 *munities.*

12 “(3) *The Secretary of Defense shall—*

13 “(A) *designate ten geographically diverse mili-*
14 *tary installations for review in each survey;*

15 “(B) *make the results of each report under para-*
16 *graph (1) available on a publicly accessible website of*
17 *the Department of Defense; and*

18 “(C) *ensure that any data included with the re-*
19 *port is made available in a machine-readable format*
20 *that is downloadable, searchable, and sortable.*

21 “(e) *DEFINITIONS.—In this section:*

22 “(1) *The term ‘covered community’ means a*
23 *military installation designated under subsection*
24 *(e)(3)(A) and the area within 10 miles of such mili-*
25 *tary installation.*

1 “(2) The term ‘covered individual’ means any of
2 the following who lives in a covered community or
3 works on a military installation in a covered commu-
4 nity:

5 “(A) A member of the armed forces.

6 “(B) A family member of an individual de-
7 scribed in subparagraph (A) or (B).

8 “(3) The term ‘military installation’ has the
9 meaning given such term in section 2801 of this
10 title.”.

11 (b) *CLERICAL AMENDMENT.*—The table of sections at
12 the beginning of such chapter is amended by inserting after
13 the item relating to section 481a the following new item:

 “481b. Program to improve relations between members of the Armed Forces and
 military communities.”.

14 (c) *IMPLEMENTATION.*—The Secretary of Defense shall
15 carry out the first survey under section 481b(a) of such title,
16 as added by subsection (a), not later than one year after
17 the date of the enactment of this Act.

18 **SEC. 1034. AUTHORITY TO PROVIDE SPACE AND SERVICES**
19 **TO MILITARY WELFARE SOCIETIES.**

20 Section 2566 of title 10, United States Code is amend-
21 ed—

22 (1) in subsection (a), by striking “of a military
23 department” and inserting “concerned”; and

1 (2) *in subsection (b)(1), by adding at the end the*
2 *following new subparagraph:*

3 “(D) *The Coast Guard Mutual Assistance.*”.

4 **SEC. 1035. REQUIRED REVISION OF DEPARTMENT OF DE-**
5 **FENSE UNMANNED AIRCRAFT SYSTEMS CAT-**
6 **EGORIZATION.**

7 (a) *IN GENERAL.*—*The Under Secretary of Defense for*
8 *Acquisition and Sustainment shall initiate a process to re-*
9 *view and revise the system used by the Department of De-*
10 *fense for categorizing unmanned aircraft systems, as de-*
11 *scribed in Joint Publication 3–30 titled “Joint Air Oper-*
12 *ations”.*

13 (b) *REQUIRED ELEMENTS FOR REVISION.*—*In revis-*
14 *ing the characteristics associated with any of the five cat-*
15 *egories of unmanned aircraft systems in effect as of the date*
16 *of the enactment of this Act, the Under Secretary of Defense*
17 *for Acquisition and Sustainment shall consider the effect*
18 *a revision would have on—*

19 (1) *the future capability and employment needs*
20 *to support current and emerging warfighting con-*
21 *cepts;*

22 (2) *advanced systems and technologies available*
23 *in the current commercial marketplace;*

24 (3) *the rapid fielding of unmanned aircraft sys-*
25 *tems technology; and*

1 (4) *the integration of unmanned aircraft systems*
2 *into the National Airspace System.*

3 (c) *CONSULTATION REQUIREMENTS.*—*In carrying out*
4 *the review required under subsection (a), the Under Sec-*
5 *retary of Defense for Acquisition and Sustainment shall*
6 *consult with—*

7 (1) *the Secretaries of the Military Departments;*

8 (2) *the Chairman of the Joint Chiefs of Staff;*

9 *and*

10 (3) *the Administrator of the Federal Aviation*
11 *Administration.*

12 (d) *REPORT REQUIRED.*—*Not later than March 1,*
13 *2022, the Under Secretary of Defense for Acquisition and*
14 *Sustainment shall submit to the congressional defense com-*
15 *mittees, the Committee on Transportation and Infrastruc-*
16 *ture of the House of Representatives, and the Committee*
17 *on Commerce, Science, and Transportation of the Senate*
18 *a report describing the results of the review initiated under*
19 *subsection (a), any revisions planned to the system used by*
20 *the Department of Defense for categorizing unmanned air-*
21 *craft systems as a result of such review, and a proposed*
22 *implementation plan and timelines for such revisions.*

1 **SEC. 1036. LIMITATION ON FUNDING FOR INFORMATION**
2 **OPERATIONS MATTERS.**

3 *Of the amounts authorized to be appropriated for fiscal*
4 *year 2022 by section 301 for operation and maintenance*
5 *and available for the Office of the Secretary of Defense for*
6 *the travel of persons as specified in the table in section*
7 *4301—*

8 *(1) not more than 25 percent shall be available*
9 *until the date on which the report required by sub-*
10 *section (h)(1) of section 1631 of the National Defense*
11 *Authorization Act for Fiscal Year 2020 (Public Law*
12 *116–92) is submitted to the Committee on Armed*
13 *Services of the Senate and the Committee on Armed*
14 *Services House of Representatives; and*

15 *(2) not more than 75 percent shall be available*
16 *until the date on which the strategy and posture re-*
17 *view required by subsection (g) of such section is sub-*
18 *mitted to such committees.*

19 **SEC. 1037. PROHIBITION ON PROVISION OF EQUIPMENT TO**
20 **OTHER DEPARTMENTS AND AGENCIES FOR**
21 **PROTECTION OF CERTAIN FACILITIES AND**
22 **ASSETS FROM UNMANNED AIRCRAFT.**

23 *None of the funds authorized to be appropriated by this*
24 *Act or otherwise made available for fiscal year 2022 for the*
25 *Department of Defense, may be obligated or expended to ac-*
26 *quire, loan, transfer, sell, or otherwise provide equipment*

1 *to a department or Federal agency for use by such depart-*
2 *ment or agency in exercising authorities or taking actions*
3 *pursuant to section 210G of the Homeland Security Act of*
4 *2002 (6 U.S.C. 124n).*

5 **SEC. 1038. LIMITATION ON USE OF FUNDS FOR UNITED**
6 **STATES SPACE COMMAND HEADQUARTERS.**

7 *None of the funds authorized to be appropriated by this*
8 *Act or otherwise made available for fiscal year 2022 for the*
9 *Department of Defense may be obligated or expended to con-*
10 *struct, plan, or design a new headquarters building for*
11 *United States Space Command until the Inspector General*
12 *of the Department of the Defense and the Comptroller Gen-*
13 *eral of the United States complete site selection reviews for*
14 *such building.*

15 **Subtitle E—Studies and Reports**

16 **SEC. 1041. CONGRESSIONAL OVERSIGHT OF ALTERNATIVE**
17 **COMPENSATORY CONTROL MEASURES.**

18 *Section 119a of title 10, United States Code, is amend-*
19 *ed by adding at the end the following new subsection:*

20 *“(g) CONGRESSIONAL NOTIFICATION REQUIRE-*
21 *MENTS.—*

22 *“(1) NOTICE OF INITIATION.—Not later than 30*
23 *days after receiving notice of the establishment of any*
24 *new program to be managed under alternative com-*
25 *pensatory control measures, the Under Secretary of*

1 *Defense for Policy shall submit to the congressional*
2 *defense committees notice of such new program. Such*
3 *notice shall include—*

4 “(A) *the unclassified nickname assigned to*
5 *the program;*

6 “(B) *the designation of the program spon-*
7 *sor;*

8 “(C) *a description of the essential informa-*
9 *tion to be protected under the program; and*

10 “(D) *the effective activation date and ex-*
11 *pected duration of the program.*

12 “(2) *NOTICE OF TERMINATION.—Not later than*
13 *30 days after receiving notice of the termination of*
14 *any program managed under alternative compen-*
15 *satory control measures, the Under Secretary of De-*
16 *fense for Policy shall submit to the congressional de-*
17 *fense committees notice of such termination.*

18 “(3) *ANNUAL REPORTS.—Not later than 30 days*
19 *after receiving an annual report on any program*
20 *managed under alternative compensatory control*
21 *measures, the Under Secretary of Defense for Policy*
22 *shall submit to the congressional defense committees a*
23 *copy of the report.”.*

1 **SEC. 1042. COMPARATIVE TESTING REPORTS FOR CERTAIN**
2 **AIRCRAFT.**

3 (a) *MODIFICATION OF LIMITATION.*—Section 134(b) of
4 the National Defense Authorization Act for Fiscal Year
5 2017 (Public Law 114–328; 130 Stat. 2037) is amended
6 by striking “the report under subsection (e)(2)” and insert-
7 ing “a report that includes the information described in
8 subsection (e)(2)(C)”.

9 (b) *COMPARATIVE TESTING REPORTS REQUIRED.*—

10 (1) *REPORT FROM DIRECTOR OF OPERATIONAL*
11 *TEST AND EVALUATION.*—Not later than 45 days after
12 the date of the enactment of this Act, the Director of
13 Operational Test and Evaluation shall submit to the
14 congressional defense committees a report that in-
15 cludes the information described in section
16 134(e)(1)(B) of the National Defense Authorization
17 Act for Fiscal Year 2017 (Public Law 114–328; 130
18 Stat. 2038).

19 (2) *REPORT FROM SECRETARY OF THE AIR*
20 *FORCE.*—Not later than 45 days after the date of the
21 submission of the report under paragraph (1), the
22 Secretary of the Air Force shall submit to the congres-
23 sional defense committees a report that includes the
24 information described in section 134(e)(2)(C) of the
25 National Defense Authorization Act for Fiscal Year
26 2017 (Public Law 114–328; 130 Stat. 2038).

1 **SEC. 1043. EXTENSION OF REPORTING REQUIREMENT RE-**
2 **GARDING ENHANCEMENT OF INFORMATION**
3 **SHARING AND COORDINATION OF MILITARY**
4 **TRAINING BETWEEN DEPARTMENT OF HOME-**
5 **LAND SECURITY AND DEPARTMENT OF DE-**
6 **FENSE.**

7 *Section 1014 of the National Defense Authorization*
8 *Act for Fiscal Year 2017 (Public Law 114–328) is amended*
9 *by striking “December 31, 2022” and inserting “December*
10 *31, 2023”.*

11 **SEC. 1044. CONTINUATION OF CERTAIN DEPARTMENT OF**
12 **DEFENSE REPORTING REQUIREMENTS.**

13 *Section 1061 of the National Defense Authorization*
14 *Act for Fiscal Year 2017 (10 U.S.C. 111 note) is amended—*

15 *(1) in subsection (b)(2), by adding at the end the*
16 *following new subparagraphs:*

17 *“(E) The submission of the report required*
18 *under section 14 of the Strategic and Critical*
19 *Materials Stock Piling Act (50 U.S.C. 98h-5).*

20 *“(F) The submission of the report required*
21 *under section 2504 of title 10, United States*
22 *Code.”;*

23 *(2) in subsection (c), by striking paragraph (47);*

24 *and*

25 *(3) in subsection (i), by striking paragraph (30).*

1 **SEC. 1045. GEOGRAPHIC COMBATANT COMMAND RISK AS-**
2 **SESSMENT OF AIR FORCE AIRBORNE INTEL-**
3 **LIGENCE, SURVEILLANCE, AND RECONNAIS-**
4 **SANCE MODERNIZATION PLAN.**

5 (a) *IN GENERAL.*—Not later than March 31, 2022,
6 each commander of a geographic combatant command shall
7 submit to the congressional defense committees a report con-
8 taining an assessment of the level of operational risk to that
9 command posed by the plan of the Air Force to modernize
10 and restructure airborne intelligence, surveillance, and re-
11 connaissance capabilities to meet near-, mid-, and far-term
12 contingency and steady-state operational requirements
13 against adversaries in support of the objectives of the 2018
14 national defense strategy.

15 (b) *PLAN ASSESSED.*—The plan of the Air Force re-
16 ferred to in subsection (a) is the plan required under section
17 142 of the William M. (Mac) Thornberry National Defense
18 Authorization Act for Fiscal Year 2021 (Public Law 116–
19 283).

20 (c) *ASSESSMENT OF RISK.*—In assessing levels of oper-
21 ational risk for purposes of subsection (a), a commander
22 shall use the military risk matrix of the Chairman of the
23 Joint Chiefs of Staff, as described in CJCS Instruction
24 3401.01E.

1 (d) *GEOGRAPHIC COMBATANT COMMAND.*—*In this sec-*
2 *tion, the term “geographic combatant command” means*
3 *each of the following:*

4 (1) *United States European Command.*

5 (2) *United States Indo-Pacific Command.*

6 (3) *United States Africa Command.*

7 (4) *United States Southern Command.*

8 (5) *United States Northern Command.*

9 (6) *United States Central Command.*

10 **SEC. 1046. BIENNIAL ASSESSMENTS OF AIR FORCE TEST**
11 **CENTER.**

12 *Not later than 30 days after the date on which the*
13 *President’s budget is submitted to Congress under section*
14 *1105(a) of title 31, United States Code, for each of fiscal*
15 *years 2023, 2025, and 2027, the Secretary of the Air Force*
16 *shall submit to the congressional defense committees an as-*
17 *essment of the Air Force Test Center. Each such assessment*
18 *shall include, for the period covered by the assessment, a*
19 *description of—*

20 (1) *any challenges of the Air Force Test Center*
21 *with respect to completing its mission; and*

22 (2) *the plan of the Secretary to address such*
23 *challenges.*

1 **SEC. 1047. COMPARATIVE STUDY ON .338 NORMA MAGNUM**
2 **PLATFORM.**

3 (a) *STUDY REQUIRED.*—Not later than one year after
4 the date of the enactment of this Act, the Secretary of the
5 Army shall complete a comparative study on the .338
6 Norma Magnum platform.

7 (b) *ELEMENTS.*—The study required by subsection (a)
8 shall include a comparative analysis between the current
9 M2 .50 caliber, the M240 7.62, and the .338 Norma Mag-
10 num, focused on the metrics of lethality, weight, cost, and
11 modernity of the platforms.

12 **SEC. 1048. COMPTROLLER GENERAL REPORT ON AGING DE-**
13 **PARTMENT OF DEFENSE EQUIPMENT.**

14 Not later than March 1, 2022, the Comptroller General
15 of the United States shall submit to the Committees on
16 Armed Services of the Senate and House of Representatives
17 a report on legacy platforms within the Department of De-
18 fense and the projected relevance and resiliency of such plat-
19 forms to emerging threats over the next 50 years. Such re-
20 port shall include—

21 (1) the results of a survey of all services, agen-
22 cies, and entities within the Department of Defense,
23 including hardware, weapons systems, basing, and
24 force structure;

25 (2) an emphasis on agility, technology, and an
26 expanded forward footprint; and

1 (3) recommendations with respect to future force
2 structure and investment.

3 **SEC. 1049. REPORT ON ACQUISITION, DELIVERY, AND USE**
4 **OF MOBILITY ASSETS THAT ENABLE IMPLE-**
5 **MENTATION OF EXPEDITIONARY ADVANCED**
6 **BASE OPERATIONS.**

7 (a) *REPORT REQUIRED.*—Not later than 180 days
8 after the date of the enactment of this Act, the Secretary
9 of Defense shall submit to the congressional defense commit-
10 tees a report that includes a detailed description of each
11 of the following:

12 (1) *The doctrine, organization, training, mate-*
13 *riel, leadership and education, personnel, and facili-*
14 *ties required to operate and maintain a force of 24*
15 *to 35 Light Amphibious Warships, as well as the fea-*
16 *sibility of accelerating the current Light Amphibius*
17 *Warship procurement plan and delivery schedule.*

18 (2) *The specific number, type, and mix of*
19 *manned and unmanned strategic mobility wing-in-*
20 *ground effect platforms required to support distrib-*
21 *uted maritime operations and expeditionary ad-*
22 *vanced base operations.*

23 (3) *The feasibility of the Navy and Marine Lit-*
24 *toral Regiments using other joint and interagency*
25 *mobility platforms prior to the operational avail-*

1 *ability of Light Amphibious Warships or wing-in-*
2 *ground effect platforms, including—*

3 *(A) United States Army Transportation*
4 *Command's more than 100 LCU-2000, Runny-*
5 *mede-class and the eight General Frank S.*
6 *Besson-class logistics support vessels;*

7 *(B) commercial vessel options, currently*
8 *available, that meet Marine Littoral Regiment*
9 *requirements for movement, maneuver,*
10 *sustainment, training, interoperability, and*
11 *cargo capacity and delivery;*

12 *(C) maritime prepositioning force vessels;*

13 *and*

14 *(D) Coast Guard vessels.*

15 *(4) The specific number, type, and mix of long*
16 *range unmanned surface vessel platforms required to*
17 *support distributed maritime operations, expedi-*
18 *tionary advanced base operations, along with their*
19 *operational interaction with the fleet's warfighting*
20 *capabilities;*

21 *(5) The feasibility of integrating Marine Littoral*
22 *Regiments with—*

23 *(A) Special Operations activities;*

24 *(B) joint and interagency planning;*

25 *(C) information warfare operations; and*

1 (D) *command, control, communications,*
2 *computer, intelligence, surveillance and recon-*
3 *naissance, and security cooperation activities.*

4 (6) *The projected cost, and any additional re-*
5 *sources required, to accelerate the operational deploy-*
6 *ment of Marine Littoral Regiments and deliver the*
7 *capabilities described in paragraphs (1) through (5)*
8 *by not later than three years after the date of the en-*
9 *actment of this Act.*

10 (b) *FORM OF REPORT.*—*The report required by sub-*
11 *section (a) shall be submitted in a publicly accessible, un-*
12 *classified form, but may contain a classified annex.*

13 **SEC. 1050. FORCE POSTURE IN THE INDO-PACIFIC REGION.**

14 (a) *SENSE OF CONGRESS.*—*It is the Sense of Congress*
15 *that—*

16 (1) *forward deployed military forces, particu-*
17 *larly those west of the International Date Line, play*
18 *an indispensable role in deterring aggression in the*
19 *Indo-Pacific and reassuring allies;*

20 (2) *forward deployed forces facilitate greater day*
21 *to day presence in contested seas and airspace; and*

22 (3) *in light of growing threats, the Department*
23 *of Defense should forward deploy a larger share of its*
24 *forces to the Indo-Pacific over the next five years.*

1 **(b) ASSESSMENT REQUIRED.**—Not later than 180 days
2 after the date of the enactment of this Act, the Commander
3 of United States Indo-Pacific Command shall submit to the
4 congressional defense committees a report containing the
5 independent assessment of the Commander with respect to
6 each of the following:

7 (1) The number of bombers required to be contin-
8 ually present in the Indo-Pacific region, the number
9 of bombers required outside Indo-Pacific region, and
10 the number of tankers necessary to support bomber re-
11 fueling sorties in order to execute the operational and
12 contingency plans assigned to the Commander of
13 Indo-Pacific Command.

14 (2) The operational, deterrent, and strategic ef-
15 fect if the required number of bombers were not
16 present in the Indo-Pacific region during a conflict
17 scenario.

18 (3) Any additional infrastructure required in
19 Guam or other Indo-Pacific locations to support the
20 operationally required level of continuous bomber
21 presence, along with the associated cost.

22 (4) The value of storing long range anti-ship
23 missiles, joint air-to-surface standoff missile-extended
24 range, and other long range strike weapons in Guam
25 and other locations in the Indo-Pacific.

1 (c) *REPORT REQUIRED.*—Not later than 180 days
2 after the date of the enactment of this Act, and annually
3 thereafter, the Commander of United States Indo-Pacific
4 Command shall submit to the congressional defense commit-
5 tees a report that includes the following information:

6 (1) *The number of freedom of navigation oper-*
7 *ations conducted in the Indo-Pacific each year since*
8 *2013.*

9 (2) *The number of bombers continuously present*
10 *in the Indo-Pacific each year since 2013.*

11 (3) *The number of ships, bombers, fighters, Ma-*
12 *rines, and brigade combat teams deployed to the Indo-*
13 *Pacific region during the eight-year period preceding*
14 *the year in which the report is submitted.*

15 (4) *The number of ships, bombers, fighters, Ma-*
16 *rines, and brigade combat teams deployed to the Indo-*
17 *Pacific region but tasked to other combatant com-*
18 *mands, including the number of days each such*
19 *tasking lasted, during the eight-year period preceding*
20 *the year in which the report is submitted.*

21 **SEC. 1051. ASSESSMENT OF UNITED STATES MILITARY IN-**
22 **FRASTRUCTURE IN DIEGO GARCIA, BRITISH**
23 **INDIAN OCEAN TERRITORY.**

24 Not later than 180 days after the date of the enactment
25 of this Act, the Secretary of Defense shall submit to the con-

1 *gressional defense committees a report containing the inde-*
2 *pendent assessment of the Secretary with respect to each*
3 *of the following:*

4 (1) *The manner in which Diego Garcia, British*
5 *Indian Ocean Territory, could contribute to the execu-*
6 *tion of the operational and contingency plans of the*
7 *Department of Defense, as well as the peacetime for-*
8 *ward posture of the Department.*

9 (2) *The operational benefits of hardening facili-*
10 *ties on Diego Garcia, including the installation of an*
11 *Integrated Air and Missile Defense system.*

12 (3) *The operational benefits of storing munitions*
13 *on Diego Garcia.*

14 (4) *Potential tradeoffs and costs associated with*
15 *hardening facilities or prepositioning munitions on*
16 *Diego Garcia.*

17 (5) *Any additional infrastructure required in*
18 *Diego Garcia to better support the requirements of the*
19 *combatant commands.*

20 (6) *The potential to collaborate with the govern-*
21 *ments of allies of the United States to invest in the*
22 *military infrastructure on Diego Garcia.*

23 **SEC. 1052. REPORT ON 2019 WORLD MILITARY GAMES.**

24 (a) *IN GENERAL.*—*Not later than 180 days after the*
25 *date of the enactment of this Act, the Secretary of Defense*

1 *shall submit to the Committees on Armed Services of the*
2 *Senate and House of Representatives a report on the par-*
3 *ticipation of the United States in the 2019 World Military*
4 *Games. Such report shall include a detailed description of*
5 *each of the following:*

6 (1) *The number of United States athletes and*
7 *staff who attended the 2019 World Military Games*
8 *and became ill with COVID-19-like symptoms during*
9 *or shortly upon their return to the United States.*

10 (2) *The results of any blood testing conducted on*
11 *athletes and staff returning from the 2019 World*
12 *Military Games, including whether those blood sam-*
13 *ples were subsequently tested for COVID-19.*

14 (3) *The number of home station Department of*
15 *Defense facilities of the athletes and staff who partici-*
16 *ipated in the 2019 World Military Games that experi-*
17 *enced outbreaks of illnesses consistent with COVID-19*
18 *symptoms upon the return of members of the Armed*
19 *Forces from Wuhan, China.*

20 (4) *The number of Department of Defense facili-*
21 *ties visited by team members after returning from*
22 *Wuhan, China, that experienced COVID-19 outbreaks*
23 *during the first quarter of 2020, including in relation*
24 *to the share of other Department of Defense facilities*

1 *that experienced COVID-19 outbreaks through March*
2 *31, 2020.*

3 (5) *Whether the Department tested members of*
4 *the Armed Forces who traveled to Wuhan, China, for*
5 *the World Military Games for COVID-19 antibodies,*
6 *and what portion, if any, of those results were posi-*
7 *tive, and when such testing was conducted.*

8 (6) *Whether there are, or have been, any inves-*
9 *tigations, including under the auspices of an Inspec-*
10 *tor General, across the Department of Defense or the*
11 *military departments into possible connections be-*
12 *tween United States athletes who traveled to Wuhan,*
13 *China, and the outbreak of COVID-19.*

14 (7) *Whether the Department has engaged with*
15 *the militaries of allied or partner countries about ill-*
16 *nesses surrounding the 2019 World Military Games,*
17 *and if so, how many participating militaries have in-*
18 *dicated to the Department that their athletes or staff*
19 *may have contracted COVID-19-like symptoms during*
20 *or immediately after the Games.*

21 (b) *FORM OF REPORT.*—*The report required under this*
22 *section shall be submitted in unclassified form and made pub-*
23 *licly available on an internet website in a searchable for-*
24 *mat, but may contain a classified annex.*

1 **SEC. 1053. REPORTS AND BRIEFINGS REGARDING OVER-**
2 **SIGHT OF AFGHANISTAN.**

3 (a) *REPORTS.*—Not later than December 31, 2021, and
4 annually thereafter until December 31, 2026, the Secretary
5 of Defense, in coordination with the Director of National
6 Intelligence, shall submit to the appropriate congressional
7 committees a report on Afghanistan. Such report shall ad-
8 dress, with respect to Afghanistan, the following matters:

9 (1) *A current assessment of over the horizon ca-*
10 *pabilities of the United States.*

11 (2) *Concept of force with respect to the over the*
12 *horizon force of the United States.*

13 (3) *The size of such over the horizon force.*

14 (4) *The location of such over the horizon force,*
15 *to include the current locations of the forces and any*
16 *plans to adjust such locations.*

17 (5) *The chain of command for such over the hori-*
18 *zon force.*

19 (6) *The launch criteria for such over the horizon*
20 *force.*

21 (7) *Any plans to expand or adjust such over the*
22 *horizon force capabilities in the future, to account for*
23 *evolving terrorist threats in Afghanistan.*

24 (8) *An assessment of the terrorist threat in Af-*
25 *ghanistan.*

1 (9) *An assessment of the quantity and types of*
2 *U.S. military equipment remaining in Afghanistan,*
3 *including an indication of whether the Secretary*
4 *plans to leave, recover, or destroy such equipment.*

5 (10) *Contingency plans for the retrieval or hos-*
6 *tage rescue of United States citizens located in Af-*
7 *ghanistan.*

8 (11) *Contingency plans related to the continued*
9 *evacuation of Afghans who hold special immigrant*
10 *visa status under section 602 of the Afghan Allies*
11 *Protection Act of 2009 (8 U.S.C. 1101 note) or who*
12 *have filed a petition for such status, following the*
13 *withdraw of the United States Armed Forces from Af-*
14 *ghanistan.*

15 (12) *A concept of logistics support to support the*
16 *over the horizon force of the United States, including*
17 *all basing and transportation plans.*

18 (13) *An assessment of changes in the ability of*
19 *al-Qaeda and ISIS-K to conduct operations outside of*
20 *Afghanistan against the United States and U.S. al-*
21 *lies.*

22 (14) *An intelligence collection posture of over the*
23 *horizon intelligence assets, including with respect to*
24 *ground and air assets, and the effect of such assets on*
25 *current operations.*

1 (15) *An intelligence collection posture on the*
2 *Taliban defense and security forces.*

3 (16) *An intelligence collection posture on the ter-*
4 *rorism capabilities of the Taliban, al-Qaeda, and*
5 *ISIS-K.*

6 (17) *The status of any military cooperation be-*
7 *tween the Taliban and China, Russia, or Iran.*

8 (18) *Any other matters the Secretary determines*
9 *appropriate.*

10 (b) *BRIEFINGS.*—*Not later than December 31, 2021,*
11 *and on bi-annual basis thereafter until December 31, 2026,*
12 *the Secretary of Defense shall provide to the appropriate*
13 *congressional committees a briefing on the matters specified*
14 *in subsection (a).*

15 (c) *FORM.*—*The reports and briefings under this sec-*
16 *tion may be submitted in either unclassified or classified*
17 *form, as determined appropriate by the Secretary.*

18 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
19 *FINED.*—*In this section, the term “appropriate congres-*
20 *sional committees” means—*

21 (1) *the Committee on Armed Services and the*
22 *Permanent Select Committee on Intelligence of the*
23 *House of Representatives; and*

24 (2) *the Committee on Armed Services and the*
25 *Select Committee on Intelligence of the Senate.*

1 **SEC. 1054. REPORT AND BRIEFING ON UNITED STATES**
2 **EQUIPMENT, PROPERTY, AND CLASSIFIED MA-**
3 **TERIAL THAT WAS DESTROYED, SURREN-**
4 **DERED, AND ABANDONED IN THE WITH-**
5 **DRAWAL FROM AFGHANISTAN.**

6 (a) *IN GENERAL.*—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary of Defense,
8 in consultation with the Secretaries of the military depart-
9 ments and the Commander of United States Central Com-
10 mand, shall submit to the congressional defense committees
11 a report regarding the covered United States equipment,
12 property, and classified material that was destroyed, sur-
13 rendered, or abandoned in Afghanistan during the covered
14 period. Such report shall include each of the following:

15 (1) *A determination of the value of the covered*
16 *United States equipment, property, and classified*
17 *material that was destroyed, surrendered, or aban-*
18 *doned, disaggregated by military department and*
19 *itemized to the most specific feasible level.*

20 (2) *An itemized list of destroyed, surrendered, or*
21 *abandoned aircraft, aircraft parts and supply, and*
22 *aircraft maintenance items, including aircraft, air-*
23 *craft parts and supply, and aircraft maintenance*
24 *items formerly possessed by the Afghan Air Force or*
25 *the former government of Afghanistan.*

1 (3) *An itemized list of destroyed, surrendered, or*
2 *abandoned fuel and fuel dispensing equipment,*
3 *disaggregated by military department.*

4 (4) *An itemized list of destroyed, surrendered, or*
5 *abandoned weapons, weapon systems, components of*
6 *weapons or weapon systems, ammunition, explosives,*
7 *missiles, ordnance, bombs, mines, or projectiles,*
8 *disaggregated by military department.*

9 (5) *For each item on a list referred to in para-*
10 *graphs (2) through (4), an explanation of the legal*
11 *authority relied upon to destroy, surrender, or aban-*
12 *don that specific item.*

13 (6) *An evaluation of the capabilities of the*
14 *Taliban post-withdrawal as a result of their seizure*
15 *of surrendered or abandoned covered United States*
16 *equipment, property, and classified material.*

17 (7) *An assessment of the damage to the national*
18 *security interests of the United States as a result of*
19 *the destroyed, surrendered, or abandoned covered*
20 *United States equipment, property, and classified*
21 *material.*

22 (8) *An assessment of the feasibility of disabling,*
23 *destroying, or recapturing surrendered or abandoned*
24 *covered United States equipment, property, or classi-*
25 *fied material.*

1 (9) *Available imagery or photography depicting*
2 *the Taliban possessing surrendered or abandoned cov-*
3 *ered United States equipment, property, or classified*
4 *material.*

5 (b) *EXECUTIVE SUMMARY OF REPORT.*—*The report re-*
6 *quired under subsection (a) shall include an executive sum-*
7 *mary of the report, which shall be unclassified and made*
8 *publicly available.*

9 (c) *BRIEFING.*—*Not later than 200 days after the date*
10 *of the enactment of this Act, the Secretary of Defense, the*
11 *Secretaries of the military departments, and the Com-*
12 *mander of United States Central Command shall provide*
13 *to the congressional defense committees a briefing on the*
14 *report required by this section.*

15 (d) *DEFINITIONS.*—*In this section:*

16 (1) *The term “covered United States equipment,*
17 *property, and classified material” means any of the*
18 *following items formerly owned by the Government of*
19 *the United States or provided by the United States to*
20 *the former government or military of Afghanistan*
21 *during the covered period:*

22 (A) *Real property, including any lands,*
23 *buildings, structures, utilities systems, improve-*
24 *ments, and appurtenances, thereto, including*

1 *equipment attached to and made part of build-*
2 *ings and structures, but not movable equipment.*

3 *(B) Personal property, including property*
4 *of any kind or any interest therein, except real*
5 *property.*

6 *(C) Equipment, including all nonexpend-*
7 *able items needed to outfit or equip an indi-*
8 *vidual or organization.*

9 *(D) Classified information, in any form, in-*
10 *cluding official information that has been deter-*
11 *mined to require, in the interests of national se-*
12 *curity, protection against unauthorized disclo-*
13 *sure and which has been so designated.*

14 *(2) The term “covered period” means the period*
15 *beginning on February 29, 2020, and ending on the*
16 *date that is 120 days after the date of the enactment*
17 *of this Act.*

18 **SEC. 1055. REPORT ON DEFENSE UTILITY OF UNITED**
19 **STATES TERRITORIES AND POSSESSIONS.**

20 *(a) IN GENERAL.—Not later than 180 days after the*
21 *date of the enactment of this Act, the Secretary of Defense*
22 *shall submit a to the congressional defense committees a re-*
23 *port that includes—*

24 *(1) a detailed description of the manner in*
25 *which United States territories and possessions in the*

1 *Pacific could contribute to the execution of the oper-*
2 *ational and contingency plans of the Department of*
3 *Defense, as well as the peacetime forward posture of*
4 *the Department;*

5 (2) *an assessment of the required resources asso-*
6 *ciated with environmental restoration and military*
7 *construction on United States territories and posses-*
8 *sions in the Pacific in order to facilitate the presence*
9 *of United States military forces;*

10 (3) *a description of the additional logistical re-*
11 *quirements or considerations associated with the re-*
12 *quirements of paragraph (2); and*

13 (4) *any other matters the Secretary of Defense,*
14 *in coordination with the Commander of the United*
15 *States Indo-Pacific Command, considers appropriate.*

16 (b) *FORM.—The report described in subsection (a)*
17 *shall be submitted in unclassified form that can be made*
18 *available to the public, but may include a classified annex.*

19 **SEC. 1056. REPORT ON COAST GUARD EXPLOSIVE ORD-**
20 **NANCE DISPOSAL.**

21 (a) *IN GENERAL.—Not later than February 15, 2023,*
22 *the Secretary of Homeland Security shall submit to Con-*
23 *gress a report on the viability of establishing an explosive*
24 *ordnance disposal program in the Coast Guard.*

1 (b) *CONTENTS.*—*The report required under subsection*
2 *(a) shall contain, at a minimum, the following:*

3 (1) *Organization of explosive ordnance disposal*
4 *elements within the Coast Guard, with discussion on*
5 *whether the Coast Guard explosive ordnance disposal*
6 *capability belongs in the Maritime Safety and Secu-*
7 *rity Teams, the Maritime Security Response Team, a*
8 *combination of the Maritime Safety and Security*
9 *Teams and the Maritime Security Response Teams,*
10 *or elsewhere in the Coast Guard,*

11 (2) *A description of vehicles, that are Coast*
12 *Guard airframe and vessel transportable, required for*
13 *explosive ordnance disposal elements.*

14 (3) *A description of dive craft, that are Coast*
15 *Guard airframe and vessel transportable, required for*
16 *explosive ordnance disposal elements.*

17 (4) *Locations of Coast Guard stations that port-*
18 *able explosives storage magazines will be available for*
19 *explosive ordnance disposal elements.*

20 (5) *Identify Coast Guard stations that will have*
21 *pre-positioned explosive ordnance disposal elements*
22 *equipment.*

23 (6) *An explanation of how the Coast Guard ex-*
24 *plosive ordnance disposal elements will support the*
25 *Department of Homeland Security and Department*

1 *of Justice, and the Department of Defense in war-*
2 *time, on mission sets to counter improvised explosive*
3 *device, counter unexploded ordnance, and combat*
4 *weapons of destruction, including award of the Presi-*
5 *dential Service Badge and Certificate to explosive*
6 *ordnance disposal-qualified Coast Guardsman for*
7 *protection of the President of the United States, and*
8 *how the Coast Guard explosive ordnance disposal ele-*
9 *ments will support national security special events.*

10 *(7) A cost to benefit analysis of using the Army,*
11 *Marine Corps, Navy, or Air Force Scuba Diver course*
12 *prior to Coast Guardsman attending the Navy con-*
13 *ducted explosive ordnance disposal course, and the re-*
14 *quired initial and annual sustainment training seats*
15 *for the diver course, the explosive ordnance disposal*
16 *course, and the parachutist course (through the Army,*
17 *Marine, Navy, and Air Force).*

18 *(8) An identification of the career progression of*
19 *Coast Guardsman from Seaman Recruit to that of*
20 *Command Master Chief Petty Officer, Chief Warrant*
21 *Officer 2 to that of Chief Warrant Officer 4, and En-*
22 *sign to that of Rear Admiral.*

23 *(9) An identification of initial and annual budg-*
24 *et justification estimates on a single program element*

1 *of the Coast Guard explosive ordnance disposal pro-*
2 *gram for each of—*

3 *(A) civilian and military pay with details*
4 *on military pay, including special and incentive*
5 *pays such as—*

6 *(i) officer responsibility pay;*

7 *(ii) officer SCUBA diving duty pay;*

8 *(iii) officer demolition hazardous duty*
9 *pay;*

10 *(iv) enlisted SCUBA diving duty pay;*

11 *(v) enlisted demolition hazardous duty*
12 *pay;*

13 *(vi) enlisted special duty assignment*
14 *pay at level special duty-5;*

15 *(vii) enlisted assignment incentive*
16 *pays;*

17 *(viii) enlistment and reenlistment bo-*
18 *nuses;*

19 *(ix) officer and enlisted full civilian*
20 *clothing allowances;*

21 *(x) exception to policy allowing a third*
22 *hazardous duty pay for explosive ordnance*
23 *disposal-qualified officers and enlisted; and*

24 *(xi) parachutist hazardous duty pay;*

- 1 (B) research, development, test, and evalua-
2 tion;
3 (C) procurement;
4 (D) other transaction agreements;
5 (E) operations and maintenance;
6 (F) military construction; and
7 (G) overseas contingency operations.

8 **SEC. 1057. INDEPENDENT ASSESSMENT WITH RESPECT TO**
9 **THE ARCTIC REGION.**

10 (a) *IN GENERAL.*—Not later than February 15, 2022,
11 *the Commander of the United States Northern Command,*
12 *in consultation and coordination with United States Euro-*
13 *pean Command and United States Indo-Pacific Command,*
14 *the military services, and defense agencies, shall conduct an*
15 *independent assessment with respect to the activities and*
16 *resources required, for fiscal years 2023 through 2027, to*
17 *achieve the following objectives:*

18 (1) *The implementation of the National Defense*
19 *Strategy and military service-specific strategies with*
20 *respect to the Arctic region.*

21 (2) *The maintenance or restoration of the com-*
22 *parative military advantage of the United States in*
23 *response to great power competitors in the Arctic re-*
24 *gion.*

1 (3) *The reduction of the risk of executing oper-*
2 *ation and contingency plans of the Department of De-*
3 *fense.*

4 (4) *To maximize execution of Department oper-*
5 *ation and contingency plans, in the event deterrence*
6 *fails.*

7 (b) *ELEMENTS.—The assessment required by para-*
8 *graph (1) shall include the following:*

9 (1) *An analysis of, and recommended changes to*
10 *achieve, the required force structure and posture of as-*
11 *signed and allocated forces within the Arctic region*
12 *for fiscal year 2027 necessary to achieve the objectives*
13 *described in paragraph (1), which shall be informed*
14 *by—*

15 (A) *a review of United States military re-*
16 *quirements based on operation and contingency*
17 *plans, capabilities of potential adversaries, as-*
18 *essed gaps or shortfalls of the joint force within*
19 *the Arctic region, and scenarios that consider—*

20 (i) *potential contingencies that com-*
21 *mence in the Arctic region and contin-*
22 *gencies that commence in other regions but*
23 *affect the Arctic region;*

24 (ii) *use of near-, mid-, and far-time*
25 *horizons to encompass the range of cir-*

1 *cumstances required to test new concepts*
2 *and doctrine; and*

3 *(iii) supporting analyses that focus on*
4 *the number of regionally postured military*
5 *units and the quality of capability of such*
6 *units;*

7 *(B) a review of current United States mili-*
8 *tary force posture and deployment plans within*
9 *the Arctic region, especially of Arctic-based forces*
10 *that provide support to, or receive support from,*
11 *the United States Northern Command, the*
12 *United States Indo-Pacific Command, or the*
13 *United States European Command;*

14 *(C) an analysis of potential future realign-*
15 *ments of United States forces in the region, in-*
16 *cluding options for strengthening United States*
17 *presence, access, readiness, training, exercises, lo-*
18 *gistics, and pre-positioning; and*

19 *(D) any other matter the Commander deter-*
20 *mines to be appropriate.*

21 *(2) A discussion of any factor that may influence*
22 *the United States posture, supported by annual*
23 *wargames and other forms of research and analysis.*

24 *(3) An assessment of capabilities requirements to*
25 *achieve such objectives.*

1 (4) *An assessment of logistics requirements, in-*
2 *cluding personnel, equipment, supplies, storage, and*
3 *maintenance needs to achieve such objectives.*

4 (5) *An assessment and identification of required*
5 *infrastructure and military construction investments*
6 *to achieve such objectives.*

7 (6) *An assessment and recommended changes to*
8 *the leadership, organization, and management of Arc-*
9 *tic policy, strategy, and operations among the com-*
10 *batant commands and military services.*

11 (c) *REPORT.—*

12 (1) *IN GENERAL.—Not later than February 15,*
13 *2022, the Commander of the United States Northern*
14 *Command, in consultation and coordination with*
15 *United States European Command and United States*
16 *Indo-Pacific Command, shall submit to the congres-*
17 *sional defense committees a report on the assessment*
18 *required by paragraph (1).*

19 (2) *FORM.—The report required by subpara-*
20 *graph (A) may be submitted in classified form, but*
21 *shall include an unclassified summary.*

22 (3) *AVAILABILITY.—Not later than February 15,*
23 *2022, the Commander of United States Northern*
24 *Command shall make the report available to the Sec-*
25 *retary of Defense, the Under Secretary of Defense for*

1 *Policy, the Under Secretary of Defense (Comptroller),*
2 *the Director of Cost Assessment and Program Evalua-*
3 *tion, the Chairman of the Joint Chiefs of Staff, the*
4 *Secretaries of the military departments, and the chiefs*
5 *of staff of each military service.*

6 **SEC. 1058. ANNUAL REPORT AND BRIEFING ON GLOBAL**
7 **FORCE MANAGEMENT ALLOCATION PLAN.**

8 *(a) IN GENERAL.—Not later than October 31, 2022,*
9 *and annually thereafter through 2024, the Secretary of De-*
10 *fense shall provide to the Committees on Armed Services*
11 *of the Senate and House of Representatives a classified re-*
12 *port and a classified briefing on the Global Force Manage-*
13 *ment Allocation Plan and its implementation.*

14 *(b) REPORT.—Each report required by subsection (a)*
15 *shall include a summary describing the Global Force Man-*
16 *agement Allocation Plan being implemented as of October*
17 *1 of the year in which the report is provided.*

18 *(c) BRIEFING.—Each briefing required by subsection*
19 *(a) shall include the following:*

20 *(1) A summary of the major modifications to*
21 *global force allocation made during the preceding fis-*
22 *cal year that deviated from the Global Force Manage-*
23 *ment Allocation Plan for that fiscal year as a result*
24 *of a shift in strategic priorities, requests for forces, or*

1 *other contingencies, and an explanation for such*
2 *modifications.*

3 (2) *A description of the major differences between*
4 *the Global Force Management Allocation Plan for the*
5 *current fiscal year and the Global Force Management*
6 *Allocation Plan for the preceding fiscal year.*

7 (3) *A description of any difference between the*
8 *actual global allocation of forces, as of October 1 of*
9 *the year in which the briefing is provided, and the*
10 *forces stipulated in the Global Force Management Al-*
11 *location Plan being implemented on that date.*

12 ***Subtitle F—District of Columbia***
13 ***National Guard Home Rule***

14 ***SEC. 1066. SHORT TITLE.***

15 *This subtitle may be cited as the “District of Columbia*
16 *National Guard Home Rule Act”.*

17 ***SEC. 1067. EXTENSION OF NATIONAL GUARD AUTHORITIES***
18 ***TO MAYOR OF THE DISTRICT OF COLUMBIA.***

19 (a) *MAYOR AS COMMANDER-IN-CHIEF.—Section 6 of*
20 *the Act entitled “An Act to provide for the organization of*
21 *the militia of the District of Columbia, and for other pur-*
22 *poses”, approved March 1, 1889 (sec. 49–409, D.C. Official*
23 *Code), is amended by striking “President of the United*
24 *States” and inserting “Mayor of the District of Columbia”.*

1 (b) *RESERVE CORPS.*—Section 72 of such Act (sec. 49–
2 407, D.C. Official Code) is amended by striking “President
3 of the United States” each place it appears and inserting
4 “Mayor of the District of Columbia”.

5 (c) *APPOINTMENT OF COMMISSIONED OFFICERS.*—(1)
6 Section 7(a) of such Act (sec. 49–301(a), D.C. Official Code)
7 is amended—

8 (A) by striking “President of the United States”
9 and inserting “Mayor of the District of Columbia”;
10 and

11 (B) by striking “President.” and inserting
12 “Mayor.”.

13 (2) Section 9 of such Act (sec. 49–304, D.C. Official
14 Code) is amended by striking “President” and inserting
15 “Mayor of the District of Columbia”.

16 (3) Section 13 of such Act (sec. 49–305, D.C. Official
17 Code) is amended by striking “President of the United
18 States” and inserting “Mayor of the District of Columbia”.

19 (4) Section 19 of such Act (sec. 49–311, D.C. Official
20 Code) is amended—

21 (A) in subsection (a), by striking “to the Sec-
22 retary of the Army” and all that follows through
23 “which board” and inserting “to a board of examina-
24 tion appointed by the Commanding General, which”;
25 and

1 (B) in subsection (b), by striking “the Secretary
2 of the Army” and all that follows through the period
3 and inserting “the Mayor of the District of Columbia,
4 together with any recommendations of the Com-
5 manding General.”.

6 (5) Section 20 of such Act (sec. 49–312, D.C. Official
7 Code) is amended—

8 (A) by striking “President of the United States”
9 each place it appears and inserting “Mayor of the
10 District of Columbia”; and

11 (B) by striking “the President may retire” and
12 inserting “the Mayor may retire”.

13 (d) CALL FOR DUTY.—(1) Section 45 of such Act (sec.
14 49–103, D.C. Official Code) is amended by striking “, or
15 for the United States Marshal” and all that follows through
16 “shall thereupon order” and inserting “to order”.

17 (2) Section 46 of such Act (sec. 49–104, D.C. Official
18 Code) is amended by striking “the President” and inserting
19 “the Mayor of the District of Columbia”.

20 (e) GENERAL COURTS MARTIAL.—Section 51 of such
21 Act (sec. 49–503, D.C. Official Code) is amended by striking
22 “the President of the United States” and inserting “the
23 Mayor of the District of Columbia”.

1 **SEC. 1068. CONFORMING AMENDMENTS TO TITLE 10,**
2 **UNITED STATES CODE.**

3 (a) *FAILURE TO SATISFACTORILY PERFORM PRE-*
4 *SCRIBED TRAINING.*—Section 10148(b) of title 10, United
5 States Code, is amended by striking “the commanding gen-
6 eral of the District of Columbia National Guard” and in-
7 serting “the Mayor of the District of Columbia”.

8 (b) *APPOINTMENT OF CHIEF OF NATIONAL GUARD BU-*
9 *REAU.*—Section 10502(a)(1) of such title is amended by
10 striking “the commanding general of the District of Colum-
11 bia National Guard” and inserting “the Mayor of the Dis-
12 trict of Columbia”.

13 (c) *VICE CHIEF OF NATIONAL GUARD BUREAU.*—Sec-
14 tion 10505(a)(1)(A) of such title is amended by striking
15 “the commanding general of the District of Columbia Na-
16 tional Guard” and inserting “the Mayor of the District of
17 Columbia”.

18 (d) *OTHER SENIOR NATIONAL GUARD BUREAU OFFI-*
19 *CERS.*—Section 10506(a)(1) of such title is amended by
20 striking “the commanding general of the District of Colum-
21 bia National Guard” both places it appears and inserting
22 “the Mayor of the District of Columbia”.

23 (e) *CONSENT FOR ACTIVE DUTY OR RELOCATION.*—(1)
24 Section 12301 of such title is amended—

25 (A) in subsection (b), by striking “commanding
26 general of the District of Columbia National Guard”

1 *in the second sentence and inserting “Mayor of the*
2 *District of Columbia”;* and

3 *(B) in subsection (d), by striking the period at*
4 *the end and inserting the following: “, or, in the case*
5 *of the District of Columbia National Guard, the*
6 *Mayor of the District of Columbia.”.*

7 *(2) Section 12406 of such title is amended by striking*
8 *“the commanding general of the National Guard of the Dis-*
9 *trict of Columbia” and inserting “the Mayor of the District*
10 *of Columbia”.*

11 *(f) CONSENT FOR RELOCATION OF UNITS.—Section*
12 *18238 of such title is amended by striking “the com-*
13 *manding general of the National Guard of the District of*
14 *Columbia” and inserting “the Mayor of the District of Co-*
15 *lumbia”.*

16 **SEC. 1069. CONFORMING AMENDMENTS TO TITLE 32,**
17 **UNITED STATES CODE.**

18 *(a) MAINTENANCE OF OTHER TROOPS.—Section*
19 *109(c) of title 32, United States Code, is amended by strik-*
20 *ing “(or commanding general in the case of the District*
21 *of Columbia)”.*

22 *(b) DRUG INTERDICTION AND COUNTER-DRUG ACTIVI-*
23 *TIES.—Section 112(h)(2) of such title is amended by strik-*
24 *ing “the Commanding General of the National Guard of*

1 *the District of Columbia*” and inserting “*the Mayor of the*
2 *District of Columbia*”.

3 (c) *ADDITIONAL ASSISTANCE*.—Section 113 of such
4 title is amended by adding at the end the following new
5 subsection:

6 “(e) *INCLUSION OF DISTRICT OF COLUMBIA*.—In this
7 section, the term ‘State’ includes the District of Columbia.”.

8 (d) *APPOINTMENT OF ADJUTANT GENERAL*.—Section
9 314 of such title is amended—

10 (1) by striking subsection (b);

11 (2) by redesignating subsections (c) and (d) as
12 subsections (b) and (c), respectively; and

13 (3) in subsection (b) (as so redesignated), by
14 striking “*the commanding general of the District of*
15 *Columbia National Guard*” and inserting “*the Mayor of*
16 *the District of Columbia*,”.

17 (e) *RELIEF FROM NATIONAL GUARD DUTY*.—Section
18 325(a)(2)(B) of such title is amended by striking “*com-*
19 *manding general of the District of Columbia National*
20 *Guard*” and inserting “*the Mayor of the District of Colum-*
21 *bia*”.

22 (f) *AUTHORITY TO ORDER TO PERFORM ACTIVE*
23 *GUARD AND RESERVE DUTY*.—

24 (1) *AUTHORITY*.—Subsection (a) of section 328
25 of such title is amended by striking “*the commanding*

1 *general of the District of Columbia National Guard”*
 2 *and inserting “the Mayor of the District of Colum-*
 3 *bia”.*

4 (2) *CLERICAL AMENDMENTS.—*

5 (A) *SECTION HEADING.—The heading of*
 6 *such section is amended to read as follows:*

7 **“§ 328. Active Guard and Reserve duty: authority of**
 8 ***chief executive”.***

9 (B) *TABLE OF SECTIONS.—The table of sec-*
 10 *tions at the beginning of chapter 3 of such title*
 11 *is amended by striking the item relating to sec-*
 12 *tion 328 and inserting the following new item:*

“328. Active Guard and Reserve duty: authority of chief executive.”.

13 (g) *PERSONNEL MATTERS.—Section 505 of such title*
 14 *is amended by striking “commanding general of the Na-*
 15 *tional Guard of the District of Columbia” in the first sen-*
 16 *tence and inserting “Mayor of the District of Columbia”.*

17 (h) *NATIONAL GUARD CHALLENGE PROGRAM.—Sec-*
 18 *tion 509 of such title is amended—*

19 (1) *in subsection (c)(1), by striking “the com-*
 20 *manding general of the District of Columbia National*
 21 *Guard, under which the Governor or the commanding*
 22 *general” and inserting “the Mayor of the District of*
 23 *Columbia, under which the Governor or the Mayor”;*

24 (2) *in subsection (g)(2), by striking “the com-*
 25 *manding general of the District of Columbia National*

1 *Guard” and inserting “the Mayor of the District of*
2 *Columbia”;*

3 (3) *in subsection (j), by striking “the com-*
4 *manding general of the District of Columbia National*
5 *Guard” and inserting “the Mayor of the District of*
6 *Columbia”;* and

7 (4) *in subsection (k), by striking “the com-*
8 *manding general of the District of Columbia National*
9 *Guard” and inserting “the Mayor of the District of*
10 *Columbia”.*

11 (i) *ISSUANCE OF SUPPLIES.*—*Section 702(a) of such*
12 *title is amended by striking “commanding general of the*
13 *National Guard of the District of Columbia” and inserting*
14 *“Mayor of the District of Columbia”.*

15 (j) *APPOINTMENT OF FISCAL OFFICER.*—*Section*
16 *708(a) of such title is amended by striking “commanding*
17 *general of the National Guard of the District of Columbia”*
18 *and inserting “Mayor of the District of Columbia”.*

19 **SEC. 1070. CONFORMING AMENDMENT TO THE DISTRICT OF**
20 **COLUMBIA HOME RULE ACT.**

21 *Section 602(b) of the District of Columbia Home Rule*
22 *Act (sec. 1–206.02(b), D.C. Official Code) is amended by*
23 *striking “the National Guard of the District of Columbia,”.*

Subtitle G—Other Matters

SEC. 1071. TECHNICAL, CONFORMING, AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) The table of chapters at the beginning of part I of subtitle A is amended by striking the item relating to the second section 19 (relating to cyber matters).

(2) The table of sections at the beginning of chapter 2 is amended by striking the item relating to section 118 and inserting the following new item:

“118. Materiel readiness metrics and objectives for major weapon systems.”

(3) The second section 118a, as added by section 341 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is redesignated as section 118b, and the table of sections at the beginning of chapter 2 of such title is conformed accordingly.

(4) Section 138(b)(2)(A)(i) is amended by striking the semicolon.

(5) Section 196(d) is amended by striking “,” and inserting “,”.

(6) Section 231a(e)(2) is amended by striking “include the following,” and inserting “include”.

1 (7) Section 240b(b)(1)(B)(xiii) is amended by
2 striking “An” and inserting “A”.

3 (8) Section 240g(a)(3) is amended by striking “;
4 and” and inserting “;”.

5 (9) Section 393(b)(2)(D) is amended by inserting
6 a period at the end.

7 (10) Section 483(f)(3) is amended by inserting
8 “this” before “title”.

9 (11) Section 651(a) is amended by inserting a
10 comma after “3806(d)(1)”.

11 (12) The table of sections at the beginning of
12 chapter 39 is amended by adding a period at the end
13 of the item relating to section 691.

14 (13) Section 823(a)(2) (article 23(a)(2) of the
15 Uniform Code of Military Justice) is amended by in-
16 serting a comma after “Army”.

17 (14) Section 856(b) (article 56(b) of the Uniform
18 Code of Military Justice) is amended by striking
19 “subsection (d) of section 853a” and inserting “sub-
20 section (c) of section 853a”.

21 (15) Section 1044e(g) is amended by striking
22 “number of Special Victims’ Counsel” and inserting
23 “number of Special Victims’ Counsels”.

1 (16) *The table of sections at the beginning of*
2 *chapter 54 is amended by striking the item relating*
3 *to section 1065 and inserting the following new item:*

*“1065. Use of commissary stores and MWR facilities: certain veterans, caregivers
for veterans, and Foreign Service officers.”.*

4 (17) *Section 1463(a)(4) is amended by striking*
5 *“that that” and inserting “that”.*

6 (18) *Section 1465(b)(2) is amended by striking*
7 *“the the” and inserting “the”.*

8 (19) *Section 1466(a) is amended, in the matter*
9 *preceding paragraph (1), by striking “Coast guard”*
10 *and inserting “Coast Guard”.*

11 (20) *Section 1554a(g)(2) is amended by striking*
12 *“..” and inserting “.”.*

13 (21) *Section 1599h is amended—*

14 (A) *in subsection (a), by redesignating the*
15 *second paragraph (7) and paragraph (8) as*
16 *paragraphs (8) and (9), respectively; and*

17 (B) *in subsection (b)(1), by redesignating*
18 *the second subparagraph (G) and subparagraph*
19 *(H) as subparagraphs (H) and (I), respectively.*

20 (22) *Section 1705(a) is amended by striking “a*
21 *fund” and inserting “an account”.*

22 (23) *Section 1722a(a) is amended by striking*
23 *“,” and inserting “.”.*

24 (24) *Section 1788a(e) is amended—*

1 (A) in paragraph (3), by striking “section
2 167(i)” and inserting “section 167(j)”;

3 (B) in paragraph (4), by striking “covered
4 personnel” and inserting “covered individuals”;
5 and

6 (C) in paragraph (5), in the matter pre-
7 ceding subparagraph (A), by striking “‘covered
8 personnel’” and inserting “‘covered individ-
9 uals’”.

10 (25) The table of chapters at the beginning of
11 Part III of subtitle A is amended, in the item relating
12 to chapter 113, by striking the period after “2200g”.

13 (26) Section 2107(a) is amended by striking “or
14 Space Force”.

15 (27) Section 2279b(b) is amended by redesignig-
16 nating the second paragraph (11) as paragraph (12).

17 (28) Section 2321(f) is amended by striking “the
18 item” both places it appears and inserting “the com-
19 mercial product”.

20 (29) The second section 2350m (relating to Exe-
21 cution of projects under the North Atlantic Treaty
22 Organization Security Investment Program), as
23 added by section 2503 of the William M. (Mac)
24 Thornberry National Defense Authorization Act for
25 Fiscal Year 2021 (Public Law 116–283) is redesignig-

1 *nated as section 2350q and the table of sections at the*
2 *beginning of subchapter II of chapter 138 is con-*
3 *formed accordingly.*

4 (30) *Section 2534(a) is amended—*

5 (A) *in paragraph (5), by striking “prin-*
6 *ciple” and inserting “principal”; and*

7 (B) *in paragraph (3), by striking “sub-*
8 *section (j)” and inserting “subsection (k)”.*

9 (31) *Section 2891a(e)(1) is amended by striking*
10 *“the any” and inserting “the”.*

11 (32) *The table of sections at the beginning of*
12 *chapter 871 is amended by striking the item relating*
13 *to section 8749 and inserting the following new item:*

“8749. Civil service mariners of Military Sealift Command: release of drug and
 alcohol test results to Coast Guard.”.

14 (33) *The second section 9084, as added by sec-*
15 *tion 1601 of the William M. (Mac) Thornberry Na-*
16 *tional Defense Authorization Act for Fiscal Year 2021*
17 *(Public Law 116–283), is transferred to appear after*
18 *section 9085 and redesignated as section 9086, and*
19 *the table of sections at the beginning of chapter 908*
20 *of such title is conformed accordingly.*

21 (34) *Section 9132 (relating to Regular Air Force*
22 *and Regular Space Force: reenlistment after service*
23 *as an officer) is redesignated as section 9138.*

1 (35) *The section heading for section 9401 is*
2 *amended to read as follows:*

3 **“§ 9401. Members of Air Force and Space Force: detail**
4 **as students, observers, and investigators**
5 **at educational institutions, industrial**
6 **plants, and hospitals”.**

7 (36) *The section heading for section 9402 is*
8 *amended to read as follows:*

9 **“§ 9402. Enlisted members of Air Force or Space Force:**
10 **schools”.**

11 (37) *Section 9840 is amended in the second sen-*
12 *tence by striking “He” and inserting “The officer”.*

13 (b) *NDAA FOR FISCAL YEAR 2021.—Effective as of*
14 *January 1, 2021, and as if included therein as enacted,*
15 *section 1 of the William M. (Mac) Thornberry National De-*
16 *fense Authorization Act for Fiscal Year 2021 (Public Law*
17 *116–283) is amended—*

18 (1) *by inserting “(a) IN GENERAL.—” before*
19 *“This Act”; and*

20 (2) *by adding at the end the following:*

21 **“(b) REFERENCES.—Any reference in this or any other**
22 *Act to the ‘National Defense Authorization Act for Fiscal*
23 *Year 2021’ shall be deemed to be a reference to the ‘William*
24 *M. (Mac) Thornberry National Defense Authorization Act*
25 *for Fiscal Year 2021’.”.*

1 (c) *COORDINATION WITH OTHER AMENDMENTS MADE*
2 *BY THIS ACT.*—For purposes of applying amendments
3 made by provisions of this Act other than this section, the
4 amendments made by this section shall be treated as having
5 been enacted immediately before any such amendments by
6 other provisions of this Act.

7 **SEC. 1072. ASSISTANT SECRETARY OF DEFENSE FOR INDO-**
8 **PACIFIC SECURITY AFFAIRS.**

9 Section 138(b) of title 10, United States Code, is
10 amended by adding at the end the following new paragraph:

11 “(8) One of the Assistant Secretaries is the Assistant
12 Secretary of Defense for Indo-Pacific Security Affairs. The
13 principal duties of the Assistant Secretary shall be to—

14 “(A) act as principal advisor to the Under Sec-
15 retary of Defense for Policy and the Secretary of De-
16 fense on international security strategy and policy on
17 issues of interest to the Department of Defense that re-
18 late to the nations and international organizations of
19 China, East Asia, South and Southeast Asia, includ-
20 ing governments and defense establishments; and

21 “(B) provide oversight of security cooperation
22 programs, including foreign military sales, in the
23 Indo-Pacific region.”.

1 **SEC. 1073. IMPROVEMENT OF TRANSPARENCY AND CON-**
2 **GRESSIONAL OVERSIGHT OF CIVIL RESERVE**
3 **AIR FLEET.**

4 (a) *DEFINITIONS.*—

5 (1) *SECRETARY.*—Paragraph (10) of section
6 9511 of title 10, United States Code, is amended to
7 read as follows:

8 “(4) The term ‘Secretary’ means the Secretary of
9 Defense.”.

10 (2) *CONFORMING AMENDMENTS.*—Chapter 961 of
11 title 10, United States Code, as amended by para-
12 graphs (1) and (2), is further amended—

13 (A) in section 9511a by striking “Secretary
14 of Defense” each place it appears and inserting
15 “Secretary”;

16 (B) in section 9512(e), by striking “Sec-
17 retary of Defense” and inserting “Secretary”;
18 and

19 (C) in section 9515, by striking “Secretary
20 of Defense” each place it appears and inserting
21 “Secretary”.

22 (b) *ANNUAL REPORT ON CIVIL RESERVE AIR*
23 *FLEET.*—Section 9516 of title 10, United States Code, is
24 amended—

1 (1) *in subsection (d), by striking “When the Sec-*
2 *retary” and inserting “Subject to subsection (e), when*
3 *the Secretary”;*

4 (2) *by redesignating subsection (e) as subsection*
5 *(f); and*

6 (3) *by inserting after subsection (d) the following*
7 *new subsection:*

8 “(e) *ANNUAL REPORT.—Not later than 60 days after*
9 *the end of each fiscal year, the Secretary shall submit to*
10 *the Committees on Armed Services of the Senate and the*
11 *House of Representatives a report that—*

12 “(1) *identifies each contract for airlift services*
13 *awarded in the preceding fiscal year to a provider*
14 *that does not meet the requirements set forth in sub-*
15 *paragraphs (A) and (B) of subsection (a)(1); and*

16 “(2) *for each such contract—*

17 “(A) *specifies the dollar value of the award;*

18 *and*

19 “(B) *provides a detailed explanation of the*
20 *reasons for the award.”.*

21 (c) *TECHNICAL AMENDMENTS.—*

22 (1) *IN GENERAL.—Chapter 961 of title 10,*
23 *United States Code, as amended by subsections (a)*
24 *and (b), is further amended—*

1 (A) by redesignating sections 9511a and
2 9512 as sections 9512 and 9513, respectively;

3 (B) in section 9511, by striking “section
4 9512” each place it appears and inserting “sec-
5 tion 9513”; and

6 (C) in section 9514, by redesignating sub-
7 section (g) as subsection (f).

8 (2) *CLERICAL AMENDMENT.*—The table of sec-
9 tions at the beginning of such chapter is amended by
10 striking the items relating to sections 9511a and 9512
11 and inserting the following new items:

“9512. Civil Reserve Air Fleet contracts: payment rate.

“9513. Contracts for the inclusion or incorporation of defense features.”.

12 (d) *CHARTER AIR TRANSPORTATION OF MEMBERS OF*
13 *THE ARMED FORCES OR CARGO.*—

14 (1) *IN GENERAL.*—Section 2640 of title 10,
15 United States Code, is amended—

16 (A) in the section heading, by inserting “**or**
17 **cargo**” after “**armed forces**”;

18 (B) in subsection (a)(1), by inserting “or
19 cargo” after “members of the armed forces”;

20 (C) in subsection (b), by inserting “or
21 cargo” after “members of the armed forces”;

22 (D) in subsection (d)(1), by inserting “or
23 cargo” after “members of the armed forces”;

24 (E) in subsection (e)—

1 (i) by inserting “or cargo” after
2 “members of the armed forces”; and

3 (ii) by inserting “or cargo” before the
4 period at the end;

5 (F) in subsection (f), by inserting “or
6 cargo” after “members of the armed forces”; and

7 (G) in subsection (j)(1), by inserting
8 “‘cargo,’” after “‘air transportation,’”.

9 (2) *CLERICAL AMENDMENT.*—The table of sec-
10 tions at the beginning of chapter 157 of title 10,
11 United States Code, is amended by striking the item
12 relating to section 2640 and inserting the following
13 new item:

“2640. Charter air transportation of members of the armed forces or cargo.”.

14 **SEC. 1074. ENHANCEMENTS TO NATIONAL MOBILIZATION**

15 **EXERCISES.**

16 Section 10208 of title 10, United States Code, is
17 amended by adding at the end the following new subsection:

18 “(c)(1) The Secretary shall, beginning in the first fis-
19 cal year that begins after the date of the enactment of this
20 subsection, and every 5 years thereafter, as part of the
21 major mobilization exercise under subsection (a), include
22 the processes of the Selective Service System in preparation
23 for a draft, and submit to Congress a report on the results
24 of this exercise. The report may be submitted in classified
25 form.

1 “(2) *The exercise under this subsection—*

2 “(A) *shall include a review of national mobiliza-*
3 *tion strategic and operational concepts; and*

4 “(B) *shall include a simulation of a mobilization*
5 *of all armed forces and reserve units, with plans and*
6 *processes for incorporating Selective Service System*
7 *inductees.”.*

8 **SEC. 1075. PROVIDING END-TO-END ELECTRONIC VOTING**
9 **SERVICES FOR ABSENT UNIFORMED SERV-**
10 **ICES VOTERS IN LOCATIONS WITH LIMITED**
11 **OR IMMATURE POSTAL SERVICE.**

12 (a) *PLAN.—*

13 (1) *DEVELOPMENT.—In consultation with the*
14 *Chief Information Officer of the Department of De-*
15 *fense, the Presidential designee under the Uniformed*
16 *and Overseas Citizens Absentee Voting Act (52 U.S.C.*
17 *20301 et seq.) shall develop a plan for providing end-*
18 *to-end electronic voting services (including services for*
19 *registering to vote, requesting an electronic ballot,*
20 *completing the ballot, and returning the ballot) in*
21 *participating States for absent uniformed services*
22 *voters under such Act who are deployed or mobilized*
23 *to locations with limited or immature postal service*
24 *(as determined by the Presidential designee).*

1 (2) *SPECIFICATIONS.*—*The Presidential designee*
2 *shall include in the plan developed under paragraph*
3 *(1)—*

4 (A) *methods to ensure that voters have the*
5 *opportunity to verify that their ballots are re-*
6 *ceived and tabulated correctly by the appropriate*
7 *State and local election officials;*

8 (B) *methods to generate a verifiable and*
9 *auditable vote trail for the purposes of any re-*
10 *count or audit conducted with respect to an elec-*
11 *tion; and*

12 (C) *an assessment of whether commercially*
13 *available technologies may be used to carry out*
14 *any of the elements of the plan.*

15 (3) *CONSULTATION WITH STATE AND LOCAL*
16 *ELECTION OFFICIALS.*—*The Presidential designee*
17 *shall develop the plan under paragraph (1) in con-*
18 *sultation with appropriate State and local election of-*
19 *ficials to ensure that the plan may be implemented*
20 *successfully in any State which agrees to participate*
21 *in the plan.*

22 (4) *USE OF CONTRACTORS.*—*To the extent the*
23 *Presidential designee determines to be appropriate,*
24 *the Presidential designee may include in the plan de-*
25 *veloped under paragraph (1) provisions for the use of*

1 *tary mobilization readiness, including full mobiliza-*
2 *tion of personnel from volunteers to draftees in the*
3 *event of a draft activation;*

4 (2) *providing Congress and the Selective Service*
5 *System with updated requirements and timelines for*
6 *obtaining draft inductees in the event of a national*
7 *emergency requiring mass mobilization and activa-*
8 *tion of the draft; and*

9 (3) *providing Congress with a plan, developed in*
10 *coordination with the Selective Service System, to in-*
11 *duct large numbers of volunteers who may respond to*
12 *a national call for volunteers during an emergency.*

13 (b) *PLAN REQUIRED.*—*Not later than one year after*
14 *the date of the enactment of this Act, the Secretary of De-*
15 *fense shall submit to Congress a plan for obtaining draft*
16 *inductees as part of a mobilization timeline for the Selective*
17 *Service System. The plan shall include a description of re-*
18 *sources, locations, and capabilities of the Armed Forces re-*
19 *quired to train, equip, and integrate drafted personnel into*
20 *the total force, addressing scenarios that would include*
21 *300,000, 600,000, and 1,000,000 new volunteer and drafted*
22 *personnel. The plan may be provided in classified form.*

23 **SEC. 1077. UPDATE OF JOINT PUBLICATION 3-68: NON-**
24 **COMBATANT EVACUATION OPERATIONS.**

25 (a) *FINDINGS.*—*Congress makes the following findings:*

1 (1) *Noncombatant evacuation operations are*
2 *conducted by the Department of Defense to assist in*
3 *evacuating citizens and nationals of the United*
4 *States, Defense Department civilian personnel, and*
5 *designated host nation persons whose lives are in dan-*
6 *ger from locations in a foreign nation to an appro-*
7 *priate safe haven when directed by the Department of*
8 *State.*

9 (2) *Joint Publication 3-68: Noncombatant Evac-*
10 *uation Operations has not been validated since No-*
11 *vember 14, 2017.*

12 (b) *UPDATE OF PUBLICATION.—Not later than March*
13 *1, 2022, the Chairman of the Joint Chiefs of Staff shall*
14 *update Joint Publication 3-68: Noncombatant Evacuation*
15 *Operations.*

16 **SEC. 1078. TREATMENT OF OPERATIONAL DATA FROM AF-**
17 **GHANISTAN.**

18 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
19 *that—*

20 (1) *an immense amount of operational data and*
21 *intelligence has been developed over the past two dec-*
22 *ades of war in Afghanistan; and*

23 (2) *this information is valuable and must be ap-*
24 *propriately retained.*

1 (b) *OPERATIONAL DATA.*—*The Secretary of Defense*
2 *shall—*

3 (1) *archive and standardize operational data*
4 *from Afghanistan across the myriad of defense infor-*
5 *mation systems; and*

6 (2) *ensure the Afghanistan operational data is*
7 *structured, searchable, and usable across the joint*
8 *force.*

9 (c) *BRIEFING.*—*Not later than March 4, 2022, the*
10 *Under Secretary of Defense for Intelligence and Security*
11 *shall provide a briefing to the Committee on Armed Services*
12 *of the House of Representatives on how the Department of*
13 *Defense has removed, retained, and assured long-term access*
14 *to operational data from Afghanistan across each military*
15 *department and command. Such briefing shall address—*

16 (1) *the manner in which the Department of De-*
17 *fense is standardizing and archiving intelligence and*
18 *operational data from Afghanistan across the myriad*
19 *of defense information systems; and*

20 (2) *the manner in which the Department is en-*
21 *sureing access to Afghanistan operational data across*
22 *the joint force.*

1 **SEC. 1079. DEFENSE RESOURCE BUDGETING AND ALLOCA-**
2 **TION COMMISSION.**

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

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

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

16 (b) *MEMBERSHIP.*—

17 (1) *COMPOSITION.*—

18 (A) *IN GENERAL.*—*Subject to subparagraph*
19 *(B), the Commission shall be composed of the fol-*
20 *lowing members:*

21 (i) *The Deputy Secretary of Defense.*

22 (ii) *The Director of Cost Assessment*
23 *and Program Evaluation for the Depart-*
24 *ment of Defense.*

25 (iii) *The Comptroller/Chief Financial*
26 *Officer for the Department of Defense.*

1 (iv) *The Deputy Director of the Office*
2 *of Management and Budget.*

3 (v) *Three members appointed by the*
4 *majority leader of the Senate, in consulta-*
5 *tion with the Chairman of the Committee*
6 *on Armed Services of the Senate, one of*
7 *whom shall be a member of the Senate and*
8 *two of whom shall not be.*

9 (vi) *Two members appointed by the*
10 *minority leader of the Senate, in consulta-*
11 *tion with the Ranking Member of the Com-*
12 *mittee on Armed Services of the Senate, one*
13 *of whom shall be a member of the Senate*
14 *and one of whom shall not be.*

15 (vii) *Three members appointed by the*
16 *Speaker of the House of Representatives, in*
17 *consultation with the Chairman of the Com-*
18 *mittee on Armed Services of the House of*
19 *Representatives, one of whom shall be a*
20 *member of the House of Representatives and*
21 *two of whom shall not be.*

22 (viii) *Two members appointed by the*
23 *minority leader of the House of Representa-*
24 *tives, in consultation with the ranking*
25 *member of the Committee on Armed Serv-*

1 *ices of the House of Representatives, one of*
2 *whom shall be a Member of the House of*
3 *Representatives and one of whom shall not*
4 *be.*

5 *(B) EXPERTISE.—The members of the Com-*
6 *mission who are not members of Congress and*
7 *who are appointed under clauses (v) through*
8 *(viii) of subparagraph (A) shall be individuals*
9 *who are nationally recognized for expertise,*
10 *knowledge, or experience in—*

11 *(i) planning, programming, budgeting,*
12 *and execution methodology;*

13 *(ii) budgeting methodologies and inno-*
14 *vation; or*

15 *(iii) the implementation or oversight of*
16 *Department of Defense budgeting.*

17 *(C) CONFLICTS OF INTEREST.—An official*
18 *who appoints members of the Commission may*
19 *not appoint an individual as a member of the*
20 *Commission if such individual possesses any per-*
21 *sonal or financial interest in the discharge of*
22 *any of the duties of the Commission.*

23 *(D) SECURITY CLEARANCES.—All members*
24 *of the Commission described in subparagraph*
25 *(A) shall possess an appropriate security clear-*

1 *ance in accordance with applicable provisions of*
2 *law concerning the handling of classified infor-*
3 *mation.*

4 (2) *CO-CHAIRS.*—*The Commission shall have two*
5 *co-chairs, selected from among the members of the*
6 *Commission. One co-chair of the Commission shall be*
7 *a member of the Democratic Party, and one co-chair*
8 *shall be a member of the Republican Party. The indi-*
9 *viduals who serve as the co-chairs of the Commission*
10 *shall be jointly agreed upon by the President, the ma-*
11 *jority leader of the Senate, the minority leader of the*
12 *Senate, the Speaker of the House of Representatives,*
13 *and the minority leader of the House of Representa-*
14 *tives.*

15 (c) *APPOINTMENT; INITIAL MEETING.*—

16 (1) *APPOINTMENT.*—*Members of the Commission*
17 *shall be appointed not later than 45 days after the*
18 *date of the enactment of this Act.*

19 (2) *INITIAL MEETING.*—*The Commission shall*
20 *hold its initial meeting on or before the date that is*
21 *60 days after the date of the enactment of this Act.*

22 (d) *MEETINGS; QUORUM; VACANCIES.*—

23 (1) *IN GENERAL.*—*After its initial meeting, the*
24 *Commission shall meet upon the call of the co-chairs*
25 *of the Commission.*

1 (2) *QUORUM.*—Seven members of the Commis-
2 sion shall constitute a quorum for purposes of con-
3 ducting business, except that two members of the
4 Commission shall constitute a quorum for purposes of
5 receiving testimony.

6 (3) *VACANCIES.*—Any vacancy in the Commis-
7 sion shall not affect its powers, but shall be filled in
8 the same manner in which the original appointment
9 was made.

10 (4) *QUORUM WITH VACANCIES.*—If vacancies in
11 the Commission occur on any day that is 45 days
12 after the date of the enactment of this Act, a quorum
13 shall consist of a majority of the members of the Com-
14 mission as of such day.

15 (e) *ACTIONS OF COMMISSION.*—

16 (1) *IN GENERAL.*—The Commission shall act by
17 resolution agreed to by a majority of the members of
18 the Commission voting and present.

19 (2) *PANELS.*—The Commission may establish
20 panels composed of less than the full membership of
21 the Commission for purposes of carrying out the du-
22 ties of the Commission under this title. The actions of
23 any such panel shall be subject to the review and con-
24 trol of the Commission. Any findings and determina-
25 tions made by such a panel shall not be considered

1 *the findings and determinations of the Commission*
2 *unless approved by the Commission.*

3 (3) *DELEGATION.*—*Any member, agent, or staff*
4 *of the Commission may, if authorized by the co-chairs*
5 *of the Commission, take any action which the Com-*
6 *mission is authorized to take pursuant to this title.*

7 (f) *DUTIES.*—*The duties of the Commission are as fol-*
8 *lows:*

9 (1) *To define the core objectives and priorities of*
10 *the strategic approach referred to in subsection (a).*

11 (2) *To weigh the costs and benefits of various*
12 *strategic options for the Department of Defense to*
13 *budget and allocate resources, including the planning,*
14 *programming, budgeting, and execution methodology*
15 *in effect as of the date of the enactment of this Act.*

16 (3) *To evaluate whether the strategic options de-*
17 *scribed in paragraph (2) are exclusive or complemen-*
18 *tary, the best means for executing such options, and*
19 *how the Department of Defense should incorporate*
20 *and implement such options within its budgeting*
21 *methodology and strategy.*

22 (4) *To review and make determinations on the*
23 *difficult choices present within such options, includ-*
24 *ing how the Department can budget at the speed of*
25 *relevance to address current and emerging threats*

1 *while maintaining an appropriate degree of oversight*
2 *from Congress.*

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

7 (6) *To evaluate the effectiveness of the current re-*
8 *source budgeting and allocation methodology to meet*
9 *current and emerging threats to the national security*
10 *of the United States.*

11 (7) *In weighing the options for defending the*
12 *United States, to consider possible structures and au-*
13 *thorities that need to be established, revised, or aug-*
14 *mented within the Federal Government.*

15 (g) *POWERS OF COMMISSION.—*

16 (1) *IN GENERAL.—*

17 (A) *HEARINGS; SUBPOENAS.—The Commis-*
18 *sion or, on the authorization of the Commission,*
19 *any subcommittee or member thereof, may, for*
20 *the purpose of carrying out the provisions of this*
21 *section—*

22 (i) *hold such hearings and sit and act*
23 *at such times and places, take such testi-*
24 *mony, receive such evidence, and administer*
25 *such oaths; and*

1 (ii) require, by subpoena or otherwise,
2 the attendance and testimony of such wit-
3 nesses and the production of such books,
4 records, correspondence, memoranda, pa-
5 pers, and documents, as the Commission or
6 such designated subcommittee or designated
7 member considers necessary.

8 (B) *SERVICE OF SUBPOENAS.*—Subpoenas
9 may be issued under subparagraph (A)(ii) under
10 the signature of the co-chairs of the Commission,
11 and may be served by any person designated by
12 such co-chairs.

13 (C) *FAILURE OF WITNESSES TO APPEAR.*—
14 The provisions of sections 102 through 104 of the
15 Revised Statutes of the United States (2 U.S.C.
16 192-194) shall apply in the case of any failure
17 of a witness to comply with any subpoena or to
18 testify when summoned under authority of this
19 section.

20 (2) *CONTRACTING.*—The Commission may, to
21 such extent and in such amounts as are provided in
22 advance in appropriation Acts, enter into contracts to
23 enable the Commission to discharge its duties under
24 this title.

1 (3) *INFORMATION FROM FEDERAL AGENCIES.*—
2 *The Commission may secure directly from any execu-*
3 *tive department, agency, bureau, board, commission,*
4 *office, independent establishment, or instrumentality*
5 *of the Government information, suggestions, estimates,*
6 *and statistics for the purposes of this title. Each such*
7 *department, agency, bureau, board, commission, of-*
8 *ice, establishment, or instrumentality shall, to the ex-*
9 *tent authorized by law, furnish such information, sug-*
10 *gestions, estimates, and statistics directly to the Com-*
11 *mission, upon request of the co-chairs of the Commis-*
12 *sion. The Commission shall handle and protect all*
13 *classified information provided to it under this para-*
14 *graph in accordance with applicable statutes and reg-*
15 *ulations.*

16 (4) *ASSISTANCE FROM FEDERAL AGENCIES.*—

17 (A) *The Secretary of Defense shall provide*
18 *to the Commission, on a nonreimbursable basis,*
19 *such administrative services, funds, staff, facili-*
20 *ties, and other support services as are necessary*
21 *for the performance of the Commission's duties*
22 *under this title.*

23 (B) *The Director of the Office of Manage-*
24 *ment and Budget may provide the Commission,*
25 *on a nonreimbursable basis, with such adminis-*

1 *trative services, staff, and other support services*
2 *as the Commission may request. In addition to*
3 *the assistance set forth in paragraphs (1) and*
4 *(2), other departments and agencies of the*
5 *United States may provide the Commission such*
6 *services, funds, facilities, staff, and other support*
7 *as such departments and agencies consider advis-*
8 *able and as may be authorized by law.*

9 *(C) The Commission shall receive the full*
10 *and timely cooperation of any official, depart-*
11 *ment, or agency of the United States Government*
12 *whose assistance is necessary, as jointly deter-*
13 *mined by the co-chairs selected under subsection*
14 *(b)(2), or the fulfillment of the duties of the Com-*
15 *mission, including the provision of full and cur-*
16 *rent briefings and analyses.*

17 *(5) POSTAL SERVICES.—The Commission may*
18 *use the United States postal services in the same*
19 *manner and under the same conditions as the depart-*
20 *ments and agencies of the United States.*

21 *(6) GIFTS.—No member or staff of the Commis-*
22 *sion may receive a gift or benefit by reason of the*
23 *service of such member or staff to the Commission.*

24 *(h) STAFF OF COMMISSION.—*

25 *(1) IN GENERAL.—*

1 (A) *DETAILEES.*—Any Federal Government
2 employee may be detailed to the Commission
3 without reimbursement from the Commission,
4 and such detailee shall retain the rights, status,
5 and privileges of his or her regular employment
6 without interruption.

7 (B) *SECURITY CLEARANCE.*—All staff of the
8 Commission shall possess a security clearance in
9 accordance with applicable laws and regulations
10 concerning the handling of classified informa-
11 tion.

12 (2) *CONSULTANT SERVICES.*—(A) The Commis-
13 sion may procure the services of experts and consult-
14 ants in accordance with section 3109 of title 5,
15 United States Code, but at rates not to exceed the
16 daily rate paid a person occupying a position at level
17 IV of the Executive Schedule under section 5315 of
18 such title.

19 (B) All experts and consultants employed by the
20 Commission shall possess a security clearance in ac-
21 cordance with applicable laws and regulations con-
22 cerning the handling of classified information.

23 (i) *COMPENSATION AND TRAVEL EXPENSES.*—

24 (1) *COMPENSATION.*—

1 (A) *IN GENERAL.*—*Except as provided in*
2 *subparagraph (B), each member of the Commis-*
3 *sion may be compensated at not to exceed the*
4 *daily equivalent of the annual rate of basic pay*
5 *in effect for a position at level IV of the Execu-*
6 *tive Schedule under section 5315 of title 5,*
7 *United States Code, for each day during which*
8 *that member is engaged in the actual perform-*
9 *ance of the duties of the Commission under this*
10 *title.*

11 (B) *OFFICERS OR EMPLOYEES OF UNITED*
12 *STATES.*—*Members of the Commission who are*
13 *officers or employees of the United States or*
14 *Members of Congress shall receive no additional*
15 *pay by reason of their service on the Commis-*
16 *sion.*

17 (2) *TRAVEL EXPENSES.*—*While away from their*
18 *homes or regular places of business in the perform-*
19 *ance of services for the Commission, members of the*
20 *Commission may be allowed travel expenses, includ-*
21 *ing per diem in lieu of subsistence, in the same man-*
22 *ner as persons employed intermittently in the Govern-*
23 *ment service are allowed expenses under section 5703*
24 *of title 5, United States Code.*

1 (j) *TREATMENT OF INFORMATION RELATING TO NA-*
2 *TIONAL SECURITY.*—

3 (1) *IN GENERAL.*—*The Secretary of Defense shall*
4 *assume responsibility for the handling and disposi-*
5 *tion of any information related to the national secu-*
6 *rity of the United States that is received, considered,*
7 *or used by the Commission under this title. Any in-*
8 *formation related to the national security of the*
9 *United States that is provided to the Commission by*
10 *the congressional armed services committees may not*
11 *be further provided or released without the approval*
12 *of the chairman of such committees.*

13 (2) *ACCESS AFTER TERMINATION OF COMMIS-*
14 *SION.*—*Notwithstanding any other provision of law,*
15 *after the termination of the Commission under sub-*
16 *section (k)(2), only the members and designated staff*
17 *of the Committees on Armed Services of the Senate*
18 *and House of Representatives, the Secretary of De-*
19 *fense (and the designees of the Secretary), and such*
20 *other officials of the executive branch as the President*
21 *may designate shall have access to information re-*
22 *lated to the national security of the United States*
23 *that is received, considered, or used by the Commis-*
24 *sion.*

25 (k) *FINAL REPORT; TERMINATION.*—

1 (1) *FINAL REPORT.*—Not later than September 1,
2 2022, the Commission shall submit to the Committees
3 on Armed Services of the Senate and House of Rep-
4 resentatives, the Secretary of Defense, and the Direc-
5 tor of Office of Management and Budget a final re-
6 port containing the findings of the Commission.

7 (2) *TERMINATION.*—

8 (A) *IN GENERAL.*—The Commission, and all
9 the authorities of this section, shall terminate at
10 the end of the 120-day period beginning on the
11 date on which the final report under paragraph
12 (1) is submitted to the congressional armed serv-
13 ices committees.

14 (B) *CONCLUSION OF ACTIVITIES.*—The
15 Commission may use the 120-day period referred
16 to in subparagraph (A) for the purposes of con-
17 cluding its activities, including providing testi-
18 mony to Congress concerning the final report re-
19 ferred to in that paragraph and disseminating
20 the report.

21 (l) *ASSESSMENTS OF FINAL REPORT.*—Not later than
22 60 days after receipt of the final report under subsection
23 (k)(1), the Secretary of Defense and the Director of the Of-
24 fice of Management and Budget shall each submit to the
25 Committees on Armed Service of the Senate and House of

1 *Representatives an assessment by the Director or the Sec-*
2 *retary, as the case may be, of the final report. Each such*
3 *assessment shall include such comments on the findings and*
4 *recommendations contained in the final report, as the Di-*
5 *rector or Secretary, as the case may be, considers appro-*
6 *priate.*

7 **SEC. 1080. COMMISSION ON AFGHANISTAN.**

8 *(a) ESTABLISHMENT.—There is hereby established a*
9 *commission to be known as the “Commission on Afghani-*
10 *stan” (in this section referred to as the “Commission”). The*
11 *purpose of the Commission is to examine the war in Af-*
12 *ghanistan and make recommendations regarding lessons*
13 *learned.*

14 *(b) COMPOSITION.—*

15 *(1) MEMBERSHIP.—The Commission shall be*
16 *composed of 12 members appointed as follows:*

17 *(A) Three members appointed by the chair*
18 *of the Committee on Armed Services of the House*
19 *of Representatives.*

20 *(B) Three members appointed by the rank-*
21 *ing minority member of the Committee on*
22 *Armed Services of the House of Representatives.*

23 *(C) Three members appointed by the chair*
24 *of the Committee on Armed Services of the Sen-*
25 *ate.*

1 (D) *Three members appointed by the rank-*
2 *ing minority member of the Committee on*
3 *Armed Services of the Senate.*

4 (2) *CHAIR; VICE CHAIR.—*

5 (A) *CHAIR.—The chair of the Committee on*
6 *Armed Services of the House of Representative*
7 *and the chair of the Committee on Armed Serv-*
8 *ices of the Senate shall jointly designate one*
9 *member of the Commission to serve as chair of*
10 *the Commission.*

11 (B) *VICE CHAIR.—The ranking minority*
12 *member of the Committee on Armed Services of*
13 *the House of Representative and the ranking mi-*
14 *nority member of the Committee on Armed Serv-*
15 *ices of the Senate shall jointly designate one*
16 *member of the Commission to serve as vice chair*
17 *of the Commission.*

18 (3) *PERIOD OF APPOINTMENT; VACANCIES.—*
19 *Members shall be appointed for the life of the Com-*
20 *mission. Any vacancy in the Commission shall be*
21 *filled in the same manner as the original appoint-*
22 *ment.*

23 (c) *DUTIES.—*

24 (1) *REVIEW.—The Commission shall examine the*
25 *following periods of the war in Afghanistan;*

1 (A) Generally, the entirety of the war begin-
2 ning with Operation Enduring Freedom in 2001
3 under the Bush administration.

4 (B) The period beginning in 2009 under the
5 Obama administration, when the United States
6 deployed an increased number of members of the
7 Armed Forces to Afghanistan, and ending when
8 such members of the Armed Forces were reduced
9 in 2011.

10 (C) The period beginning in August 2019
11 and ending in February 2020, covering the nego-
12 tiation and execution of the U.S. Government-
13 Taliban agreement during the Trump Adminis-
14 tration.

15 (D) The period beginning in February 2020
16 and ending in August 2021, with the completion
17 of the withdrawal of the Armed Forces from Af-
18 ghanistan under the Biden Administration.

19 (E) The period from 1996 to 2001, during
20 which the Taliban controlled the country, high-
21 lighting events or the absence of certain key
22 events that enabled conditions on the ground in
23 Afghanistan in 2001, including efforts to support
24 the Northern Alliance and related resistance
25 groups, opportunities to eliminate terrorist lead-

1 *ers like Osama Bin Laden and others, and op-*
2 *portunities to address terror threats emanating*
3 *from Afghanistan prior to 2001.*

4 (2) *ASSESSMENT AND RECOMMENDATIONS.*—*The*
5 *Commission shall conduct a comprehensive assessment*
6 *of the war in Afghanistan and make recommenda-*
7 *tions to inform future operations with tactical and*
8 *strategic lessons learned, including the impact of*
9 *troop increases and decreases and date-certain dead-*
10 *lines.*

11 (d) *COOPERATION FROM GOVERNMENT.*—

12 (1) *COOPERATION.*—*In carrying out its duties,*
13 *the Commission shall receive the full and timely co-*
14 *operation of the Secretary of Defense in providing the*
15 *Commission with analysis, briefings, and other infor-*
16 *mation necessary for the fulfillment of its responsibil-*
17 *ities.*

18 (2) *LIAISON.*—*The Secretary shall designate at*
19 *least one officer or employee of the Department of De-*
20 *fense to serve as a liaison officer between the Depart-*
21 *ment and the Commission.*

22 (e) *REPORT.*—

23 (1) *FINAL REPORT.*—*Not later than August 31,*
24 *2022, and consistent with the protection of intel-*
25 *ligence sources and methods, the Commission shall*

1 *submit to the President, the Secretary of Defense, and*
2 *the appropriate congressional committees a report on*
3 *the Commission's findings, conclusions, and rec-*
4 *ommendations. The report shall address each of the*
5 *following:*

6 *(A) The findings of the Commission with re-*
7 *spect to each of the periods referred to in sub-*
8 *section (c)(1).*

9 *(B) Intelligence and information upon*
10 *which the Bush, Obama, Trump, and Biden ad-*
11 *ministrations made planning decisions.*

12 *(C) The impact of the reduction in the*
13 *number of members of the Armed Forces de-*
14 *ployed to Afghanistan in 2011.*

15 *(D) The assessments made for the security*
16 *conditions to create a viable peace agreement in*
17 *2019.*

18 *(E) The security conditions necessary to*
19 *make such agreement a reality.*

20 *(F) A detailed analysis of the security con-*
21 *ditions on the ground in Afghanistan during the*
22 *entirety of the war in Afghanistan.*

23 *(G) The circumstances under which the*
24 *Biden Administration withdrew the Armed*
25 *Forces from Afghanistan in 2021.*

1 (H) *The lessons learned from 20 years in*
2 *Afghanistan.*

3 (I) *The lessons learned from 20 years of*
4 *equipping and supporting the Afghan National*
5 *Security Force.*

6 (2) *INTERIM BRIEFING.*—*Not later than March*
7 *3, 2022, the Commission shall provide to the appro-*
8 *priate congressional committees a briefing on the sta-*
9 *tus of its review and assessment, and include a dis-*
10 *ussion of any interim recommendations.*

11 (3) *FORM.*—*The report submitted to Congress*
12 *under paragraph (1) shall be submitted in unclassi-*
13 *fied form, but may include a classified annex.*

14 (4) *APPROPRIATE CONGRESSIONAL COMMIT-*
15 *TEES.*—*In this subsection, the term “appropriate con-*
16 *gressional committees” means—*

17 (A) *the Committee on Armed Services of the*
18 *House of Representatives, and the Committee on*
19 *Armed Services of the Senate; and*

20 (B) *the Permanent Select Committee on In-*
21 *telligence of the House of Representatives and the*
22 *Select Committee on Intelligence of the Senate.*

23 (f) *FUNDING.*—*Of the amounts authorized to be appro-*
24 *priated by to this Act for the Department of Defense,*

1 \$5,000,000 is available to fund the activities of the Commis-
2 sion.

3 (g) *TERMINATION.*—The Commission shall terminate
4 6 months after the date on which it submits the report re-
5 quired by subsection (e).

6 **SEC. 1081. TECHNOLOGY PILOT PROGRAM TO SUPPORT**
7 **BALLOT TRANSMISSION FOR ABSENT UNI-**
8 **FORMED SERVICES AND OVERSEAS VOTES.**

9 (a) *IN GENERAL.*—Not later than 60 days after the
10 date of enactment of this Act, the individual designated as
11 the Presidential designee under section 101(a) of the Uni-
12 formed and Overseas Citizens Absentee Voting Act (52
13 U.S.C. 20301(a)) shall, subject to the availability of appro-
14 priations, establish and administer a technology pilot pro-
15 gram under section 589 of the Military and Overseas Voter
16 Empowerment Act (52 U.S.C. 20311) to provide grants to
17 State and local jurisdictions responsible for the administra-
18 tion of elections for Federal office for use as described in
19 subsection (b) to administer the general elections for Federal
20 office held in November 2022 and the general elections for
21 Federal office held in November 2024.

22 (b) *GRANT USES.*—A State or local jurisdiction re-
23 sponsible for the administration of elections for Federal of-
24 fice may only use grant funds provided under the program
25 established under subsection (a) for the implementation of

1 *technologies that support the ability to vote of individuals*
2 *entitled to vote in an election under the Uniformed and*
3 *Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et*
4 *seq.), including technologies that—*

5 *(1) improve the security of ballot transmission,*
6 *including through the use of cloud-based solutions, to*
7 *enable ballot transmission to meet existing Federal*
8 *cybersecurity guidelines; and*

9 *(2) allow grant recipients to measure and report*
10 *on data with respect to the use and effectiveness of*
11 *technologies tested under the program.*

12 *(c) REPORTING REQUIREMENT.—Not later than 60*
13 *days after the date of general elections in a State in which*
14 *a State or local jurisdiction responsible for the administra-*
15 *tion of Federal elections has received a grant under the pro-*
16 *gram for that election, the grant recipient shall prepare and*
17 *submit to the Presidential designee a report on the effective-*
18 *ness of the technologies tested under the program and rec-*
19 *ommendations on the future use of such technologies.*

20 *(d) RESTRICTION ON GRANTS TO STATE AND LOCAL*
21 *JURISDICTIONS.—The Presidential designee may not pro-*
22 *vide grants to a local jurisdiction for an election specified*
23 *in subsection (a) if the State entity responsible for the ad-*
24 *ministration of elections for Federal office in such State has*
25 *received a grant under the program for that election.*

1 **SEC. 1082. RECOGNITION OF THE MEMORIAL, MEMORIAL**
2 **GARDEN, AND K9 MEMORIAL OF THE NA-**
3 **TIONAL NAVY UDT-SEAL MUSEUM IN FORT**
4 **PIERCE, FLORIDA, AS THE OFFICIAL NA-**
5 **TIONAL MEMORIAL, MEMORIAL GARDEN, AND**
6 **K9 MEMORIAL, RESPECTIVELY, OF NAVY**
7 **SEALS AND THEIR PREDECESSORS.**

8 *The Memorial, Memorial Garden, and K9 Memorial*
9 *of the National Navy UDT-SEAL Museum, located at 3300*
10 *North Highway A1A, North Hutchinson Island, in Fort*
11 *Pierce, Florida, are recognized as the official national me-*
12 *morial, memorial garden, and K9 memorial, respectively,*
13 *of Navy SEALs and their predecessors.*

14 **SEC. 1083. SENSE OF CONGRESS ON THE LEGACY, CON-**
15 **TRIBUTIONS, AND SACRIFICES OF AMERICAN**
16 **INDIAN AND ALASKA NATIVES IN THE ARMED**
17 **FORCES.**

18 *(a) FINDINGS.—Congress finds the following:*

19 *(1) The United States celebrates Native Amer-*
20 *ican History Month each November to recognize and*
21 *honor the history and achievements of Native Ameri-*
22 *cans.*

23 *(2) American Indian and Alaska Natives serve*
24 *in all branches of the Armed Forces, attend all service*
25 *academies, and defend our country with valiance,*
26 *pride, and honor.*

1 (3) *More than 30,000 active duty, reserve, and*
2 *National Guard members of the Armed Forces iden-*
3 *tify as Native American.*

4 (4) *American Indian and Alaska Natives have*
5 *served and continue to serve in the highest propor-*
6 *tions to population than any other ethnic group.*

7 (5) *American Indian and Alaska Natives have*
8 *served in every war, from the Revolutionary War to*
9 *current overseas conflicts.*

10 (6) *Native American veterans are Congressional*
11 *Medal of Honor, Congressional Gold and Silver Med-*
12 *als, Purple Heart, and Bronze Star Medal recipients.*

13 (7) *American Indian and Alaska Native women*
14 *serve in Armed Forces in higher proportions than any*
15 *other ethnic group.*

16 (8) *Native American Code Talkers and their lan-*
17 *guages proved an invaluable asset during World Wars*
18 *I and II.*

19 (9) *Ira Hayes, Akimel O’odham (Pima) helped*
20 *to raise the American flag on Iwo Jima;*

21 (10) *Dr. Joseph Medicine Crow, Apsáalooke*
22 *(Crow), served in WWII and became a war chief.*

23 (11) *Numerous present and past military air-*
24 *craft, helicopters, and munitions programs bear the*
25 *names of Native American tribes and tribal leaders to*

1 *honor their legacy of martial prowess, including the*
2 *Apache, Kiowa, Black Hawk, Lakota, Chinook,*
3 *Huron, Iroquois, Comanche, Cayuse, Chickasaw, Ute,*
4 *Gray Eagle, Mescalero, Tomahawk, and more.*

5 *(12) Native American tribes commonly take part*
6 *in ceremonies alongside military units to bless new*
7 *aircraft and mark successful inception of new fleets.*

8 *(13) More than 140,000 veterans across the*
9 *United States identify as Native American.*

10 *(14) Each November, the Department of Defense*
11 *honors the unique and special relationship with tribal*
12 *communities during Native American Heritage*
13 *Month.*

14 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
15 *that Congress—*

16 *(1) recognizes and honors the legacy and con-*
17 *tributions of American Indian and Alaska Natives*
18 *and tribal communities to the military of the United*
19 *States; and*

20 *(2) commits to ensuring progress for American*
21 *Indian and Alaska Native members of the Armed*
22 *Forces and veterans with regard to representation in*
23 *senior military leadership positions, improving access*
24 *to culturally competent resources and services, and*
25 *supporting families and tribal communities.*

1 **SEC. 1084. NAME OF NAVAL MEDICAL CENTER CAMP**
2 **LEJEUNE.**

3 *Naval Medical Center Camp Lejeune located on Ma-*
4 *rine Corps Base Camp Lejeune, North Carolina, shall after*
5 *the date of the enactment of this Act be known and des-*
6 *ignated as the “Walter B. Jones Naval Medical Center”.*
7 *Any reference to Naval Medical Center Camp Lejeune in*
8 *any law, regulation, map, document, record, or other paper*
9 *of the United States shall be considered to be a reference*
10 *to the Walter B. Jones Naval Medical Center.*

11 **SEC. 1085. SENSE OF CONGRESS REGARDING NAMING A**
12 **WARSHIP THE USS FALLUJAH.**

13 *It is the sense of Congress that the Secretary of the*
14 *Navy should name a warship the “USS Fallujah”.*

15 **SEC. 1086. NAME OF AIR FORCE UTAH TEST AND TRAINING**
16 **RANGE.**

17 *The Air Force Utah Test and Training Range shall*
18 *after the date of the enactment of this Act be known and*
19 *designated as the “Bishop Utah Test and Training Range”.*
20 *Any reference to such test and training range in any law,*
21 *regulation, map, document, record, or other paper of the*
22 *United States shall be considered to be a reference to the*
23 *Bishop Utah Test and Training Range.*

1 **SEC. 1087. NAME OF AIR FORCE UTAH TEST AND TRAINING**
2 **RANGE CONSOLIDATED MISSION CONTROL**
3 **CENTER.**

4 *The Air Force Utah Test and Training Range Consoli-*
5 *dated Mission Control Center shall after the date of the en-*
6 *actment of this Act be known and designated as the “Robert*
7 *W. Bishop Utah Test and Training Range Combined Mis-*
8 *sion Control Center”. Any reference to such combined mis-*
9 *sion control center in any law, regulation, map, document,*
10 *record, or other paper of the United States shall be consid-*
11 *ered to be a reference to the Robert W. Bishop Utah Test*
12 *and Training Range Combined Mission Control Center.*

13 **SEC. 1088. SENSE OF CONGRESS REGARDING CRISIS AT THE**
14 **SOUTHWEST BORDER.**

15 *(a) FINDINGS.—Congress makes the following findings:*

16 *(1) There were 1,300,000 illegal crossings be-*
17 *tween January, 2021, and July, 2021, at the South-*
18 *west land border of the United States.*

19 *(2) The 212,672 migrant encounters on the*
20 *Southwest land border in July 2021 was a 21-year*
21 *high.*

22 *(3) Noncitizens with criminal convictions are*
23 *routinely encountered at ports of entry and between*
24 *ports of entry on the Southwest land border.*

1 (4) *Some of the inadmissible individuals encoun-*
2 *tered on the southwest border are known or suspected*
3 *terrorists.*

4 (5) *Transnational criminal organizations rou-*
5 *tinely move illicit drugs, counterfeit products, and*
6 *trafficked humans across the Southwest land border.*

7 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
8 *that—*

9 (1) *the current level of illegal crossings and traf-*
10 *ficking on the Southwest border represents a national*
11 *security threat;*

12 (2) *the Department of Defense has rightly con-*
13 *tributed personnel to aid the efforts of the United*
14 *States Government to address the crisis at the South-*
15 *west border;*

16 (3) *the National Guard and active duty members*
17 *of the Armed Forces are to be commended for their*
18 *hard work and dedication in their response to the cri-*
19 *sis at the Southwest land border; and*

20 (4) *border security is a matter of national secu-*
21 *rity and the failure to address the crisis at the South-*
22 *west border introduces significant risk to the people*
23 *of the United States.*

1 **SEC. 1089. IMPROVEMENTS AND CLARIFICATIONS RELAT-**
2 **ING TO UNAUTHORIZED USE OF COMPUTERS**
3 **OF DEPARTMENT OF DEFENSE.**

4 *The Secretary of Defense shall take such steps as may*
5 *be necessary to ensure that the electronic banner that ap-*
6 *pears on the screens of computers of the Department of De-*
7 *fense upon access of such computers (providing warnings*
8 *related to access and use of U.S. Government computers)*
9 *is updated to include language prohibiting users from using*
10 *government email for an unauthorized purpose.*

11 **TITLE XI—CIVILIAN PERSONNEL**
12 **MATTERS**

13 **SEC. 1101. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
14 **ANNUAL LIMITATION ON PREMIUM PAY AND**
15 **AGGREGATE LIMITATION ON PAY FOR FED-**
16 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
17 **SEAS.**

18 *Subsection (a) of section 1101 of the Duncan Hunter*
19 *National Defense Authorization Act for Fiscal Year 2009*
20 *(Public Law 110–417; 122 Stat. 4615), as most recently*
21 *amended by section 1105 of the William M. (Mac) Thorn-*
22 *berry National Defense Authorization Act for Fiscal Year*
23 *2021 (Public Law 116–283), is further amended by striking*
24 *“through 2021” and inserting “through 2022”.*

1 **SEC. 1102. 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 Law*
8 *109–234; 120 Stat. 443), as added by section 1102 of the*
9 *Duncan Hunter National Defense Authorization Act for*
10 *Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616)*
11 *and as most recently amended by section 1106 of the of the*
12 *William M. (Mac) Thornberry National Defense Authoriza-*
13 *tion Act for Fiscal Year 2021 (Public Law 116–283), is*
14 *further amended by striking “2022” and inserting “2023”.*

15 **SEC. 1103. DARPA PERSONNEL MANAGEMENT AUTHORITY**
16 **TO ATTRACT SCIENCE AND ENGINEERING EX-**
17 **PERTS.**

18 *Section 1599h(b) of title 10, United States Code, is*
19 *amended—*

20 *(1) in paragraph (2)(B), by striking “and” at*
21 *the end;*

22 *(2) in paragraph (3), by striking the period and*
23 *inserting “; and”; and*

24 *(3) by adding at the end the following:*

25 *“(4) during any fiscal year, pay up to 15 indi-*
26 *viduals newly appointed pursuant to paragraph*

1 (1)(B) *the travel, transportation, and relocation ex-*
2 *penditures and services described under sections 5724,*
3 *5724a, and 5724c of title 5.”.*

4 **SEC. 1104. CIVILIAN PERSONNEL MANAGEMENT.**

5 *Section 129(a) of title 10, United States Code, is*
6 *amended—*

7 (1) *in the first sentence, by striking “primarily”*
8 *and inserting “solely”;*

9 (2) *in the second sentence, by striking “solely”;*
10 *and*

11 (3) *by inserting after the second sentence the fol-*
12 *lowing: “Funds appropriated to the Department of*
13 *Defense may not be obligated or expended for term or*
14 *temporary hiring authorities for enduring func-*
15 *tions.”.*

16 **SEC. 1105. COMPTROLLER GENERAL REVIEW OF NAVAL**
17 **AUDIT SERVICE OPERATIONS.**

18 (a) *COMPTROLLER GENERAL REPORT.—Not later than*
19 *one year after the date of enactment of this Act, the Comp-*
20 *troller General of the United States shall submit to congres-*
21 *sional defense committees a report on the operations of the*
22 *Naval Audit Service. Such report shall include—*

23 (1) *a description of current and historical budg-*
24 *etary resources and authorized full-time employees*
25 *provided to and utilized by the Naval Audit Service,*

1 *as well as of any planned or anticipated changes to*
2 *the Naval Audit Service’s level of resources or staff;*

3 (2) *information on the workload of the Naval*
4 *Audit Service and where it devotes its resources;*

5 (3) *an assessment of the audit policies of the*
6 *Naval Audit Service, how it determines where to de-*
7 *vote resources, and its level of independence when per-*
8 *forming audits and reporting audit results; and*

9 (4) *an assessment of the potential impacts of any*
10 *planned or anticipated changes to the Naval Audit*
11 *Service’s level of resources or staff.*

12 (b) *LIMITATION.—During the period beginning on the*
13 *date of enactment of this Act and ending on the date that*
14 *is 180 days after the date on which the report under sub-*
15 *section (a) is submitted to the congressional defense commit-*
16 *tees—*

17 (1) *no individual may assign, transfer, transi-*
18 *tion, merge, consolidate, or eliminate any function,*
19 *responsibility, authority, service, system, or program*
20 *that was carried out by the Naval Audit Service as*
21 *of January 1, 2021, to an entity other than the Naval*
22 *Audit Service; and*

23 (2) *the number of full-time employees authorized*
24 *for the Naval Audit Service may not be reduced below*

1 *the total that is 10 percent less than the number that*
2 *was authorized as of January 1, 2021.*

3 *(c) SECRETARY OF THE NAVY REPORT.—Not later*
4 *than the date that is 90 days after the date the report under*
5 *subsection (a) is submitted to the congressional defense com-*
6 *mittees, the Secretary of the Navy shall submit to the con-*
7 *gressional defense committees a report, including—*

8 *(1) the Navy’s assessment of the findings and*
9 *recommendations of the Comptroller General in re-*
10 *gard to the Naval Audit Service, including the Navy’s*
11 *plans to implement the Comptroller General’s rec-*
12 *ommendations;*

13 *(2) any reports or studies completed since 2018*
14 *by the Navy or outside entities, including federally*
15 *funded research and development centers, into the op-*
16 *erations of the Naval Audit Service, and the Navy’s*
17 *response to the findings and recommendations of such*
18 *reports; and*

19 *(3) the Secretary’s plans for any changes to the*
20 *activities, resources, staffing, authorities, responsibil-*
21 *ities, and mission of the Naval Audit Service.*

1 **SEC. 1106. IMPLEMENTATION OF GAO RECOMMENDATIONS**
2 **ON TRACKING, RESPONSE, AND TRAINING**
3 **FOR CIVILIAN EMPLOYEES OF THE DEPART-**
4 **MENT OF DEFENSE REGARDING SEXUAL HAR-**
5 **ASSMENT AND ASSAULT.**

6 (a) *PLAN REQUIRED.*—

7 (1) *IN GENERAL.*—*The Secretary of Defense shall*
8 *develop a plan to address the recommendations in the*
9 *report of the U.S. Government Accountability Office*
10 *titled “Sexual Harassment and Assault: Guidance*
11 *Needed to Ensure Consistent Tracking, Response, and*
12 *Training for DOD Civilians” (GAO–21–113).*

13 (2) *ELEMENTS.*—*The plan required under para-*
14 *graph (1) shall, with respect to each recommendation*
15 *in the report described in paragraph (1) that the Sec-*
16 *retary has implemented or intends to implement, in-*
17 *clude—*

18 (A) *a summary of actions that have been or*
19 *will be taken to implement the recommendation;*
20 *and*

21 (B) *a schedule, with specific milestones, for*
22 *completing implementation of the recommenda-*
23 *tion.*

24 (b) *SUBMISSION TO CONGRESSIONAL DEFENSE COM-*
25 *MITTEES.*—*Not later than one year after the date of the en-*
26 *actment of this Act, the Secretary shall submit to the con-*

1 *gressional defense committees the plan required under sub-*
2 *section (a).*

3 *(c) DEADLINE FOR IMPLEMENTATION.—*

4 *(1) IN GENERAL.—Except as provided in para-*
5 *graph (2), not later than 18 months after the date of*
6 *the enactment of this Act, the Secretary shall carry*
7 *out activities to implement the plan developed under*
8 *subsection (a).*

9 *(2) EXCEPTION FOR IMPLEMENTATION OF CER-*
10 *TAIN RECOMMENDATIONS.—*

11 *(A) DELAYED IMPLEMENTATION.—The Sec-*
12 *retary may initiate implementation of a rec-*
13 *ommendation in the report described in sub-*
14 *section (a)(1) after the date specified in para-*
15 *graph (1) if the Secretary provides the congres-*
16 *sional defense committees with a specific jus-*
17 *tification for the delay in implementation of*
18 *such recommendation on or before such date.*

19 *(B) NONIMPLEMENTATION.—The Secretary*
20 *may decide not to implement a recommendation*
21 *in the report described in subsection (a)(1) if the*
22 *Secretary provides to the congressional defense*
23 *committees, on or before the date specified in*
24 *paragraph (1)—*

- 1 (i) a specific justification for the deci-
2 sion not to implement the recommendation;
3 and
4 (ii) a summary of alternative actions
5 the Secretary plans to take to address the
6 conditions underlying the recommendation.

7 **SEC. 1107. GUIDELINES FOR REDUCTIONS IN CIVILIAN PO-**
8 **SITIONS.**

9 Subsection (e) of section 1597 of title 10, United States
10 Code, is amended—

11 (1) in the subsection heading, by striking “RE-
12 DUCTIONS BASED PRIMARILY ON PERFORMANCE” and
13 inserting “REDUCTIONS BASED PRIMARILY ON SE-
14 NIORITY AND VETERANS PREFERENCE”; and

15 (2) by striking “primarily on the basis of per-
16 formance, as determined under any applicable per-
17 formance management system” and inserting “fol-
18 lowing the order of retention prescribed in section
19 3502 of title 5”.

20 **SEC. 1108. REPEAL OF 2-YEAR PROBATIONARY PERIOD.**

21 (a) **REPEAL.**—

22 (1) **IN GENERAL.**—Section 1599e of title 10,
23 United States Code, is repealed.

24 (2) **APPLICATION.**—The modification of proba-
25 tionary periods for covered employees (as that term is

1 *defined in such section 1599e as in effect on the date*
2 *immediately preceding the date of enactment of this*
3 *Act) by operation of the amendment made by para-*
4 *graph (1) shall only apply to an individual ap-*
5 *pointed as such an employee on or after such date of*
6 *enactment.*

7 ***(b) TECHNICAL AND CONFORMING AMENDMENTS.—***

8 ***(1) TITLE 10.—****The table of sections for chapter*
9 *81 of title 10, United States Code, is amended by*
10 *striking the item relating to section 1599e.*

11 ***(2) TITLE 5.—****Title 5, United States Code, is*
12 *amended—*

13 ***(A)*** *in section 3321(c), by striking “, or any*
14 *individual covered by section 1599e of title 10”;*

15 ***(B)*** *in section 3393(d), by striking the sec-*
16 *ond sentence;*

17 ***(C)*** *in section 7501(1), by striking “, except*
18 *as provided in section 1599e of title 10,”;*

19 ***(D)*** *in section 7511(a)(1)(A)(ii), by striking*
20 *“except as provided in section 1599e of title 10,”;*
21 *and*

22 ***(E)*** *in section 7541(1)(A), by striking “or*
23 *section 1599e of title 10”.*

1 **SEC. 1109. AMENDMENT TO DIVERSITY AND INCLUSION RE-**
2 **PORTING.**

3 *Section 113 of title 10, United States Code, as amend-*
4 *ed by section 551 of the National Defense Authorization Act*
5 *for Fiscal Year 2021 (Public Law 116–283), is amended—*

6 *(1) in subsection (c)(2), by inserting “of mem-*
7 *bers and civilian employees” after “inclusion”;*

8 *(2) in subsection (l)—*

9 *(A) in paragraph (1)—*

10 *(i) in subparagraph (A), by striking “;*
11 *and” and inserting a semicolon;*

12 *(ii) by redesignating subparagraph (B)*
13 *as subparagraph (C); and*

14 *(iii) by inserting after subparagraph*
15 *(A) the following new subparagraph (B):*

16 *“(B) efforts to reflect, across the civilian work-*
17 *force of the Department and of each armed force, the*
18 *diversity of the population of the United States; and”;*
19 *and*

20 *(B) in paragraph (2)(B), by inserting “and*
21 *civilian employees of the Department” after*
22 *“members of the armed forces”; and*

23 *(3) in subsection (m)—*

24 *(A) by redesignating paragraph (7) as*
25 *paragraph (8); and*

1 (B) by inserting after paragraph (6) the fol-
2 lowing new paragraph (7):

3 “(7) The number of civilian employees of the De-
4 partment, disaggregated by military department, gen-
5 der, race, and ethnicity—

6 “(A) in each grade of the General Schedule;

7 “(B) in each grade of the Senior Executive
8 Service;

9 “(C) paid at levels above grade GS-15 of the
10 General Schedule but who are not members of the
11 Senior Executive Service;

12 “(D) paid under the Federal Wage System,
13 and

14 “(E) paid under alternative pay systems.”.

15 **SEC. 1110. INCLUDING ACTIVE DUTY IN THE ARMED**
16 **FORCES IN MEETING SERVICE REQUIREMENT**
17 **FOR FEDERAL EMPLOYEE FAMILY AND MED-**
18 **ICAL LEAVE.**

19 (a) *FAMILY AND MEDICAL LEAVE ACT OF 1993.*—Sec-
20 *tion 101(2) of the Family and Medical Leave Act of 1993*
21 *(29 U.S.C. 2611(2)) is amended by adding at the end the*
22 *following:*

23 “(F) *ACTIVE DUTY AS MEMBER OF ARMED*
24 *FORCES.*—*For the purposes of determining*
25 *whether an individual who is a Federal officer*

1 or employee (not including a Federal officer or
2 employee excluded under paragraph (2)(B)(i))
3 meets the service requirements specified in sub-
4 paragraph (A), the individual will be considered
5 to meet those requirements if the individual—

6 “(i) served on active duty as a member
7 of the armed forces for at least one year;
8 and

9 “(ii) whose separation from the armed
10 forces is characterized as honorable by the
11 Secretary concerned.”.

12 (b) *TITLE 5.—Section 6381(1)(B) of title 5, United*
13 *States Code, is amended to read as follows:*

14 “(B)(i) has completed at least 12 months of
15 service as an employee (as defined in section
16 2105) of the Government of the United States,
17 including service with the United States Postal
18 Service, the Postal Regulatory Commission, and
19 a nonappropriated fund instrumentality as de-
20 scribed in section 2105(c); or

21 “(i)(I) served on active duty as a member
22 of the armed forces for at least one year; and

23 “(II) whose separation from the armed
24 forces is characterized as honorable by the Sec-
25 retary concerned;”.

1 **SEC. 1111. TREATMENT OF HOURS WORKED UNDER A**
2 **QUALIFIED TRADE-OF-TIME ARRANGEMENT.**

3 *Section 5542 of title 5, United States Code, is amended*
4 *by adding at the end the following:*

5 “(h)(1) *Notwithstanding any other provision of this*
6 *section, any hours worked by a firefighter under a qualified*
7 *trade-of-time arrangement shall be disregarded for purposes*
8 *of any determination relating to eligibility for, or the*
9 *amount of, any overtime pay under this section.*

10 “(2) *For purposes of this subsection—*

11 “(A) *the term ‘qualified trade-of-time arrange-*
12 *ment’ means an arrangement under which 2 fire-*
13 *fighters who are employed by the same agency agree,*
14 *solely at their option and with the approval of their*
15 *employing agency, to substitute for one another dur-*
16 *ing scheduled work hours in the performance of work*
17 *in the same capacity; and*

18 “(B) *the term ‘firefighter’ means a firefighter as*
19 *defined by section 8331(21) or 8401(14).”.*

20 **SEC. 1112. MODIFICATION OF TEMPORARY AUTHORITY TO**
21 **APPOINT RETIRED MEMBERS OF THE ARMED**
22 **FORCES TO POSITIONS IN THE DEPARTMENT**
23 **OF DEFENSE.**

24 *Section 1108(b) of the William M. (Mac) Thornberry*
25 *National Defense Authorization Act for Fiscal Year 2021*
26 *(Public Law 116–283) is amended to read as follows:*

1 “(b) *POSITIONS.*—*The positions in the Department de-*
2 *scribed in this subsection are positions in the competitive*
3 *service—*

4 “(1) *at any defense industrial base facility (as*
5 *that term is defined in section 2208(u)(3) of title 10,*
6 *United States Code) that is part of the core logistics*
7 *capabilities (as described in section 2464(a) of such*
8 *title); or*

9 “(2) *at any Major Range and Test Facility Base*
10 *(as that term is defined in section 196(i) of such*
11 *title).”.*

12 **SEC. 1113. INCREASE IN ALLOWANCE BASED ON DUTY AT**
13 **REMOTE WORKSITES.**

14 (a) *ASSESSMENT AND RATE.*—*Not later than March*
15 *31, 2022, the Director of the Office of Personnel Manage-*
16 *ment shall complete an assessment of the remote site pay*
17 *allowance under section 5942 of title 5, United States Code,*
18 *and propose a new rate of such allowance, adjusted for in-*
19 *flation, and submit such assessment and rate to the Presi-*
20 *dent and to Congress.*

21 (b) *APPLICATION.*—*Beginning on the first day of the*
22 *first pay period beginning after the date the Director sub-*
23 *mits the assessment and rate under subsection (a), such rate*
24 *shall, notwithstanding subsection (a) of such section 5942,*
25 *be the rate of such allowance.*

1 **SEC. 1114. LIMITING THE NUMBER OF LOCAL WAGE AREAS**
2 **DEFINED WITHIN A PAY LOCALITY.**

3 (a) *LOCAL WAGE AREA LIMITATION.*—Section 5343(a)
4 of title 5, United States Code, is amended—

5 (1) in paragraph (1)(B)(i), by striking “(but
6 such” and all that follows through “are employed”;

7 (2) in paragraph (4), by striking “and” after the
8 semicolon;

9 (3) in paragraph (5), by striking the period at
10 the end and inserting “; and”; and

11 (4) by adding at the end of the following:

12 “(6) the Office of Personnel Management may
13 define not more than one local wage area within a
14 pay locality, except that this paragraph shall not
15 apply to the pay locality designated as ‘Rest of
16 United States’.”.

17 (b) *PAY LOCALITY DEFINED.*—Section 5342(a) of title
18 5, United States Code, is amended—

19 (1) in paragraph (2)(C), by striking “and” at
20 the end;

21 (2) in paragraph (3), by striking the period at
22 the end and inserting “; and”; and

23 (3) by adding at the end the following:

24 “(4) ‘pay locality’ has the meaning given that
25 term under section 5302(5).”.

1 (c) *REGULATIONS.*—*The Director of the Office of Per-*
2 *sonnel Management shall prescribe any regulations nec-*
3 *essary to carry out this section and the amendments made*
4 *by this section, including regulations to ensure that this sec-*
5 *tion and the amendments made by this section shall not*
6 *have the effect of reducing any rate of basic pay payable*
7 *to any individual who is serving as a prevailing rate em-*
8 *ployee (as defined under section 5342(a)(2) of title 5,*
9 *United States Code).*

10 (d) *EFFECTIVE DATE.*—*This section and the amend-*
11 *ments made by this section shall apply with respect to fiscal*
12 *year 2022 and each fiscal year thereafter.*

13 ***TITLE XII—MATTERS RELATING***
14 ***TO FOREIGN NATIONS***
15 ***Subtitle A—Assistance and***
16 ***Training***

17 ***SEC. 1201. EXTENSION OF SUPPORT OF SPECIAL OPER-***
18 ***ATIONS FOR IRREGULAR WARFARE.***

19 *Section 1202(a) of the National Defense Authorization*
20 *Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.*
21 *1639) is amended by striking “2023” and inserting “2025”.*

1 ***Subtitle B—Matters Relating to***
2 ***Afghanistan and Pakistan***

3 ***SEC. 1211. CLARIFICATION OF CERTAIN MATTERS REGARD-***
4 ***ING PROTECTION OF AFGHAN ALLIES.***

5 *(a) IN GENERAL.—Section 602 of the Afghan Allies*
6 *Protection Act of 2009 (8 U.S.C. 1101 note) is amended—*

7 *(1) in subsection (b)(2)(C)—*

8 *(A) by striking “(I) IN GENERAL.—An alien*
9 *is described in this subparagraph if the alien”*
10 *and inserting the following:*

11 *“(i) IN GENERAL.—An alien is de-*
12 *scribed in this subparagraph if the alien”;*

13 *and*

14 *(B) by striking “(II) EMPLOYMENT RE-*
15 *QUIREMENTS.—An application” and inserting*
16 *the following:*

17 *“(ii) EMPLOYMENT REQUIREMENTS.—*
18 *An application”;*

19 *(2) in subsection (b)(2)(C)(i), by striking sub-*
20 *clause (I), and inserting the following:*

21 *“(I) was the spouse or child of a*
22 *principal alien described in subpara-*
23 *graph (A) who had submitted—*

1 “(aa) an application to the
2 Chief of Mission pursuant to this
3 section; or

4 “(bb) a petition pursuant to
5 section 1059 of the National De-
6 fense Authorization Act for Fiscal
7 Year 2006 (Public Law 109–163;
8 8 U.S.C. 1101 note),

9 which included the alien as an accom-
10 panying spouse or child; and”;

11 (3) in subsection (b)(2)(C)(i)(II)—

12 (A) in item (aa), by inserting “application
13 or” before “petition”; and

14 (B) in item (bb), by inserting “application
15 or” before “petition”; and

16 (4) in subsection (b)(2)(C)(ii), by inserting “or
17 petition” after “application” each place such term
18 appears.

19 (b) SENSE OF CONGRESS.—It is the sense of Congress
20 that—

21 (1) it is our solemn responsibility to honor the
22 sacrifices made by, and the loyal service of, our many
23 Afghan partners who faithfully served alongside our
24 Armed Forces, our diplomats, and supported United
25 States operations in Afghanistan for the last 20 years;

1 (2) *the United States Government must recognize*
2 *that commitment and seek to facilitate the safe pas-*
3 *sage to the United States for those Afghan partners*
4 *through the Afghan Special Immigrant Visa program;*

5 (3) *our Afghan partners performed their services*
6 *at great personal risk to themselves and their families*
7 *and that these Afghans, in their service to our secu-*
8 *rity as interpreters and in other capacities, furthered*
9 *our military and diplomatic mission in Afghanistan;*
10 *and*

11 (4) *the United States Government is grateful for*
12 *the loyalty of our Afghan partners and expresses our*
13 *deepest sympathies for what they have lost.*

14 *Congress reaffirms its commitment to continuing the work*
15 *that it has done to honor these Afghans and provide for*
16 *their safety through the Afghan Special Immigrant Visa*
17 *program as it has since the program's inception in 2009*
18 *including through the passage of legislation to extend the*
19 *Afghan Special Immigrant Visa program and provide addi-*
20 *tional special immigrant visas.*

21 **SEC. 1212. AFGHANISTAN SECURITY FORCES FUND.**

22 (a) *AUTHORIZATION OF APPROPRIATIONS.—Amounts*
23 *are authorized to be appropriated and are authorized to re-*
24 *main available through December 31, 2022, for the Afghani-*
25 *stan Security Forces Fund for expenditure on costs associ-*

1 *ated with the termination of Operation Freedom's Sentinel*
2 *and termination of related support to the forces of the Min-*
3 *istry of Defense and the Ministry of Interior Affairs of the*
4 *Government of Afghanistan, and may also be made avail-*
5 *able for storage costs for equipment and other materiel*
6 *taken into DoD stock pursuant to subsection (b) of this sec-*
7 *tion, contract termination, and close out costs.*

8 *(b) EQUIPMENT DISPOSITION.—*

9 *(1) ACCEPTANCE OF CERTAIN EQUIPMENT.—Sub-*
10 *ject to paragraph (2), the Secretary of Defense may*
11 *accept equipment that was procured using amounts*
12 *authorized to be appropriated for the Afghanistan Se-*
13 *curity Forces Fund by subsection (a) or authorized to*
14 *be appropriated pursuant to prior Acts and was—*

15 *(A) intended for transfer to the security*
16 *forces of the Ministry of Defense and the Min-*
17 *istry of Interior Affairs of the Government of Af-*
18 *ghanistan; or*

19 *(B) previously accepted by the Government*
20 *of Afghanistan.*

21 *(2) TREATMENT AS DEPARTMENT OF DEFENSE*
22 *STOCKS.—Equipment accepted under the authority*
23 *provided under paragraph (1) may be treated as*
24 *stocks of the Department of Defense upon notification*

1 to the congressional defense committees of such treat-
2 ment.

3 (3) *AUTHORIZATION OF APPROPRIATIONS.—*
4 *Amounts authorized to be appropriated by this Act*
5 *for the Afghanistan Security Forces Fund for the au-*
6 *thority described in paragraph (1) may be used—*

7 (A) *for transportation, storage, and other*
8 *costs associated with taking equipment accepted*
9 *under the authority provided under paragraph*
10 *(1) into stocks of the Department of Defense*
11 *until alternate disposition is determined; and*

12 (B) *to pay for the costs of disposing of such*
13 *equipment if no other alternate use can be found.*

14 (4) *QUARTERLY REPORTS ON EQUIPMENT DIS-*
15 *POSITION.—*

16 (A) *IN GENERAL.—Not later than 90 days*
17 *after the date of the enactment of this Act and*
18 *every 90 days thereafter during the period in*
19 *which the authority provided under paragraph*
20 *(1) is exercised, the Secretary shall submit to the*
21 *congressional defense committees a report de-*
22 *scribing the equipment accepted during the pe-*
23 *riod covered by such report under the following:*

24 (i) *This subsection.*

1 (ii) Any prior Act authorizing the ap-
2 propriation of funds for the Afghanistan Se-
3 curity Forces Fund pursuant to which such
4 equipment was accepted during such period.

5 (B) ELEMENTS.—Each report under sub-
6 paragraph (A) shall include, with respect to the
7 90-day period for which report is submitted and
8 cumulatively beginning with the date of the sub-
9 mission of the first notification described in sub-
10 paragraph (A) —

11 (i) a list of any equipment accepted
12 during such period and treated as stocks of
13 the Department of Defense;

14 (ii) a description of the circumstances
15 that resulted in such equipment being avail-
16 able for treatment as stocks of the Depart-
17 ment of Defense;

18 (iii) the cost associated with the stor-
19 age of maintenance of any accepted equip-
20 ment; and

21 (iv) the final disposition decisions or
22 actions for all accepted equipment.

1 **SEC. 1213. PROHIBITION ON PROVIDING FUNDS OR MATE-**
2 **RIAL RESOURCES OF THE DEPARTMENT OF**
3 **DEFENSE TO THE TALIBAN.**

4 *The Secretary of Defense may not provide any funds*
5 *or material resources of the Department of Defense to the*
6 *Taliban.*

7 **SEC. 1214. PROHIBITION ON TRANSPORTING CURRENCY TO**
8 **THE TALIBAN AND THE ISLAMIC EMIRATE OF**
9 **AFGHANISTAN.**

10 *None of the amounts authorized to be appropriated by*
11 *this Act or otherwise made available to the Department of*
12 *Defense may be made available for the operation of any*
13 *aircraft of the Department of Defense to transport currency*
14 *or other items of value to the Taliban, the Islamic Emirate*
15 *of Afghanistan, or any subsidiary, agent, or instrumen-*
16 *tality of either the Taliban or the Islamic Emirate of Af-*
17 *ghanistan.*

18 **SEC. 1215. EXTENSION AND MODIFICATION OF AUTHORITY**
19 **FOR REIMBURSEMENT OF CERTAIN COALI-**
20 **TION NATIONS FOR SUPPORT PROVIDED TO**
21 **UNITED STATES MILITARY OPERATIONS.**

22 *Section 1233 of the National Defense Authorization*
23 *Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat.*
24 *393) is amended—*

25 *(1) in subsection (a), by striking “for the period*
26 *beginning on October 1, 2020, and ending on Decem-*

1 *ber 31, 2021” and inserting “for the period beginning*
2 *on October 1, 2021, and ending on December 31,*
3 *2022”;* and

4 *(2) in subsection (d)—*

5 *(A) by striking “during the period begin-*
6 *ning on October 1, 2020, and ending on Decem-*
7 *ber 31, 2021” and inserting “during the period*
8 *beginning on October 1, 2021, and ending on*
9 *December 31, 2022”;* and

10 *(B) by striking “\$180,000,000” and insert-*
11 *ing “\$60,000,000”.*

12 **SEC. 1216. QUARTERLY BRIEFINGS ON THE SECURITY ENVI-**
13 **RONMENT IN AFGHANISTAN AND UNITED**
14 **STATES MILITARY OPERATIONS RELATED TO**
15 **THE SECURITY OF, AND THREATS EMA-**
16 **NATING FROM, AFGHANISTAN.**

17 *(a) IN GENERAL.—The Chairman of the Joint Chiefs*
18 *of Staff and the Secretary of Defense, acting through the*
19 *Under Secretary of Defense for Policy and the Under Sec-*
20 *retary of Defense for Intelligence and Security, shall pro-*
21 *vide to the congressional defense committees a quarterly*
22 *briefing on the security environment in Afghanistan and*
23 *United States military operations related to the security*
24 *of, and threats emanating from, Afghanistan.*

1 (b) *ELEMENTS.*—*Each quarterly briefing under sub-*
2 *section (a) shall including information relating to the fol-*
3 *lowing:*

4 (1) *The current security environment in Afghan-*
5 *istan, including the following:*

6 (A) *An assessment of foreign terrorist orga-*
7 *nizations operating within Afghanistan, includ-*
8 *ing the operations of such organizations against*
9 *targets inside Afghanistan and abroad.*

10 (B) *An assessment of Taliban operations*
11 *against Afghan nationals who assisted United*
12 *States and coalition forces since 2001.*

13 (2) *The disposition of United States forces in the*
14 *region, including the following:*

15 (A) *An update on United States force pos-*
16 *ture and basing activity in the CENTCOM area*
17 *of operations as such relates to Afghanistan.*

18 (B) *A description of capabilities of forces in*
19 *the region to execute operations in Afghanistan.*

20 (C) *Relevant updates on ability and effec-*
21 *tiveness of over the horizon operations in Af-*
22 *ghanistan.*

23 (3) *Relevant updates of foreign military oper-*
24 *ations in the region, including the following:*

1 (A) *An assessment of foreign military oper-*
2 *ations in the region as such relate to Afghani-*
3 *stan.*

4 (B) *An assessment of foreign military capa-*
5 *bilities to execute operations in Afghanistan.*

6 (C) *An assessment of foreign militaries' re-*
7 *lationships with the Taliban or foreign terrorist*
8 *organizations inside Afghanistan.*

9 (c) *TIMING.*—*Each quarterly briefing under subsection*
10 *(a) shall be conducted on date each quarter of each fiscal*
11 *year as agreed upon by the Chairman of the Joint Chiefs*
12 *of Staff, the Under Secretary of Defense for Policy, the*
13 *Under Secretary of Defense for Intelligence and Security,*
14 *and the congressional defense committees.*

15 (d) *CLASSIFICATION.*—*Each quarterly briefing under*
16 *subsection (a) shall be conducted in a classified format.*

17 **SEC. 1217. QUARTERLY REPORT ON THE THREAT POTEN-**
18 **TIAL OF AL-QAEDA AND RELATED TERRORIST**
19 **GROUPS UNDER A TALIBAN REGIME IN AF-**
20 **GHANISTAN.**

21 (a) *IN GENERAL.*—*The Secretary of Defense shall pre-*
22 *pare and submit to the appropriate congressional commit-*
23 *tees on a quarterly basis a report on the threat potential*
24 *of Al-Qaeda and related terrorist groups under a Taliban*
25 *regime in Afghanistan.*

1 (b) *MATTERS TO BE INCLUDED.*—*The report required*
2 *by subsection (a) shall include the implications of Al-Qaeda*
3 *and related terrorist groups, including the Islamic State of*
4 *Iraq and Syria (ISIS), the Islamic State Khurasan (ISK),*
5 *and the Haqqani Network, operating within a Taliban-held*
6 *Afghanistan, the region, and globally.*

7 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
8 *FINED.*—*In this section, the term “appropriate congres-*
9 *sional committees” means—*

10 (1) *the congressional defense committees; and*

11 (2) *the Committee on Foreign Relations of the*
12 *Senate and the Committee on Foreign Affairs of the*
13 *House of Representatives.*

14 **SEC. 1218. SENSE OF CONGRESS.**

15 *It is the sense of Congress that—*

16 (1) *the men and women of the United States*
17 *Armed Forces performed heroically by securing*
18 *Hamid Karzai International Airport and facilitating*
19 *the evacuation of thousands of United States citizens;*

20 (2) *these servicemembers have executed the larg-*
21 *est Noncombatant Evacuation Operation (NEO) in*
22 *United States history, saving the lives of thousands of*
23 *men, women, and children;*

24 (3) *these servicemembers should be commended*
25 *for their courageous and noble service to their coun-*

1 *try, having acquitted themselves in a manner that*
2 *should make every American proud; and*

3 *(4) the service and lives of the 11 Marines, a*
4 *sailor, and a soldier who gave their lives in service*
5 *of this mission should be remembered for their valor*
6 *and humanity, having made the ultimate sacrifice in*
7 *service to their Nation.*

8 ***Subtitle C—Matters Relating to***
9 ***Syria, Iraq, and Iran***

10 ***SEC. 1221. EXTENSION AND MODIFICATION OF AUTHORITY***

11 ***TO PROVIDE ASSISTANCE TO VETTED SYRIAN***

12 ***GROUPS AND INDIVIDUALS.***

13 *(a) IN GENERAL.—Subsection (a) of section 1209 of*
14 *the Carl Levin and Howard P. “Buck” McKeon National*
15 *Defense Authorization Act for Fiscal Year 2015 (Public*
16 *Law 113–291; 128 Stat. 3451) is amended by striking “De-*
17 *cember 31, 2021” and inserting “December 31, 2022”.*

18 *(b) NOTICE BEFORE PROVISION OF ASSISTANCE.—*
19 *Subsection (b)(2)(A) of such section is amended by striking*
20 *“or fiscal year 2021” and inserting “fiscal year 2021, or*
21 *fiscal year 2022”.*

1 **SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY**
2 **TO SUPPORT OPERATIONS AND ACTIVITIES**
3 **OF THE OFFICE OF SECURITY COOPERATION**
4 **IN IRAQ.**

5 (a) *LIMITATION ON AMOUNT.*—Subsection (c) of sec-
6 tion 1215 of the National Defense Authorization Act for Fis-
7 cal Year 2012 (10 U.S.C. 113 note) is amended—

8 (1) by striking “fiscal year 2021” and inserting
9 “fiscal year 2022”; and

10 (2) by striking “\$25,000,000” and inserting
11 “\$30,000,000”.

12 (b) *SOURCE OF FUNDS.*—Subsection (d) of such section
13 is amended by striking “fiscal year 2021” and inserting
14 “fiscal year 2022”.

15 **SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY**
16 **TO PROVIDE ASSISTANCE TO COUNTER THE**
17 **ISLAMIC STATE OF IRAQ AND SYRIA.**

18 (a) *IN GENERAL.*—Subsection (a) of section 1236 of
19 the Carl Levin and Howard P. “Buck” McKeon National
20 Defense Authorization Act for Fiscal Year 2015 (Public
21 Law 113–291; 128 Stat. 3558) is amended by striking “De-
22 cember 31, 2021” and inserting “December 31, 2022”.

23 (b) *FUNDING.*—Subsection (g) of such section is
24 amended—

25 (1) by striking “fiscal year 2021” and inserting
26 “fiscal year 2022”; and

1 (2) *by striking “\$322,500,000” and inserting*
2 *“\$345,000,000”.*

3 (c) *LIMITATION ON AVAILABILITY OF FUNDS.—*

4 (1) *IN GENERAL.—Of the amounts made avail-*
5 *able for fiscal year 2021 (and available for obligation*
6 *as of the date of the enactment of this Act) and fiscal*
7 *year 2022 to carry out section 1236 of the Carl Levin*
8 *and Howard P. “Buck” McKeon National Defense*
9 *Authorization Act for Fiscal Year 2015 (Public Law*
10 *113–291; 128 Stat. 3558), not more than 50 percent*
11 *may be obligated or expended until the date on which*
12 *the Secretary of Defense and the Secretary of State*
13 *submit to appropriate congressional committees a re-*
14 *port that contains the following:*

15 (A) *A comprehensive strategy and plan to*
16 *train and build lasting and sustainable military*
17 *capabilities of the Iraqi security forces using ex-*
18 *isting authorities.*

19 (B) *A whole-of-government plan to engage*
20 *the Government of Iraq and the Kurdistan Re-*
21 *gional Government in security sector reform to*
22 *professionalize, strengthen, and sustainably build*
23 *the capacity of Iraq’s national defense and secu-*
24 *rity institutions.*

1 (C) *A description of the current status, ca-*
2 *pabilities, and operational capacity of remain-*
3 *ing Islamic State of Iraq and Syria elements ac-*
4 *tive in Iraq and Syria.*

5 (2) *ADDITIONAL REPORTING REQUIREMENT.—*
6 *The Secretary of Defense and Secretary of State shall*
7 *submit to appropriate congressional committees a re-*
8 *port that contains information relating to any gross*
9 *violations of human rights committed by units of the*
10 *Iraqi security forces.*

11 (3) *APPROPRIATE CONGRESSIONAL COMMITTEES*
12 *DEFINED.—In this subsection, the term “appropriate*
13 *congressional committees” means—*

14 (A) *the congressional defense committees;*
15 *and*

16 (B) *the Committee on Foreign Affairs of the*
17 *House of Representatives and the Committee on*
18 *Foreign Relations of the Senate.*

19 **SEC. 1224. PROHIBITION OF TRANSFERS TO BADR ORGANI-**
20 **ZATION.**

21 *None of the amounts authorized to be appropriated by*
22 *this Act or otherwise made available to the Department of*
23 *Defense may be made available, directly or indirectly, to*
24 *the Badr Organization.*

1 **SEC. 1225. PROHIBITION ON TRANSFERS TO IRAN.**

2 *None of the amounts authorized to be appropriated by*
3 *this Act or otherwise made available to the Department of*
4 *Defense may be made available to transfer or facilitate a*
5 *transfer of pallets of currency, currency, or other items of*
6 *value to the Government of Iran, any subsidiary of such*
7 *Government, or any agent or instrumentality of Iran.*

8 **SEC. 1226. REPORT ON IRAN-CHINA MILITARY TIES.**

9 *Not later than 180 days after the date of the enactment*
10 *of this Act, and annually thereafter for 4 years, the Sec-*
11 *retary of Defense shall submit to the Committees on Armed*
12 *Services of the House of Representatives and the Senate a*
13 *report that includes a detailed assessment of—*

14 *(1) military ties between China and Iran since*
15 *the expiration of United Nations Security Resolution*
16 *2231 in October 2020, including in the form of joint*
17 *drills, weapons transfers, military visits, illicit pro-*
18 *curement activities, and other sources of Chinese ma-*
19 *terial support for Iranian military capabilities; and*

20 *(2) the direct or indirect impact that the suspen-*
21 *sion, issuance, or revocation of any waiver, license, or*
22 *suspension of economic sanctions on Iran may have*
23 *on the use or effectiveness of such tools.*

24 **SEC. 1227. REPORT ON IRANIAN MILITARY CAPABILITIES.**

25 *Not later than 180 days after the date of the enactment*
26 *of this Act, and every 180 days thereafter, the Secretary*

1 of Defense shall submit to the Committees on Armed Serv-
2 ices of the House of Representatives and the Senate a report
3 that includes a detailed description of—

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

9 (2) the direct or indirect impact that the suspen-
10 sion, issuance, or revocation of any waiver, license, or
11 suspension of economic sanctions on Iran may have
12 on such capabilities.

13 **SEC. 1228. REPORT ON IRANIAN TERRORIST PROXIES.**

14 Not later than 180 days after the date of the enactment
15 of this Act, and every 180 days thereafter, the Secretary
16 of Defense shall submit to the Committees on Armed Serv-
17 ices of the House of Representatives and the Senate a report
18 that includes a detailed description of—

19 (1) improvements to the military capabilities of
20 Iran-backed militias, including Lebanese Hezbollah,
21 Asa'ib ahl al-Haq, Harakat Hezbollah al-Nujaba,
22 Kata'ib Sayyid al-Shuhada, Kata'ib al-Imam Ali,
23 Kata'ib Hezbollah, the Badr Organization, the
24 Fatemiyoun, the Zainabiyoun, and Ansar Allah (also
25 known as the Houthis); and

1 (2) *the direct or indirect impact that the suspen-*
2 *sion, issuance, or revocation of any waiver, license, or*
3 *suspension of economic sanctions on Iran may have*
4 *on such capabilities.*

5 ***Subtitle D—Matters Relating to***
6 ***Russia***

7 ***SEC. 1231. EXTENSION OF LIMITATION ON MILITARY CO-***
8 ***OPERATION BETWEEN THE UNITED STATES***
9 ***AND RUSSIA.***

10 *Section 1232(a) of the National Defense Authorization*
11 *Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.*
12 *2488), is amended by striking “2020, or 2021” and insert-*
13 *ing “2020, 2021, or 2022”.*

14 ***SEC. 1232. PROHIBITION ON AVAILABILITY OF FUNDS RE-***
15 ***LATING TO SOVEREIGNTY OF RUSSIA OVER***
16 ***CRIMEA.***

17 ***(a) PROHIBITION.***—*None of the funds authorized to be*
18 *appropriated by this Act or otherwise made available for*
19 *fiscal year 2022 for the Department of Defense may be obli-*
20 *gated or expended to implement any activity that recognizes*
21 *the sovereignty of Russia over Crimea.*

22 ***(b) WAIVER.***—*The Secretary of Defense, with the con-*
23 *currence of the Secretary of State, may waive the restriction*
24 *on the obligation or expenditure of funds required by sub-*
25 *section (a) if the Secretary of Defense—*

1 (1) *determines that to do so is in the national*
2 *security interest of the United States; and*

3 (2) *submits a notification of the waiver, at the*
4 *time the waiver is invoked, to the Committee on*
5 *Armed Services and the Committee on Foreign Affairs*
6 *of the House of Representatives and the Committee on*
7 *Armed Services and the Committee on Foreign Rela-*
8 *tions of the Senate.*

9 **SEC. 1233. MODIFICATION AND EXTENSION OF UKRAINE SE-**
10 **CURITY ASSISTANCE INITIATIVE.**

11 *Section 1250 of the National Defense Authorization*
12 *Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.*
13 *1068) is amended as follows:*

14 (1) *In subsection (c)—*

15 (A) *in paragraph (1), by striking “funds*
16 *available for fiscal year 2021 pursuant to sub-*
17 *section (f)(6)” and inserting “funds available for*
18 *fiscal year 2022 pursuant to subsection (f)(7)”;*

19 (B) *in paragraph (3), by striking “fiscal*
20 *year 2021” and inserting “fiscal year 2022”;*
21 *and*

22 (C) *in paragraph (5), by striking “Of the*
23 *funds available for fiscal year 2021 pursuant to*
24 *subsection (f)(6), \$75,000,000 shall be available”*
25 *and inserting “Of the funds available for fiscal*

1 year 2022 pursuant to subsection (f)(7),
2 \$50,000,000 shall be available”.

3 (2) In subsection (f), by adding at the end the
4 following:

5 “(7) For fiscal year 2022, \$300,000,000.”.

6 (3) In subsection (h), by striking “December 31,
7 2023” and inserting “December 31, 2024”.

8 **SEC. 1234. REPORT ON OPTIONS FOR ASSISTING THE GOV-**
9 **ERNMENT OF UKRAINE IN ADDRESSING INTE-**
10 **GRATED AIR AND MISSILE DEFENSE GAPS.**

11 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
12 that—

13 (1) the United States remains a steadfast part-
14 ner of Ukraine; and

15 (2) it is in the United States national security
16 interest assist the Government of Ukraine in coun-
17 tering Russian military aggression.

18 (b) *REPORT.*—Not later than 90 days after the date
19 of the enactment of this Act, the Secretary of Defense shall
20 submit to the congressional defense committees a report on
21 options for how the United States could support the Govern-
22 ment of Ukraine in addressing integrated air and missile
23 defense gaps. Such report shall include options for the for-
24 eign military sale of United States systems or the transfer

1 *of existing systems that are not being allocated through*
2 *global force management.*

3 **SEC. 1235. BIENNIAL REPORT ON RUSSIAN INFLUENCE OP-**
4 **ERATIONS AND CAMPAIGNS TARGETING MILI-**
5 **TARY ALLIANCES AND PARTNERSHIPS OF**
6 **WHICH THE UNITED STATES IS A MEMBER.**

7 (a) *REPORT REQUIRED.*—Not later than April 1,
8 2022, and on a biennial basis thereafter until April 1, 2024,
9 the Secretary of Defense and the Secretary of State, in co-
10 ordination with the Director of National Intelligence and
11 the heads of any other appropriate department or agency,
12 shall jointly submit to the appropriate congressional com-
13 mittees a report on Russian influence operations and cam-
14 paigns that target United States military alliances and
15 partnerships.

16 (b) *ELEMENTS.*—The report required under subsection
17 (a) shall include each of the following:

18 (1) *An assessment of Russia’s objectives for influ-*
19 *ence operations and campaigns targeting United*
20 *States military alliances and partnerships and how*
21 *such objectives relate to Russia’s broader strategic*
22 *aims.*

23 (2) *The activities and roles of the Department of*
24 *Defense and Department of State in the United States*

1 *government strategy to counter such Russian influ-*
2 *ence operations and campaigns.*

3 *(3) A comprehensive list of specific Russian state*
4 *and non-state entities, or those of any other country*
5 *with which Russia may cooperate, involved in sup-*
6 *porting such Russian influence operations and cam-*
7 *paings and the role of each entity in such support.*

8 *(4) An identification of the tactics, techniques,*
9 *and procedures used in previous Russian influence*
10 *operations and campaigns.*

11 *(5) An assessment of the impact of previous Rus-*
12 *sian influence operations and campaigns targeting*
13 *United States military alliances and partnerships,*
14 *including the views of senior Russian officials about*
15 *the effectiveness of such operations and campaigns in*
16 *achieving Russian objectives.*

17 *(6) An identification of each United States ally*
18 *and partner, and each military alliance of which the*
19 *United States is a member, that has been targeted by*
20 *Russian influence operations and campaigns.*

21 *(7) An identification of each United States ally*
22 *and partner, and each military alliance of which the*
23 *United States is a member, that may be targeted in*
24 *future Russian influence operations and campaigns,*

1 *and an assessment of the likelihood that each such*
2 *ally, partner, or alliance will be targeted.*

3 *(8) An identification of tactics, techniques, and*
4 *procedures likely to be used in future Russian influ-*
5 *ence operations and campaigns targeting United*
6 *States military alliances and partnerships.*

7 *(9) Recommended authorities or activities for the*
8 *Department of Defense and Department of State in*
9 *the United States government strategy to counter such*
10 *Russian influence operations and campaigns.*

11 *(10) Any other matters the Secretaries determine*
12 *appropriate.*

13 *(c) FORM; UPDATES.—*

14 *(1) FORM.—The report required under subsection*
15 *(a) shall be submitted in unclassified form and in a*
16 *manner appropriate for release to the public, but may*
17 *include a classified annex.*

18 *(2) UPDATES.—Each report submitted pursuant*
19 *to subsection (a) after the submission of the first re-*
20 *port shall highlight changes and new developments*
21 *that have occurred since the previous report and may*
22 *omit to restate in full the contents of any previous re-*
23 *port.*

24 *(d) DEFINITIONS.—In this section:*

1 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
2 *TEES.*—*The term “appropriate congressional commit-*
3 *tees” means—*

4 (A) *the congressional defense committees;*

5 (B) *the Permanent Select Committee on In-*
6 *telligence of the House of Representatives and the*
7 *Select Committee on Intelligence of the Senate;*
8 *and*

9 (C) *the Committee on Foreign Affairs of the*
10 *House of Representatives and the Committee on*
11 *Foreign Relations of the Senate.*

12 (2) *UNITED STATES MILITARY ALLIANCES AND*
13 *PARTNERSHIPS.*—*The term “United States military*
14 *alliances and partnerships” includes each military*
15 *alliance or partnership of which the United States is*
16 *a member.*

17 **SEC. 1236. SENSE OF CONGRESS ON GEORGIA.**

18 (a) *FINDINGS.*—*Congress finds the following:*

19 (1) *Georgia is a valued friend of the United*
20 *States and has repeatedly demonstrated its commit-*
21 *ment to advancing the mutual interests of both coun-*
22 *tries, including strong participation in the State*
23 *Partnership Program of the National Guard between*
24 *the Georgia National Guard and the Georgian armed*
25 *forces.*

1 (2) *The contributions of the Georgian armed*
2 *forces have been remarkable with members of the*
3 *Georgia National Guard having fought side-by-side*
4 *with Georgian soldiers in Iraq and Afghanistan.*

5 (3) *Georgia's geographic location gives it stra-*
6 *tegic importance as a transit corridor.*

7 (4) *The resilience of Georgia's democratic insti-*
8 *tutions is critical to its Euro-Atlantic integration.*

9 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
10 *that the United States should—*

11 (1) *reaffirm support for an enduring strategic*
12 *partnership between the United States and Georgia;*

13 (2) *support Georgia's sovereignty and territorial*
14 *integrity within its internationally recognized borders*
15 *and not recognize the independence of the Abkhazia*
16 *and South Ossetia regions currently occupied by the*
17 *Russian Federation;*

18 (3) *continue support for multi-domain security*
19 *assistance for Georgia in the form of lethal and non-*
20 *lethal measures to build resiliency, bolster deterrence*
21 *against Russian aggression, and promote stability in*
22 *the region, by—*

23 (A) *strengthening defensive capabilities and*
24 *promote readiness; and*

1 (B) improving interoperability with NATO
2 forces;

3 (4) further enhance security cooperation and en-
4 gagement with Georgia and other Black Sea regional
5 partners; and

6 (5) continue to work with Georgia's political
7 leaders to strengthen Georgia's democratic institu-
8 tions.

9 ***Subtitle E—Matters Relating to the***
10 ***Indo-Pacific Region***

11 ***SEC. 1241. SENSE OF CONGRESS ON A FREE AND OPEN***
12 ***INDO-PACIFIC REGION.***

13 *It is the sense of Congress that—*

14 (1) the United States is steadfast in its commit-
15 ment to upholding the rules-based international order,
16 freedom of navigation, and shared values in a free
17 and open Indo-Pacific region;

18 (2) maintenance of a free and open Indo-Pacific
19 region is essential to global security and crucial to the
20 national security objectives of the United States, its
21 allies, and partners;

22 (3) United States alliances and partnerships are
23 the cornerstone of efforts to deter aggression and
24 counter malign activity by the Governments of the
25 People's Republic of China and the Democratic Peo-

1 *ple’s Republic of North Korea, and to ensure the*
2 *maintenance of a free and open Indo-Pacific region;*

3 *(4) the United States remains steadfast in its*
4 *commitments to allies and partners against aggres-*
5 *sion and malign activity, and will continue to*
6 *strengthen cooperation in bilateral relationships, mul-*
7 *tilateral partnerships such as the Quad, and other*
8 *international fora to uphold global security and*
9 *shared principles; and*

10 *(5) the United States should continue to invest*
11 *in enhanced military posture and capabilities in the*
12 *United States Indo-Pacific Command area of respon-*
13 *sibility.*

14 **SEC. 1242. CLARIFICATION OF REQUIRED BUDGET INFOR-**
15 **MATION RELATED TO THE INDO-PACIFIC.**

16 *Section 1251(e) of the National Defense Authorization*
17 *Act for Fiscal Year 2021 (Public Law 116–283) is amended*
18 *by adding at the end the following:*

19 *“(10) A description of the manner and extent to*
20 *which the amounts, summaries, and comparisons re-*
21 *quired by this subsection directly address the items*
22 *identified in—*

23 *“(A) the independent assessment required*
24 *under section 1253 of the National Defense Au-*

1 *thorization Act for Fiscal Year 2020 (Public*
2 *Law 116-92); and*

3 *“(B) the plan required by subsection (d).”.*

4 **SEC. 1243. REPORT ON COOPERATION BETWEEN THE NA-**
5 **TIONAL GUARD AND TAIWAN.**

6 *(a) REPORT.—Not later than February 15, 2022, the*
7 *Secretary of Defense shall submit to appropriate congres-*
8 *sional committees a report on the feasibility and advis-*
9 *ability of enhanced cooperation between the National Guard*
10 *and Taiwan. Such report shall include the following:*

11 *(1) A description of the cooperation between the*
12 *National Guard and Taiwan during the 10 preceding*
13 *calendar years, including mutual visits, exercises,*
14 *training, and equipment opportunities.*

15 *(2) An evaluation of the feasibility and advis-*
16 *ability of enhancing cooperation between the National*
17 *Guard and Taiwan on a range of activities, includ-*
18 *ing—*

19 *(A) disaster and emergency response;*

20 *(B) cyber defense and communications secu-*
21 *rity;*

22 *(C) military medical cooperation;*

23 *(D) cultural exchange and education of*
24 *members of the National Guard in Mandarin*
25 *Chinese; and*

1 (E) programs for National Guard advisors
2 to assist in training the reserve components of
3 the military forces of Taiwan.

4 (3) Recommendations to enhance such coopera-
5 tion and improve interoperability, including through
6 familiarization visits, cooperative training and exer-
7 cises, and co-deployments.

8 (4) Any other matter the Secretary of Defense de-
9 termines appropriate.

10 (b) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—In
11 this section, the term “appropriate congressional commit-
12 tees” means—

13 (1) the congressional defense committees;

14 (2) the Committee on Foreign Affairs of the
15 House of Representatives; and

16 (3) the Committee on Foreign Relations of the
17 Senate.

18 **SEC. 1244. REPORT ON MILITARY AND SECURITY DEVELOP-**
19 **MENTS INVOLVING THE PEOPLE’S REPUBLIC**
20 **OF CHINA.**

21 (a) *IN GENERAL.*—Not later than January 31, 2022,
22 and annually thereafter until January 31, 2026, the Sec-
23 retary of Defense, in consultation with the heads of other
24 Federal departments and agencies as appropriate, shall
25 submit to the appropriate congressional committees a re-

1 *port, in both classified and unclassified form, on military*
2 *and security developments involving the People's Republic*
3 *of China.*

4 (b) *MATTERS TO BE ADDRESSED.*—*The report re-*
5 *quired by subsection (a) shall address the following:*

6 (1) *The current and probable future course of*
7 *military-technological development of the People's*
8 *Liberation Army and the tenets and probable develop-*
9 *ment of Chinese security strategy and military strat-*
10 *egy, and of military organizations and operational*
11 *concepts, through the next 20 years.*

12 (2) *United States-China engagement and co-*
13 *operation on security matters during the period cov-*
14 *ered by the report, including through United States-*
15 *China military-to-military contacts, and the United*
16 *States strategy for such engagement and cooperation*
17 *in the future.*

18 (c) *MATTERS TO BE INCLUDED.*—*The report required*
19 *by subsection (a) shall include analyses and forecasts of the*
20 *following:*

21 (1) *The objectives, factors, and trends shaping*
22 *Chinese security strategy and military strategy.*

23 (2) *Developments in China's defense policy, mili-*
24 *tary strategy, and the roles and missions of the Peo-*
25 *ple's Liberation Army.*

1 (3) *The People’s Liberation Army’s role in the*
2 *Chinese Communist Party, including the structure*
3 *and leadership of the Central Military Commission.*

4 (4) *Developments in the People’s Liberation*
5 *Army’s military doctrine, operational concepts, joint*
6 *command and organizational structures, and signifi-*
7 *cant military operations and deployments.*

8 (5) *Trends and developments in the People’s Lib-*
9 *eration Army’s budget and resources and strategies*
10 *and policies related to science and technology, defense*
11 *industry reform, and China’s use of espionage and*
12 *technology transfers.*

13 (6) *Developments and future course of the Peo-*
14 *ple’s Liberation Army’s theater and functional com-*
15 *mands, including their roles and missions, structure,*
16 *and the size, location, and capabilities of their stra-*
17 *tegic, land, sea, air, and other forces, and the*
18 *strengths or weaknesses thereof.*

19 (7) *A detailed summary of the order of battle of*
20 *the People’s Liberation Army, including—*

21 (A) *anti-access and area denial capabilities;*

22 (B) *ballistic and cruise missile inventories;*

23 (C) *cyberwarfare and electronic warfare ca-*
24 *pabilities;*

1 (D) space and counter space programs and
2 capabilities;

3 (E) nuclear program and capabilities; and

4 (F) command, control, communications,
5 computers, intelligence, surveillance, and recon-
6 naissance modernization program and capabili-
7 ties.

8 (8) Developments relating to the China Coast
9 Guard.

10 (9) Developments in the People's Liberation
11 Army's overseas presence, including military basing,
12 military logistics capabilities and infrastructure, ac-
13 cess to foreign ports or military bases, and whether
14 such presence could affect United States national se-
15 curity or defense interests.

16 (10) The relationship between Chinese overseas
17 investment and Chinese security and military strat-
18 egy objectives.

19 (11) A description of any significant sale or
20 transfer of military hardware, expertise, and tech-
21 nology to or from the People's Republic of China, in-
22 cluding a forecast of possible future sales and trans-
23 fers.

24 (12) Efforts, including by espionage and tech-
25 nology transfers through investment, by China to de-

1 *velop, acquire, or gain access to advanced technologies*
2 *that would enhance military capabilities.*

3 *(13) The People’s Liberation Army’s internal se-*
4 *curity role and its affiliations with the People’s*
5 *Armed Police and other Chinese law enforcement, in-*
6 *telligence, and paramilitary entities, including any*
7 *activities supporting or implementing mass surveil-*
8 *lance, mass detentions, forced labor, or other gross*
9 *violations of human rights.*

10 *(14) A description of Chinese military-to-mili-*
11 *tary relationships with other countries, including the*
12 *Russian Federation.*

13 *(15) China’s strategy regarding Taiwan and the*
14 *security situation in the Taiwan Strait.*

15 *(16) A description of China’s maritime strategy,*
16 *its military and nonmilitary activities in the South*
17 *China Sea and East China Sea, to include roles and*
18 *activities of the People’s Liberation Army and Chi-*
19 *na’s maritime law enforcement and paramilitary or-*
20 *ganizations.*

21 *(17) The current state of United States military-*
22 *to-military contacts with the People’s Liberation*
23 *Army, including a summary of such contacts during*
24 *the period covered by the report, a description of such*
25 *contacts for the 12-month period following the report,*

1 *the Secretary’s assessment of the benefits of such con-*
2 *tacts, and the Secretary’s certification whether or not*
3 *any military-to-military exchange or contact was*
4 *conducted during the period covered by the report in*
5 *violation of section 1201(a) of the National Defense*
6 *Authorization Act for Fiscal Year 2000 (10 U.S.C.*
7 *311 note).*

8 *(18) Other significant military and security de-*
9 *velopments involving China that the Secretary of De-*
10 *fense considers relevant to United States national se-*
11 *curity.*

12 *(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In*
13 *this section, the term “appropriate congressional commit-*
14 *tees” means—*

15 *(1) the Committee on Armed Services, the Com-*
16 *mittee on Foreign Relations, and the Select Com-*
17 *mittee on Intelligence of the Senate; and*

18 *(2) the Committee on Armed Services, the Com-*
19 *mittee on Foreign Affairs, and the Permanent Select*
20 *Committee on Intelligence of the House of Representa-*
21 *tives.*

1 **SEC. 1245. BIENNIAL REPORT ON INFLUENCE OPERATIONS**
2 **AND CAMPAIGNS OF THE GOVERNMENT OF**
3 **THE PEOPLE'S REPUBLIC OF CHINA TAR-**
4 **GETING MILITARY ALLIANCES AND PARTNER-**
5 **SHIPS OF WHICH THE UNITED STATES IS A**
6 **MEMBER.**

7 (a) *IN GENERAL.*—Not later than April 1, 2022, and
8 on a biennial basis thereafter until April 1, 2024, the Sec-
9 retary of Defense and the Secretary of State, in coordina-
10 tion with the Director of National Intelligence and the
11 heads of other Federal departments and agencies as appro-
12 priate, shall submit to the appropriate congressional com-
13 mittees a report on the influence operations and campaigns
14 of the Government of the People's Republic of China (PRC)
15 targeting military alliances and partnerships of which the
16 United States is a member.

17 (b) *MATTERS TO BE INCLUDED.*—The report required
18 by subsection (a) shall include the following:

19 (1) *An assessment of the PRC Government's ob-*
20 *jectives in such operations and campaigns and how*
21 *such objectives relate to the PRC Government's broad-*
22 *er strategic aims.*

23 (2) *The activities and roles of the Department of*
24 *Defense and Department of State in the United States*
25 *Government strategy to counter such influence oper-*
26 *ations and campaigns of the PRC Government.*

1 (3) *A comprehensive list of specific PRC state*
2 *and non-state entities, or any other states with which*
3 *the PRC may cooperate, involved in supporting such*
4 *operations and campaigns and the role of each such*
5 *entity in supporting such operations and campaigns.*

6 (4) *An identification of the tactics, techniques,*
7 *and procedures used in previous influence operations*
8 *and campaigns of the PRC Government.*

9 (5) *An assessment of the impact of previous in-*
10 *fluence operations and campaigns of the PRC Govern-*
11 *ment, including the views of senior PRC Government*
12 *officials about their effectiveness in achieving PRC*
13 *Government objectives.*

14 (6) *An identification of all United States mili-*
15 *tary alliances and partnerships that have been tar-*
16 *geted by influence operations and campaigns of the*
17 *PRC Government.*

18 (7) *An identification of all United States mili-*
19 *tary alliances and partnerships that may be targeted*
20 *in future influence operations and campaigns of the*
21 *PRC Government and an assessment of the likelihood*
22 *that each such partnership or alliance will be tar-*
23 *geted.*

1 (8) *An identification of tactics, techniques, and*
2 *procedures likely to be used in future influence oper-*
3 *ations and campaigns of the PRC Government.*

4 (9) *Recommended authorities or activities for the*
5 *Department of Defense and Department of State in*
6 *the United States Government strategy to counter*
7 *such influence operations and campaigns of the PRC*
8 *Government.*

9 (10) *Any other matters the Secretaries determine*
10 *to be appropriate.*

11 (c) *FORM.—The report required by subsection (a) shall*
12 *be submitted in unclassified form and appropriate for re-*
13 *lease to the public, but may include a classified annex.*

14 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
15 *FINED.—In this section, the term “appropriate congres-*
16 *sional committees” means—*

17 (1) *the congressional defense committees;*

18 (2) *the Committee on Foreign Relations and the*
19 *Select Committee on Intelligence of the Senate; and*

20 (3) *the Committee on Foreign Affairs and the*
21 *Permanent Select Committee on Intelligence of the*
22 *House of Representatives.*

1 **SEC. 1246. REPORT ON EFFORTS BY THE PEOPLE'S REPUB-**
2 **LIC OF CHINA TO EXPAND ITS PRESENCE AND**
3 **INFLUENCE IN LATIN AMERICA AND THE CAR-**
4 **IBBEAN.**

5 (a) *REPORT.*—Not later than June 15, 2022, the Sec-
6 retary of Defense, with the concurrence of the Secretary of
7 State and in coordination with the Secretary of the Treas-
8 ury and the Director of National Intelligence, shall submit
9 to the appropriate congressional committees a report that
10 identifies efforts by the Government of the People's Republic
11 of China to expand its presence and influence in Latin
12 America and the Caribbean through diplomatic, military,
13 economic, and other means, and describes the implications
14 of such efforts on the United States' national defense and
15 security interests.

16 (b) *ELEMENTS.*—The report required under subsection
17 (a) shall include the following:

18 (1) An identification of—

19 (A) countries of Latin America and the
20 Caribbean with which the Government of the
21 People's Republic of China maintains especially
22 close diplomatic, military, and economic rela-
23 tionships;

24 (B) the number and content of strategic
25 partnership agreements or similar agreements,
26 including any non-public, secret, or informal

1 *agreements, that the Government of the People’s*
2 *Republic of China has established with countries*
3 *and regional organizations of Latin America*
4 *and the Caribbean;*

5 *(C) countries of Latin America and the*
6 *Caribbean that have joined the Belt and Road*
7 *Initiative or the Asian Infrastructure Investment*
8 *Bank;*

9 *(D) countries of Latin America and the*
10 *Caribbean to which the Government of the Peo-*
11 *ple’s Republic of China provides foreign assist-*
12 *ance or disaster relief, including access to*
13 *COVID–19 vaccines, including a description of*
14 *the amount and purpose of, and any conditions*
15 *attached to, such assistance;*

16 *(E) countries and regional organizations of*
17 *Latin America and the Caribbean in which the*
18 *Government of the People’s Republic of China,*
19 *including its state-owned or state-directed enter-*
20 *prises and banks, have undertaken significant*
21 *investments, infrastructure projects, and cor-*
22 *respondent banking and lending activities at the*
23 *regional, national, and subnational levels;*

24 *(F) recent visits by senior officials of the*
25 *Government of the People’s Republic of China,*

1 *including its state-owned or state-directed enter-*
2 *prises and banks, to Latin America and the Car-*
3 *ibbean, and visits by senior officials from Latin*
4 *America and the Caribbean to the People’s Re-*
5 *public of China;*

6 *(G) the existence of any defense exchanges,*
7 *military or police education or training, and ex-*
8 *ercises between any military or police organiza-*
9 *tion of the Government of the People’s Republic*
10 *of China and military, police, or security-ori-*
11 *ented organizations of countries of Latin Amer-*
12 *ica and the Caribbean;*

13 *(H) countries and regional organizations of*
14 *Latin America and the Caribbean that maintain*
15 *diplomatic relations with Taiwan;*

16 *(I) any steps that the Government of the*
17 *People’s Republic of China has taken to encour-*
18 *age countries and regional organizations of*
19 *Latin America and the Caribbean to switch dip-*
20 *lomatic relations to the People’s Republic of*
21 *China instead of Taiwan; and*

22 *(J) any other matters the Secretary of De-*
23 *fense and the Secretary of State determine is ap-*
24 *propriate.*

25 *(2) A detailed description of—*

1 (A) *the relationship between the Govern-*
2 *ment of the People’s Republic of China and the*
3 *Government of Venezuela and the Government of*
4 *Cuba;*

5 (B) *Government of the People’s Republic of*
6 *China military installations, assets, and activi-*
7 *ties in Latin America and the Caribbean that*
8 *currently exist or are planned for the future;*

9 (C) *sales or transfers of defense articles and*
10 *services by the Government of the People’s Re-*
11 *public of China to countries of Latin America*
12 *and the Caribbean;*

13 (D) *a comparison of sales and transfers of*
14 *defense articles and services to countries of Latin*
15 *America and the Caribbean by the Government*
16 *of the People’s Republic of China, the Russian*
17 *Federation, and the United States;*

18 (E) *any other form of military, para-*
19 *military, or security cooperation between the*
20 *Government of the People’s Republic of China*
21 *and the governments of countries of Latin Amer-*
22 *ica and the Caribbean;*

23 (F) *the nature, extent, and purpose of the*
24 *Government of the People’s Republic of China’s*

1 *intelligence activities in Latin America and the*
2 *Caribbean;*

3 *(G) the Government of the People's Republic*
4 *of China's role in transnational crime in Latin*
5 *America and the Caribbean, including traf-*
6 *ficking and money laundering and including*
7 *any links to the People's Liberation Army;*

8 *(H) efforts by the Government of the Peo-*
9 *ple's Republic of China to expand the reach and*
10 *influence of its financial system within Latin*
11 *America and the Caribbean, through banking ac-*
12 *tivities and payments systems and through goods*
13 *and services related to the use of the digital*
14 *yuan; and*

15 *(I) efforts by the Government of the People's*
16 *Republic of China to build its media presence in*
17 *Latin America and the Caribbean, and any gov-*
18 *ernment-directed disinformation or information*
19 *warfare campaigns in the region, including for*
20 *military purposes or with ties to the People's*
21 *Liberation Army.*

22 *(3) An assessment of—*

23 *(A) the specific objectives that the Govern-*
24 *ment of the People's Republic of China seeks to*
25 *achieve by expanding its presence and influence*

1 *in Latin America and the Caribbean, including*
2 *any objectives articulated in official documents*
3 *or statements;*

4 *(B) whether certain investments by the Gov-*
5 *ernment of the People's Republic of China, in-*
6 *cluding in port projects, canal projects, and tele-*
7 *communications projects in Latin America and*
8 *the Caribbean, could have military uses or dual*
9 *use capability or could enable the Government of*
10 *the People's Republic of China to monitor or*
11 *intercept United States or host nation commu-*
12 *nications;*

13 *(C) the degree to which the Government of*
14 *the People's Republic of China uses its presence*
15 *and influence in Latin America and the Carib-*
16 *bean to encourage, pressure, or coerce govern-*
17 *ments in the region to support its defense and*
18 *national security goals, including policy posi-*
19 *tions taken by it at international institutions;*

20 *(D) documented instances of governments of*
21 *countries of Latin America and the Caribbean*
22 *silencing, or attempting to silence, local critics of*
23 *the Government of the People's Republic of*
24 *China, including journalists, academics, and*
25 *civil society representatives, in order to placate*

1 *the Government of the People's Republic of*
2 *China;*

3 *(E) the rationale for the Government of the*
4 *People's Republic of China becoming an observer*
5 *at the Organization of American States and a*
6 *non-borrowing member of the Inter-American*
7 *Development Bank and the Caribbean Develop-*
8 *ment Bank;*

9 *(F) the relationship between the Govern-*
10 *ment of the People's Republic of China and the*
11 *Community of Latin American and Caribbean*
12 *States (CELAC), a regional organization that*
13 *excludes the United States, and the role of the*
14 *China-CELAC Forum in coordinating such rela-*
15 *tionship; and*

16 *(G) the specific actions and activities un-*
17 *dertaken by the Government of the People's Re-*
18 *public of China in Latin America and the Car-*
19 *ibbean that present the greatest threat or chal-*
20 *lenge to the United States' defense and national*
21 *security interests in the region.*

22 *(c) FORM.—The report required under subsection (a)*
23 *shall be submitted in unclassified form without any des-*
24 *ignation relating to dissemination control, but may include*
25 *a classified annex.*

1 (d) *DEFINITIONS.—In this Act:*

2 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
3 *TEES.—The term “appropriate congressional commit-*
4 *tees” means—*

5 (A) *the Committee on Armed Services, the*
6 *Committee on Foreign Affairs, the Committee on*
7 *Financial Services, the Committee on the Judici-*
8 *ary, and the Permanent Select Committee on In-*
9 *telligence of the House of Representatives; and*

10 (B) *the Committee on Armed Services, the*
11 *Committee on Foreign Relations, the Committee*
12 *on Banking, Housing, and Urban Affairs, the*
13 *Committee on the Judiciary, and the Select*
14 *Committee on Intelligence of the Senate.*

15 (2) *LATIN AMERICA AND THE CARIBBEAN.—The*
16 *terms “Latin America and the Caribbean” and*
17 *“countries of Latin America and the Caribbean”*
18 *mean the countries and non-United States territories*
19 *of South America, Central America, the Caribbean,*
20 *and Mexico.*

21 **SEC. 1247. SENSE OF CONGRESS ON TAIWAN DEFENSE RE-**
22 **LATIONS.**

23 *It is the sense of Congress that—*

24 (1) *the Taiwan Relations Act (Public Law 96-*
25 *8; 22 U.S.C. 3301 et seq.) and the Six Assurances*

1 *provided by the United States to Taiwan in July*
2 *1982 are the foundation for United States-Taiwan re-*
3 *lations;*

4 *(2) as set forth in the Taiwan Relations Act, the*
5 *United States decision to establish diplomatic rela-*
6 *tions with the People's Republic of China rests upon*
7 *the expectation that the future of Taiwan will be de-*
8 *termined by peaceful means, and that any effort to*
9 *determine the future of Taiwan by other than peaceful*
10 *means, including boycotts and embargoes, is of grave*
11 *concern to the United States;*

12 *(3) the increasingly coercive and aggressive be-*
13 *havior of the People's Republic of China toward Tai-*
14 *wan is contrary to the expectation of the peaceful res-*
15 *olution of the future of Taiwan;*

16 *(4) as set forth in the Taiwan Relations Act, the*
17 *capacity to resist any resort to force or other forms*
18 *of coercion that would jeopardize the security, or the*
19 *social or economic system, of the people on Taiwan*
20 *should be maintained;*

21 *(5) the United States should continue to support*
22 *the development of capable, ready, and modern de-*
23 *fense forces necessary for Taiwan to maintain a suffi-*
24 *cient self-defense capability, including by—*

1 (A) supporting acquisition by Taiwan of
2 defense articles and services through foreign mili-
3 tary sales, direct commercial sales, and indus-
4 trial cooperation, with an emphasis on capabili-
5 ties that support the asymmetric defense strategy
6 of Taiwan, including anti-ship, coastal defense,
7 anti-armor, air defense, undersea warfare, ad-
8 vanced command, control, communications, com-
9 puters, intelligence, surveillance, and reconnais-
10 sance, and resilient command and control capa-
11 bilities;

12 (B) ensuring timely review of and response
13 to requests of Taiwan for defense articles and
14 services;

15 (C) conducting practical training and mili-
16 tary exercises with Taiwan that enable Taiwan
17 to maintain a sufficient self- defense capability,
18 as described in the Taiwan Relations Act;

19 (D) exchanges between defense officials and
20 officers of the United States and Taiwan at the
21 strategic, policy, and functional levels, consistent
22 with the Taiwan Travel Act (Public Law 115-
23 135; 132 Stat. 341), especially for the purposes
24 of—

1 (i) *enhancing cooperation on defense*
2 *planning;*

3 (ii) *improving the interoperability of*
4 *the military forces of the United States and*
5 *Taiwan; and*

6 (iii) *improving the reserve force of Tai-*
7 *wan;*

8 (E) *identifying improvements in Taiwan's*
9 *ability to use asymmetric military capabilities*
10 *to enhance its defensive capabilities, as described*
11 *in the Taiwan Relations Act; and*

12 (F) *expanding cooperation in humanitarian*
13 *assistance and disaster relief; and*

14 (6) *the United States should be committed to the*
15 *defense of a free and open society in the face of ag-*
16 *gressive efforts by the Government of the People's Re-*
17 *public of China to curtail or influence the free exer-*
18 *cise of rights and democratic franchise.*

19 **SEC. 1248. SENSE OF CONGRESS ON INVITING TAIWAN TO**
20 **THE RIM OF THE PACIFIC EXERCISE.**

21 *It is the sense of Congress that the naval forces of Tai-*
22 *wan should be invited to participate in the Rim of the Pa-*
23 *cific exercise conducted in 2022.*

1 **SEC. 1249. SENSE OF CONGRESS ON ENHANCING DEFENSE**
2 **AND SECURITY COOPERATION WITH SINGA-**
3 **PORE.**

4 *It is the sense of Congress as follows:*

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

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

13 *(3) The status of Singapore as a “Major Secu-*
14 *rity Cooperation Partner” of the United States, as*
15 *recognized in the Strategic Framework Agreement be-*
16 *tween the United States and the Republic of Singa-*
17 *pore for a Closer Partnership in Defense and Secu-*
18 *rity, done at Washington, D.C. on July 12, 2005,*
19 *plays an important role in the global network of stra-*
20 *tegic partnerships, especially in promoting maritime*
21 *security and countering terrorism.*

22 *(4) The United States values Singapore’s provi-*
23 *sion of access to its military facilities, which supports*
24 *the continued security presence of the United States*
25 *in Southeast Asia and across the Indo-Pacific region.*

1 (5) *The United States should continue to wel-*
2 *come the presence of the military forces of Singapore*
3 *in the United States for exercises and training, and*
4 *should consider opportunities to expand such activi-*
5 *ties at additional locations in the United States as*
6 *appropriate, including through cooperation mecha-*
7 *nisms such as the memorandum of understanding*
8 *agreed to by the United States and Singapore in De-*
9 *cember 2019 to establish a fighter jet training detach-*
10 *ment in Guam.*

11 (6) *The United States should continue to*
12 *strengthen all aspects of the bilateral defense relation-*
13 *ship with Singapore, which benefitted from the sign-*
14 *ing of the 2015 enhanced Defense Cooperation Agree-*
15 *ment to expand cooperation in the military, policy,*
16 *strategic and technology spheres, as well as coopera-*
17 *tion in non-conventional security areas such as pi-*
18 *racy and transnational terrorism, humanitarian as-*
19 *sistance and disaster relief, cyber-security, and bio-*
20 *security.*

21 (7) *As the United States and Singapore have re-*
22 *newed the 1990 Memorandum of Understanding Re-*
23 *garding the United States Use of Facilities in Singa-*
24 *pore and mark the 55th anniversary of bilateral rela-*
25 *tions in 2021, the United States should—*

1 (A) continue to enhance defense and secu-
2 rity cooperation with Singapore to promote
3 peace and stability in the Indo-Pacific region
4 based on common interests and shared values;

5 (B) reinforce the status of Singapore as a
6 major security cooperation partner of the United
7 States; and

8 (C) explore additional steps to better facili-
9 tate interoperability between the United States
10 Armed Forces and the military forces of Singa-
11 pore to promote peace and stability in the Indo-
12 Pacific region.

13 **SEC. 1250. SENSE OF CONGRESS.**

14 *It is the sense of Congress that—*

15 (1) South Korea continues to be a critical ally
16 of the United States;

17 (2) the presence of United States Armed Forces
18 in South Korea serves as a strong deterrent against
19 North Korean military aggression and as a critical
20 support platform for national security engagements
21 in the Indo-Pacific region;

22 (3) the presence of approximately 28,500 mem-
23 bers of the United States Armed Forces deployed to
24 South Korea serves not only as a stabilizing force to

1 *the Korean peninsula but also as a reassurance to all*
2 *our allies in the region; and*

3 *(4) the United States should continue to—*

4 *(A) maintain and strengthen its bilateral*
5 *relationship with South Korea and with other*
6 *regional allies such as Japan; and*

7 *(B) maintain its existing robust military*
8 *presence in South Korea to deter aggression*
9 *against the United States and its allies and*
10 *partners.*

11 **SEC. 1251. SENSE OF CONGRESS WITH RESPECT TO QATAR.**

12 *It is the sense of Congress that—*

13 *(1) the United States and the country of Qatar*
14 *have built a strong, enduring, and forward-looking*
15 *strategic partnership based on long-standing and mu-*
16 *tually beneficial cooperation, including through secu-*
17 *rity, defense, and economic ties;*

18 *(2) robust security cooperation between the*
19 *United States and Qatar is crucial to promoting*
20 *peace and stability in the Middle East region;*

21 *(3) Qatar plays a unique role as host of the for-*
22 *ward headquarters for the United States Central*
23 *Command, and that partnership facilitates United*
24 *States coalition operations countering terrorism;*

1 (4) *Qatar is a major security cooperation part-*
2 *ner of the United States, as recognized in the 2018*
3 *Strategic Dialogue and the 2019 Memorandum of Un-*
4 *derstanding to expand Al Udeid Air Base to improve*
5 *and expand accommodation for United States mili-*
6 *tary personnel;*

7 (5) *the United States values Qatar’s provision of*
8 *access to its military facilities and its management*
9 *and financial assistance in expanding the Al Udeid*
10 *Air Base, which supports the continued security pres-*
11 *ence of the United States in the Middle East region;*
12 *and*

13 (6) *the United States should continue to*
14 *strengthen the relationship between the United States*
15 *and Qatar, including through security and economic*
16 *cooperation.*

17 **SEC. 1252. STATEMENT OF POLICY.**

18 (a) *IN GENERAL.*—*It shall be the policy of the United*
19 *States to maintain the ability of the United States Armed*
20 *Forces to deny a fait accompli by a strategic competitor*
21 *against a covered defense partner.*

22 (b) *DEFINITIONS.*—*In this section:*

23 (1) *COVERED DEFENSE PARTNER.*—*The term*
24 *“covered defense partner” means a partner identified*
25 *in the “Department of Defense Indo-Pacific Strategy*

1 *Report” issued on June 1, 2019, located within 100*
 2 *miles off the coast of a strategic competitor.*

3 (2) *FAIT ACCOMPLI.—The term “fait accompli”*
 4 *means the strategy of a strategic competitor designed*
 5 *to allow such strategic competitor to use military*
 6 *force to seize control of a covered defense partner be-*
 7 *fore the United States Armed Forces are able to re-*
 8 *spond effectively.*

9 (3) *STRATEGIC COMPETITOR.—The term “stra-*
 10 *tegic competitor” means a country labeled as a stra-*
 11 *tegic competitor in the “Summary of the 2018 Na-*
 12 *tional Defense Strategy of the United States of Amer-*
 13 *ica: Sharpening the American Military’s Competitive*
 14 *Edge” issued by the Department of Defense pursuant*
 15 *to section 113 of title 10, United States Code.*

16 ***TITLE XIII—OTHER MATTERS RE-***
 17 ***LATING TO FOREIGN NA-***
 18 ***TIONS***

19 ***Subtitle A—Matters Relating to***
 20 ***Europe and NATO***

21 ***SEC. 1301. REPORT ON THE STATE OF UNITED STATES MILI-***
 22 ***TARY INVESTMENT IN EUROPE INCLUDING***
 23 ***THE EUROPEAN DETERRENCE INITIATIVE.***

24 *Not later than February 25, 2022, the Secretary of De-*
 25 *fense, in coordination with the Commander of United States*

1 *European Command, shall submit to the congressional de-*
2 *fense committees a report assessing the current state of*
3 *United States defense investment in Europe, including the*
4 *European Deterrence Initiative. The report shall include*
5 *the following elements:*

6 (1) *An assessment of the current progress made*
7 *by the Department of Defense toward achieving the*
8 *goals of the European Deterrence Initiative over its*
9 *lifetime and a description of the major changes in*
10 *focus, resourcing, and emphasis that have occurred*
11 *over that lifetime.*

12 (2) *An assessment of the current state of United*
13 *States defense posture in Europe, including a com-*
14 *prehensive assessment of the state of military mobility*
15 *and the current ability of the United States to rap-*
16 *idly manifest and transit forces to Europe's eastern*
17 *front in a crisis with a contested logistics environ-*
18 *ment, and the corresponding levels and timelines with*
19 *respect to such ability.*

20 (3) *An assessment of United States defense logis-*
21 *tics gaps or risks such as bridging equipment and*
22 *rail gauge mitigations that would be exacerbated in*
23 *a contingency.*

24 (4) *An assessment of the current state of United*
25 *States prepositioned stocks in Europe, including the*

1 *current timeline for their completion under the Euro-*
2 *pean Deterrence Initiative.*

3 (5) *An assessment of the current state of United*
4 *States munitions in Europe, including their current*
5 *levels, the adequacy of those levels for United States*
6 *needs in a European contingency, and a description*
7 *of the Department’s plan to bring those munitions*
8 *stocks to adequate levels.*

9 (6) *An assessment of the current state of fuel*
10 *availability and supporting infrastructure in Europe*
11 *and the adequacy of those supplies for United States*
12 *needs in a European contingency.*

13 (7) *A description of the manner and extent to*
14 *which United States military investment planning in*
15 *the European theater incorporates assessments of rel-*
16 *evant regulatory policies in the European theater re-*
17 *lating to installation energy and the planning and*
18 *design of military construction projects at these in-*
19 *stallations.*

20 (8) *An assessment of the current state of United*
21 *States anti-submarine warfare assets, organization,*
22 *and resources in the European Command and Second*
23 *Fleet areas of responsibility, including—*

24 (A) *their sufficiency to counter Russian*
25 *submarine threats; and*

1 (B) the sufficiency of United States sono-
2 buoy stocks, anti-submarine warfare platforms,
3 and undersea sensing equipment.

4 (9) An assessment of the current state of the
5 United States naval presence in the European Com-
6 mand area of responsibility and its ability to respond
7 to challenges in the Black Sea, Mediterranean, and
8 Arctic, including a description of any future plans re-
9 garding increased naval force structure forward sta-
10 tioned in Europe by 2025.

11 (10) An assessment of the current state of United
12 States Air Force operational planning and resourcing
13 in the European theater, including the current state
14 of prepositioned Air Force equipment, activities, and
15 relevant infrastructure.

16 (11) An assessment of the current state of United
17 States defense information warfare capabilities in the
18 European Command area of responsibility and any
19 defense resources required or defense policies needed to
20 strengthen these efforts.

21 (12) An assessment of the current state of United
22 States military capabilities for countering Russian
23 aggression and hybrid warfare in the European the-
24 ater, including cyber capabilities.

1 (13) *An assessment of the current state of United*
2 *States military electromagnetic warfare capabilities*
3 *in the European theater.*

4 (14) *An assessment of the current state of United*
5 *States military sea- and airlift capabilities to sup-*
6 *port contingency operations in the European theater.*

7 (15) *An assessment of all purchases, investments,*
8 *and expenditures made by any Armed Force under*
9 *the jurisdiction of the Secretary of a military depart-*
10 *ment and funded by the European Deterrence Initia-*
11 *tive, since its inception, that have been diverted for*
12 *purposes or uses other than the objectives of the Euro-*
13 *pean Deterrence Initiative, including a list of all pur-*
14 *chases, investments, and expenditures that have been*
15 *funded under the European Deterrence Initiative*
16 *since its inception that were not ultimately employed*
17 *for the purposes of the initiative and their respective*
18 *dollar values.*

19 (16) *An assessment of the current state of Euro-*
20 *pean Deterrence Initiative military construction ef-*
21 *forts in Europe.*

22 (17) *An analysis of the impact that deferred*
23 *military construction efforts authorized under section*
24 *2808 of title 10, United States Code, have had on the*
25 *European Deterrence Initiative, including—*

1 (A) impacts on timelines to establish a de-
2 terrence platform in Europe;

3 (B) implications for deterrence capabilities
4 in Europe; and

5 (C) a description of the Department of De-
6 fense's plan to address these impacts including
7 its intended final disposition for the impacted
8 military construction projects.

9 (18) A description of the current status of the
10 European Infrastructure Consolidation program, in-
11 cluding a list of all divestments completed under the
12 program after January 1, 2016, and all currently
13 contemplated divestments under the program.

14 (19) Any other information that the Secretary of
15 Defense determines relevant.

16 **SEC. 1302. SENSE OF CONGRESS ON UNITED STATES DE-**
17 **FENSE POSTURE IN EUROPE.**

18 *It is the sense of Congress as follows:*

19 (1) *The United States is steadfastly committed to*
20 *upholding and strengthening its defense alliances and*
21 *partnerships in the European theater. The North At-*
22 *lantic Treaty Organization (NATO) alliance is the*
23 *bedrock of these relationships, which are central to de-*
24 *terrering Russian aggression, upholding territorial in-*
25 *tegrity and sovereignty in Europe, countering malign*

1 *efforts to undermine the rules-based international*
2 *order and disrupt shared values, fostering inter-*
3 *national cooperation against collective challenges, and*
4 *advancing shared national security objectives world-*
5 *wide.*

6 *(2) United States allies in Europe have made*
7 *substantial strides on responsibility-sharing and de-*
8 *fense investment since the Wales Declaration in 2014*
9 *and should be commended for their ongoing efforts to*
10 *increase complementary investments in NATO deter-*
11 *rence capacity. These efforts have provided an accu-*
12 *mulated increase of more than \$130,000,000,000 in*
13 *foreign investments between 2016 and 2020 to*
14 *strengthen trans-Atlantic security, and it is essential*
15 *that the United States continue to press NATO allies*
16 *to achieve their Wales Summit pledges and continue*
17 *to make progress on greater complementary defense*
18 *investments.*

19 *(3) The behavior of the Russian Government has*
20 *not improved and has, in many aspects, become in-*
21 *creasingly belligerent since the invasion of Ukraine in*
22 *2014, with respect to—*

23 *(A) military efforts to disrupt the territorial*
24 *integrity of sovereign countries in Europe;*

1 (B) threats against the United States,
2 NATO, and other United States partners;

3 (C) intervention in allied democratic proc-
4 esses;

5 (D) efforts to disrupt United States alli-
6 ances, partnerships, and values;

7 (E) acts such as assassination and the use
8 of chemical weapons on the territory of other sov-
9 ereign countries; and

10 (F) other high-risk, disruptive efforts.

11 (4) Continued commitment to enhancing the
12 United States and allied force posture in Europe is
13 indispensable for efforts to establish and sustain a
14 credible deterrent against Russian aggression and
15 long-term strategic competition by the Russian gov-
16 ernment. The Secretary of Defense must continue to—

17 (A) support the European Deterrence Ini-
18 tiative and other investments in a strengthened
19 United States and allied force posture in Eu-
20 rope;

21 (B) support rotational deployments and ro-
22 bust exercises in the European theater;

23 (C) complete efforts to establish
24 prepositioned stocks and effective staging infra-

1 *structure to maintain credible deterrence against*
2 *Russian threats;*

3 *(D) invest effectively in multi-service, cyber,*
4 *information, and air defense efforts to counter*
5 *modern military challenges, enhance the surviv-*
6 *ability and flexibility of the United States force*
7 *posture, logistics, and planning; and*

8 *(E) consider whether additional forward-po-*
9 *sitioned forces in Europe would reduce cost and*
10 *strain, enhance credibility, and strengthen capa-*
11 *bilities.*

12 **SEC. 1303. SENSE OF CONGRESS ON SECURITY ASSISTANCE**
13 **TO THE BALTIC COUNTRIES.**

14 *(a) FINDINGS.—Congress finds the following:*

15 *(1) The United States has cumulatively allocated*
16 *over \$498,965,000 in Department of Defense partner*
17 *capacity funding for the Baltic countries since fiscal*
18 *year 2018, including over \$219,000,000 for the Baltic*
19 *security efforts known as the “Baltic Security Initia-*
20 *tive”, executed using sections 332 and 333 of title 10,*
21 *United States Code, including assistance with respect*
22 *to air defense, maritime situational awareness, am-*
23 *munition, C4ISR, anti-tank capability, special forces,*
24 *and other defense capabilities.*

1 (2) *The Secretary of Defense has completed the*
2 *comprehensive Baltic Defense Assessment required by*
3 *section 1246 of the National Defense Authorization*
4 *Act for Fiscal Year 2020 and has recommended con-*
5 *tinued robust, comprehensive investment Baltic secu-*
6 *rity efforts in accordance with that assessment, with*
7 *assistance executed using such sections 332 and 333.*

8 (3) *The Secretary of Defense has assessed that the*
9 *authority granted by such sections 332 and 333 af-*
10 *fords the most efficient and effective authority to pro-*
11 *vide this assistance to the Baltic countries, and that*
12 *attempting to provide the assistance pursuant to al-*
13 *ternate authorities would hamper the Department's*
14 *ability to deliver assistance and implement the invest-*
15 *ment program established by the Baltic Defense As-*
16 *essment.*

17 (b) *SENSE OF CONGRESS.—Congress strongly supports*
18 *the robust assistance to accomplish United States strategic*
19 *objectives in accordance with sections 332 and 333 of title*
20 *10, United States Code, including by providing assistance*
21 *to the Baltic countries using those sections, funded by the*
22 *Baltic Security Initiative. It is the sense of Congress that*
23 *the security of the Baltic region is crucial to the security*
24 *of the NATO alliance and these efforts are critical to ensure*

1 *continued deterrence against Russian aggression and bolster*
2 *allied security.*

3 ***Subtitle B—Security Cooperation***
4 ***and Assistance***

5 ***SEC. 1311. EXTENSION OF AUTHORITY FOR CERTAIN PAY-***
6 ***MENTS TO REDRESS INJURY AND LOSS.***

7 *Section 1213(a) of the National Defense Authorization*
8 *Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is amended*
9 *by striking “December 31, 2022” and inserting “December*
10 *31, 2023”.*

11 ***SEC. 1312. FOREIGN AREA OFFICER ASSESSMENT AND RE-***
12 ***VIEW.***

13 *(a) FINDINGS.—Congress finds the following:*

14 *(1) Foreign Area Officers of the Army and their*
15 *equivalent positions in the other Armed Forces (in*
16 *this section referred to as “FAOs”) are trained to*
17 *manage, grow, and enhance security cooperation rela-*
18 *tionships between the United States and foreign part-*
19 *ners and to build the overall military capacity and*
20 *capabilities of foreign partners.*

21 *(2) At present, some senior defense official posi-*
22 *tions in United States embassies are filled by officers*
23 *lacking the necessary skills, training, and experience*
24 *to strengthen the relationships between the United*
25 *States and its critical partners and allies.*

1 (3) *FAOs are trained to fill those positions, and*
2 *deficiencies in the equitable use, assessment, pro-*
3 *motion, diversity and inclusion of such officers, as*
4 *well as limitations on career opportunities, under-*
5 *mine the ability of the Department of Defense to*
6 *strengthen partnerships and alliances of the United*
7 *States.*

8 (4) *A federally funded research and development*
9 *center can provide a roadmap to correcting these defi-*
10 *ciencies, strengthening the FAO branch, and placing*
11 *qualified FAOs in positions of positive influence over*
12 *United States partnerships and alliances.*

13 *(b) ASSESSMENT AND REVIEW REQUIRED.—*

14 (1) *IN GENERAL.—Not later than 60 days after*
15 *the date of the enactment of this Act, the Secretary of*
16 *Defense shall enter into an agreement with a federally*
17 *funded research and development center to conduct an*
18 *independent assessment and comprehensive review of*
19 *the process by which Foreign Area Officers and their*
20 *equivalent positions in the other Armed Forces (in*
21 *this section referred to as “FAOs”) are recruited, se-*
22 *lected, trained, assigned, organized, promoted, re-*
23 *tained, and used in security cooperation offices, sen-*
24 *ior defense roles in U.S. embassies, and in other crit-*
25 *ical roles of engagement with allies and partners.*

1 (2) *ELEMENTS.*—*The assessment and review con-*
2 *ducted under paragraph (1) shall include the fol-*
3 *lowing:*

4 (A) *Identification and assessment of the*
5 *number and location of senior defense official*
6 *billets, including their grade structure and avail-*
7 *ability to FAOs.*

8 (B) *A review of the cultural, racial, and*
9 *ethnic diversity of FAOs.*

10 (C) *An assessment of the assignment process*
11 *for FAOs.*

12 (D) *A review and assessment of the pro-*
13 *motion criteria, process, and possible pathways*
14 *for career advancement for FAOs.*

15 (E) *A review of the organization and cat-*
16 *egorization of FAOs by geographic region.*

17 (F) *An assessment of the training program*
18 *for FAOs and its effectiveness.*

19 (G) *An assessment of the available career*
20 *paths for FAOs.*

21 (H) *An assessment of the criteria used to*
22 *determine staffing requirements for senior de-*
23 *fense official positions and security cooperation*
24 *roles for uniformed officers.*

1 (I) *A review of the staffing of senior defense*
2 *official and security cooperation roles and assess-*
3 *ment to determine whether requirements are*
4 *being met through the staffing process.*

5 (J) *An assessment of how the broader utili-*
6 *zation of FAOs in key security cooperation and*
7 *embassy defense leadership billets would improve*
8 *the quality and professionalism of the security*
9 *cooperation workforce under section 384 of title*
10 *10, United States Code.*

11 (K) *A review of how many FAO opportuni-*
12 *ties are joint-qualifying and an assessment of*
13 *whether increasing the number of joint-qualified*
14 *opportunities for FAOs would increase recruit-*
15 *ment, retention, and promotion.*

16 (L) *Any other matters the Secretary deter-*
17 *mines relevant.*

18 (c) *RESULTS.—The federally funded research and de-*
19 *velopment center conducting the assessment and review de-*
20 *scribed in subsection (b) shall submit to the Secretary the*
21 *results of such assessment and review, which shall include*
22 *the following:*

23 (1) *A summary of the research and activities un-*
24 *dertaken to carry out the assessment required by sub-*
25 *section (b).*

1 (2) *Considerations and recommendations, in-*
2 *cluding legislative recommendations, to achieve the*
3 *following:*

4 (A) *Improving the assessment, promotion,*
5 *assignment selection, retention, and diversity of*
6 *FAOs.*

7 (B) *Assigning additional FAOs to positions*
8 *as senior defense officials.*

9 (d) *SUBMISSION TO CONGRESS.—*

10 (1) *IN GENERAL.—Not later than December 31,*
11 *2022, the Secretary shall submit to the Committees on*
12 *Armed Services of the Senate and the House of Rep-*
13 *resentatives—*

14 (A) *an unaltered copy of the results sub-*
15 *mitted pursuant to subsection (c); and*

16 (B) *the written responses of the Secretary*
17 *and the Chairman of the Joint Chiefs of Staff to*
18 *such results.*

19 (2) *FORM.—The submission under paragraph*
20 *(1) shall be submitted in unclassified form, but may*
21 *include a classified annex.*

1 **SEC. 1313. WOMEN, PEACE, AND SECURITY ACT IMPLEMEN-**
2 **TATION AT MILITARY SERVICE ACADEMIES.**

3 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
4 *that \$15,000,000 should annually be made available for ac-*
5 *tivities that are—*

6 (1) *consistent with the Women, Peace, and Secu-*
7 *rity Act of 2017 (Public Law 115–68; 131 Stat. 1202)*
8 *and this section; and*

9 (2) *in furtherance of the national security prior-*
10 *ities of the United States.*

11 (b) *PROFESSIONAL MILITARY EDUCATION.*—*The Sec-*
12 *retary of Defense shall carry out activities consistent with*
13 *the Women, Peace, and Security Act of 2017 and with this*
14 *section, including by ensuring that professional military*
15 *education curriculum addresses—*

16 (1) *gender analysis;*

17 (2) *the meaningful participation of women in*
18 *national security activities; and*

19 (3) *the relationship between such participation*
20 *and security outcomes.*

21 (c) *BUILDING UNITED STATES CAPACITY.*—

22 (1) *MILITARY SERVICE ACADEMIES.*—*The Sec-*
23 *retary of Defense shall encourage the admission of di-*
24 *verse individuals (including individuals who are*
25 *women) to each military service academy, including*
26 *by—*

1 (A) *establishing programs that hold com-*
2 *manding officers accountable for removing biases*
3 *with respect to such individuals;*

4 (B) *ensuring that each military service*
5 *academy fosters a zero tolerance environment for*
6 *harassment towards such individuals; and*

7 (C) *ensuring that each military service*
8 *academy fosters equal opportunities for growth*
9 *that enable the full participation of such individ-*
10 *uals in all training programs, career tracks, and*
11 *elements of the Department, especially in ele-*
12 *ments of the Armed Forces previously closed to*
13 *women, such as infantry and special operations*
14 *forces.*

15 (2) *PARTNERSHIPS WITH SCHOOLS AND NON-*
16 *PROFIT ORGANIZATIONS.—The Secretary of Defense*
17 *shall seek to enter into partnerships with elementary*
18 *schools, secondary schools, postsecondary educational*
19 *institutions, and nonprofit organizations, to support*
20 *activities relating to the implementation of the*
21 *Women, Peace, and Security Act of 2017.*

22 (3) *BRIEFING.—Not later than one year after the*
23 *date of the enactment of this Act, the Director of the*
24 *Defense Security Cooperation Agency shall provide to*
25 *the appropriate committees of Congress a briefing on*

1 *efforts made at all levels to build partner defense in-*
2 *stitution and security force capacity pursuant to this*
3 *section.*

4 (4) *DEFINITIONS.—In this subsection:*

5 (A) *The term “appropriate committees of*
6 *Congress” includes—*

7 (i) *the Committee on Armed Services,*
8 *the Committee on Foreign Affairs, and the*
9 *Committee on Transportation and Infra-*
10 *structure of the House of Representatives;*
11 *and*

12 (ii) *the Committee on Armed Services,*
13 *the Committee on Foreign Relations, and*
14 *the Committee on Commerce, Science, and*
15 *Transportation of the Senate.*

16 (B) *The terms “elementary school” and*
17 *“secondary school” have the meanings given*
18 *those terms in section 8101 of the Elementary*
19 *and Secondary Education Act of 1965 (20*
20 *U.S.C. 7801).*

21 (C) *The term “military service academy”*
22 *means the following:*

23 (i) *The United States Military Acad-*
24 *emy.*

25 (ii) *The United States Naval Academy.*

1 (iii) *The United States Air Force*
2 *Academy.*

3 (iv) *The United States Coast Guard*
4 *Academy.*

5 (D) *The term “postsecondary educational*
6 *institution” has the meaning given that term in*
7 *section 3 of the Carl D. Perkins Career and*
8 *Technical Education Act of 2006 (20 U.S.C.*
9 *2302).*

10 ***Subtitle C—Other Matters***

11 ***SEC. 1321. EXTENSION OF AUTHORITY FOR DEPARTMENT*** 12 ***OF DEFENSE SUPPORT FOR STABILIZATION*** 13 ***ACTIVITIES IN NATIONAL SECURITY INTER-*** 14 ***EST OF THE UNITED STATES.***

15 *Section 1210A(h) of the National Defense Authoriza-*
16 *tion Act for Fiscal Year 2020 (Public Law 116–92; 133*
17 *Stat. 1626) is amended by striking “December 31, 2021”*
18 *and inserting “December 31, 2022”.*

19 ***SEC. 1322. NOTIFICATION RELATING TO OVERSEAS HUMAN-*** 20 ***ITARIAN, DISASTER, AND CIVIC AID FUNDS*** 21 ***OBLIGATED IN SUPPORT OF OPERATION AL-*** 22 ***LIES REFUGE.***

23 *Not later than 30 days after the date on which more*
24 *than \$100,000,000 of the amounts authorized to be appro-*
25 *priated by the Act for overseas humanitarian, disaster, and*

1 *civic aid are obligated for expenses in support of Operation*
2 *Allies Refuge, and every 90 days thereafter until all such*
3 *funds are obligated for Operation Allies Refuge, the Sec-*
4 *retary of Defense shall submit to the congressional defense*
5 *committees a notification that includes—*

6 (1) *the costs associated with the provision of*
7 *transportation, housing, medical services, and other*
8 *sustainment expenses for Afghan special immigrant*
9 *visa applicants and other Afghans at risk; and*

10 (2) *whether funds were obligated under a reim-*
11 *bursable or non-reimbursable basis.*

12 **SEC. 1323. LIMITATION ON USE OF FUNDS FOR THE 2022**
13 **OLYMPIC AND PARALYMPIC WINTER GAMES**
14 **IN CHINA.**

15 (a) *LIMITATION.—None of the funds authorized to be*
16 *appropriated or otherwise made available by this Act may*
17 *be made available to provide transportation for any United*
18 *States officer or official to attend, on official government*
19 *business, the 2022 Olympic and Paralympic Winter Games*
20 *in the People’s Republic of China.*

21 (b) *RULE OF CONSTRUCTION.—Nothing in this section*
22 *may be construed to limit the authorization of appropria-*
23 *tions to provide security during the 2022 Olympic and*
24 *Paralympic Winter Games to any United States athlete or*

1 *associated support staff of the United States Olympic and*
2 *Paralympic Committee.*

3 **SEC. 1324. REPORT ON HOSTILITIES INVOLVING UNITED**
4 **STATES ARMED FORCES.**

5 *(a) IN GENERAL.—The President shall report to the*
6 *congressional defense committees, the Committee on Foreign*
7 *Relations of the Senate, and the Committee on Foreign Af-*
8 *airs of the House of Representatives not later than 48 hours*
9 *after any incident in which the United States Armed Forces*
10 *are involved in an attack or hostilities, whether in an offen-*
11 *sive or defensive capacity, unless the President—*

12 *(1) otherwise reports the incident within 48*
13 *hours pursuant to section 4 of the War Powers Reso-*
14 *lution (50 U.S.C. 1543); or*

15 *(2) has determined prior to the incident, and so*
16 *reported pursuant to section 1264 of the National De-*
17 *fense Authorization Act for Fiscal Year 2018 (50*
18 *U.S.C. 1549), that the United States Armed Forces*
19 *involved in the incident would be operating under*
20 *specific statutory authorization within the meaning of*
21 *section 5(b) of the War Powers Resolution (50 U.S.C.*
22 *1544(b)).*

23 *(b) MATTERS TO BE INCLUDED.—Each report re-*
24 *quired by subsection (a) shall include—*

1 (1) *the statutory and operational authorities*
2 *under which the United States Armed Forces were op-*
3 *erating, including any relevant executive orders and*
4 *an identification of the operational activities author-*
5 *ized under such executive orders;*

6 (2) *the date, location, duration, and other par-*
7 *ties involved;*

8 (3) *a description of the United States Armed*
9 *Forces involved and the mission of such Armed*
10 *Forces;*

11 (4) *the numbers of any combatant casualties and*
12 *civilian casualties; and*

13 (5) *any other information the President deter-*
14 *mines appropriate.*

15 (c) *FORM.—The report required by subsection (a) shall*
16 *be submitted in unclassified form, but may include a classi-*
17 *fied annex.*

18 **TITLE XIV—OTHER**

19 **AUTHORIZATIONS**

20 **Subtitle A—Military Programs**

21 **SEC. 1401. WORKING CAPITAL FUNDS.**

22 *Funds are hereby authorized to be appropriated for fis-*
23 *cal year 2022 for the use of the Armed Forces and other*
24 *activities and agencies of the Department of Defense for*

1 *providing capital for working capital and revolving funds,*
2 *as specified in the funding table in section 4501.*

3 **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
4 **TION, DEFENSE.**

5 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
6 *hereby authorized to be appropriated for the Department*
7 *of Defense for fiscal year 2022 for expenses, not otherwise*
8 *provided for, for Chemical Agents and Munitions Destruc-*
9 *tion, Defense, as specified in the funding table in section*
10 *4501.*

11 *(b) USE.—Amounts authorized to be appropriated*
12 *under subsection (a) are authorized for—*

13 *(1) the destruction of lethal chemical agents and*
14 *munitions in accordance with section 1412 of the De-*
15 *partment of Defense Authorization Act, 1986 (50*
16 *U.S.C. 1521); and*

17 *(2) the destruction of chemical warfare materiel*
18 *of the United States that is not covered by section*
19 *1412 of such Act.*

20 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**
21 **TIVITIES, DEFENSE-WIDE.**

22 *Funds are hereby authorized to be appropriated for the*
23 *Department of Defense for fiscal year 2022 for expenses, not*
24 *otherwise provided for, for Drug Interdiction and Counter-*

1 *Drug Activities, Defense-wide, as specified in the funding*
2 *table in section 4501.*

3 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

4 *Funds are hereby authorized to be appropriated for the*
5 *Department of Defense for fiscal year 2022 for expenses, not*
6 *otherwise provided for, for the Office of the Inspector Gen-*
7 *eral of the Department of Defense, as specified in the fund-*
8 *ing table in section 4501.*

9 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

10 *Funds are hereby authorized to be appropriated for fis-*
11 *cal year 2022 for the Defense Health Program for use of*
12 *the Armed Forces and other activities and agencies of the*
13 *Department of Defense for providing for the health of eligi-*
14 *ble beneficiaries, as specified in the funding table in section*
15 *4501.*

16 ***Subtitle B—Other Matters***

17 **SEC. 1411. ACQUISITION OF STRATEGIC AND CRITICAL MA-**

18 **TERIALS FROM THE NATIONAL TECHNOLOGY**

19 **AND INDUSTRIAL BASE.**

20 *The Strategic and Critical Materials Stock Piling Act*
21 *(50 U.S.C. 98 et seq.) is amended—*

22 *(1) in section 6(b)(2), by inserting “to consult*
23 *with producers and processors of such materials” be-*
24 *fore “to avoid”;*

1 (2) *in section 12, by adding at the end the fol-*
2 *lowing new paragraph:*

3 “(3) *The term ‘national technology and indus-*
4 *trial base’ has the meaning given in section 2500 of*
5 *title 10, United States Code.’; and*

6 (3) *in section 15(a)—*

7 (A) *in paragraph (3), by striking “and” at*
8 *the end;*

9 (B) *in paragraph (4), by striking the period*
10 *at the end and inserting “; and”; and*

11 (C) *by adding at the end the following new*
12 *paragraph:*

13 “(5) *if domestic sources are unavailable to meet*
14 *the requirements defined in paragraphs (1) through*
15 *(4), by making efforts to prioritize the purchase of*
16 *strategic and critical materials from the national*
17 *technology and industrial base.’.*

18 **SEC. 1412. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**

19 **DEPARTMENT OF DEFENSE-DEPARTMENT OF**

20 **VETERANS AFFAIRS MEDICAL FACILITY DEM-**

21 **ONSTRATION FUND FOR CAPTAIN JAMES A.**

22 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

23 (a) *AUTHORITY FOR TRANSFER OF FUNDS.—Of the*
24 *funds authorized to be appropriated for section 1405 and*
25 *available for the Defense Health Program for operation and*

1 maintenance, \$137,000,000 may be transferred by the Sec-
2 retary of Defense to the Joint Department of Defense–De-
3 partment of Veterans Affairs Medical Facility Demonstra-
4 tion Fund established by subsection (a)(1) of section 1704
5 of the National Defense Authorization Act for Fiscal Year
6 2010 (Public Law 111-84; 123 Stat. 2571). For purposes
7 of subsection (a)(2) of such section 1704, any funds so
8 transferred shall be treated as amounts authorized and ap-
9 propriated specifically for the purpose of such a transfer.

10 (b) *USE OF TRANSFERRED FUNDS.*—For the purposes
11 of subsection (b) of such section 1704, facility operations
12 for which funds transferred under subsection (a) may be
13 used are operations of the Captain James A. Lovell Federal
14 Health Care Center, consisting of the North Chicago Vet-
15 erans Affairs Medical Center, the Navy Ambulatory Care
16 Center, and supporting facilities designated as a combined
17 Federal medical facility under an operational agreement
18 covered by section 706 of the Duncan Hunter National De-
19 fense Authorization Act for Fiscal Year 2009 (Public Law
20 110-417; 122 Stat. 4500).

21 **SEC. 1413. AUTHORIZATION OF APPROPRIATIONS FOR**
22 **ARMED FORCES RETIREMENT HOME.**

23 *There is hereby authorized to be appropriated for fiscal*
24 *year 2022 from the Armed Forces Retirement Home Trust*

1 *Fund the sum of \$75,300,000 for the operation of the Armed*
2 *Forces Retirement Home.*

3 **TITLE XV—CYBERSPACE-**
4 **RELATED MATTERS**
5 **Subtitle A—Cyber Threats**

6 **SEC. 1501. CYBER THREAT INFORMATION COLLABORATION**
7 **ENVIRONMENT.**

8 (a) *IN GENERAL.*—*In consultation with the Cyber*
9 *Threat Data Standards and Interoperability Council estab-*
10 *lished pursuant to subsection (d), the Secretary of Home-*
11 *land Security, in coordination with the Secretary of De-*
12 *fense and the Director of National Intelligence (acting*
13 *through the Director of the National Security Agency), shall*
14 *develop an information collaboration environment and as-*
15 *sociated analytic tools that enable entities to identify, miti-*
16 *gate, and prevent malicious cyber activity to—*

17 (1) *provide limited access to appropriate and*
18 *operationally relevant data from unclassified and*
19 *classified intelligence about cybersecurity risks and*
20 *cybersecurity threats, as well as malware forensics*
21 *and data from network sensor programs, on a plat-*
22 *form that enables query and analysis;*

23 (2) *enable cross-correlation of data on cybersecu-*
24 *rity risks and cybersecurity threats at the speed and*
25 *scale necessary for rapid detection and identification;*

1 (3) *facilitate a comprehensive understanding of*
2 *cybersecurity risks and cybersecurity threats; and*

3 (4) *facilitate collaborative analysis between the*
4 *Federal Government and private sector critical infra-*
5 *structure entities and information and analysis orga-*
6 *nizations.*

7 (b) *IMPLEMENTATION OF INFORMATION COLLABORA-*
8 *TION ENVIRONMENT.—*

9 (1) *EVALUATION.—Not later than 180 days after*
10 *the date of the enactment of this Act, the Secretary of*
11 *Homeland Security, acting through the Director of*
12 *the Cybersecurity and Infrastructure Security Agency*
13 *of the Department of Homeland Security, in coordi-*
14 *nation with the Secretary of Defense and the Director*
15 *of National Intelligence (acting through the Director*
16 *of the National Security Agency), shall—*

17 (A) *identify, inventory, and evaluate exist-*
18 *ing Federal sources of classified and unclassified*
19 *information on cybersecurity threats;*

20 (B) *evaluate current programs, applica-*
21 *tions, or platforms intended to detect, identify,*
22 *analyze, and monitor cybersecurity risks and cy-*
23 *bersecurity threats; and*

24 (C) *coordinate with private sector critical*
25 *infrastructure entities and, as determined appro-*

1 *priate by the Secretary of Homeland Security,*
2 *in consultation with the Secretary of Defense,*
3 *other private sector entities, to identify private*
4 *sector cyber threat capabilities, needs, and gaps.*

5 *(2) IMPLEMENTATION.—Not later than one year*
6 *after the evaluation required under paragraph (1),*
7 *the Secretary of Homeland Security, acting through*
8 *the Director of the Cybersecurity and Infrastructure*
9 *Security Agency, in coordination with the Secretary*
10 *of Defense and the Director of National Intelligence*
11 *(acting through the Director of the National Security*
12 *Agency), shall begin implementation of the informa-*
13 *tion collaboration environment developed pursuant to*
14 *subsection (a) to enable participants in such environ-*
15 *ment to develop and run analytic tools referred to in*
16 *such subsection on specified data sets for the purpose*
17 *of identifying, mitigating, and preventing malicious*
18 *cyber activity that is a threat to government and crit-*
19 *ical infrastructure. Such environment and use of such*
20 *tools shall—*

21 *(A) operate in a manner consistent with*
22 *relevant privacy, civil rights, and civil liberties*
23 *policies and protections, including such policies*
24 *and protections established pursuant to section*

1 *1016 of the Intelligence Reform and Terrorism*
2 *Prevention Act of 2004 (6 U.S.C. 485);*

3 *(B) account for appropriate data standards*
4 *and interoperability requirements, consistent*
5 *with the standards set forth in subsection (d);*

6 *(C) enable integration of current applica-*
7 *tions, platforms, data, and information, includ-*
8 *ing classified information, in a manner that*
9 *supports integration of unclassified and classi-*
10 *fied information on cybersecurity risks and cy-*
11 *bersecurity threats;*

12 *(D) incorporate tools to manage access to*
13 *classified and unclassified data, as appropriate;*

14 *(E) ensure accessibility by entities the Sec-*
15 *retary of Homeland Security, in consultation*
16 *with the Secretary of Defense and the Director of*
17 *National Intelligence (acting through the Direc-*
18 *tor of the National Security Agency), determines*
19 *appropriate;*

20 *(F) allow for access by critical infrastruc-*
21 *ture stakeholders and other private sector part-*
22 *ners, at the discretion of the Secretary of Home-*
23 *land Security, in consultation with the Secretary*
24 *of Defense;*

1 (G) *deploy analytic tools across classifica-*
2 *tion levels to leverage all relevant data sets, as*
3 *appropriate;*

4 (H) *identify tools and analytical software*
5 *that can be applied and shared to manipulate,*
6 *transform, and display data and other identified*
7 *needs; and*

8 (I) *anticipate the integration of new tech-*
9 *nologies and data streams, including data from*
10 *government-sponsored network sensors or net-*
11 *work-monitoring programs deployed in support*
12 *of State, local, Tribal, and territorial govern-*
13 *ments or private sector entities.*

14 (c) *POST-DEPLOYMENT ASSESSMENT.—Not later than*
15 *two years after the implementation of the information col-*
16 *laboration environment under subsection (b), the Secretary*
17 *of Homeland Security, the Secretary of Defense, and the*
18 *Director of National Intelligence (acting through the Direc-*
19 *tor of the National Security Agency) shall jointly submit*
20 *to Congress an assessment of whether to include additional*
21 *entities, including critical infrastructure information shar-*
22 *ing and analysis organizations, in such environment.*

23 (d) *CYBER THREAT DATA STANDARDS AND INTER-*
24 *OPERABILITY COUNCIL.—*

1 (1) *ESTABLISHMENT.*—*There is established an*
2 *interagency council, to be known as the “Cyber*
3 *Threat Data Standards and Interoperability Council”*
4 *(in this subsection referred to as the “council”),*
5 *chaired by the Secretary of Homeland Security, to es-*
6 *tablish data standards and requirements for public*
7 *and private sector entities to participate in the infor-*
8 *mation collaboration environment developed pursuant*
9 *to subsection (a).*

10 (2) *OTHER MEMBERSHIP.*—

11 (A) *PRINCIPAL MEMBERS.*—*In addition to*
12 *the Secretary of Homeland Security, the council*
13 *shall be composed of the Director of the Cyberse-*
14 *curity and Infrastructure Security Agency of the*
15 *Department of Homeland Security, the Secretary*
16 *of Defense, and the Director of National Intel-*
17 *ligence (acting through the Director of the Na-*
18 *tional Security Agency).*

19 (B) *ADDITIONAL MEMBERS.*—*The President*
20 *shall identify and appoint council members from*
21 *public and private sector entities who oversee*
22 *programs that generate, collect, or disseminate*
23 *data or information related to the detection,*
24 *identification, analysis, and monitoring of*
25 *cybersecurity risks and cybersecurity threats,*

1 *based on recommendations submitted by the Sec-*
2 *retary of Homeland Security, the Secretary of*
3 *Defense, and the Director of National Intel-*
4 *ligence (acting through the Director of the Na-*
5 *tional Security Agency).*

6 (3) *DATA STREAMS.*—*The council shall identify,*
7 *designate, and periodically update programs that*
8 *shall participate in or be interoperable with the infor-*
9 *mation collaboration environment developed pursuant*
10 *to subsection (a), which may include the following:*

11 (A) *Network-monitoring and intrusion de-*
12 *tection programs.*

13 (B) *Cyber threat indicator sharing pro-*
14 *grams.*

15 (C) *Certain government-sponsored network*
16 *sensors or network-monitoring programs.*

17 (C) *Incident response and cybersecurity*
18 *technical assistance programs.*

19 (D) *Malware forensics and reverse-engineer-*
20 *ing programs.*

21 (4) *DATA GOVERNANCE.*—*The council shall estab-*
22 *lish a committee comprised of the privacy officers of*
23 *the Department of Homeland Security, the Depart-*
24 *ment of Defense, and the National Security Agency.*
25 *Such committee shall establish procedures and data*

1 *governance structures, as necessary, to protect sen-*
2 *sitive data, comply with Federal regulations and stat-*
3 *utes, and respect existing consent agreements with*
4 *private sector critical infrastructure entities that*
5 *apply to critical infrastructure information.*

6 (5) *RECOMMENDATIONS.—The council shall, as*
7 *appropriate, submit recommendations to the Presi-*
8 *dent to support the operation, adaptation, and secu-*
9 *rity of the information collaboration environment de-*
10 *veloped pursuant to subsection (a).*

11 (e) *DEFINITIONS.—In this section:*

12 (1) *CRITICAL INFRASTRUCTURE.—The term*
13 *“critical infrastructure” has the meaning given such*
14 *term in section 1016(e) of Public Law 107–56 (42*
15 *U.S.C. 5195c(e)).*

16 (2) *CRITICAL INFRASTRUCTURE INFORMATION.—*
17 *The term “critical infrastructure information” has*
18 *the meaning given such term in section 2222 of the*
19 *Homeland Security Act of 2002 (6 U.S.C. 671).*

20 (3) *CYBER THREAT INDICATOR.—The term*
21 *“cyber threat indicator” has the meaning given such*
22 *term in section 102(6) of the Cybersecurity Act of*
23 *2015 (enacted as division N of the Consolidated Ap-*
24 *propriations Act, 2016 (Public Law 114–113; 6*
25 *U.S.C. 1501(6))).*

1 (4) *CYBERSECURITY RISK*.—*The term “cyberse-*
2 *curity risk” has the meaning given such term in sec-*
3 *tion 2209 of the Homeland Security Act of 2002 (6*
4 *U.S.C. 659).*

5 (5) *CYBERSECURITY THREAT*.—*The term “cyber-*
6 *security threat” has the meaning given such term in*
7 *section 102(5) of the Cybersecurity Act of 2015 (en-*
8 *acted as division N of the Consolidated Appropria-*
9 *tions Act, 2016 (Public Law 114–113; 6 U.S.C.*
10 *1501(5)).*

11 (6) *INFORMATION SHARING AND ANALYSIS ORGA-*
12 *NIZATION*.—*The term “information sharing and anal-*
13 *ysis organization” has the meaning given such term*
14 *in section 2222 of the Homeland Security Act of 2002*
15 *(6 U.S.C. 671).*

16 **SEC. 1502. ENTERPRISE-WIDE PROCUREMENT OF COMMERCIAL CYBER THREAT INFORMATION PRODUCTS.**

17 (a) *PROGRAM*.—*No later than one year after the date*
18 *of the enactment of this Act, the Secretary of Defense, acting*
19 *through the Commander of Joint Force Headquarters-De-*
20 *partment of Defense information products Network, shall*
21 *establish a program management office for the enterprise-*
22 *wide procurement of commercial cyber threat information*
23 *products.*
24 *products.*

1 *products. The program manager of such program shall be*
2 *responsible for the following:*

3 (1) *Surveying components of the Department for*
4 *the commercial cyber threat information product*
5 *needs of such components.*

6 (2) *Conducting market research of commercial*
7 *cyber threat information products.*

8 (3) *Developing requirements, both independently*
9 *and through consultation with components, for the ac-*
10 *quisition of commercial cyber threat information*
11 *products.*

12 (4) *Developing and instituting model contract*
13 *language for the acquisition of commercial cyber*
14 *threat information products, including contract lan-*
15 *guage that facilitates Department of Defense compo-*
16 *nents' requirements for ingesting, sharing, using and*
17 *reusing, structuring, and analyzing data derived from*
18 *such products.*

19 (5) *Conducting procurement of commercial cyber*
20 *threat information products on behalf of the Depart-*
21 *ment of Defense, including negotiating contracts with*
22 *a fixed number of licenses based on aggregate compo-*
23 *nent demand and negotiation of extensible contracts.*

24 (b) *COORDINATION.*—*In implementing this section,*
25 *each component of the Department of Defense shall coordi-*

1 *nate the commercial cyber threat information product re-*
2 *quirements and potential procurement plans relating to*
3 *such products of each such component with the program*
4 *management office established pursuant to subsection (a) so*
5 *as to enable the program management office to determine*
6 *if satisfying such requirements or such procurement of such*
7 *products on an enterprise-wide basis would serve the best*
8 *interests of the Department.*

9 (c) *PROHIBITION.—Beginning not later than 540 days*
10 *after the date of the enactment of this Act, no component*
11 *of the Department of Defense may independently procure*
12 *a commercial cyber threat information product that has*
13 *been procured by the program management office estab-*
14 *lished pursuant to subsection (a), unless—*

15 (1) *such component is able to procure such prod-*
16 *uct at a lower per-unit price than that available*
17 *through the program management office; or*

18 (2) *the program management office has approved*
19 *such independent purchase.*

20 (d) *EXCEPTION.—The requirements of subsections (b)*
21 *and (c) shall not apply to the National Security Agency.*

22 (e) *DEFINITION.—In this section, the term “commer-*
23 *cial cyber threat information products” refers to commer-*
24 *cially-available data and indicators that facilitate dis-*
25 *covery and understanding of the targets, infrastructure,*

1 *tools, and tactics, techniques, and procedures of cyber*
2 *threats.*

3 ***Subtitle B—Cyber Systems and***
4 ***Operations***

5 ***SEC. 1511. LEGACY INFORMATION TECHNOLOGIES AND SYS-***
6 ***TEMS ACCOUNTABILITY.***

7 (a) *IN GENERAL.*—*Not later than 270 days after the*
8 *date of the enactment of this Act, the Secretaries of the*
9 *Army, Navy, and Air Force shall each initiate efforts to*
10 *identify legacy applications, software, and information*
11 *technology within their respective Departments.*

12 (b) *SPECIFICATIONS.*—*To carry out subsection (a),*
13 *that Secretaries of the Army, Navy, and Air Force shall*
14 *each document the following:*

15 (1) *An identification of the applications, soft-*
16 *ware, and information technologies that are consid-*
17 *ered active or operational, but which are judged to no*
18 *longer be required by the respective Department.*

19 (2) *Information relating to the sources of fund-*
20 *ing for the applications, software, and information*
21 *technologies identified under paragraph (1).*

22 (3) *An identification of the senior official re-*
23 *sponsible for each application, software, and informa-*
24 *tion technology identified under paragraph (1).*

1 (4) *A plan to discontinue use and funding for*
2 *each item application, software, and information*
3 *technology identified under paragraph (1).*

4 (c) *EXEMPTION.*—*Any effort substantially similar to*
5 *that described in subsection (a) that is being carried out*
6 *by the Secretary of the Army, Navy, or Air Force as of*
7 *the date of the enactment of this Act and completed not later*
8 *180 days after such date shall be treated as satisfying the*
9 *requirement under such subsection.*

10 (d) *REPORT.*—*Not later than 270 days after the date*
11 *of the enactment of this Act, the Secretaries of the Army,*
12 *Navy, and Air Force shall each submit to the congressional*
13 *defense committees the documentation required under sub-*
14 *section (b).*

15 **SEC. 1512. UPDATE RELATING TO RESPONSIBILITIES OF**
16 **CHIEF INFORMATION OFFICER.**

17 *Paragraph (1) of section 142(b) of title 10, United*
18 *States Code, is amended—*

19 (1) *in subparagraphs (A), (B), and (C), by strik-*
20 *ing “(other than with respect to business manage-*
21 *ment)” each place it appears; and*

22 (2) *by amending subparagraph (D) to read as*
23 *follows:*

1 “(D) exercises authority, direction, and control
2 over the Cybersecurity Directorate, or any successor
3 organization, of the National Security Agency;”.

4 **SEC. 1513. PROTECTIVE DOMAIN NAME SYSTEM WITHIN**
5 **THE DEPARTMENT OF DEFENSE.**

6 (a) *IN GENERAL.*—Not later than 120 days after the
7 date of the enactment of this Act, the Secretary shall ensure
8 each component of the Department of Defense uses a Protec-
9 tive Domain Name System (PDNS) instantiation offered
10 by the Department.

11 (b) *EXEMPTIONS.*—The Secretary of Defense may ex-
12 empt a component of the Department from using a PDNS
13 instantiation for any reason except for cost or technical ap-
14 plication.

15 (c) *REPORT TO CONGRESS.*—Not later than 150 days
16 after the date of the enactment of this Act, the Secretary
17 of Defense shall submit to the congressional defense commit-
18 tees a report that includes information relating to—

19 (1) each component of the Department that uses
20 a PDNS instantiation offered by the Department;

21 (2) each component exempt from using a PDNS
22 instantiation pursuant to subsection (b); and

23 (3) efforts to ensure that the PDNS instantiation
24 offered by the Department connect and share relevant
25 and timely data.

1 **Subtitle C—Cyber Weapons**

2 **SEC. 1521. NOTIFICATION REQUIREMENTS REGARDING**
3 **CYBER WEAPONS.**

4 (a) *IN GENERAL.*—Not later than 120 days after the
5 date of the enactment of this Act, the Secretary of Defense
6 shall submit to the congressional defense committees a re-
7 port on the Department of Defense’s compliance responsibil-
8 ities regarding cyber capabilities. Such report shall also in-
9 clude the Department’s definition of “cyber capability” that
10 includes all software, hardware, middleware, code, and
11 other information technology developed using amounts from
12 the Cyberspace Activities Budget of the Department of De-
13 fense that may used in operations authorized under title
14 10, United States Code.

15 (b) *LIMITATION.*—Of amounts authorized to be appro-
16 priated by this Act or otherwise made available for fiscal
17 year 2022 for operations and maintenance, Defense-Wide,
18 for the Office of the Secretary of Defense for travel, not more
19 than 75 percent of such amounts may be obligated or ex-
20 pended until the Secretary of Defense has submitted to the
21 congressional defense committees the report required under
22 subsection (a).

1 **SEC. 1522. CYBERSECURITY OF WEAPON SYSTEMS.**

2 *Section 1640 of the National Defense Authorization*
3 *Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.*
4 *2224 note), is amended—*

5 *(1) in subsection (c)(1), by adding at the end the*
6 *following new subparagraphs:*

7 *“(E) Nuclear Command, Control, and Com-*
8 *munications (NC3).*

9 *“(F) Senior Leadership Enterprise.”; and*

10 *(2) by adding at the end the following new sub-*
11 *section:*

12 *“(f) BIENNIAL REPORTS.—Not later than June 30,*
13 *2022, and every six months thereafter through 2023, the*
14 *Secretary of Defense shall provide to the congressional de-*
15 *fense committees a report on the work of the Program, in-*
16 *cluding information relating to staffing and accomplish-*
17 *ments of during the immediately preceding six-month pe-*
18 *riod.”.*

1 ***Subtitle D—Other Cyber Matters***

2 ***SEC. 1531. FEASIBILITY STUDY REGARDING ESTABLISH-***
3 ***MENT WITHIN THE DEPARTMENT OF DE-***
4 ***FENSE A DESIGNATED CENTRAL PROGRAM***
5 ***OFFICE, HEADED BY A SENIOR DEPARTMENT***
6 ***OFFICIAL, RESPONSIBLE FOR OVERSEEING***
7 ***ALL ACADEMIC ENGAGEMENT PROGRAMS FO-***
8 ***CUSING ON CREATING CYBER TALENT***
9 ***ACROSS THE DEPARTMENT.***

10 (a) *IN GENERAL.*—Not later than 270 days after the
11 date of the enactment of this Act, the Secretary of Defense
12 shall submit to the congressional defense committees a feasi-
13 bility study regarding the establishment within the Depart-
14 ment of Defense of a designated central program office,
15 headed by a senior Department official, responsible for over-
16 seeing all academic engagement programs focusing on cre-
17 ating cyber talent across the Department. Such study shall
18 examine the following:

19 (1) *The manner in or through which such a des-*
20 *ignated central program office would obligate and ex-*
21 *pend amounts relating to cyber education initiatives.*

22 (2) *The manner in or through which such a des-*
23 *ignated central program office would interact with*
24 *the consortium or consortia of universities (estab-*
25 *lished pursuant to section 1659 of the National De-*

1 *fense Authorization Act for Fiscal Year 2020 (10*
2 *U.S.C. 391 note)) to assist the Secretary on cybersecu-*
3 *rity matters.*

4 (3) *The reasons why cyber has unique programs*
5 *apart from other science, technology, engineering, and*
6 *math programs.*

7 (4) *Whether the creation of the designated central*
8 *program office will have an estimated net savings for*
9 *the Department.*

10 (b) *CONSULTATION.—In conducting the feasibility*
11 *study required under subsection (a), the Secretary of De-*
12 *fense shall consult with and solicit recommendations from*
13 *academic institutions and stakeholders, including primary,*
14 *secondary, and post-secondary educational institutions.*

15 (c) *DETERMINATION.—*

16 (1) *IN GENERAL.—Upon completion of the feasi-*
17 *bility study required under subsection (a), the Sec-*
18 *retary of Defense shall make a determination regard-*
19 *ing the establishment within the Department of De-*
20 *fense of a designated central program office respon-*
21 *sible for each covered academic engagement program*
22 *across the Department.*

23 (2) *IMPLEMENTATION.—If the Secretary of De-*
24 *fense makes a determination under paragraph (1) in*
25 *the affirmative, the Secretary shall establish within*

1 *the Department of Defense a designated central pro-*
2 *gram office responsible for each covered academic en-*
3 *richment program across the Department. Not later*
4 *than 180 days after such a determination in the af-*
5 *firmative, the Secretary shall promulgate such rules*
6 *and regulations as are necessary to so establish such*
7 *an office.*

8 (3) *NEGATIVE DETERMINATION.—If the Sec-*
9 *retary determines not to establish a designated central*
10 *program office under subsection (a), the Secretary*
11 *shall submit to Congress notice of such determination*
12 *together with a justification for the determination.*

13 (d) *COMPREHENSIVE REPORT.—Not later than 270*
14 *days after the date of the enactment of this Act, the Sec-*
15 *retary of Defense shall submit to the congressional defense*
16 *committees a comprehensive report that updates the matters*
17 *required for inclusion in the reports required pursuant to*
18 *section 1649 of the National Defense Authorization Act for*
19 *Fiscal Year 2020 (Public Law 116–92) and section 1726(c)*
20 *of the William M. (Mac) Thornberry National Defense Au-*
21 *thorization Act for Fiscal Year 2021 (Public Law 116–283).*

22 (e) *DEFINITION.—In this section, the term “covered*
23 *academic engagement program” means each of the fol-*
24 *lowing:*

1 (1) *Any primary, secondary, or post-secondary*
2 *education program.*

3 (2) *Any recruitment or retention program.*

4 (3) *Any scholarship program.*

5 (4) *Any academic partnerships.*

6 (5) *Any general enrichment program.*

7 **SEC. 1532. PROHIBITION ON CHIEF INFORMATION OFFICER**
8 **OF THE DEPARTMENT OF DEFENSE SERVING**
9 **AS PRINCIPAL CYBER ADVISOR OF THE DE-**
10 **PARTMENT.**

11 *Section 932(c)(1) of the National Defense Authoriza-*
12 *tion Act for Fiscal Year 2014 (Public Law 113–66; 10*
13 *U.S.C. 2224 note) is amended by inserting after “civilian*
14 *officials of the Department of Defense” the following:*
15 *“(other than the Chief Information Officer of the Depart-*
16 *ment)”.*

17 **TITLE XVI—SPACE ACTIVITIES,**
18 **STRATEGIC PROGRAMS, AND**
19 **INTELLIGENCE MATTERS**
20 **Subtitle A—Space Activities**

21 **SEC. 1601. IMPROVEMENTS TO TACTICALLY RESPONSIVE**
22 **SPACE LAUNCH PROGRAM.**

23 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
24 *that—*

1 (1) *the Space Force, in collaboration with the*
2 *United States Space Command, the military depart-*
3 *ments, relevant Defense Agencies and, where prac-*
4 *ticable, the National Reconnaissance Office, should*
5 *continue to build on the successful Space Safari*
6 *tactically responsive launch-2 mission of the Space*
7 *Force, which was a pathfinder to inform concepts of*
8 *operation regarding tactically responsive launches;*
9 *and*

10 (2) *future efforts regarding tactically responsive*
11 *launches should not be limited to only launch capa-*
12 *bilities, but should also include all aspects that are*
13 *needed for rapid reconstitution and responsiveness to*
14 *urgent requirements with respect to satellite buses,*
15 *payloads, operations, and ground infrastructure.*

16 (b) *PROGRAM.—Section 1609 of the William M. (Mac)*
17 *Thornberry National Defense Authorization Act for Fiscal*
18 *Year 2021 (Public Law 116–283) is amended—*

19 (1) *by striking “The Secretary” and inserting*
20 *“(a) PROGRAM.—The Secretary”; and*

21 (2) *by adding at the end the following new sub-*
22 *section:*

23 “(b) *SUPPORT.—*

24 “(1) *ELEMENTS.—The Secretary of Defense, in*
25 *consultation with the Director of National Intel-*

1 *ligence, shall support the tactically responsive launch*
2 *program under subsection (a) during the period cov-*
3 *ered by the future-years defense program submitted to*
4 *Congress under section 221 of title 10, United States*
5 *Code, in 2022 to ensure that the program addresses*
6 *the following:*

7 “(A) *The ability to rapidly place on-orbit*
8 *systems to respond to urgent needs of the com-*
9 *manders of the combatant commands or to recon-*
10 *stitute space assets and capabilities to support*
11 *national security priorities if such assets and ca-*
12 *pabilities are degraded, attacked, or otherwise*
13 *impaired, including such assets and capabilities*
14 *relating to protected communications and intel-*
15 *ligence, surveillance, and reconnaissance.*

16 “(B) *The entire launch process, including*
17 *with respect to launch services, satellite bus and*
18 *payload availability, and operations and*
19 *sustainment on-orbit.*

20 “(2) *PLAN.—As a part of the defense budget ma-*
21 *terials (as defined in section 239 of title 10, United*
22 *States Code) for fiscal year 2023, the Secretary of De-*
23 *fense, in consultation with the Director of National*
24 *Intelligence, shall submit to Congress a plan for the*
25 *tactically responsive launch program to address the*

1 *elements under paragraph (1). Such plan shall in-*
2 *clude the following:*

3 *“(A) Lessons learned from the Space Safari*
4 *tactically responsive launch-2 mission of the*
5 *Space Force, and how to incorporate such lessons*
6 *into future efforts regarding tactically responsive*
7 *launches.*

8 *“(B) How to achieve responsive acquisition*
9 *timelines within the adaptive acquisition frame-*
10 *work for space acquisition pursuant to section*
11 *807.*

12 *“(C) Plans to address supply chain issues*
13 *and leverage commercial capabilities to support*
14 *future reconstitution and urgent space require-*
15 *ments leveraging the tactically responsive launch*
16 *program under subsection (a).”.*

17 **SEC. 1602. NATIONAL SECURITY SPACE LAUNCH PROGRAM.**

18 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
19 *that—*

20 *(1) the Department of Defense and the National*
21 *Reconnaissance Office should, to the extent prac-*
22 *ticable, use launch services under a phase two con-*
23 *tract of the National Security Space Launch pro-*
24 *gram; and*

1 (2) *for missions that fall outside of the require-*
2 *ments of phase two of the National Security Space*
3 *Launch program, the Department of Defense and the*
4 *National Reconnaissance Office should continue to le-*
5 *verage the growing launch provider base of the United*
6 *States, including those companies that provide small-*
7 *er and ride-share launch capabilities, to incentivize*
8 *sustained investment in domestic launch capabilities.*

9 (b) *POLICY.—With respect to entering into contracts*
10 *for launch services during the period beginning on the date*
11 *of the enactment of this Act and ending September 30, 2024,*
12 *it shall be the policy of the Department of Defense and the*
13 *National Reconnaissance Office to—*

14 (1) *use the National Security Space Launch pro-*
15 *gram to the extent practicable to procure launch serv-*
16 *ices that are met under the requirements of phase two;*
17 *and*

18 (2) *maximize continuous competition for launch*
19 *services as the Space Force initiates planning for*
20 *phase three, specifically for those technology areas*
21 *that are unique to existing and emerging national se-*
22 *curity requirements.*

23 (c) *NOTIFICATION.—If the Secretary of Defense or the*
24 *Director of the National Reconnaissance Office determines*
25 *that a program requiring launch services that could be met*

1 *using phase two contracts will instead use an alternative*
2 *launch procurement approach, not later than seven days*
3 *after the date of such determination, the Secretary of De-*
4 *fense or, as appropriate, the Director of National Intel-*
5 *ligence, shall submit to the appropriate congressional com-*
6 *mittees—*

7 (1) *a notification of such determination;*

8 (2) *a certification that the alternative launch*
9 *procurement approach is in the national security in-*
10 *terest of the United States; and*

11 (3) *an outline of the cost analysis and any other*
12 *rationale for such determination.*

13 *(d) REPORT.—*

14 (1) *REQUIREMENT.—Not later than 90 days*
15 *after the date of the enactment of this Act, the Sec-*
16 *retary of Defense, in coordination with the Chief of*
17 *Space Operations and the Director of the Space De-*
18 *velopment Agency, and in consultation with the Di-*
19 *rector of National Intelligence (including with respect*
20 *to the views of the Director of the National Recon-*
21 *naissance Office), shall submit to the appropriate con-*
22 *gressional committees a report on the plans of the*
23 *Secretary to address, with respect to launches that*
24 *would be procured in addition to or outside of*
25 *launches under phase two, the emerging launch re-*

1 *quirements in the areas of space access, mobility, and*
2 *logistics that cannot be met by phase two capabilities,*
3 *as of the date of the report.*

4 (2) *ELEMENTS.*—*The report under paragraph*
5 *(1) shall include the following:*

6 (A) *An examination of the benefits of com-*
7 *peting up to two launches per year outside of*
8 *phase two to accelerate the rapid development*
9 *and on-orbit deployment of enabling and trans-*
10 *formational technologies required to address*
11 *emerging requirements, including with respect*
12 *to—*

13 (i) *delivery of in-space transportation,*
14 *logistics and on-orbit servicing capabilities*
15 *to enhance the persistence, sensitivity, and*
16 *resiliency of national security space mis-*
17 *sions in a contested space environment;*

18 (ii) *proliferated low-Earth orbit con-*
19 *stellation deployment;*

20 (iii) *routine access to extended orbits*
21 *beyond geostationary orbits, including*
22 *cislunar orbits;*

23 (iv) *greater cislunar awareness capa-*
24 *bilities;*

1 (v) *payload fairings that exceed cur-*
2 *rent launch requirements;*

3 (vi) *increased responsiveness for heavy*
4 *lift capability;*

5 (vii) *the ability to transfer orbits, in-*
6 *cluding point-to-point orbital transfers;*

7 (viii) *capacity and capability to exe-*
8 *cute secondary deployments;*

9 (ix) *high-performance upper stages;*

10 (x) *vertical integration; and*

11 (xi) *other new missions that are out-*
12 *side the parameters of the nine design ref-*
13 *erence missions that exist as of the date of*
14 *the enactment of this Act;*

15 (B) *A description of how competing space*
16 *access, mobility, and logistics launches could aid*
17 *in establishing a new acquisition framework*
18 *to—*

19 (i) *promote the potential for additional*
20 *open and sustainable competition for phase*
21 *three; and*

22 (ii) *re-examine the balance of mission*
23 *assurance versus risk tolerance to reflect*
24 *new resilient spacecraft architectures and*
25 *reduce workload on the Federal Government*

1 *and industry to perform mission assurance*
2 *where appropriate.*

3 *(C) An analysis of how the matters under*
4 *subparagraphs (A) and (B) may help continue to*
5 *reduce the cost per launch of national security*
6 *payloads.*

7 *(D) An examination of the effects to the Na-*
8 *tional Security Space Launch program if con-*
9 *tracted launch providers cannot meet all phase*
10 *two requirements, including with respect to—*

11 *(i) the effects to national security*
12 *launch resiliency; and*

13 *(ii) the cost effects of a launch market*
14 *that lacks full competition.*

15 *(3) FORM.—The report under paragraph (1)*
16 *shall be submitted in unclassified form, but may in-*
17 *clude a classified appendix.*

18 *(4) BRIEFING.—Not later than 30 days after the*
19 *date of the enactment of this Act, the Secretary, in*
20 *consultation with the Director of National Intel-*
21 *ligence, shall provide to the appropriate congressional*
22 *committees a briefing on the report under paragraph*
23 *(1).*

24 *(e) DEFINITIONS.—In this section:*

1 (1) *The term “appropriate congressional com-*
2 *mittees” means—*

3 (A) *the congressional defense committees;*

4 *and*

5 (B) *the Permanent Select Committee on In-*
6 *telligence of the House of Representatives and the*
7 *Select Committee on Intelligence of the Senate.*

8 (2) *The term “phase three” means, with respect*
9 *to the National Security Space Launch program,*
10 *launch missions ordered under the program after fis-*
11 *cal year 2024.*

12 (3) *The term “phase two” means, with respect to*
13 *the National Security Space Launch program, launch*
14 *missions ordered under the program during fiscal*
15 *years 2020 through 2024.*

16 **SEC. 1603. CLASSIFICATION REVIEW OF PROGRAMS OF THE**
17 **SPACE FORCE.**

18 (a) *CLASSIFICATION REVIEW.—The Chief of Space Op-*
19 *erations shall—*

20 (1) *not later than 120 days after the date of the*
21 *enactment of this Act, conduct a review of each classi-*
22 *fied program managed under the authority of the*
23 *Space Force to determine whether—*

24 (A) *the level of classification of the program*
25 *could be changed to a lower level; or*

1 (B) the program could be declassified; and
2 (2) not later than 90 days after the date on
3 which the Chief completes such review, commence the
4 change to the classification level or the declassification
5 as determined in such review.

6 (b) *COORDINATION.*—The Chief of Space Operations
7 shall carry out the review under subsection (a)(1) in coordi-
8 nation with the Assistant Secretary of Defense for Space
9 Policy and, as the Chief determines appropriate, the heads
10 of other elements of the Department of Defense.

11 (c) *REPORT.*—Not later than 60 days after the date
12 on which the Chief of Space Operations completes the review
13 under subsection (a)(1), the Chief, in coordination with the
14 Assistant Secretary of Defense for Space Policy, shall sub-
15 mit to the congressional defense committees a report identi-
16 fying each program managed under the authority of the
17 Space Force covered by a determination regarding changing
18 the classification level of the program or declassifying the
19 program, including—

20 (1) the timeline for implementing such change or
21 declassification; and

22 (2) any risks that exist in implementing such
23 change or declassification.

1 **SEC. 1604. REPORT ON RANGE OF THE FUTURE INITIATIVE**
2 **OF THE SPACE FORCE.**

3 (a) *FINDINGS.*—Congress finds that in a report sub-
4 mitted to Congress by the Chief of Space Operations, the
5 Chief highlighted a need for changes to current law to im-
6 prove installation infrastructure at the launch ranges of the
7 Space Force, and stated that “If we fail to do this effectively
8 our installations will become a limiting factor to launch
9 capability.”.

10 (b) *REPORT.*—Not later than 90 days after the date
11 of the enactment of this Act, the Chief of Space Operations
12 shall submit to the congressional defense committees a re-
13 port containing the following:

14 (1) A detailed plan to carry out the Space Force
15 “Range of the Future” initiative, including the esti-
16 mated funding required to implement the plan.

17 (2) Identification of any specific authorities the
18 Chief determines need to be modified by law to im-
19 prove the ability of the Space Force to address long-
20 term challenges to the physical infrastructure at the
21 launch ranges of the Space Force, and an explanation
22 for why such modified authorities are needed.

23 (3) Any additional proposals that would support
24 improved infrastructure at the launch ranges of the
25 Space Force, including recommendations for legisla-
26 tive action to carry out such proposals.

1 **SEC. 1605. NORMS OF BEHAVIOR FOR INTERNATIONAL**
2 **RULES-BASED ORDER IN SPACE.**

3 (a) *PRIORITIZED OBJECTIVES.*—Not later than 90
4 days after the date of the enactment of this Act, the covered
5 officials shall each submit to the National Space Council
6 a list of prioritized objectives with respect to establishing
7 norms of behavior to be addressed through bilateral and
8 multilateral negotiations relating to an international rules-
9 based order in space, including with respect to events that
10 create space debris, rendezvous and proximity operations,
11 and other appropriate matters.

12 (b) *CONSOLIDATED LIST AND FRAMEWORK.*—Not later
13 than 45 days after the date on which the National Space
14 Council has received the list of prioritized objectives from
15 each covered official under subsection (a), the Council shall
16 consolidate such prioritized objectives in a single list. The
17 Secretary of State, in collaboration with other heads of rel-
18 evant departments and agencies of the Federal Government,
19 shall use such consolidated list as a guide to establish a
20 framework for bilateral and multilateral negotiations de-
21 scribed in such subsection.

22 (c) *SUBMISSION TO CONGRESS.*—Not later than seven
23 days after the date on which the National Space Council
24 consolidates the list of prioritized objectives under sub-
25 section (b) in a single list, the Council shall submit to the
26 appropriate congressional committees such consolidated list,

1 *disaggregated by the covered official who submitted each*
2 *such prioritized objective.*

3 *(d) DEFINITIONS.—In this section:*

4 *(1) The term “appropriate congressional com-*
5 *mittees” means—*

6 *(A) the congressional defense committees;*

7 *(B) the Committee on Foreign Affairs, the*
8 *Committee on Science, Space, and Technology,*
9 *and the Permanent Select Committee on Intel-*
10 *ligence of the House of Representatives; and*

11 *(C) the Committee on Foreign Relations, the*
12 *Committee on Commerce, Science, and Transpor-*
13 *tation, and the Select Committee on Intelligence*
14 *of the Senate.*

15 *(2) The term “covered official” means each of the*
16 *following:*

17 *(A) The Under Secretary of Defense for Pol-*
18 *icy, in consultation with the Chief of Space Op-*
19 *erations, the Commander of the United States*
20 *Space Command, and the Director of the Na-*
21 *tional Geospatial-Intelligence Agency.*

22 *(B) The Assistant Secretary of State for*
23 *Arms Control, Verification, and Compliance.*

24 *(C) The Administrator of the National Aer-*
25 *onautics and Space Administration.*

1 (D) *The Director of the National Reconnaissance*
2 *Office.*

3 **SEC. 1606. PROGRAMS OF RECORD OF SPACE FORCE AND**
4 **COMMERCIAL CAPABILITIES.**

5 *Section 957(c) of the National Defense Authorization*
6 *Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.*
7 *9016 note) is amended by adding at the end the following*
8 *new paragraph:*

9 “(5) *PROGRAMS OF RECORD AND COMMERCIAL*
10 *CAPABILITIES.—The Service Acquisition Executive for*
11 *Space Systems and Programs may not establish a*
12 *program of record for the Space Force unless the*
13 *Service Acquisition Executive first—*

14 “(A) *determines that there is no commer-*
15 *cially available capability that would meet the*
16 *threshold objectives for that proposed program;*
17 *and*

18 “(B) *submits to the congressional defense*
19 *committees such determination.”.*

20 **SEC. 1607. CLARIFICATION OF DOMESTIC SERVICES AND**
21 **CAPABILITIES IN LEVERAGING COMMERCIAL**
22 **SATELLITE REMOTE SENSING.**

23 (a) *DOMESTIC DEFINED.—Section 1612(c) of the Wil-*
24 *liam M. (Mac) Thornberry National Defense Authorization*

1 *Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C.*
2 *441 note) is amended—*

3 *(1) by redesignating paragraph (4) as para-*
4 *graph (5); and*

5 *(2) by inserting after paragraph (3) the fol-*
6 *lowing new paragraph (4):*

7 *“(4) The term ‘domestic’ includes, with respect to*
8 *commercial capabilities or services covered by this*
9 *section, capabilities or services provided by companies*
10 *that operate in the United States and have active*
11 *mitigation agreements pursuant to the National In-*
12 *dustrial Security Program.”.*

13 *(b) EFFECTIVE DATE.—The amendments made by sub-*
14 *section (a) shall take effect as if included in the enactment*
15 *of the William M. (Mac) Thornberry National Defense Au-*
16 *thorization Act for Fiscal Year 2021 (Public Law 116–283),*
17 *including with respect to any requests for proposals or rules*
18 *issued pursuant to section 1612 of such Act.*

19 **SEC. 1608. NATIONAL SECURITY COUNCIL BRIEFING ON PO-**
20 **TENTIAL HARMFUL INTERFERENCE TO GLOB-**
21 **AL POSITIONING SYSTEM.**

22 *(a) REQUIREMENT.—Not later than 30 days after the*
23 *date of the enactment of this Act, the Secretary of Defense*
24 *shall provide to the National Security Council, the Sec-*
25 *retary of Commerce, and the Commissioners of the Federal*

1 *Communications Commission a briefing at the highest level*
2 *of classification on the current assessment of the Depart-*
3 *ment of Defense, as of the date of the briefing, regarding*
4 *the potential for harmful interference to the Global Posi-*
5 *tioning System, or other tactical or strategic systems of the*
6 *Department of Defense, from commercial terrestrial oper-*
7 *ations and mobile satellite services using the 1525–1559*
8 *megahertz band and the 1626.5–1660.5 megahertz band.*

9 (b) *MATTERS INCLUDED.*—*The briefing under sub-*
10 *section (a) shall include—*

11 (1) *potential operational impacts that have been*
12 *studied within the megahertz bands specified in such*
13 *subsection; and*

14 (2) *impacts that could be mitigated, if any, in-*
15 *cluding how such mitigations could be implemented.*

16 (c) *CONGRESSIONAL BRIEFING.*—*Not later than seven*
17 *days after the date on which the Secretary provides the*
18 *briefing under subsection (a), the Secretary shall provide*
19 *to the appropriate congressional committees such briefing.*

20 (d) *INDEPENDENT TECHNICAL REVIEW.*—*The Sec-*
21 *retary shall carry out subsections (a) an (c) regardless of*
22 *whether the independent technical review conducted pursu-*
23 *ant to section 1663 of the William M. (Mac) Thornberry*
24 *National Defense Authorization Act for Fiscal Year 2021*
25 *(Public Law 116–283) has been completed.*

1 (e) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 2 *FINED.*—*In this section, the term “appropriate congres-*
 3 *sional committees” means—*

4 (1) *the congressional defense committees; and*

5 (2) *the Committee on Energy and Commerce of*
 6 *the House of Representatives and the Committee on*
 7 *Commerce, Science, and Transportation of the Senate.*

8 ***Subtitle B—Defense Intelligence***
 9 ***and Intelligence-Related Activities***

10 ***SEC. 1611. NOTIFICATION OF CERTAIN THREATS TO UNITED***
 11 ***STATES ARMED FORCES BY FOREIGN GOV-***
 12 ***ERNMENTS.***

13 (a) *DETERMINATION THAT FOREIGN GOVERNMENT IN-*
 14 *TENDS TO CAUSE THE DEATH OF OR SERIOUS BODILY IN-*
 15 *JURY TO MEMBERS OF THE ARMED FORCES.*—*The Sec-*
 16 *retary of Defense shall carry out the notification require-*
 17 *ments under subsection (b) whenever the Secretary, in con-*
 18 *sultation with the Director of National Intelligence, deter-*
 19 *mines with high confidence that, on or after the date of the*
 20 *enactment of this Act, an official of a foreign government*
 21 *plans or takes some other substantial step that is intended*
 22 *to cause the death of, or serious bodily injury to, any mem-*
 23 *ber of the United States Armed Forces, whether through di-*
 24 *rect means or indirect means, including through a promise*
 25 *or agreement by the foreign government to pay anything*

1 *of pecuniary value to an individual or organization in ex-*
2 *change for causing such death or injury.*

3 *(b) NOTICE TO CONGRESS.—*

4 *(1) NOTIFICATION.—Except as provided in para-*
5 *graph (3), not later than 14 days after making a de-*
6 *termination under subsection (a), the Secretary shall*
7 *notify the congressional leadership, the congressional*
8 *intelligence committees and, consistent with the pro-*
9 *tection of sources and methods, the appropriate con-*
10 *gressional committees of such determination. Such no-*
11 *tification shall include, at a minimum, the following:*

12 *(A) A description of the nature and extent*
13 *of the effort by the foreign government to target*
14 *members of the United States Armed Forces.*

15 *(B) An assessment of what specific officials,*
16 *agents, entities, and departments within the for-*
17 *ign government ordered, authorized, or had*
18 *knowledge of the effort.*

19 *(C) An assessment of the motivations of the*
20 *foreign government for undertaking such an ef-*
21 *fort.*

22 *(D) An assessment of whether the effort of*
23 *the foreign government was a substantial factor*
24 *in the death or serious bodily injury of any*
25 *member of the United States Armed Forces.*

1 (E) Any other information the Secretary de-
2 termines appropriate.

3 (2) *OPTION FOR BRIEFING.*—Upon the request of
4 a congressional recipient specified in paragraph (1)
5 after being notified of a determination under such
6 paragraph, the Secretary shall provide to the recipi-
7 ent a briefing on the contents of the notification.

8 (3) *PROTECTION OF SOURCES AND METHODS.*—
9 This subsection shall be carried out in a manner that
10 is consistent with the protection of sources and meth-
11 ods.

12 (c) *DEFINITIONS.*—In this section:

13 (1) The term “anything of pecuniary value” has
14 the meaning given that term in section 1958(b)(1) of
15 title 18, United States Code.

16 (2) The term “appropriate congressional com-
17 mittees” means the following:

18 (A) The Committee on Armed Services and
19 the Committee on Foreign Affairs of the House
20 of Representatives.

21 (B) The Committee on Armed Services and
22 the Committee on Foreign Relations of the Sen-
23 ate.

24 (3) The terms “congressional intelligence com-
25 mittees” and “intelligence community” have the

1 *meaning given those terms in section 3 of the Na-*
2 *tional Security Act of 1947 (50 U.S.C. 3003).*

3 *(4) The term “congressional leadership” includes*
4 *the following:*

5 *(A) The majority leader of the Senate.*

6 *(B) The minority leader of the Senate.*

7 *(C) The Speaker of the House of Represent-*
8 *atives.*

9 *(D) The minority leader of the House of*
10 *Representatives.*

11 *(5) The term “determines with high con-*
12 *fidence”—*

13 *(A) means that the official making the de-*
14 *termination—*

15 *(i) has concluded that the judgments in*
16 *the determination are based on sound ana-*
17 *lytic argumentation and high-quality, con-*
18 *sistent reporting from multiple sources, in-*
19 *cluding through clandestinely obtained doc-*
20 *uments, clandestine and open source report-*
21 *ing, and in-depth expertise;*

22 *(ii) with respect to such judgments, has*
23 *concluded that the intelligence community*
24 *has few intelligence gaps and few assump-*
25 *tions underlying the analytic line and that*

1 *the intelligence community has concluded*
2 *that the potential for deception is low; and*
3 (iii) *has examined long-standing ana-*
4 *lytic judgments and considered alternatives*
5 *in making the determination; but*

6 (B) *does not mean that the official making*
7 *the determination has concluded that the judg-*
8 *ments in the determination are fact or certainty.*

9 (6) *The term “direct means” means without the*
10 *use of intermediaries.*

11 (7) *The term “foreign government” means the*
12 *government of a foreign country with which the*
13 *United States is at peace.*

14 (8) *The term “indirect means” means through,*
15 *or with the assistance of, intermediaries.*

16 **SEC. 1612. STRATEGY AND PLAN TO IMPLEMENT CERTAIN**
17 **DEFENSE INTELLIGENCE REFORMS.**

18 (a) *STRATEGY AND PLAN.—The Secretary of Defense,*
19 *in coordination with the Director of National Intelligence,*
20 *shall develop and implement a strategy and plan to better*
21 *support the intelligence priorities of the commanders of the*
22 *combatant commands, including with respect to efforts to*
23 *counter in the open malign activities of adversaries of the*
24 *United States.*

1 (b) *MATTERS INCLUDED IN PLAN.*—*The plan under*
2 *subsection (a) shall include the following:*

3 (1) *A plan to adapt policies and procedures to*
4 *assemble and release facts about the malign activities*
5 *of an adversary described in such subsection in a*
6 *timely way and in forms that allow for greater dis-*
7 *tribution and release.*

8 (2) *A plan to develop and publish validated pri-*
9 *ority intelligence requirements of the commanders of*
10 *the combatant commands.*

11 (3) *A plan to elevate open-source intelligence to*
12 *a foundational intelligence for strategic intelligence*
13 *that is treated on par with information collected from*
14 *classified means (for example, human intelligence,*
15 *signals intelligence, and geospatial intelligence).*

16 (4) *A plan for expanding the use of unclassified*
17 *intelligence in order to combat threats from*
18 *disinformation and misinformation by foreign adver-*
19 *saries.*

20 (5) *A review by each element of the intelligence*
21 *community of the approaches used by that element—*

22 (A) *with respect to intelligence that has not*
23 *been processed or analyzed, to separate out data*
24 *from the sources and methods by which the data*

1 is obtained (commonly known as “tearlining”);
2 and

3 (B) with respect to finished intelligence
4 products that relate to malign activities of an
5 adversary described in subsection (a), to down-
6 grade the classification level of the product.

7 (c) *CONGRESSIONAL BRIEFING.*—Not later than one
8 year after the date of the enactment of this Act, and annu-
9 ally thereafter through December 31, 2026, the Secretary
10 and the Director shall jointly provide to the appropriate
11 congressional committees a briefing on the strategy and
12 plan under subsection (a).

13 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
14 *FINED.*—In this section, the term “appropriate congres-
15 sional committees” means the following:

16 (1) *The congressional defense committees.*

17 (2) *The Committee on the Judiciary and the*
18 *Permanent Select Committee on Intelligence of the*
19 *House of Representatives.*

20 (3) *The Committee on the Judiciary and the Se-*
21 *lect Committee on Intelligence of the Senate.*

1 **SEC. 1613. AUTHORITY OF UNDER SECRETARY OF DEFENSE**
2 **FOR INTELLIGENCE AND SECURITY TO EN-**
3 **GAGE IN FUNDRAISING FOR CERTAIN NON-**
4 **PROFIT ORGANIZATIONS.**

5 *Section 422 of title 10, United States Code, is amended*
6 *by adding at the end the following new subsection:*

7 *“(c) FUNDRAISING.—(1) The Under Secretary of De-*
8 *fense for Intelligence and Security may engage in fund-*
9 *raising in an official capacity for the benefit of nonprofit*
10 *organizations that provide support—*

11 *“(A) to surviving dependents of deceased employ-*
12 *ees of the Defense Intelligence Enterprise; or*

13 *“(B) for the welfare, education, or recreation of*
14 *employees and former employees of the Defense Intel-*
15 *ligence Enterprise and the dependents of such employ-*
16 *ees and former employees.*

17 *“(2) The Under Secretary may delegate the authority*
18 *under paragraph (1) to—*

19 *“(A) the heads of the components of the Depart-*
20 *ment of Defense that are elements of the intelligence*
21 *community;*

22 *“(B) the senior intelligence officers of the Armed*
23 *Forces and the regional and functional combatant*
24 *commands;*

25 *“(C) the Director for Intelligence of the Joint*
26 *Chiefs of Staff; and*

1 “(D) *the senior officials of other elements of the*
2 *Department of Defense that perform intelligence func-*
3 *tions.*

4 “(3) *Not later than seven days after the date on which*
5 *the Under Secretary or an official specified in paragraph*
6 *(2) engages in fundraising pursuant to paragraph (1), or*
7 *at the time at which the Under Secretary or an official*
8 *makes a determination to engage in such fundraising, the*
9 *Under Secretary shall notify the appropriate congressional*
10 *committees of such fundraising.*

11 “(4) *In this subsection:*

12 “(A) *The term ‘appropriate congressional com-*
13 *mittees’ means—*

14 “(i) *the Committees on Armed Services of*
15 *the House of Representatives and the Senate; and*

16 “(ii) *the Permanent Select Committee on*
17 *Intelligence of the House of Representatives and*
18 *the Select Committee on Intelligence of the Sen-*
19 *ate.*

20 “(B) *The term ‘Defense Intelligence Enterprise’*
21 *has the meaning given that term in section*
22 *426(b)(4)(B) of this title.*

23 “(C) *The term ‘fundraising’ means the raising of*
24 *funds through the active participation in the pro-*
25 *motion, production, or presentation of an event de-*

1 *signed to raise funds and does not include the direct*
2 *solicitation of money by any other means.*

3 “(D) *The term ‘intelligence community’ has the*
4 *meaning given that term in section 3 of the National*
5 *Security Act of 1947 (50 U.S.C. 3003).”.*

6 **SEC. 1614. EXECUTIVE AGENT FOR EXPLOSIVE ORDNANCE**
7 **INTELLIGENCE.**

8 (a) *IN GENERAL.*—*Subchapter I of chapter 21 of title*
9 *10, United States Code, is amended by adding at the end*
10 *the following new section:*

11 **“§ 430c. Executive agent for explosive ordnance intel-**
12 **ligence**

13 “(a) *DESIGNATION.*—*The Secretary of Defense shall*
14 *designate the Director of the Defense Intelligence Agency as*
15 *the executive agent for explosive ordnance intelligence.*

16 “(b) *DEFINITIONS.*—*In this section:*

17 “(1) *The term ‘explosive ordnance intelligence’*
18 *means technical intelligence relating to explosive ord-*
19 *nance (as defined in section 283(d) of this title), in-*
20 *cluding with respect to the processing, production,*
21 *dissemination, integration, exploitation, evaluation,*
22 *feedback, and analysis of explosive ordnance using the*
23 *skills, techniques, principles, and knowledge of explo-*
24 *sive ordnance disposal personnel regarding fuzing,*
25 *firing systems, ordnance disassembly, and develop-*

1 *ment of render safe techniques, procedures and tools,*
 2 *publications, and applied technologies.*

3 “(2) *The term ‘executive agent’ has the meaning*
 4 *given the term ‘DoD Executive Agent’ in Directive*
 5 *5101.1.’”.*

6 (b) *CLERICAL AMENDMENT.—The table of sections at*
 7 *the beginning of such chapter is amended by inserting after*
 8 *the item relating to section 430b the following new item:*
“430c. Executive agent for explosive ordnance intelligence.”.

9 (c) *DATE OF DESIGNATION.—The Secretary of Defense*
 10 *shall make the designation under section 430c of title 10,*
 11 *United States Code, as added by subsection (a), by not later*
 12 *than 30 days after the date of the enactment of this Act.*

13 **SEC. 1615. INCLUSION OF EXPLOSIVE ORDNANCE INTEL-**
 14 **LIGENCE IN DEFENSE INTELLIGENCE AGEN-**
 15 **CY ACTIVITIES.**

16 *Section 105 of the National Security Act of 1947 (50*
 17 *U.S.C. 3038) is amended—*

18 (1) *in subsection (b)(5), by striking “human in-*
 19 *telligence and” and inserting “explosive ordnance in-*
 20 *telligence, human intelligence, and”;* and

21 (2) *by adding at the end the following new sub-*
 22 *section:*

23 “(e) **EXPLOSIVE ORDNANCE INTELLIGENCE DE-**
 24 **FINED.—***In this section, the term ‘explosive ordnance intel-*
 25 *ligence’ means technical intelligence relating to explosive*

1 *ordnance (as defined in section 283(d) of title 10, United*
2 *States Code), including with respect to the processing, pro-*
3 *duction, dissemination, integration, exploitation, evalua-*
4 *tion, feedback, and analysis of explosive ordnance using the*
5 *skills, techniques, principles, and knowledge of explosive*
6 *ordnance disposal personnel regarding fuzing, firing sys-*
7 *tems, ordnance disassembly, and development of render safe*
8 *techniques, procedures and tools, publications, and applied*
9 *technologies.”.*

10 ***Subtitle C—Nuclear Forces***

11 ***SEC. 1621. EXERCISES OF NUCLEAR COMMAND, CONTROL,*** 12 ***AND COMMUNICATIONS SYSTEM.***

13 *(a) REQUIREMENT.—Chapter 24 of title 10, United*
14 *States Code, is amended by adding at the end the following*
15 *new section:*

16 ***“§499b. Exercises of nuclear command, control, and*** 17 ***communications system***

18 *“(a) REQUIRED EXERCISES.—Except as provided by*
19 *subsection (b), beginning 2022, the President shall partici-*
20 *pate in a large-scale exercise of the nuclear command, con-*
21 *trol, and communications system during the first year of*
22 *each term of the President, and may participate in such*
23 *additional exercises as the President determines appro-*
24 *priate.*

1 “(b) *WAIVER.*—*The President may waive, on a case-*
 2 *by-case basis, the requirement to participate in an exercise*
 3 *under subsection (a) if the President—*

4 “(1) *determines that participating in such an*
 5 *exercise is infeasible by reason of a war declared by*
 6 *Congress, a national emergency declared by the Presi-*
 7 *dent or Congress, a public health emergency declared*
 8 *by the Secretary of Health and Human Services*
 9 *under section 319 of the Public Health Service Act*
 10 *(42 U.S.C. 247d), or other similar exigent cir-*
 11 *cumstance; and*

12 “(2) *submits to the congressional defense commit-*
 13 *tees a notice of the waiver and a description of such*
 14 *determination.*”.

15 “(b) *CLERICAL AMENDMENT.*—*The table of sections at*
 16 *the beginning of such chapter is amended by adding at the*
 17 *end the following new item:*

“499b. *Exercises of nuclear command, control, and communications system.*”.

18 **SEC. 1622. INDEPENDENT REVIEW OF NUCLEAR COMMAND,**
 19 **CONTROL, AND COMMUNICATIONS SYSTEM.**

20 “(a) *REVIEW.*—*Not later than 30 days after the date*
 21 *of the enactment of this Act, the Secretary of Defense shall*
 22 *seek to enter into an agreement with the National Acad-*
 23 *emies of Sciences, Engineering, and Medicine under which*
 24 *the National Academies shall conduct a review of the cur-*
 25 *rent plans, policies, and programs of the nuclear command,*

1 *control, and communications system, and such plans, poli-*
2 *cies, and programs that are planned through 2030.*

3 (b) *MATTERS INCLUDED.*—*The review under sub-*
4 *section (a) shall include a review of each of the following:*

5 (1) *The plans, policies, and programs described*
6 *in such subsection.*

7 (2) *The programmatic challenges and risks to the*
8 *nuclear command, control, and communications sys-*
9 *tem.*

10 (3) *Emerging technologies and how such tech-*
11 *nologies may be applied to the next generation of the*
12 *nuclear command, control, and communications sys-*
13 *tem.*

14 (4) *The security and surety of the nuclear com-*
15 *mand, control, and communications system.*

16 (5) *Threats to the nuclear command, control,*
17 *and communications system that may occur through*
18 *2030.*

19 (c) *BRIEFING.*—*Not later than September 1, 2022, the*
20 *National Academies shall provide the congressional defense*
21 *committees an interim briefing on the review under sub-*
22 *section (a).*

23 (d) *REPORT.*—*Not later than March 1, 2023, the Na-*
24 *tional Academies shall submit to the Secretary and the con-*

1 *gressional defense committees a report containing the re-*
2 *view under subsection (a).*

3 **SEC. 1623. REVIEW OF SAFETY, SECURITY, AND RELIABILITY**
4 **OF NUCLEAR WEAPONS AND RELATED SYS-**
5 **TEMS.**

6 *(a) FINDINGS.—Congress finds the following:*

7 *(1) On December 20, 1990, Secretary of Defense*
8 *Cheney chartered a five-person independent committee*
9 *known as the Federal Advisory Committee on Nuclear*
10 *Failsafe and Risk Reduction to assess the capability*
11 *of the nuclear weapon command and control system*
12 *to meet the dual requirements of assurance against*
13 *unauthorized use of nuclear weapons and assurance of*
14 *timely, reliable execution when authorized, and to*
15 *identify opportunities for positive measures to en-*
16 *hance failsafe features.*

17 *(2) The Federal Advisory Committee, chaired by*
18 *Ambassador Jeane J. Kirkpatrick, recommended*
19 *changes in the nuclear enterprise, as well as policy*
20 *proposals to reduce the risks posed by unauthorized*
21 *launches and miscalculation.*

22 *(3) The Federal Advisory Committee found, un-*
23 *ambiguously, that “failsafe and oversight enhance-*
24 *ments are possible”.*

1 (4) *Since 1990, new threats to the nuclear enter-*
2 *prise have arisen in the cyber, space, and information*
3 *warfare domains.*

4 (5) *Ensuring the continued assurance of the nu-*
5 *clear command, control, and communications infra-*
6 *structure is essential to the national security of the*
7 *United States.*

8 (b) *REVIEW.*—*The Secretary of Defense shall provide*
9 *for the conduct of an independent review of the safety, secu-*
10 *rity, and reliability of covered nuclear systems. The Sec-*
11 *retary shall ensure that such review is conducted in a man-*
12 *ner similar to the review conducted by the Federal Advisory*
13 *Committee on Nuclear Failsafe and Risk Reduction.*

14 (c) *MATTERS INCLUDED.*—*The review conducted pur-*
15 *suant to subsection (b) shall include the following:*

16 (1) *Plans for modernizing the covered nuclear*
17 *systems, including options and recommendations for*
18 *technical, procedural, and policy measures that could*
19 *strengthen safeguards, improve the security and reli-*
20 *ability of digital technologies, and prevent cyber-re-*
21 *lated and other risks that could lead to the unauthor-*
22 *ized or inadvertent use of nuclear weapons as the re-*
23 *sult of an accident, misinterpretation, miscalculation,*
24 *terrorism, unexpected technological breakthrough, or*
25 *deliberate act.*

1 (2) *Options and recommendations for nuclear*
2 *risk reduction measures, focusing on confidence build-*
3 *ing and predictability, that the United States could*
4 *carry out alone or with near-peer adversaries to*
5 *strengthen safeguards against the unauthorized or in-*
6 *advertent use of a nuclear weapon and to reduce nu-*
7 *clear risks.*

8 (d) *SUBMISSION.*—*Not later than one year after the*
9 *date of the enactment of this Act, the Secretary shall submit*
10 *to the congressional defense committees the review conducted*
11 *pursuant to subsection (b).*

12 (e) *PREVIOUS REVIEW.*—*Not later than 30 days after*
13 *the date of the enactment of this Act, the Secretary shall*
14 *submit to the congressional defense committees the final re-*
15 *port of the Federal Advisory Committee on Nuclear Failsafe*
16 *and Risk Reduction.*

17 (f) *COVERED NUCLEAR SYSTEMS DEFINED.*—*In this*
18 *section, the term “covered nuclear systems” means the fol-*
19 *lowing systems of the United States:*

20 (1) *The nuclear weapons systems.*

21 (2) *The nuclear command, control, and commu-*
22 *nications system.*

23 (3) *The integrated tactical warning/attack as-*
24 *essment system.*

1 **SEC. 1624. REVIEW OF ENGINEERING AND MANUFACTURING**
2 **DEVELOPMENT CONTRACT FOR GROUND-**
3 **BASED STRATEGIC DETERRENT PROGRAM.**

4 (a) *FINDINGS.—Congress finds the following:*

5 (1) *In September 2020, the Air Force awarded*
6 *the engineering and manufacturing development con-*
7 *tract for the ground-based strategic deterrent pro-*
8 *gram.*

9 (2) *The total development cost of the ground-*
10 *based strategic deterrent program is expected to be*
11 *approximately \$100,000,000,000.*

12 (3) *The Vice Chairman of the Joint Chiefs of*
13 *Staff recently noted that “we have got to make [the*
14 *ground-based strategic deterrent program] more af-*
15 *fordable. A three-stage, solid rocket ICBM should not*
16 *cost as much as the forecast says it costs for now.*
17 *After meeting with the program office at Northrop*
18 *Grumman multiple times I think that program can*
19 *come in significantly cheaper. It’s designed correctly.*
20 *It’s a digital engineering process that should be able*
21 *to build things quickly and much more effectively.”.*

22 (4) *The Air Force has placed significant impor-*
23 *tance on digital engineering in achieving cost and*
24 *schedule requirements with respect to the ground-*
25 *based strategic deterrent program.*

26 (b) *REVIEW.—*

1 (1) *REQUIREMENT.*—*The Secretary of the Air*
2 *Force shall provide for the conduct of a review of the*
3 *implementation and the execution of the engineering*
4 *and manufacturing development contract for the*
5 *ground-based strategic deterrent program.*

6 (2) *MATTERS INCLUDED.*—*The review under*
7 *paragraph (1) shall include the following:*

8 (A) *An analysis of the ability of the Air*
9 *Force to implement industry best practices dur-*
10 *ing the engineering and manufacturing develop-*
11 *ment phase of the ground-based strategic deter-*
12 *rent program.*

13 (B) *A review of the challenges the Air Force*
14 *faces in implementing such industry best prac-*
15 *tices.*

16 (C) *A review of the ability of the Air Force*
17 *to leverage digital engineering during such engi-*
18 *neering and manufacturing development phase.*

19 (D) *A review of any options that may be*
20 *available to the Air Force to reduce cost and in-*
21 *troduce competition within the operations and*
22 *maintenance phase of the ground-based strategic*
23 *deterrent program.*

1 (E) *Recommendations to improve the cost,*
2 *schedule, and program management of the*
3 *ground-based strategic deterrent program.*

4 (3) *EXPERTISE.—The Secretary shall ensure that*
5 *the review under paragraph (1) is conducted by indi-*
6 *viduals from the public and private sector, including*
7 *not fewer than two individuals—*

8 (A) *who are not employees or officers of the*
9 *Department of Defense or a contractor of the De-*
10 *partment; and*

11 (B) *who have experience outside of the de-*
12 *fense industry.*

13 (4) *PROVISION OF INFORMATION.—The Secretary*
14 *shall provide to the individuals conducting the review*
15 *under paragraph (1) all information necessary for the*
16 *review.*

17 (5) *SECURITY CLEARANCES.—The Secretary*
18 *shall ensure that each individual who conducts the re-*
19 *view under paragraph (1) holds a security clearance*
20 *at the appropriate level for such review.*

21 (c) *REPORT.—Not later than 270 days after the date*
22 *of the enactment of this Act, the Secretary shall submit to*
23 *the congressional defense committees a report containing the*
24 *review under subsection (b)(1). The report shall be sub-*

1 *mited in unclassified form and shall include a classified*
2 *annex.*

3 *(d) BRIEFING.—Not later than 90 days after the date*
4 *on which the Secretary submits the report under subsection*
5 *(c), the Secretary shall provide to the congressional defense*
6 *committees a briefing on implementing the recommenda-*
7 *tions contained in the review under subsection (b)(1).*

8 **SEC. 1625. LONG-RANGE STANDOFF WEAPON.**

9 *(a) LIMITATION.—The Secretary of the Air Force may*
10 *not award a procurement contract for the long-range stand-*
11 *off weapon until the Secretary submits to the congressional*
12 *defense committees each of the following:*

13 *(1) An updated cost estimate for the procurement*
14 *portion of the long-range standoff weapon program*
15 *that is—*

16 *(A) informed by the engineering and manu-*
17 *facturing development contract, including with*
18 *respect to any completed flight tests; and*

19 *(B) independently validated by the Director*
20 *of Cost Assessment and Program Evaluation.*

21 *(2) A certification that the future-years defense*
22 *program submitted to Congress under section 221 of*
23 *title 10, United States Code, includes, or will include,*
24 *estimated funding for the program in the amounts*
25 *specified in the cost estimate under paragraph (1).*

1 (3) *A copy of the justification and approval doc-*
2 *umentation regarding the Secretary determining to*
3 *award a sole-source contract for the program, includ-*
4 *ing with respect to how the Secretary will manage the*
5 *cost of the program in the absence of competition.*

6 (b) *BRIEFING.*—*Not later than 90 days after the date*
7 *of the enactment of this Act, the Secretary of the Air Force*
8 *shall provide to the congressional defense committees a*
9 *briefing on the execution of the engineering and manufac-*
10 *turing development contract for the long-range standoff*
11 *weapon, including with respect to—*

12 (1) *how the timely development of the long-range*
13 *standoff weapon may serve as a hedge to delays in*
14 *other nuclear modernization efforts;*

15 (2) *the effects of potential delays in the W80–4*
16 *warhead program on the ability of the long-range*
17 *standoff weapon to achieve the initial operational ca-*
18 *pability schedule under section 217 of the National*
19 *Defense Authorization Act for Fiscal Year 2014 (Pub-*
20 *lic Law 113–66; 127 Stat. 706), as most recently*
21 *amended by section 1668 of the National Defense Au-*
22 *thorization Act for Fiscal Year 2020 (Public Law*
23 *116–92; 133 Stat. 1774);*

1 (3) *options to adjust the budget profile of the*
2 *long-range standoff weapon program to ensure the*
3 *program remains on schedule;*

4 (4) *a plan to reconcile, with respect to the pro-*
5 *urement portion of the program, the Air Force serv-*
6 *ice cost position and the estimate by the Director of*
7 *Cost Assessment and Program Evaluation; and*

8 (5) *a plan to ensure best value to the United*
9 *States for such procurement portion.*

10 **SEC. 1626. PROHIBITION ON REDUCTION OF THE INTER-**
11 **CONTINENTAL BALLISTIC MISSILES OF THE**
12 **UNITED STATES.**

13 (a) *PROHIBITION.—Except as provided in subsection*
14 *(b), none of the funds authorized to be appropriated by this*
15 *Act or otherwise made available for fiscal year 2022 for the*
16 *Department of Defense may be obligated or expended for*
17 *the following, and the Department may not otherwise take*
18 *any action to do the following:*

19 (1) *Reduce, or prepare to reduce, the responsive-*
20 *ness or alert level of the intercontinental ballistic mis-*
21 *siles of the United States.*

22 (2) *Reduce, or prepare to reduce, the quantity of*
23 *deployed intercontinental ballistic missiles of the*
24 *United States to a number less than 400.*

1 (b) *EXCEPTION.*—*The prohibition in subsection (a)*
2 *shall not apply to any of the following activities:*

3 (1) *The maintenance or sustainment of inter-*
4 *continental ballistic missiles.*

5 (2) *Ensuring the safety, security, or reliability of*
6 *intercontinental ballistic missiles.*

7 **SEC. 1627. LIMITATION ON AVAILABILITY OF CERTAIN**
8 **FUNDS UNTIL SUBMISSION OF INFORMATION**
9 **RELATING TO PROPOSED BUDGET FOR NU-**
10 **CLEAR-ARMED SEA-LAUNCHED CRUISE MIS-**
11 **SILE.**

12 *Of the funds authorized to be appropriated by this Act*
13 *or otherwise made available for fiscal year 2022 for the De-*
14 *partment of Defense for travel by any personnel of the Office*
15 *of the Secretary of the Navy, not more than 75 percent may*
16 *be obligated or expended until the Secretary of the Navy*
17 *submits to the congressional defense committees all written*
18 *communications by personnel of the Department of Defense*
19 *regarding the proposed budget amount or limitation for the*
20 *nuclear-armed sea-launched cruise missile contained in the*
21 *defense budget materials (as defined by section 231(f) of*
22 *title 10, United States Code) for fiscal year 2022.*

1 **SEC. 1628. LIMITATION ON AVAILABILITY OF CERTAIN**
2 **FUNDS UNTIL SUBMISSION OF INFORMATION**
3 **RELATING TO NUCLEAR-ARMED SEA-**
4 **LAUNCHED CRUISE MISSILE.**

5 *Of the funds authorized to be appropriated by this Act*
6 *or otherwise made available for fiscal year 2022 for the De-*
7 *partment of Defense for travel by any personnel of the Office*
8 *of the Secretary of Defense (other than travel by the Sec-*
9 *retary of Defense or the Deputy Secretary of Defense), not*
10 *more than 75 percent may be obligated or expended until*
11 *the Secretary—*

12 *(1) submits to the congressional defense commit-*
13 *tees the analysis of alternatives for the nuclear-armed*
14 *sea-launched cruise missile; and*

15 *(2) provides to such committees a briefing on*
16 *such analysis of alternatives.*

17 **SEC. 1629. ANNUAL CERTIFICATION ON READINESS OF MIN-**
18 **UTEMAN III INTERCONTINENTAL BALLISTIC**
19 **MISSILES.**

20 *Not later than March 1, 2022, and annually thereafter*
21 *until the date on which the ground-based strategic deterrent*
22 *weapon achieves initial operating capability, the Chairman*
23 *of the Joint Chiefs of Staff shall certify to the congressional*
24 *defense committees whether the state of the readiness of Min-*
25 *uteman III intercontinental ballistic missiles requires plac-*
26 *ing heavy bombers equipped with nuclear gravity bombs or*

1 *air-launched nuclear cruise missiles, and associated refuel-*
2 *ing tanker aircraft, on alert status.*

3 **SEC. 1630. COST ESTIMATE TO RE-ALERT LONG-RANGE**
4 **BOMBERS.**

5 *(a) FINDINGS.—Congress finds the following:*

6 *(1) On April 20th, 2021, before the Committee*
7 *on Armed Services of the Senate, the Commander of*
8 *the United States Strategic Command, Admiral*
9 *Charles A. Richard, said that the basic design criteria*
10 *in the triad is that “you cannot allow a failure of*
11 *any one leg of the triad to prevent you from being*
12 *able to do everything the President has ordered you*
13 *to do.”.*

14 *(2) Admiral Richard further stated that in the*
15 *event of one leg atrophying, “You are completely de-*
16 *pendent on the submarine leg, and I’ve already told*
17 *the Secretary of Defense that under those conditions*
18 *I would request to re-alert the bombers.”.*

19 *(b) COST ESTIMATE.—The Secretary of the Air Force*
20 *shall develop a cost estimate with respect to re-alerting long-*
21 *range bombers in the absence of a ground-based leg of the*
22 *nuclear triad.*

1 **SEC. 1631. NOTIFICATION REGARDING INTERCONTINENTAL**
2 **BALLISTIC MISSILES OF CHINA.**

3 (a) *REQUIREMENT.*—*If the Commander of the United*
4 *States Strategic Command determines that the number of*
5 *intercontinental ballistic missiles in the active inventory of*
6 *China exceeds the number of intercontinental ballistic mis-*
7 *siles in the active inventory of the United States, or that*
8 *the number of nuclear warheads equipped on such missiles*
9 *of China exceeds the number of nuclear warheads equipped*
10 *on such missiles of the United States, the Commander shall*
11 *submit to the congressional defense committees—*

- 12 (1) *a notification of such determination;*
13 (2) *an assessment of the composition of the inter-*
14 *continental ballistic missiles of China, including the*
15 *types of nuclear warheads equipped on such missiles;*
16 *and*
17 (3) *a strategy for deterring China.*

18 (b) *FORM.*—*The notification under paragraph (1) of*
19 *subsection (a) shall be submitted in unclassified form, and*
20 *the assessment and strategy under paragraphs (2) and (3)*
21 *of such subsection may be submitted in classified form.*

22 (c) *TERMINATION.*—*The requirement under subsection*
23 *(a) shall terminate on the date that is four years after the*
24 *date of the enactment of this Act.*

1 **SEC. 1632. INFORMATION REGARDING REVIEW OF MINUTE-**
2 **MAN III SERVICE LIFE EXTENSION PROGRAM.**

3 (a) *REQUIREMENT.*—*The Secretary of Defense shall*
4 *submit to the congressional defense committees all scoping*
5 *documents relating to any covered review, including the*
6 *names, titles, and backgrounds of the individuals of the fed-*
7 *erally funded research and development center who are con-*
8 *ducting the review. The Secretary shall submit such infor-*
9 *mation by the date that is the later of the following:*

10 (1) *15 days after the date on which the covered*
11 *review is initiated.*

12 (2) *15 days after the date of the enactment of*
13 *this Act.*

14 (b) *COVERED REVIEW.*—*In this section, the term “cov-*
15 *ered review” means any review initiated in 2021 or 2022*
16 *by a federally funded research and development center re-*
17 *garding a service life extension program for Minuteman III*
18 *intercontinental ballistic missiles.*

19 **SEC. 1633. SENSE OF CONGRESS REGARDING NUCLEAR**
20 **POSTURE REVIEW.**

21 *It is the sense of Congress that the nuclear posture re-*
22 *view initiated in 2021 should address the following:*

23 (1) *An assessment of the current and projected*
24 *nuclear capabilities of Russia and China;*

25 (2) *the role of nuclear forces in United States*
26 *military strategy, planning, and programming;*

1 (3) *the relationship between deterrence, targeting,*
2 *and arms control;*

3 (4) *the role of missile defenses, conventional*
4 *strike forces, and other capabilities play in deter-*
5 *mining the role and size of nuclear forces;*

6 (5) *the levels and composition of nuclear delivery*
7 *systems required to implement national strategy;*

8 (6) *the nuclear weapons complex required to im-*
9 *plement such strategy, including with respect to mod-*
10 *ernization; and*

11 (7) *the active and inactive nuclear weapons*
12 *stockpile required to implement such strategy, includ-*
13 *ing with respect to the replacement and modification*
14 *of nuclear weapons.*

15 ***Subtitle D—Missile Defense***
16 ***Programs***

17 ***SEC. 1641. DIRECTED ENERGY PROGRAMS FOR BALLISTIC***
18 ***AND HYPERSONIC MISSILE DEFENSE.***

19 (a) *FINDINGS.—Congress finds the following:*

20 (1) *In the fiscal year 2021 budget request of the*
21 *Department of Defense, the Secretary of Defense re-*
22 *moved all funding from the Missile Defense Agency to*
23 *conduct research, engineering, or development for di-*
24 *rected energy technologies that could be applicable for*
25 *ballistic and hypersonic missile defense, and this re-*

1 *moval of funding continued in the fiscal year 2022*
2 *budget request of the Department, despite Congress*
3 *appropriating funding for fiscal year 2021 for these*
4 *efforts.*

5 *(2) In January 2020, an independent Senior*
6 *Executive Review Team noted that “If successfully de-*
7 *veloped, the unique features of diode pumped alkali*
8 *laser, an efficient electrically powered, relatively short*
9 *wavelength gas laser with the potential to deliver*
10 *megawatt power with near diffraction limited beam*
11 *quality from a single aperture would provide the De-*
12 *partment of Defense and the Missile Defense Agency*
13 *with an important strategic technology with the po-*
14 *tential for an attractive size, weight, and power. Such*
15 *a system would have potential capability use cases*
16 *across all services/agencies.”. However, the Under Sec-*
17 *retary of Defense for Research and Engineering did*
18 *not support continued investigation of this promising*
19 *technology by the Missile Defense Agency.*

20 *(3) In addition to diode pumped alkali lasers,*
21 *there are other directed energy applications that have*
22 *the potential to contribute to ballistic and hypersonic*
23 *missile defense architecture, including microwave and*
24 *short pulse lasers technologies.*

1 **(b) SENSE OF CONGRESS.**—*It is the sense of Congress*
2 *that the Director of the Missile Defense Agency should con-*
3 *tinue to fund promising directed energy technologies for bal-*
4 *listic and hypersonic missile defense, in coordination with*
5 *the directed energy roadmap of the Under Secretary of De-*
6 *fense for Research and Engineering, with the intent to*
7 *transfer technologies to the military departments as appro-*
8 *priate.*

9 **(c) AUTHORITY OF THE MISSILE DEFENSE AGENCY.**—

10 **(1) DELEGATION.**—*The Secretary of Defense*
11 *shall delegate to the Director of the Missile Defense*
12 *Agency the authority to budget for, direct, and man-*
13 *age directed energy programs applicable for ballistic*
14 *and hypersonic missile defense missions, in coordina-*
15 *tion with other directed energy efforts of the Depart-*
16 *ment of Defense.*

17 **(2) PRIORITIZATION.**—*In budgeting for and di-*
18 *recting directed energy programs applicable for bal-*
19 *listic and hypersonic defensive missions pursuant to*
20 *paragraph (1), the Director of the Missile Defense*
21 *Agency shall—*

22 **(A)** *prioritize the early research and devel-*
23 *opment of technologies; and*

1 (B) address the transition of such tech-
2 nologies to industry to support future operation-
3 ally relevant capabilities.

4 **SEC. 1642. NOTIFICATION OF CHANGES TO NON-STANDARD**
5 **ACQUISITION AND REQUIREMENTS PROC-**
6 **ESSES AND RESPONSIBILITIES OF MISSILE**
7 **DEFENSE AGENCY.**

8 (a) NOTICE AND WAIT.—

9 (1) REQUIREMENT.—The Secretary of Defense
10 may not make any changes to the missile defense non-
11 standard acquisition and requirements processes and
12 responsibilities described in paragraph (2) until the
13 Secretary, without delegation, on or after the date of
14 the enactment of this Act—

15 (A) has consulted with the Under Secretary
16 of Defense for Research and Engineering, the
17 Under Secretary of Defense for Acquisition and
18 Sustainment, the Under Secretary of Defense for
19 Policy, the Secretaries of the military depart-
20 ments, the Chairman of the Joint Chiefs of Staff,
21 the Commander of the United States Strategic
22 Command, the Commander of the United States
23 Northern Command, and the Director of the Mis-
24 sile Defense Agency;

1 (B) certifies to the congressional defense
2 committees that the Secretary has coordinated
3 the changes with, and received the views of, the
4 individuals referred to in subparagraph (A);

5 (C) submits to the congressional defense
6 committees a report that contains—

7 (i) a description of the changes, the ra-
8 tionale for the changes, and the views of the
9 individuals referred to in subparagraph (A)
10 with respect to such changes;

11 (ii) a certification that the changes
12 will not impair the missile defense capabili-
13 ties of the United States nor degrade the
14 unique special acquisition authorities of the
15 Missile Defense Agency; and

16 (iii) with respect to any such changes
17 to Department of Defense Directive 5134.09,
18 a final draft of the proposed modified direc-
19 tive, both in an electronic format and in a
20 hard copy format;

21 (D) with respect to any such changes to De-
22 partment of Defense Directive 5134.09, provides
23 to such committees a briefing on the proposed
24 modified directive described in subparagraph
25 (C)(ii); and

1 (E) a period of 120 days has elapsed fol-
2 lowing the date on which the Secretary submits
3 the report under subparagraph (C).

4 (2) *NON-STANDARD ACQUISITION AND REQUIRE-*
5 *MENTS PROCESSES AND RESPONSIBILITIES DE-*
6 *SCRIBED.—The non-standard acquisition and re-*
7 *quirements processes and responsibilities described in*
8 *this paragraph are such processes and responsibilities*
9 *described in—*

10 (A) the memorandum of the Secretary of
11 Defense titled “Missile Defense Program Direc-
12 tion” signed on January 2, 2002;

13 (B) Department of Defense Directive
14 5134.09, as in effect on the date of the enactment
15 of this Act; and

16 (C) United States Strategic Command In-
17 struction 538–3 titled “MD Warfighter Involvement
18 Process”.

19 (b) *CONFORMING AMENDMENTS.—*

20 (1) *FY20 NDAA.—Section 1688 of the National*
21 *Defense Authorization Act for Fiscal Year 2020 (Pub-*
22 *lic Law 116– 92; 133 Stat. 1787) is amended—*

23 (A) by striking subsection (b); and

24 (B) by redesignating subsection (c) as sub-
25 section (b).

1 (2) *FY21 NDAA.—Section 1641 of the William*
2 *M. (Mac) Thornberry National Defense Authorization*
3 *Act for Fiscal Year 2021 (Public Law 116– 283; 134*
4 *Stat. 4061) is amended—*

5 *(A) by striking subsection (c); and*

6 *(B) by redesignating subsection (d) as sub-*
7 *section (c).*

8 **SEC. 1643. MISSILE DEFENSE RADAR IN HAWAII.**

9 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
10 *that—*

11 (1) *Hawaii should have discrimination radar*
12 *coverage against intercontinental ballistic missiles*
13 *that is equivalent to such coverage provided to the*
14 *contiguous United States and Alaska once the long*
15 *range discrimination radar achieves operational ca-*
16 *pability at Clear Air Force Base, Alaska; and*

17 (2) *to achieve such equivalent discrimination*
18 *radar coverage, the Secretary of Defense, acting*
19 *through the Director of the Missile Defense Agency,*
20 *should—*

21 (A) *restore the discrimination radar for*
22 *homeland defense planned to be located in Ha-*
23 *waii; and*

24 (B) *request adequate funding for the radar*
25 *in the future-years defense program submitted to*

1 Congress under section 221 of title 10, United
2 States Code, for the radar to achieve operational
3 capability by not later than December 31, 2028,
4 when the next generation interceptor is antici-
5 pated to achieve initial operating capability.

6 (b) *CERTIFICATION.*—As a part of the defense budget
7 materials (as defined in section 239 of title 10, United
8 States Code) for fiscal year 2023, the Director of the Missile
9 Defense Agency shall certify to the congressional defense
10 committees that—

11 (1) the future-years defense program submitted
12 to Congress under section 221 of title 10, United
13 States Code, in 2022 includes adequate amounts of es-
14 timated funding to develop, construct, test, and inte-
15 grate into the missile defense system the discrimina-
16 tion radar for homeland defense planned to be located
17 in Hawaii; and

18 (2) such radar and associated in-flight inter-
19 ceptor communications system data terminal will be
20 operational by not later than December 31, 2028.

21 **SEC. 1644. GUAM INTEGRATED AIR AND MISSILE DEFENSE**
22 **SYSTEM.**

23 (a) *ARCHITECTURE AND ACQUISITION.*—The Secretary
24 of Defense shall identify the architecture and acquisition
25 approach for implementing a 360-degree integrated air and

1 *missile defense capability to defend the people, infrastruc-*
2 *ture, and territory of Guam from advanced cruise, ballistic,*
3 *and hypersonic missile threats.*

4 (b) *REQUIREMENTS.—The architecture identified*
5 *under subsection (a) shall have the ability to—*

6 (1) *integrate numerous multi-domain sensors,*
7 *interceptors, and command and control systems while*
8 *maintaining high kill chain performance against ad-*
9 *vanced threats;*

10 (2) *address robust discrimination and electro-*
11 *magnetic compatibility with other sensors;*

12 (3) *engage directly, or coordinate engagements*
13 *with other integrated air and missile defense systems,*
14 *to defeat the spectrum of cruise, ballistic, and*
15 *hypersonic threats;*

16 (4) *leverage existing programs of record to expe-*
17 *dite the development and deployment of the architec-*
18 *ture during the five-year period beginning on the date*
19 *of the enactment of this Act, with an objective of*
20 *achieving initial operating capability in 2025, in-*
21 *cluding with respect to—*

22 (A) *the Aegis ballistic missile defense sys-*
23 *tem;*

24 (B) *standard missile–3 and –6 variants;*

1 *Program Evaluation, not more than 75 percent may be ob-*
2 *ligated or expended until the date on which the Secretary*
3 *of Defense submits to the congressional defense committees*
4 *the report on the defense of Guam from integrated air and*
5 *missile threats required by section 1650 of the William M.*
6 *(Mac) Thornberry National Defense Authorization Act for*
7 *Fiscal Year 2021(Public Law 116–283).*

8 **SEC. 1646. REPEAL OF TRANSITION OF BALLISTIC MISSILE**
9 **DEFENSE PROGRAMS TO MILITARY DEPART-**
10 **MENTS .**

11 *Section 1676 of the National Defense Authorization*
12 *Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.*
13 *2431 note) is amended by striking subsection (b).*

14 **SEC. 1647. CERTIFICATION REQUIRED FOR RUSSIA AND**
15 **CHINA TO TOUR CERTAIN MISSILE DEFENSE**
16 **SITES.**

17 *(a) CERTIFICATION.—Before the Secretary of Defense*
18 *makes a determination with respect to allowing a foreign*
19 *national of Russia or China to tour a covered site, the Sec-*
20 *retary shall submit to the congressional defense committees*
21 *a certification that—*

22 *(1) the Secretary has determined that such tour*
23 *is in the national security interest of the United*
24 *States, including the justifications for such deter-*
25 *mination; and*

1 (2) *the Secretary will not share any technical*
2 *data relating to the covered site with the foreign na-*
3 *tionals.*

4 (b) *TIMING.*—*The Secretary may not conduct a tour*
5 *described in subsection (a) until a period of 45 days has*
6 *elapsed following the date on which the Secretary submits*
7 *the certification for that tour under such subsection.*

8 (c) *COVERED SITE.*—*In this section, the term “covered*
9 *site” means any of the following:*

10 (1) *The combat information center of a naval*
11 *ship equipped with the Aegis ballistic missile defense*
12 *system.*

13 (2) *An Aegis Ashore site.*

14 (3) *A terminal high altitude area defense bat-*
15 *tery.*

16 (4) *A ground-based midcourse defense interceptor*
17 *silo.*

18 **SEC. 1648. SENSE OF CONGRESS ON NEXT GENERATION IN-**

19 **TERCEPTOR PROGRAM.**

20 *It is the sense of Congress that—*

21 (1) *in accordance with the national missile de-*
22 *fense policy under section 1681 of the National De-*
23 *fense Authorization Act for Fiscal Year 2017 (Public*
24 *Law 114– 328; 10 U.S.C. 2431 note), it is in the na-*
25 *tional security interest of the United States to design,*

1 *test, and begin deployment of the next generation in-*
2 *terceptor by not later than September 30, 2028; and*

3 *(2) the Secretary of Defense should—*

4 *(A) maintain competition for the next gen-*
5 *eration interceptor program through, at a min-*
6 *imum, the critical design reviews of the program;*

7 *(B) uphold “fly before you buy” principals*
8 *in carrying out such program;*

9 *(C) continue to incorporate lessons learned*
10 *from the redesigned kill vehicle program to avoid*
11 *any similar technical issues; and*

12 *(D) continue to maintain continuous en-*
13 *gagement with the intelligence community to en-*
14 *sure the next generation interceptor program is*
15 *outpacing intercontinental ballistic missile*
16 *threats to the homeland of the United States*
17 *posed by rogue nations.*

18 ***Subtitle E—Other Matters***

19 ***SEC. 1651. COOPERATIVE THREAT REDUCTION FUNDS.***

20 *(a) FUNDING ALLOCATION.—Of the \$344,849,000 au-*
21 *thorized to be appropriated to the Department of Defense*
22 *for fiscal year 2022 in section 301 and made available by*
23 *the funding table in division D for the Department of De-*
24 *fense Cooperative Threat Reduction Program established*
25 *under section 1321 of the Department of Defense Coopera-*

1 *tive Threat Reduction Act (50 U.S.C. 3711), the following*
2 *amounts may be obligated for the purposes specified:*

3 (1) *For strategic offensive arms elimination,*
4 *\$2,997,000.*

5 (2) *For chemical security and elimination,*
6 *\$13,250,000.*

7 (3) *For global nuclear security, \$17,767,000.*

8 (4) *For biological threat reduction, \$124,022,000.*

9 (5) *For proliferation prevention, \$58,754,000.*

10 (6) *For activities designated as Other Program*
11 *Support, \$23,059,000.*

12 (b) *SPECIFICATION OF COOPERATIVE THREAT REDUC-*
13 *TION FUNDS.—Funds appropriated pursuant to the author-*
14 *ization of appropriations in section 301 and made avail-*
15 *able by the funding table in division D for the Department*
16 *of Defense Cooperative Threat Reduction Program shall be*
17 *available for obligation for fiscal years 2022, 2023, and*
18 *2024.*

19 **SEC. 1652. ESTABLISHMENT OF OFFICE TO ADDRESS UN-**
20 **IDENTIFIED AERIAL PHENOMENA.**

21 (a) *ESTABLISHMENT.—Not later than 180 days after*
22 *the date of the enactment of this Act, the Secretary of De-*
23 *fense, in coordination with the Director of National Intel-*
24 *ligence, shall establish an office within the Office of the Sec-*
25 *retary of Defense to carry out, on a Department-wide basis,*

1 *the mission currently performed by the Unidentified Aerial*
2 *Phenomenon Task Force as of the date of the enactment of*
3 *this Act.*

4 (b) *DUTIES.—The duties of the office established under*
5 *subsection (a) shall include the following:*

6 (1) *Developing procedures to synchronize and*
7 *standardize the collection, reporting, and analysis of*
8 *incidents regarding unidentified aerial phenomena*
9 *across the Department of Defense.*

10 (2) *Developing processes and procedures to en-*
11 *sure that such incidents from each military depart-*
12 *ment are reported and incorporated in a centralized*
13 *repository.*

14 (3) *Establishing procedures to require the timely*
15 *and consistent reporting of such incidents.*

16 (4) *Evaluating links between unidentified aerial*
17 *phenomena and adversarial foreign governments,*
18 *other foreign governments, or nonstate actors.*

19 (5) *Evaluating the threat that such incidents*
20 *present to the United States.*

21 (6) *Coordinating with other departments and*
22 *agencies of the Federal Government, as appropriate.*

23 (7) *Coordinating with allies and partners of the*
24 *United States, as appropriate, to better assess the na-*
25 *ture and extent of unidentified aerial phenomena.*

1 (c) *ANNUAL REPORT.*—

2 (1) *REQUIREMENT.*—Not later than December
3 31, 2022, and annually thereafter until December 31,
4 2026, the Secretary of Defense shall submit to the ap-
5 propriate congressional committees a report on un-
6 identified aerial phenomena.

7 (2) *ELEMENTS.*—Each report under paragraph
8 (1) shall include, with respect to the year covered by
9 the report, the following information:

10 (A) *An analysis of data and intelligence re-*
11 *ceived through reports of unidentified aerial phe-*
12 *nomena.*

13 (B) *An analysis of data relating to uniden-*
14 *tified aerial phenomena collected through—*

15 (i) *geospatial intelligence;*

16 (ii) *signals intelligence;*

17 (iii) *human intelligence; and*

18 (iv) *measurement and signals intel-*
19 *ligence.*

20 (C) *The number of reported incidents of un-*
21 *identified aerial phenomena over restricted air*
22 *space of the United States.*

23 (D) *An analysis of such incidents identified*
24 *under subparagraph (C).*

1 (E) *Identification of potential aerospace or*
2 *other threats posed by unidentified aerial phe-*
3 *nomena to the national security of the United*
4 *States.*

5 (F) *An assessment of any activity regarding*
6 *unidentified aerial phenomena that can be at-*
7 *tributed to one or more adversarial foreign gov-*
8 *ernments.*

9 (G) *Identification of any incidents or pat-*
10 *terns regarding unidentified aerial phenomena*
11 *that indicate a potential adversarial foreign gov-*
12 *ernment may have achieved a breakthrough aero-*
13 *space capability.*

14 (H) *An update on the coordination by the*
15 *United States with allies and partners on efforts*
16 *to track, understand, and address unidentified*
17 *aerial phenomena.*

18 (I) *An update on any efforts underway on*
19 *the ability to capture or exploit discovered un-*
20 *identified aerial phenomena.*

21 (J) *An assessment of any health-related ef-*
22 *fects for individuals that have encountered un-*
23 *identified aerial phenomena.*

24 (d) *TASK FORCE.*—*Not later than the date on which*
25 *the Secretary establishes the office under subsection (a), the*

1 *Secretary shall terminate the Unidentified Aerial Phe-*
2 *nomenon Task Force.*

3 *(e) DEFINITIONS.—In this section:*

4 *(1) The term “appropriate congressional com-*
5 *mittees” means the following:*

6 *(A) The Committee on Armed Services, the*
7 *Committee on Foreign Affairs, and the Perma-*
8 *nent Select Committee on Intelligence of the*
9 *House of Representatives.*

10 *(B) The Committee on Armed Services, the*
11 *Committee on Foreign Relations, and the Select*
12 *Committee on Intelligence of the Senate.*

13 *(2) The term “unidentified aerial phenomena”*
14 *means airborne objects witnessed by a pilot or air-*
15 *crew member that are not immediately identifiable.*

16 **SEC. 1653. MATTERS REGARDING INTEGRATED DETER-**
17 **RENCE REVIEW.**

18 *(a) REPORTS.—Not later than 30 days after the date*
19 *on which the Integrated Deterrence Review that commenced*
20 *during 2021 is submitted to the congressional defense com-*
21 *mittees, the Secretary of Defense shall submit to the congres-*
22 *sional defense committees the following:*

23 *(1) Each report, assessment, and guidance docu-*
24 *ment produced by the Department of Defense pursu-*
25 *ant to the Integrated Deterrence Review or during*

1 *subsequent actions taken to implement the conclusions*
2 *of the Integrated Deterrence Review, including with*
3 *respect to each covered review.*

4 (2) *A report explaining how each such covered*
5 *review differs from the previous such review.*

6 (b) *CERTIFICATIONS.*—*Not later than 30 days after the*
7 *date on which a covered review is submitted to the congres-*
8 *sional defense committees, the Chairman of the Joint Chiefs*
9 *of Staff, the Vice Chairman of the Joint Chiefs of Staff,*
10 *and the Commander of the United States Strategic Com-*
11 *mand shall each directly submit to such committees—*

12 (1) *a certification regarding whether the Chair-*
13 *man, Vice Chairman, or Commander, as the case may*
14 *be, had the opportunity to provide input into the cov-*
15 *ered review; and*

16 (2) *a description of the degree to which the cov-*
17 *ered reviews differ from the military advice contained*
18 *in such input (or, if there was no opportunity to pro-*
19 *vide such input, would have been contained in the*
20 *input if so provided).*

21 (c) *COVERED REVIEW DEFINED.*—*In this section, the*
22 *term “covered review” means—*

23 (1) *the Missile Defense Review that commenced*
24 *during 2021; and*

1 (2) *the Nuclear Posture Review that commenced*
2 *during 2021.*

3 **SEC. 1654. SENSE OF CONGRESS ON INDEMNIFICATION AND**
4 **THE CONVENTIONAL PROMPT GLOBAL**
5 **STRIKE WEAPON SYSTEM.**

6 *It is the sense of Congress that—*

7 (1) *the conventional prompt global strike weapon*
8 *system of the Navy, for which the Secretary of the*
9 *Navy has declined to provide indemnification, will*
10 *have more than twice the TNT equivalent of the bomb*
11 *used in the 1993 World Trade Center bombing that*
12 *resulted in many casualties and more than*
13 *\$3,300,000,000 in insurance claims in 2021 dollars—*
14 *an amount that is \$1,100,000,000 greater than the in-*
15 *surance limits currently available from private insur-*
16 *ance underwriters;*

17 (2) *the term “unusually hazardous” used in Ex-*
18 *ecutive Order 10789, as amended, pursuant to public*
19 *Law 85–804 (50 U.S.C. 1431 et seq.) should be objec-*
20 *tively and consistently applied to weapons systems*
21 *and programs whose physical properties inherently*
22 *possess substantial explosive energy whose*
23 *misapplication or accidental ignition could result in*
24 *catastrophic material destruction and human injuries*
25 *and deaths;*

1 (3) *an inconsistent and arbitrary application of*
 2 *such Executive Order and law may create significant*
 3 *risk for the industrial base and loss of critical defense*
 4 *capabilities; and*

5 (4) *the Secretary of the Navy should—*

6 (A) *take maximum practicable advantage of*
 7 *existing statutory authority to provide indem-*
 8 *nification for large rocket programs employing*
 9 *“unusually hazardous” propulsion systems for*
 10 *both nuclear and non-nuclear strategic systems;*
 11 *and*

12 (B) *develop a policy for more consistently*
 13 *applying such authority.*

14 **TITLE XVII—TECHNICAL AMEND-**
 15 **MENTS RELATED TO THE**
 16 **TRANSFER AND REORGANIZA-**
 17 **TION OF DEFENSE ACQUI-**
 18 **TION STATUTES**

19 **SEC. 1701. TECHNICAL, CONFORMING, AND CLERICAL**
 20 **AMENDMENTS RELATED TO THE TRANSFER**
 21 **AND REORGANIZATION OF DEFENSE ACQUI-**
 22 **TION STATUTES.**

23 (a) *APPLICABILITY; DEFINITIONS.—*

24 (1) *APPLICABILITY.—The amendments made by*
 25 *this section to title XVIII of the William M. (Mac)*

1 *Thornberry National Defense Authorization Act for*
2 *Fiscal Year 2021 (Public Law 116–283) shall apply*
3 *as if included in such Act as enacted.*

4 (2) *DEFINITIONS.—In this section, the terms*
5 *“FY2021 NDAA” and “such Act” mean the William*
6 *M. (Mac) Thornberry National Defense Authorization*
7 *Act for Fiscal Year 2021 (Public Law 116–283).*

8 (b) *TECHNICAL CORRECTIONS TO TITLE XVIII OF*
9 *FY2021 NDAA.—Title XVIII of the FY2021 NDAA is*
10 *amended as follows:*

11 (1) *Section 1806(a) is amended in paragraph*
12 *(4) by striking “TRANSFER” and all that follows*
13 *through “and amended” and inserting the following:*
14 *“RESTATEMENT OF SECTION 2545(1).—Section 3001 of*
15 *such title, as added by paragraph (1), is further*
16 *amended by inserting after subsection (b), as trans-*
17 *ferred and redesignated by paragraph (3), a new sub-*
18 *section (c) having the text of paragraph (1) of section*
19 *2545 of such title, as in effect on the day before the*
20 *date of the enactment of this Act, revised”.*

21 (2) *Section 1807 is amended—*

22 (A) *in subsection (c)(3)(A)—*

23 (i) *by striking the semicolon and close*
24 *quotation marks at the end of clause (i) and*

1 *inserting close quotation marks and a semi-*
2 *colon; and*

3 *(ii) by striking “by any” in the matter*
4 *to be inserted by clause (ii); and*
5 *(B) in subsection (e)—*

6 *(i) by striking “of this title” in the*
7 *matter to be inserted by paragraph (2)(B);*
8 *and*

9 *(ii) by striking “Sections” in the*
10 *quoted matter before the period at the end*
11 *of paragraph (3) and inserting “For pur-*
12 *poses of”.*

13 *(3) Section 1809(e) is amended by striking sub-*
14 *paragraph (B) of paragraph (2) (including the*
15 *amendment made by that subparagraph).*

16 *(4) Section 1811 is amended—*

17 *(A) in subsection (c)(2)(B), by striking the*
18 *comma before the close quotation marks in both*
19 *the matter to be stricken and the matter to be in-*
20 *serted;*

21 *(B) in subsection (d)(3)(B)—*

22 *(i) by striking the dash after “mobili-*
23 *zation” in the matter to be inserted by*
24 *clause (ii) and inserting a semicolon; and*

1 (ii) by striking the dash after “center”
2 in the matter to be inserted by clause (iv)
3 and inserting “; or”;

4 (C) in subsection (d)(4)(D), by striking
5 “this” in the matter to be stricken by clause (ii)
6 and inserting “This”;

7 (D) in subsection (d)(5)(A), by striking
8 “SOURCES.—The” and inserting “SOURCES.—”
9 before “The”;

10 (E) in subsection (d)(6)(A), in the matter to
11 be inserted—

12 (i) by striking the close quotation
13 marks after “PROCEDURES.—”; and

14 (ii) by striking the comma after “(7)”;
15 and

16 (F) in subparagraphs (C)(ii) and (E)(ii) of
17 subsection (e)(3), by striking “and (ii)” each
18 place it appears and inserting “and (iii)”.

19 (5) Section 1813 is amended in subsection
20 (c)(1)(D) by inserting “and inserting” after the first
21 closing quotation marks.

22 (6) Section 1816(c)(5) is amended—

23 (A) in subparagraph (C)—

1 (i) by striking “the second sentence”
2 and inserting “the second and third sen-
3 tences”; and

4 (ii) by striking “subsection (d)” and
5 inserting “subsections (d) and (e), respec-
6 tively”; and

7 (B) by striking subparagraph (G) and in-
8 serting the following:

9 “(G) in subsection (d), as so designated, by
10 inserting ‘NOTICE OF AWARD.—’ before ‘The
11 head of’; and

12 “(H) in subsection (e), as so designated, by
13 striking ‘This subparagraph does not’ and insert-
14 ing ‘EXCEPTION FOR PERISHABLE SUBSISTENCE
15 ITEMS.—Subsections (c) and (d) do not.’.”

16 (7) Section 1818 is amended by striking the close
17 quotation marks and second period at the end of sub-
18 section (b).

19 (8) Section 1820 is amended in subsection
20 (c)(3)(A) by striking “section” in the matter to be de-
21 leted.

22 (9) Section 1833(o)(2) is amended by striking
23 “Section” and “as section” and inserting “Sections”
24 and “as sections”, respectively.

1 (10) *Section 1834(h)(2) is amended by striking*
2 *“section 3801(1)” in the matter to be inserted and in-*
3 *serting “section 3801(a)”.*

4 (11) *Section 1845(c)(2) is amended by striking*
5 *“section” in the matter to be stricken and inserting*
6 *“sections”.*

7 (12) *Section 1856(h) is amended by striking*
8 *“subsection (d)” and inserting “subsection (g)”.*

9 (13) *Section 1862(c)(2) is amended by striking*
10 *“section 4657” and inserting “section 4658”.*

11 (14) *Section 1866(d) is amended by striking*
12 *“4817” in the matter to be inserted by paragraph*
13 *(4)(A)(ii) and inserting “4818”.*

14 **SEC. 1702. CONFORMING CROSS REFERENCE TECHNICAL**
15 **AMENDMENTS RELATED TO THE TRANSFER**
16 **AND REORGANIZATION OF DEFENSE ACQUISI-**
17 **TION STATUTES.**

18 (a) *AMENDMENTS TO TITLE 10, UNITED STATES*
19 *CODE.—Title 10, United States Code, is amended as fol-*
20 *lows:*

21 (1) *Section 171a(i)(3) is amended by striking*
22 *“2366a(d)” and inserting “4251(d)”.*

23 (2) *Section 181(b)(6) is amended by striking*
24 *“sections 2366a(b), 2366b(a)(4),” and inserting “sec-*
25 *tions 4251(b), 4252(a)(4),”.*

1 (3) *Section 1734(c)(2) is amended by striking*
2 *“section 2435(a)” and inserting “section 4214(a)”.*

3 (b) *AMENDMENTS TO LAWS CLASSIFIED AS NOTES IN*
4 *TITLE 10, UNITED STATES CODE.—*

5 (1) *Section 801(1) of the National Defense Au-*
6 *thorization Act for Fiscal Year 2018 (Public Law*
7 *115–91; 10 U.S.C. 2302 note) is amended by striking*
8 *“section 2545” and inserting “section 3001”.*

9 (2) *Section 323(a) of the Ike Skelton National*
10 *Defense Authorization Act for Fiscal Year 2011 (Pub-*
11 *lic Law 111–383; 10 U.S.C. 2463 note) is amended*
12 *by striking “section 235, 2330a, or 2463” and insert-*
13 *ing “section 2463, 3137, or 4505”.*

14 (3) *Section 8065 of the Department of Defense*
15 *Appropriations Act, 2005 (Public Law 108–287; 10*
16 *U.S.C. 2540 note), is amended—*

17 (A) *by striking “subchapter VI of chapter*
18 *148” both places it appears and inserting “sub-*
19 *chapter I of chapter 389”; and*

20 (B) *by striking “section 2540c(d)” and in-*
21 *serting “section 4974(d)”.*

22 (c) *AMENDMENTS TO LAWS CLASSIFIED IN TITLE 6,*
23 *UNITED STATES CODE (HOMELAND SECURITY).—*

24 (1) *Section 831(a) of the Homeland Security Act*
25 *of 2002 (6 U.S.C. 391(a)) is amended—*

1 (A) in paragraph (1), by striking “section
2 2371” and inserting “section 4002”; and

3 (B) in paragraph (2)—

4 (i) by striking “section 845 of the Na-
5 tional Defense Authorization Act for Fiscal
6 Year 1994 (Public Law 103–160)” in the
7 first sentence and inserting “section 4003 of
8 title 10, United States Code”; and

9 (ii) by striking “845” in the second
10 sentence.

11 (2) Section 853(b) of such Act (6 U.S.C. 423(b))
12 is amended by striking paragraphs (1), (2), and (3)
13 and inserting the following:

14 “(1) Section 134 of title 41, United States Code.

15 “(2) Section 153 of title 41, United States Code.

16 “(3) Section 3015 of title 10, United States
17 Code.”.

18 (3) Section 855 of such Act (6 U.S.C. 425) is
19 amended—

20 (A) in subsection (a)(2), by striking sub-
21 paragraphs (A), (B), and (C) and inserting the
22 following:

23 “(A) Sections 1901 and 1906 of title 41,
24 United States Code.

1 “(B) Section 3205 of title 10, United States
2 Code.

3 “(C) Section 3305 of title 41, United States
4 Code.”; and

5 (B) in subsection (b)(1), by striking “pro-
6 vided in” and all that follows through “shall
7 not” and inserting “provided in section
8 1901(a)(2) of title 41, United States Code, sec-
9 tion 3205(a)(2) of title 10, United States Code,
10 and section 3305(a)(2) of title 41, United States
11 Code, shall not”.

12 (4) Section 856(a) of such Act (6 U.S.C. 426(a))
13 is amended by striking paragraphs (1), (2), and (3)
14 and inserting the following:

15 “(1) FEDERAL PROPERTY AND ADMINISTRATIVE
16 SERVICES ACT OF 1949.—In division C of subtitle I of
17 title 41, United States Code:

18 “(A) Paragraphs (1), (2), (6), and (7) of
19 subsection (a) of section 3304 of such title, relat-
20 ing to use of procedures other than competitive
21 procedures under certain circumstances (subject
22 to subsection (d) of such section).

23 “(B) Section 4106 of such title, relating to
24 orders under task and delivery order contracts.

1 “(2) *TITLE 10, UNITED STATES CODE.—In part*
2 *V of subtitle A of title 10, United States Code:*

3 “(A) *Paragraphs (1), (2), (6), and (7) of*
4 *subsection (a) of section 3204, relating to use of*
5 *procedures other than competitive procedures*
6 *under certain circumstances (subject to sub-*
7 *section (d) of such section).*

8 “(B) *Section 3406, relating to orders under*
9 *task and delivery order contracts.*

10 “(3) *OFFICE OF FEDERAL PROCUREMENT POLICY*
11 *ACT.—Paragraphs (1)(B), (1)(D), and (2)(A) of sec-*
12 *tion 1708(b) of title 41, United States Code, relating*
13 *to inapplicability of a requirement for procurement*
14 *notice.”.*

15 (5) *Section 604(f) of the American Recovery and*
16 *Reinvestment Act of 2009 (6 U.S.C. 453b(f)) is*
17 *amended by striking “section 2304(g)” and inserting*
18 *“section 3205”.*

19 (d) *AMENDMENTS TO TITLE 14, UNITED STATES CODE*
20 *(COAST GUARD).—Title 14, United States Code, is amended*
21 *as follows:*

22 (1) *Section 308(c)(10)(B)(ii) is amended by*
23 *striking “section 2547(c)(1)” and inserting “section*
24 *3104(c)(1)”.*

1 (2) *Section 1137(b)(4) is amended by striking*
2 *“section 2306b” and inserting “subchapter I of chap-*
3 *ter 249”.*

4 (3) *Section 1906(b)(2) is amended by striking*
5 *“chapter 137” and inserting “sections 3201 through*
6 *3205”.*

7 (e) *AMENDMENTS TO LAWS CLASSIFIED IN TITLE 15,*
8 *UNITED STATES CODE (COMMERCE).—*

9 (1) *Section 14(a) of the Metric Conversion Act of*
10 *1975 (15 U.S.C. 205l(a)) is amended—*

11 (A) *in the first sentence, by striking “set*
12 *forth in chapter 137” and all that follows*
13 *through “et seq.),” and inserting “set forth in the*
14 *provisions of title 10, United States Code, re-*
15 *ferred to in section 3016 of such title as ‘chapter*
16 *137 legacy provisions’, section 3453 of such title,*
17 *division C (except sections 3302, 3307(e),*
18 *3501(b), 3509, 3906, 4710, and 4711) of subtitle*
19 *I of title 41, United States Code,”;*

20 (B) *in the second sentence, by striking*
21 *“under section 2377(c)” and all that follows*
22 *through the period and inserting “under section*
23 *3453(c) of title 10, United States Code, and sec-*
24 *tion 3307(d) of title 41, United States Code.”;*
25 *and*

1 (C) in the third sentence, by striking “sec-
2 tion 2377” and all that follows through “shall
3 take” and inserting “section 4324 of title 10,
4 United States Code, or section 3307(b) to (d) of
5 title 41, United States Code, then the provisions
6 of such sections 4324 or 3307(b) to (d) shall
7 take”.

8 (2) Section 8 of the Small Business Act (15
9 U.S.C. 637) is amended—

10 (A) in subsection (g)(2), by striking “section
11 2304(c)” and inserting “section 3204(a)”; and

12 (B) in subsection (h)—

13 (i) in paragraph (1)(B), by striking
14 “chapter 137” and inserting “section 3201
15 through 3205”; and

16 (ii) in paragraph (2), by striking “sec-
17 tion 2304(f)(2)” and “section 2304(f)(1)”,
18 and inserting “paragraphs (3) and (4) of
19 section 3204(e)” and “section 3204(e)(1)”,
20 respectively.

21 (3) Section 9 of the Small Business Act (15
22 U.S.C. 638) is amended in subsection (r)(4)(A) by
23 striking “section 2304” and inserting “sections 3201
24 through 3205”.

1 (4) *Section 884(a)(2) of the National Defense*
2 *Authorization Act for Fiscal Year 2020 (Public Law*
3 *116–92; 15 U.S.C. 638 note) is amended by striking*
4 *“section 2500” and inserting “section 4801”.*

5 (5) *Section 15 of the Small Business Act (15*
6 *U.S.C. 644) is amended—*

7 (A) *in subsection (k)—*

8 (i) *in paragraph (17)(B), by striking*
9 *“section 2318” and inserting “section*
10 *3249”;*

11 (ii) *in paragraph (17)(C), by striking*
12 *“chapter 142” and inserting “chapter 388”;*
13 *and*

14 (iii) *in paragraph (18), by striking*
15 *“section 2784” and inserting “section*
16 *4754”;*

17 (B) *in subsection (r)(2), by striking “section*
18 *2304c(b)” and inserting “section 3406(c)”;* *and*

19 (C) *in subsections (u) and (v), by striking*
20 *“chapter 142” and inserting “chapter 388”.*

21 (6) *Section 16 of the Small Business Act (15*
22 *U.S.C. 645) is amended in subsection (d)(3) by strik-*
23 *ing “chapter 142” and inserting “chapter 388”.*

24 (7) *Section 272 of the National Defense Author-*
25 *ization Act for Fiscal Years 1988 and 1989 (Public*

1 *Law 100–180; 15 U.S.C. 4602) is amended in sub-*
2 *section (c) by striking “section 2306a” and inserting*
3 *“chapter 271”.*

4 (f) *AMENDMENTS TO TITLES 32, UNITED STATES*
5 *CODE (NATIONAL GUARD) AND 37, UNITED STATES CODE*
6 *(PAY AND ALLOWANCES).—*

7 (1) *Section 113 of title 32, United States Code,*
8 *is amended in subsection (b)(1)(B) by striking “sec-*
9 *tion 2304(c)” and inserting “section 3204(a)”.*

10 (2) *Section 418 of title 37, United States Code,*
11 *is amended in subsection (d)(2)(A)—*

12 (A) *by striking “section 2533a” and insert-*
13 *ing “section 4862”; and*

14 (B) *by striking “chapter 137 of title 10”*
15 *and inserting “chapter 137 legacy provisions (as*
16 *such term is defined in section 3016 of title 10)”.*

17 (g) *AMENDMENTS TO TITLE 40, UNITED STATES CODE*
18 *(PUBLIC BUILDINGS).—Title 40, United States Code, is*
19 *amended as follows:*

20 (1) *Section 113(e) is amended—*

21 (A) *in paragraph (3)—*

22 (i) *by striking “chapter 137” and in-*
23 *serting “section 3063”; and*

24 (ii) *by striking “that chapter;” and in-*
25 *serting “the provisions of that title referred*

1 to in section 3016 of such title as ‘chapter
2 137 legacy provisions’;” and

3 (B) in paragraph (5), by striking “section
4 2535” and inserting “section 4881”.

5 (2) Section 581(f)(1)(A) is amended by striking
6 “section 2535” and inserting “section 4881”.

7 (h) AMENDMENTS TO TITLE 41, UNITED STATES CODE
8 (PUBLIC CONTRACTS).—Title 41, United States Code, is
9 amended as follows:

10 (1) Section 1127(b) is amended by striking “sec-
11 tion 2324(e)(1)(P)” and inserting “section
12 3744(a)(16)”.

13 (2) Section 1303(a)(1) is amended by striking
14 “chapters 4 and 137 of title 10” and inserting “chap-
15 ter 4 of title 10, chapter 137 legacy provisions (as
16 such term is defined in section 3016 of title 10)”.

17 (3) Section 1502(b)(1)(B) is amended by striking
18 “section 2306a(a)(1)(A)(i)” and inserting “section
19 3702(a)(1)(A)”.

20 (4) Section 1708(b)(2)(A) is amended by striking
21 “section 2304(c)” and inserting “section 3204(a)”.

22 (5) Section 1712(b)(2)(B) is amended by striking
23 “section 2304(c)” and inserting “section 3204(a)”.

24 (6) Section 1901(e)(2) is amended by striking
25 “section 2304(f)” and inserting “section 3204(e)”.

1 (7) *Section 1903 is amended—*

2 (A) *in subsection (b)(3), by striking “section*
3 *2304(g)(1)(B)” and inserting “section*
4 *3205(a)(2)”;* and

5 (B) *in subsection (c)(2)(B), by striking*
6 *“section 2306a” and inserting “chapter 271”.*

7 (8) *Section 1907(a)(3)(B)(ii) is amended by*
8 *striking “section 2305(e) and (f)” and inserting “sec-*
9 *tion 3308”.*

10 (9) *Section 1909(e) is amended by striking “sec-*
11 *tion 2784” and inserting “section 4754”.*

12 (10) *Section 2101(2)(A) is amended by striking*
13 *“section 2306a(h)” and inserting “section 3701”.*

14 (11) *Section 2311 is amended by striking “sec-*
15 *tion 2371” and inserting “section 4002”.*

16 (12) *Section 3302 is amended—*

17 (A) *in subsection (a)(3)—*

18 (i) *in subparagraph (A), by striking*
19 *“section 2302(2)(C)” and inserting “section*
20 *3012(3)”;* and

21 (ii) *in subparagraph (B), by striking*
22 *“sections 2304a to 2304d of title 10,” and*
23 *inserting “chapter 245 of title 10”;*

1 (B) in subsection (c)(1)(A)(i), by striking
2 “section 2304c(b)” and inserting “section
3 3406(c)”; and

4 (C) in subsection (d)(1)(B), by striking
5 “section 2304(f)(1)” and inserting “section
6 3204(e)(1)”.

7 (13) Section 3307(e)(1) is amended by striking
8 “chapter 140” and inserting “chapter 247”.

9 (14) Section 4104 is amended—

10 (A) in subsection (a), by striking “sections
11 2304a to 2304d” and inserting “chapter 245”;
12 and

13 (B) in subsection (b)—

14 (i) in paragraph (1), by striking “sec-
15 tions 2304a to 2304d” and inserting “chap-
16 ter 245”;

17 (ii) in paragraph (2)(B), by striking
18 “section 2304c(b)” and inserting “section
19 3406(c)”; and

20 (iii) in paragraph (2)(C), by striking
21 “section 2304c(c)” and inserting “section
22 3406(e)”.

23 (i) AMENDMENTS TO LAWS CLASSIFIED AS NOTES IN
24 TITLE 41, UNITED STATES CODE.—

1 (1) *Section 555 of the FAA Reauthorization Act*
2 *of 2018 (Public Law 115–254; 41 U.S.C. preceding*
3 *3101 note) is amended by striking “section 2305” in*
4 *subsections (a)(4) and (c)(1) and inserting “sections*
5 *3206 through 3208 and sections 3301 through 3309”.*

6 (2) *Section 846(f)(5) of the National Defense Au-*
7 *thorization Act for Fiscal Year 2018 (Public Law*
8 *115–91; 41 U.S.C. 1901 note) is amended by striking*
9 *“section 2304” and inserting “sections 3201 through*
10 *3205”.*

11 (3) *Section 811 of the National Defense Author-*
12 *ization Act for Fiscal Year 2010 (Public Law 111–*
13 *84; 41 U.S.C. 3304 note) is amended—*

14 (A) *in subsection (a)(3), by striking “sec-*
15 *tions 2304(f)(1)(C) and 2304(l)” and inserting*
16 *“sections 3204(e)(1)(C) and 3204(g)”;* and

17 (B) *in subsection (c)—*

18 (i) *in paragraph (1)(A), by striking*
19 *“section 2304(f)(2)(D)(ii)” and inserting*
20 *“section 3204(e)(4)(D)(ii)”;*

21 (ii) *in paragraph (2)(A), by striking*
22 *“section 2302(1)” and inserting “section*
23 *3004”;* and

1 (iii) in paragraph (3)(A), by striking
2 “section 2304(f)(1)(B)” and inserting “sec-
3 tion 3204(e)(1)(B)”.

4 (j) AMENDMENTS TO LAWS CLASSIFIED IN TITLE 42,
5 UNITED STATES CODE.—

6 (1) *The Public Health Service Act (Public Law*
7 *78-410) is amended—*

8 (A) in section 301(a)(7) (42 U.S.C.
9 241(a)(7)), by striking “sections 2353 and 2354”
10 and inserting “sections 3861 and 4141”; and

11 (B) in section 405(b)(1) (42 U.S.C.
12 284(b)(1)), by striking “section 2354” and in-
13 serting “section 3861”.

14 (2) *Section 403(a) of the Housing Amendments*
15 *of 1955 (42 U.S.C. 1594(a)) is amended by striking*
16 *“section 3 of the Armed Services Procurement Act of*
17 *1947” and inserting “chapters 221 and 241 of title*
18 *10, United States Code”.*

19 (3) *Title II of the Department of Housing and*
20 *Urban Development-Independent Agencies Appropria-*
21 *tions Act, 1986 (Public Law 99-160), is amended by*
22 *striking “section 2354” in the last proviso in the*
23 *paragraph under the heading “National Science*
24 *Foundation — Research and Related Activities” (42*
25 *U.S.C. 1887) and inserting “section 3861”.*

1 (4) *Section 306(b)(2) of the Disaster Mitigation*
2 *Act of 2000 (42 U.S.C. 5206(b)(2)) is amended by*
3 *striking “section 2393(c)” and inserting “section*
4 *4654(c)”.*

5 (5) *Section 801(c)(2) of the National Energy*
6 *Conservation Policy Act (42 U.S.C. 8287) is amended*
7 *by striking “section 2304c(d)” and all that follows*
8 *and inserting “section 3406(d) of title 10, United*
9 *States Code, and section 4106(d) of title 41, United*
10 *States Code.”.*

11 (6) *Section 3021(a) of the Energy Policy Act of*
12 *1992 (42 U.S.C. 13556) is amended by striking*
13 *“chapter 137 of title 10” and inserting “chapter 137*
14 *legacy provisions (as such term is defined in section*
15 *3016 of title 10, United States Code)”.*

16 (k) *AMENDMENTS TO LAWS CLASSIFIED IN TITLE 50,*
17 *UNITED STATES CODE.—*

18 (1) *Section 141(a) of the Bob Stump National*
19 *Defense Authorization Act for Fiscal Year 2003 (Pub-*
20 *lic Law 107–314; 50 U.S.C. 1521a(a)) is amended by*
21 *striking “section 2430” and inserting “section 4201”.*

22 (2) *Section 502(a) of the National Emergencies*
23 *Act (50 U.S.C. 1651(a)) is amended by striking para-*
24 *graphs (1) through (5) and inserting the following:*

1 “(1) Chapters 1 to 11 of title 40, United States
2 Code, and division C (except sections 3302, 3307(e),
3 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of
4 title 41, United States Code.

5 “(2) Section 3727(a)–(e)(1) of title 31, United
6 States Code.

7 “(3) Section 6305 of title 41, United States
8 Code.

9 “(4) Public Law 85–804 (Act of Aug. 28, 1958,
10 72 Stat. 972; 50 U.S.C. 1431 et seq.).

11 “(5) Section 3201(a) of title 10, United States
12 Code.”.

13 (3) *The Atomic Energy Defense Act is amended*
14 *as follows:*

15 (A) Sections 4217 and 4311 (50 U.S.C.
16 2537, 2577) are each amended in subsection
17 (a)(2) by striking “section 2432” and inserting
18 “chapter 324”.

19 (B) Section 4813 (50 U.S.C. 2794) is
20 amended by striking “section 2500” in sub-
21 section (c)(1)(C) and inserting “section 4801”.

22 (4) Section 107 of the Defense Production Act
23 (50 U.S.C. 4517) is amended in subsection (b)(2)(B)
24 by striking clauses (i) and (ii) and inserting the fol-
25 lowing:

1 “(i) section 3203(a)(1)(B) or
2 3204(a)(3) of title 10, United States Code;
3 “(ii) section 3303(a)(1)(B) or
4 3304(a)(3) of title 41, United States Code;
5 or”.

6 (l) *OTHER AMENDMENTS.*—

7 (1) *Section 1473H of the National Agriculture*
8 *Advanced Research, Extension, and Teaching Policy*
9 *Act of 1977 (7 U.S.C. 3319k) is amended by striking*
10 *“section 2371” in subsections (b)(6)(A) and (d)(1)(B)*
11 *and inserting “section 4002”.*

12 (2) *Section 1301 of title 17, United States Code,*
13 *is amended in subsection (a)(3) by striking “section*
14 *2320” and inserting “subchapter I of chapter 275”.*

15 (3) *Section 21 of the Arms Export Control Act*
16 *(22 U.S.C. 2761) is amended by striking “chapter*
17 *137” in subsection (l)(4) and subsection (m)(4) and*
18 *inserting “chapter 137 legacy provisions (as such*
19 *term is defined in section 3016 of title 10, United*
20 *States Code)”.*

21 (4) *Section 3 of the Foreign Direct Investment*
22 *and International Financial Data Improvements Act*
23 *of 1990 (Public Law 101–533; 22 U.S.C. 3142) is*
24 *amended in subsection (c)(2) by striking “section*
25 *2505” and inserting “section 4816”.*

1 (5) *Section 3553 of title 31, United States Code,*
2 *is amended in subsection (d)(4)(B) by striking “sec-*
3 *tion 2305(b)(5)(B)(vii)” and inserting “section*
4 *3304(c)(7)”.*

5 (6) *Section 226 of the Water Resources Develop-*
6 *ment Act of 1992 (33 U.S.C. 569f) is amended by*
7 *striking “section 2393(c)” and inserting “section*
8 *4654(c)”.*

9 (7) *Section 40728B(e) of title 36, United States*
10 *Code, is amended—*

11 (A) *striking “subsection (k) of section 2304”*
12 *and inserting “section 3201(e)”;* and

13 (B) *by striking “subsection (c) of such sec-*
14 *tion” and inserting “section 3204(a)”.*

15 (8) *Section 1427(b) of the National Defense Au-*
16 *thorization Act for Fiscal Year 2004 (Public Law*
17 *108–136; 40 U.S.C. 1103 note) is amended by strik-*
18 *ing “sections 2304a and 2304b” and inserting “sec-*
19 *tions 3403 and 3405”.*

20 (9) *Section 895(b) of the National Defense Au-*
21 *thorization Act for Fiscal Year 2017 (Public Law*
22 *114–328; 40 U.S.C. 11103 note) is amended by strik-*
23 *ing “section 2366a(d)(7)” and inserting “section*
24 *4251(d)(5)”.*

1 (10) Sections 50113(c), 50115(b), and 50132(a)
 2 of title 51, United States Code, are amended by strik-
 3 ing “including chapters 137 and 140” and inserting
 4 “including applicable provisions of chapters 201
 5 through 285, 341 through 343, and 363”.

6 (11) Section 823(c)(3)(C) of the National Aero-
 7 nautics and Space Administration Transition Au-
 8 thorization Act of 2017 (Public Law 115–10; 51
 9 U.S.C. preceding 30301 note) is amended by striking
 10 “section 2319” and inserting “section 3243”.

11 **DIVISION B—MILITARY CON-**
 12 **STRUCTION AUTHORIZA-**
 13 **TIONS**

14 **SEC. 2001. SHORT TITLE.**

15 This division and title XLVI of division D may be
 16 cited as the “Military Construction Authorization Act for
 17 Fiscal Year 2022”.

18 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
 19 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
 20 **LAW.**

21 (a) **EXPIRATION OF AUTHORIZATIONS AFTER THREE**
 22 **YEARS.**—Except as provided in subsection (b), all author-
 23 izations contained in titles XXI through XXVII for military
 24 construction projects, land acquisition, family housing
 25 projects and facilities, and contributions to the North At-

1 *lantic Treaty Organization Security Investment Program*
2 *(and authorizations of appropriations therefor) shall expire*
3 *on the later of—*

4 (1) *October 1, 2024; or*

5 (2) *the date of the enactment of an Act author-*
6 *izing funds for military construction for fiscal year*
7 *2025.*

8 (b) *EXCEPTION.—Subsection (a) shall not apply to au-*
9 *thorizations for military construction projects, land acqui-*
10 *sition, family housing projects and facilities, and contribu-*
11 *tions to the North Atlantic Treaty Organization Security*
12 *Investment Program (and authorizations of appropriations*
13 *therefor), for which appropriated funds have been obligated*
14 *before the later of—*

15 (1) *October 1, 2024; or*

16 (2) *the date of the enactment of an Act author-*
17 *izing funds for fiscal year 2025 for military construc-*
18 *tion projects, land acquisition, family housing*
19 *projects and facilities, or contributions to the North*
20 *Atlantic Treaty Organization Security Investment*
21 *Program.*

22 **SEC. 2003. EFFECTIVE DATE.**

23 *Titles XXI through XXVII shall take effect on the later*
24 *of—*

25 (1) *October 1, 2021; or*

1 (2) *the date of the enactment of this Act.*

2 **TITLE XXI—ARMY MILITARY**
3 **CONSTRUCTION**

4 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
5 **ACQUISITION PROJECTS.**

6 (a) *INSIDE THE UNITED STATES.—Using amounts ap-*
7 *propriated pursuant to the authorization of appropriations*
8 *in section 2103(a) and available for military construction*
9 *projects inside the United States as specified in the funding*
10 *table in section 4601, the Secretary of the Army may ac-*
11 *quire real property and carry out military construction*
12 *projects for the installations or locations inside the United*
13 *States, and in the amounts, set forth in the following table:*

Army: Inside the United States

State	Installation or Location	Amount
<i>Alabama</i>	<i>Anniston Army Depot</i>	<i>\$25,000,000</i>
	<i>Fort Rucker</i>	<i>\$66,000,000</i>
	<i>Redstone Arsenal</i>	<i>\$55,000,000</i>
<i>California</i>	<i>Fort Irwin</i>	<i>\$52,000,000</i>
<i>Georgia</i>	<i>Fort Stewart</i>	<i>\$100,000,000</i>
<i>Hawaii</i>	<i>West Loch Naval Magazine Annex</i>	<i>\$51,000,000</i>
<i>Kansas</i>	<i>Fort Leavenworth</i>	<i>\$34,000,000</i>
<i>Kentucky</i>	<i>Fort Knox</i>	<i>\$27,000,000</i>
<i>Louisiana</i>	<i>Fort Polk</i>	<i>\$111,000,000</i>
<i>Maryland</i>	<i>Fort Detrick</i>	<i>\$23,981,000</i>
	<i>Fort Meade</i>	<i>\$81,000,000</i>
<i>New Jersey</i>	<i>Armaments Center</i>	<i>\$1,800,000</i>
<i>New York</i>	<i>Fort Hamilton</i>	<i>\$26,000,000</i>
	<i>Waterliet Arsenal</i>	<i>\$20,000,000</i>
<i>Pennsylvania</i>	<i>Letterkenny Army Depot</i>	<i>\$21,000,000</i>
<i>Texas</i>	<i>Fort Hood</i>	<i>\$90,200,000</i>

14 (b) *OUTSIDE THE UNITED STATES.—Using amounts*
15 *appropriated pursuant to the authorization of appropria-*
16 *tions in section 2103(a) and available for military con-*
17 *struction projects outside the United States as specified in*

1 the funding table in section 4601, the Secretary of the Army
 2 may acquire real property and carry out military construc-
 3 tion projects for the installations outside the United States,
 4 and in the amounts, set forth in the following table:

Army: Outside the United States

State	Installation	Amount
<i>Belgium</i>	<i>Shape Headquarters</i>	\$16,000,000
<i>Germany</i>	<i>Smith Barracks</i>	\$33,500,000
	<i>East Camp Grafenwoehr</i>	\$103,000,000
<i>Classified Location</i>	<i>Classified Location</i>	\$31,000,000

5 **SEC. 2102. FAMILY HOUSING.**

6 (a) **CONSTRUCTION AND ACQUISITION.**—Using
 7 amounts appropriated pursuant to the authorization of ap-
 8 propriations in section 2103(a) and available for military
 9 family housing functions as specified in the funding table
 10 in section 4601, the Secretary of the Army may construct
 11 or acquire family housing units (including land acquisition
 12 and supporting facilities) at the installation, in the number
 13 of units or for the purpose, and in the amount set forth
 14 in the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
<i>Italy</i>	<i>Vicenza</i>	<i>Family Housing New Construc- tion</i>	\$92,304,000

15 (b) **PLANNING AND DESIGN.**—Using amounts appro-
 16 priated pursuant to the authorization of appropriations in
 17 section 2103(a) and available for military family housing
 18 functions as specified in the funding table in section 4601,

1 *the Secretary of the Army may carry out architectural and*
2 *engineering services and construction design activities with*
3 *respect to the construction or improvement of family hous-*
4 *ing units in an amount not to exceed \$22,545,000.*

5 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

6 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
7 *hereby authorized to be appropriated for fiscal years begin-*
8 *ning after September 30, 2021, for military construction,*
9 *land acquisition, and military family housing functions of*
10 *the Department of the Army as specified in the funding*
11 *table in section 4601.*

12 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*
13 *PROJECTS.—Notwithstanding the cost variations author-*
14 *ized by section 2853 of title 10, United States Code, and*
15 *any other cost variation authorized by law, the total cost*
16 *of all projects carried out under section 2101 of this Act*
17 *may not exceed the total amount authorized to be appro-*
18 *priated under subsection (a), as specified in the funding*
19 *table in section 4601.*

20 **SEC. 2104. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
21 **TAIN FISCAL YEAR 2017 PROJECT.**

22 *(a) EXTENSION.—Notwithstanding section 2002 of the*
23 *Military Construction Authorization Act for Fiscal Year*
24 *2017 (division B of Public Law 114–328; 130 Stat. 2688),*
25 *the authorization set forth in the table in subsection (b),*

1 *as provided in section 2101 of that Act (130 Stat. 2689),*
 2 *shall remain in effect until October 1, 2023, or the date*
 3 *of the enactment of an Act authorizing funds for military*
 4 *construction for fiscal year 2024, whichever is later.*

5 (b) *TABLE.—The table referred to in subsection (a) is*
 6 *as follows:*

Army: Extension of 2017 Project Authorization

<i>Country</i>	<i>Installation</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Germany</i>	<i>Wiesbaden Army Air-field</i>	<i>Hazardous Material Storage Building ..</i>	<i>\$2,700,000</i>

7 ***SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT***
 8 ***CERTAIN FISCAL YEAR 2021 PROJECT.***

9 (a) *MODIFICATION OF PROJECT AUTHORITY.—In the*
 10 *case of the authorization contained in the table in section*
 11 *2101(a) of the Military Construction Authorization Act for*
 12 *Fiscal Year 2021 (division B of Public Law 116–283; 134*
 13 *Stat. __) for Fort Wainwright, Alaska, for construction of*
 14 *Unaccompanied Enlisted Personnel Housing, as specified*
 15 *in the funding table in section 4601 of such Public Law*
 16 *(134 Stat. __), the Secretary of the Army may construct—*

17 (1) *an Unaccompanied Enlisted Personnel Hous-*
 18 *ing building of 104,300 square feet to incorporate a*
 19 *modified standard design; and*

20 (2) *an outdoor recreational shelter, sports fields*
 21 *and courts, barbecue and leisure area, and fitness sta-*

1 *tions associated with the Unaccompanied Enlisted*
2 *Personnel Housing.*

3 *(b) MODIFICATION OF PROJECT AMOUNTS.—*

4 *(1) DIVISION B TABLE.—The authorization table*
5 *in section 2101(a) of the Military Construction Au-*
6 *thorization Act for Fiscal Year 2021 (division B of*
7 *Public Law 116–283; 134 Stat. __) is amended in the*
8 *item relating to Fort Wainwright, Alaska, by striking*
9 *“\$114,000,000” and inserting “\$146,000,000” to re-*
10 *fect the project modification made by subsection (a).*

11 *(2) DIVISION D TABLE.—The funding table in*
12 *section 4601 of Public Law 116–283 (134 Stat. __)*
13 *is amended in the item relating to Fort Wainwright*
14 *Unaccompanied Enlisted Personnel Housing by strik-*
15 *ing “\$59,000” in the Conference Authorized column*
16 *and inserting “\$91,000” to reflect the project modi-*
17 *fication made by subsection (a).*

18 **SEC. 2106. ADDITIONAL AUTHORIZED FUNDING SOURCE**

19 **FOR CERTAIN FISCAL YEAR 2022 PROJECT.**

20 *To carry out an unspecified minor military construc-*
21 *tion project in the amount of \$3,600,000 at Aberdeen Prov-*
22 *ing Ground, Maryland, to construct a 6,000 square foot re-*
23 *cycling center to meet the requirements of a qualified recy-*
24 *cling program at the installation, the Secretary of the Army*
25 *may use funds available to the Secretary under section*

1 2667(e)(1)(C) of title 10, United States Code, in addition
 2 to funds appropriated for unspecified minor military con-
 3 struction for the project.

4 **TITLE XXII—NAVY MILITARY**
 5 **CONSTRUCTION**

6 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 7 **ACQUISITION PROJECTS.**

8 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 9 propriated pursuant to the authorization of appropriations
 10 in section 2203(a) and available for military construction
 11 projects inside the United States as specified in the funding
 12 table in section 4601, the Secretary of the Navy may ac-
 13 quire real property and carry out military construction
 14 projects for the installations or locations inside the United
 15 States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station Yuma	\$99,600,000
California	Air Ground Combat Center Twentynine Palms	\$45,000,000
	San Nicolas Island	\$19,907,000
Guam	Andersen Air Force Base	\$50,890,000
	Joint Region Marianas	\$507,527,000
Hawaii	Marine Corps Base Kaneohe	\$101,200,000
North Carolina	Cherry Point Marine Corps Air Station	\$321,417,000
Nevada	Naval Air Station Fallon	\$48,250,000
Virginia	Marine Corps Base Quantico	\$42,850,000
	Naval Station Norfolk	\$269,693,000
	Norfolk Naval Shipyard	\$156,380,000

16 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 17 appropriated pursuant to the authorization of appropria-
 18 tions in section 2203(a) and available for military con-
 19 struction projects outside the United States as specified in

1 *the funding table in section 4601, the Secretary of the Navy*
 2 *may acquire real property and carry out military construc-*
 3 *tion projects for the installation outside the United States,*
 4 *and in the amount, set forth in the following table:*

Navy: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Japan</i>	<i>Fleet Activities Yokosuka</i>	<i>\$49,900,000</i>

5 ***SEC. 2202. FAMILY HOUSING.***

6 (a) ***CONSTRUCTION AND ACQUISITION.***—*Using*
 7 *amounts appropriated pursuant to the authorization of ap-*
 8 *propriations in section 2203(a) and available for military*
 9 *family housing functions as specified in the funding table*
 10 *in section 4601, the Secretary of the Navy may construct*
 11 *or acquire family housing units (including land acquisition*
 12 *and supporting facilities) at the installations or locations,*
 13 *in the number of units or for the purposes, and in the*
 14 *amounts set forth in the following table:*

Navy: Family Housing

<i>Location</i>	<i>Installation</i>	<i>Units or Purpose</i>	<i>Amount</i>
<i>District of Columbia</i>	<i>Marine Barracks Washington ..</i>	<i>Family housing improvements ..</i>	<i>\$10,415,000</i>
<i>Japan</i>	<i>Fleet Activities Yokosuka</i>	<i>Family housing improvements ..</i>	<i>\$61,469,000</i>

15 (b) ***PLANNING AND DESIGN.***—*Using amounts appro-*
 16 *priated pursuant to the authorization of appropriations in*
 17 *section 2203(a) and available for military family housing*
 18 *functions as specified in the funding table in section 4601,*

1 *the Secretary of the Navy may carry out architectural and*
2 *engineering services and construction design activities with*
3 *respect to the construction or improvement of family hous-*
4 *ing units in an amount not to exceed \$3,634,000.*

5 **SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

6 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
7 *hereby authorized to be appropriated for fiscal years begin-*
8 *ning after September 30, 2021, for military construction,*
9 *land acquisition, and military family housing functions of*
10 *the Department of the Navy, as specified in the funding*
11 *table in section 4601.*

12 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*
13 *PROJECTS.—Notwithstanding the cost variations author-*
14 *ized by section 2853 of title 10, United States Code, and*
15 *any other cost variation authorized by law, the total cost*
16 *of all projects carried out under section 2201 of this Act*
17 *may not exceed the total amount authorized to be appro-*
18 *priated under subsection (a), as specified in the funding*
19 *table in section 4601.*

20 **TITLE XXIII—AIR FORCE**
21 **MILITARY CONSTRUCTION**

22 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
23 **LAND ACQUISITION PROJECTS.**

24 *(a) INSIDE THE UNITED STATES.—Using amounts ap-*
25 *propriated pursuant to the authorization of appropriations*

1 *in section 2303(a) and available for military construction*
 2 *projects inside the United States as specified in the funding*
 3 *table in section 4601, the Secretary of the Air Force may*
 4 *acquire real property and carry out military construction*
 5 *projects for the installations or locations inside the United*
 6 *States, and in the amounts, set forth in the following table:*

Air Force: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Alaska</i>	<i>Joint Base Elmendorf-Richardson</i>	<i>\$251,000,000</i>
<i>Arizona</i>	<i>Davis-Monthan Air Force Base</i>	<i>\$13,400,000</i>
	<i>Luke Air Force Base</i>	<i>\$49,000,000</i>
<i>California</i>	<i>Vandenberg Air Force Base</i>	<i>\$67,000,000</i>
<i>Colorado</i>	<i>Schriever Air Force Base</i>	<i>\$30,000,000</i>
	<i>United States Air Force Academy</i>	<i>\$4,360,000</i>
<i>District of Columbia</i>	<i>Joint Base Anacostia-Bolling</i>	<i>\$24,000,000</i>
<i>Guam</i>	<i>Joint Region Marianas</i>	<i>\$85,000,000</i>
<i>Louisiana</i>	<i>Barksdale Air Force Base</i>	<i>\$272,000,000</i>
<i>Maryland</i>	<i>Joint Base Andrews</i>	<i>\$33,800,000</i>
<i>Massachusetts</i>	<i>Hanscom Air Force Base</i>	<i>\$66,000,000</i>
<i>Nebraska</i>	<i>Offutt Air Force Base</i>	<i>\$5,000,000</i>
<i>New Jersey</i>	<i>Joint Base McGuire-Dix-Lakehurst</i>	<i>\$4,500,000</i>
<i>Ohio</i>	<i>Wright-Patterson Air Force Base</i>	<i>\$24,000,000</i>
<i>Oklahoma</i>	<i>Tinker Air Force Base</i>	<i>\$160,000,000</i>
<i>South Carolina</i>	<i>Joint Base Charleston</i>	<i>\$30,000,000</i>
<i>South Dakota</i>	<i>Ellsworth Air Force Base</i>	<i>\$242,000,000</i>
<i>Texas</i>	<i>Joint Base San Antonio</i>	<i>\$192,000,000</i>
	<i>Sheppard Air Force Base</i>	<i>\$20,000,000</i>
<i>Virginia</i>	<i>Joint Base Langley-Eustis</i>	<i>\$24,000,000</i>

7 ***(b) OUTSIDE THE UNITED STATES.***—*Using amounts*
 8 *appropriated pursuant to the authorization of appropri-*
 9 *ations in section 2303(a) and available for military con-*
 10 *struction projects outside the United States as specified in*
 11 *the funding table in section 4601, the Secretary of the Air*
 12 *Force may acquire real property and carry out military*
 13 *construction projects for the installations or locations out-*
 14 *side the United States, and in the amounts, set forth in*
 15 *the following table:*

Air Force: Outside the United States

Country	Installation or Location	Amount
<i>Australia</i>	<i>Royal Australian Air Force Base Darwin</i>	<i>\$7,400,000</i>
	<i>Royal Australian Air Force Base Tindal</i>	<i>\$14,400,000</i>
<i>Japan</i>	<i>Kadena Air Base</i>	<i>\$206,000,000</i>
	<i>Misawa Air Base</i>	<i>\$25,000,000</i>
<i>United Kingdom</i>	<i>Royal Air Force Lakenheath</i>	<i>\$104,000,000</i>

1 **SEC. 2302. FAMILY HOUSING.**

2 (a) *IMPROVEMENTS TO MILITARY FAMILY HOUSING*
3 *UNITS.*—*Subject to section 2825 of title 10, United States*
4 *Code, and using amounts appropriated pursuant to the au-*
5 *thorization of appropriations in section 2303(a) and avail-*
6 *able for military family housing functions as specified in*
7 *the funding table in section 4601, the Secretary of the Air*
8 *Force may improve existing military family housing units*
9 *in an amount not to exceed \$105,528,000.*

10 (b) *PLANNING AND DESIGN.*—*Using amounts appro-*
11 *priated pursuant to the authorization of appropriations in*
12 *section 2303(a) and available for military family housing*
13 *functions as specified in the funding table in section 4601,*
14 *the Secretary of the Air Force may carry out architectural*
15 *and engineering services and construction design activities*
16 *with respect to the construction or improvement of family*
17 *housing units in an amount not to exceed \$10,458,000.*

18 **SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR**
19 **FORCE.**

20 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*Funds are*
21 *hereby authorized to be appropriated for fiscal years begin-*

1 *ning after September 30, 2021, for military construction,*
2 *land acquisition, and military family housing functions of*
3 *the Department of the Air Force, as specified in the funding*
4 *table in section 4601.*

5 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*
6 *PROJECTS.—Notwithstanding the cost variations author-*
7 *ized by section 2853 of title 10, United States Code, and*
8 *any other cost variation authorized by law, the total cost*
9 *of all projects carried out under section 2301 may not ex-*
10 *ceed the total amount authorized to be appropriated under*
11 *subsection (a), as specified in the funding table in section*
12 *4601.*

13 **SEC. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
14 **TAIN FISCAL YEAR 2017 PROJECTS.**

15 *(a) EXTENSION.—Notwithstanding section 2002 of the*
16 *Military Construction Authorization Act for Fiscal Year*
17 *2017 (division B of Public Law 114–328; 130 Stat. 2688),*
18 *the authorizations set forth in the table in subsection (b),*
19 *as provided in sections 2301 and 2902 of that Act (130*
20 *Stat. 2696, 2743), shall remain in effect until October 1,*
21 *2023, or the date of the enactment of an Act authorizing*
22 *funds for military construction for fiscal year 2024, which-*
23 *ever is later.*

24 *(b) TABLE.—The table referred to in subsection (a) is*
25 *as follows:*

Air Force: Extension of 2017 Project Authorizations

State or Country	Installation or Location	Project	Original Authorized Amount
Germany	Ramstein Air Base	37 AS Squadron Operations/Aircraft Maintenance Unit	\$13,437,000
	Spangdahlem Air Base ..	F/A-22 Low Observable/Composite Repair Facility	\$12,000,000
	Spangdahlem Air Base ..	Upgrade Hardened Aircraft Shelters for F/A-22	\$2,700,000
Guam	Joint Region Marianas	APR - Munitions Storage Igloos, Phase 2	\$35,300,000
	Joint Region Marianas	APR - SATCOM C4I Facility	\$14,200,000
Japan	Kadena Air Base	APR - Replace Munitions Structures	\$19,815,000
	Yokota Air Base	C-130J Corrosion Control Hangar	\$23,777,000
	Yokota Air Base	Construct Combat Arms Training and Maintenance Facility	\$8,243,000
Massachusetts ...	Hanscom Air Force Base	Vandenberg Gate Complex	\$10,965,000
United Kingdom	Royal Air Force Croughton	Main Gate Complex ..	\$16,500,000

1 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **MILITARY CONSTRUCTION PROJECTS AT TYN-**
3 **DALL AIR FORCE BASE, FLORIDA.**

4 (a) *FISCAL YEAR 2018 PROJECT.*—*In the case of the*
5 *authorization contained in the table in section 2301(b) of*
6 *the Military Construction Authorization Act for Fiscal Year*
7 *2018 (division B of Public Law 115–91; 131 Stat. 1825)*
8 *for Tyndall Air Force Base, Florida, for construction of a*
9 *Fire Station, as specified in the funding table in section*
10 *4601 of that Public Law (131 Stat. 2002), the Secretary*
11 *of the Air Force may construct a crash rescue/structural*
12 *fire station encompassing up to 3,588 square meters.*

1 **(b) FISCAL YEAR 2020 PROJECTS.**—*In the case of the*
2 *authorization contained in section 2912(a) of the Military*
3 *Construction Authorization Act for Fiscal Year 2020 (divi-*
4 *sion B of Public Law 116–92; 133 Stat. 1913) for Tyndall*
5 *Air Force Base, Florida—*

6 **(1) for construction of Site Development, Utili-**
7 *ties, and Demo Phase 1, as specified in the Natural*
8 *Disaster Recovery Justification Book dated August*
9 *2019, the Secretary of the Air Force may construct—*

10 **(A) up to 3,698 lineal meters of waste water**
11 *utilities;*

12 **(B) up to 6,306 lineal meters of storm water**
13 *utilities; and*

14 **(C) two emergency power backup genera-**
15 *tors;*

16 **(2) for construction of Munitions Storage Facili-**
17 *ties, as specified in the Natural Disaster Recovery*
18 *Justification Book dated August 2019, the Secretary*
19 *of the Air Force may construct—*

20 **(A) up to 4,393 square meters of aircraft**
21 *support equipment storage yard;*

22 **(B) up to 1,535 square meters of tactical**
23 *missile maintenance facility; and*

1 (C) up to 560 square meters of missile war-
2 head assembly and maintenance shop and stor-
3 age;

4 (3) for construction of 53 WEG Complex, as
5 specified in the Natural Disaster Recovery Justifica-
6 tion Book dated August 2019, the Secretary of the Air
7 Force may construct—

8 (A) up to 1,693 square meters of aircraft
9 maintenance shop;

10 (B) up to 1,458 square meters of fuel sys-
11 tems maintenance dock; and

12 (C) up to 3,471 square meters of group
13 headquarters;

14 (4) for construction of 53 WEG Subscale Drone
15 Facility, as specified in the Natural Disaster Recov-
16 ery Justification Book dated August 2019, the Sec-
17 retary of the Air Force may construct up to 511
18 square meters of pilotless aircraft shop in a separate
19 facility;

20 (5) for construction of CE/Contracting/USACE
21 Complex, as specified in the Natural Disaster Recov-
22 ery Justification Book dated August 2019, the Sec-
23 retary of the Air Force may construct—

24 (A) up to 557 square meters of base engi-
25 neer storage shed 6000 area; and

1 (B) up to 183 square meters of non-Air
2 Force administrative office;

3 (6) for construction of Logistics Readiness
4 Squadron Complex, as specified in the Natural Dis-
5 aster Recovery Justification Book dated August 2019,
6 the Secretary of the Air Force may construct—

7 (A) up to 802 square meters of supply ad-
8 ministrative headquarters;

9 (B) up to 528 square meters of vehicle wash
10 rack; and

11 (C) up to 528 square meters of vehicle serv-
12 ice rack;

13 (7) for construction of Fire Station Silver Flag
14 #4, as specified in the Natural Disaster Recovery
15 Justification Book dated August 2019, the Secretary
16 of the Air Force may construct up to 651 square me-
17 ters of fire station;

18 (8) for construction of AFCEC RDT&E, as spec-
19 ified in the Natural Disaster Recovery Justification
20 Book dated August 2019, the Secretary of the Air
21 Force may construct—

22 (A) up to 501 square meters of CE Mat Test
23 Runway Support Building;

24 (B) up to 1,214 square meters of Robotics
25 Range Control Support Building; and

1 (C) up to 953 square meters of fire garage;
2 (9) for construction of *Flightline–Munitions*
3 *Storage, 7000 Area*, as specified in the funding table
4 in section 4603 of that Public Law (133 Stat. 2103),
5 the Secretary of the Air Force may construct—

6 (A) up to 1,861 square meters of above
7 ground magazines; and

8 (B) up to 530 square meters of air support
9 equipment shop/storage facility pad;

10 (10) for construction of *Site Development, Utili-*
11 *ties and Demo Phase 2*, as specified in such funding
12 table and modified by section 2306(a)(6) of the *Mili-*
13 *tary Construction Authorization Act for Fiscal Year*
14 *2021 (division B of Public Law 116–283; 134 Stat.*
15 *___)*, the Secretary of the Air Force may construct—

16 (A) up to 5,233 lineal meters of storm water
17 utilities;

18 (B) up to 48,560 square meters of roads;

19 (C) up to 3,612 lineal meters of gas pipe-
20 line; and

21 (D) up to 993 square meters of water fire
22 pumping station with an emergency backup gen-
23 erator;

24 (11) for construction of *Tyndall AFB Gate Com-*
25 *plexes*, as specified in such funding table and modi-

1 *fied by section 2306(a)(9) of the Military Construc-*
2 *tion Authorization Act for Fiscal Year 2021 (division*
3 *B of Public Law 116–283; 134 Stat. __), the Sec-*
4 *retary of the Air Force may construct—*

5 *(A) up to 52,694 square meters of roadway*
6 *with serpentines; and*

7 *(B) up to 20 active/passive barriers;*

8 *(12) for construction of Deployment Center/*
9 *Flight Line Dining/AAFES, as specified in such*
10 *funding table and modified by section 2306(a)(11) of*
11 *the Military Construction Authorization Act for Fis-*
12 *cal Year 2021 (division B of Public Law 116–283;*
13 *134 Stat. __), the Secretary of the Air Force may*
14 *construct up to 144 square meters of AAFES*
15 *shoppette;*

16 *(13) for construction of Airfield Drainage, as*
17 *specified in such funding table and modified by sec-*
18 *tion 2306(a)(12) of the Military Construction Author-*
19 *ization Act for Fiscal Year 2021 (division B of Public*
20 *Law 116–283; 134 Stat. __), the Secretary of the Air*
21 *Force may construct—*

22 *(A) up to 37,357 meters of drainage ditch;*

23 *(B) up to 18,891 meters of storm drain pip-*
24 *ing;*

25 *(C) up to 19,131 meters of box culvert;*

1 (D) up to 3,704 meters of concrete block
2 swale;

3 (E) up to 555 storm drain structures; and

4 (F) up to 81,500 square meters of storm
5 drain ponds; and

6 (14) for construction of 325th Fighting Wing
7 HQ Facility, as specified in such funding table and
8 modified by section 2306(a)(13) of the Military Con-
9 struction Authorization Act for Fiscal Year 2021 (di-
10 vision B of Public Law 116–283; 134 Stat. __), the
11 Secretary of the Air Force may construct up to 769
12 square meters of separate administrative space for
13 SAPR/SARC.

14 **TITLE XXIV—DEFENSE AGEN-**
15 **CIES MILITARY CONSTRU-**
16 **CTION**

17 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
18 **TION AND LAND ACQUISITION PROJECTS.**

19 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
20 propriated pursuant to the authorization of appropriations
21 in section 2403(a) and available for military construction
22 projects inside the United States as specified in the funding
23 table in section 4601, the Secretary of Defense may acquire
24 real property and carry out military construction projects

- 1 *for the installations or locations inside the United States,*
 2 *and in the amounts, set forth in the following table:*

Defense Agencies: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>California</i>	<i>Marine Corps Base Camp Pendleton</i>	<i>\$13,600,000</i>
	<i>Naval Base Coronado</i>	<i>\$54,200,000</i>
<i>Colorado</i>	<i>Buckley Air Force Base</i>	<i>\$20,000,000</i>
<i>Georgia</i>	<i>Fort Benning</i>	<i>\$62,000,000</i>
<i>Hawaii</i>	<i>Joint Base Pearl Harbor-Hickam</i>	<i>\$29,800,000</i>
<i>Maryland</i>	<i>Fort Meade</i>	<i>\$1,201,000,000</i>
<i>New Mexico</i>	<i>Kirtland Air Force Base</i>	<i>\$8,600,000</i>
<i>Virginia</i>	<i>Fort Belvoir</i>	<i>\$29,800,000</i>
	<i>Pentagon</i>	<i>\$50,543,000</i>
<i>Washington</i>	<i>Naval Health Clinic Oak Harbor</i>	<i>\$59,000,000</i>

- 3 ***(b) OUTSIDE THE UNITED STATES.***—Using amounts
 4 *appropriated pursuant to the authorization of appropria-*
 5 *tions in section 2403(a) and available for military con-*
 6 *struction projects outside the United States as specified in*
 7 *the funding table in section 4601, the Secretary of Defense*
 8 *may acquire real property and carry out military construc-*
 9 *tion projects for the installation or location outside the*
 10 *United States, and in the amount, set forth in the following*
 11 *table:*

Defense Agencies: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Germany</i>	<i>Ramstein Air Base</i>	<i>\$93,000,000</i>
<i>Japan</i>	<i>Kadena Air Base</i>	<i>\$24,000,000</i>
	<i>Misawa Air Base</i>	<i>\$6,000,000</i>
<i>United Kingdom</i> ..	<i>Royal Air Force Lakenheath</i>	<i>\$19,283,000</i>

1 **SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CON-**
 2 **SERVATION INVESTMENT PROGRAM**
 3 **PROJECTS.**

4 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 5 propriated pursuant to the authorization of appropriations
 6 in section 2403(a) and available for energy conservation
 7 projects as specified in the funding table in section 4601,
 8 the Secretary of Defense may carry out energy conservation
 9 projects under chapter 173 of title 10, United States Code,
 10 for the installations or locations inside the United States,
 11 and in the amounts, set forth in the following table:

ERCIP Projects: Inside the United States

State	Installation or Location	Amount
Alabama	Fort Rucker	\$24,000,000
California	Marine Corps Air Station Miramar	\$4,054,000
	Naval Air Weapons Station China Lake	\$9,120,000
District of Colum- bia	Joint Base Anacostia-Bolling	\$31,261,000
Florida	MacDill Air Force Base	\$22,000,000
Georgia	Fort Benning	\$17,593,000
	Fort Stewart	\$22,000,000
	Kings Bay Naval Submarine Base	\$19,314,000
Guam	Naval Base Guam	\$38,300,000
Idaho	Mountain Home Air Force Base	\$33,800,000
Michigan	Camp Grayling	\$5,700,000
Mississippi	Camp Shelby	\$45,655,000
New York	Fort Drum	\$27,000,000
North Carolina	Fort Bragg	\$27,169,000
North Dakota	Cavalier Air Force Station	\$24,150,000
Ohio	Springfield-Beckley Municipal Airport	\$4,700,000
Puerto Rico	Fort Allen	\$12,190,000
	Ramey Unit School	\$10,120,000
Tennessee	Memphis International Airport	\$4,870,000
Virginia	National Geospatial Intelligence Agency Springfield	\$5,299,000
	Various Locations	\$2,965,000

12 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 13 appropriated pursuant to the authorization of appropria-
 14 tions in section 2403(a) and available for energy conserva-

1 *tion projects as specified in the funding table in section*
 2 *4601, the Secretary of Defense may carry out energy con-*
 3 *servation projects under chapter 173 of title 10, United*
 4 *States Code, for the installations or locations outside the*
 5 *United States, and in the amounts, set forth in the following*
 6 *table:*

ERCIP Projects: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Japan</i>	<i>Naval Air Facility Atsugi</i>	\$3,810,000
<i>Kuwait</i>	<i>Camp Arifjan</i>	\$15,000,000

7 ***SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE***
 8 ***AGENCIES.***

9 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*Funds are*
 10 *hereby authorized to be appropriated for fiscal years begin-*
 11 *ning after September 30, 2021, for military construction,*
 12 *land acquisition, and military family housing functions of*
 13 *the Department of Defense (other than the military depart-*
 14 *ments), as specified in the funding table in section 4601.*

15 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*
 16 *PROJECTS.*—*Notwithstanding the cost variations author-*
 17 *ized by section 2853 of title 10, United States Code, and*
 18 *any other cost variation authorized by law, the total cost*
 19 *of all projects carried out under section 2401 of this Act*
 20 *may not exceed the total amount authorized to be appro-*
 21 *priated under subsection (a), as specified in the funding*
 22 *table in section 4601.*

1 **SEC. 2404. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 2 **TAIN FISCAL YEAR 2017 PROJECT.**

3 (a) *EXTENSION.*—Notwithstanding section 2002 of the
 4 *Military Construction Authorization Act for Fiscal Year*
 5 *2017 (division B of Public Law 114–328; 130 Stat. 2688),*
 6 *the authorization set forth in the table in subsection (b),*
 7 *as provided in section 2401 of that Act (130 Stat. 2700),*
 8 *shall remain in effect until October 1, 2023, or the date*
 9 *of the enactment of an Act authorizing funds for military*
 10 *construction for fiscal year 2024, whichever is later.*

11 (b) *TABLE.*—The table referred to in subsection (a) is
 12 *as follows:*

Defense Agencies: Extension of 2017 Project Authorization

<i>Country</i>	<i>Installation</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Japan</i>	<i>Yokota Air Base</i>	<i>Hanger/AMU</i>	<i>\$39,466,000</i>

13 **TITLE XXV—INTERNATIONAL**
 14 **PROGRAMS**
 15 **Subtitle A—North Atlantic Treaty**
 16 **Organization Security Invest-**
 17 **ment Program**

18 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
 19 **ACQUISITION PROJECTS.**

20 *The Secretary of Defense may make contributions for*
 21 *the North Atlantic Treaty Organization Security Invest-*
 22 *ment Program as provided in section 2806 of title 10,*

1 *United States Code, in an amount not to exceed the sum*
2 *of the amount authorized to be appropriated for this pur-*
3 *pose in section 2502 and the amount collected from the*
4 *North Atlantic Treaty Organization as a result of construc-*
5 *tion previously financed by the United States.*

6 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

7 *Funds are hereby authorized to be appropriated for fis-*
8 *cal years beginning after September 30, 2021, for contribu-*
9 *tions by the Secretary of Defense under section 2806 of title*
10 *10, United States Code, for the share of the United States*
11 *of the cost of projects for the North Atlantic Treaty Organi-*
12 *zation Security Investment Program authorized by section*
13 *2501 as specified in the funding table in section 4601.*

14 ***Subtitle B—Host Country In-Kind***
15 ***Contributions***

16 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION**
17 **PROJECTS.**

18 *(a) AUTHORITY TO ACCEPT PROJECTS.—Pursuant to*
19 *agreement with the Republic of Korea for required in-kind*
20 *contributions, the Secretary of Defense may accept military*
21 *construction projects for the installations or locations in the*
22 *Republic of Korea, and in the amounts, set forth in the fol-*
23 *lowing table:*

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp Humphreys	Unaccompanied Enlisted Personnel Housing	\$52,000,000
Army	Camp Humphreys	Type I Aircraft Parking Apron and Parallel Taxiway	\$48,000,000
Army	Camp Humphreys	Black Hat Intelligence Fusion Center	\$149,000,000
Navy	Mujuk	Expeditionary Dining Facility	\$10,200,000
Air Force	Gimhae Air Base	Repair Contingency Hospital	\$75,000,000
Air Force	Osan Air Base	Munitions Storage Area Move Delta (Phase 2)	\$171,000,000

1 (b) *AUTHORIZED APPROACH TO CERTAIN CONSTRUCTION PROJECT.*—Section 2350k of title 10, United States Code, shall apply with respect to the construction of the Black Hat Intelligence Fusion Center at Camp Humphreys, Republic of Korea, as set forth in the table in subsection (a).

7 **SEC. 2512. REPUBLIC OF POLAND FUNDED CONSTRUCTION PROJECTS.**

9 Pursuant to agreement with the Republic of Poland for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Poland, and in the amounts, set forth in the following table:

Republic of Poland Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Poznan	Command and Control Facility	\$30,000,000
Army	Poznan	Information Systems Facility	\$7,000,000

**TITLE XXVI—GUARD AND
RESERVE FORCES FACILITIES**

**SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-
STRUCTION AND LAND ACQUISITION
PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard installations or locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State	Installation or Location	Amount
California	Beale Air Force Base	\$33,000,000
Connecticut	National Guard Armory Putnam	\$17,500,000
Georgia	Fort Benning	\$13,200,000
Guam	Barrigada National Guard Complex	\$34,000,000
Idaho	National Guard Armory Jerome	\$15,000,000
Illinois	National Guard Armory Bloomington	\$15,000,000
Kansas	National Guard Reserve Center	\$16,732,000
Louisiana	Camp Minden	\$13,800,000
	National Guard Armory Lake Charles	\$18,500,000
Maine	National Guard Armory Saco	\$21,200,000
Michigan	Camp Grayling	\$16,000,000
Mississippi	Camp Shelby	\$15,500,000
Montana	National Guard Armory Butte	\$16,000,000
Nebraska	Camp Ashland	\$11,000,000
North Dakota	North Dakota Army National Guard Recruiting	\$15,500,000
South Carolina	McEntire Joint National Guard Base	\$9,000,000
Virginia	National Guard Armory Troutville	\$13,000,000
	National Guard Aviation Support Facility	\$5,805,000

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 funding*
 6 *table in section 4601, the Secretary of the Army may ac-*
 7 *quire real property and carry out military construction*
 8 *projects for the Army Reserve installations or locations in-*
 9 *side the United States, and in the amounts, set forth in*
 10 *the following table:*

Army Reserve

State	Installation or Location	Amount
Michigan	Army Reserve Center Southfield	\$12,000,000
Ohio	Wright-Patterson Air Force Base	\$19,000,000
Wisconsin	Fort McCoy	\$94,600,000

11 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
 12 **CORPS RESERVE CONSTRUCTION AND LAND**
 13 **ACQUISITION PROJECTS.**

14 *Using amounts appropriated pursuant to the author-*
 15 *ization of appropriations in section 2606 and available for*
 16 *the National Guard and Reserve as specified in the funding*
 17 *table in section 4601, the Secretary of the Navy may ac-*
 18 *quire real property and carry out military construction*
 19 *projects for the Navy Reserve and Marine Corps Reserve*
 20 *installations or locations inside the United States, and in*
 21 *the amounts, set forth in the following table:*

Navy Reserve and Marine Corps Reserve

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Michigan</i>	<i>Naval Operational Support Center Battle Creek</i>	<i>\$49,090,000</i>
<i>Minnesota</i>	<i>Minneapolis Air Reserve Station</i>	<i>\$14,350,000</i>

1 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

2
3 *Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard installations or locations inside the United States, and in the amounts, set forth in the following table:*

Air National Guard

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Massachusetts</i>	<i>Barnes Air National Guard Base</i>	<i>\$12,200,000</i>
<i>Delaware</i>	<i>Newcastle Air National Guard Base</i>	<i>\$17,500,000</i>
<i>Idaho</i>	<i>Boise Air Terminal</i>	<i>\$6,500,000</i>
<i>Illinois</i>	<i>Abraham Capital Airport</i>	<i>\$10,200,000</i>
<i>Michigan</i>	<i>Alpena County Regional Airport</i>	<i>\$23,000,000</i>
	<i>W. K. Kellogg Regional Airport</i>	<i>\$10,000,000</i>
<i>Mississippi</i>	<i>Jackson International Airport</i>	<i>\$9,300,000</i>
<i>New York</i>	<i>Schenectady Municipal Airport</i>	<i>\$10,800,000</i>
<i>Ohio</i>	<i>Camp Perry</i>	<i>\$7,800,000</i>
<i>South Carolina</i>	<i>McEntire Joint National Guard Base</i>	<i>\$9,800,000</i>
<i>South Dakota</i>	<i>Joe Foss Field</i>	<i>\$9,800,000</i>
<i>Wisconsin</i>	<i>Truax Field</i>	<i>\$44,200,000</i>
<i>Wyoming</i>	<i>Cheyenne Municipal Airport</i>	<i>\$13,400,000</i>

11 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

12
13 *Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may*

- 1 *acquire real property and carry out military construction*
 2 *projects for the installations inside the United States, and*
 3 *in the amounts, set forth in the following table:*

Air Force Reserve

<i>State</i>	<i>Installation</i>	<i>Amount</i>
<i>Florida</i>	<i>Homestead Air Force Reserve Base</i>	<i>\$14,000,000</i>
	<i>Patrick Air Force Base</i>	<i>\$18,500,000</i>
<i>Minnesota</i>	<i>Minneapolis-St. Paul International Airport</i>	<i>\$14,000,000</i>
<i>New York</i>	<i>Niagara Falls Air Reserve Station</i>	<i>\$10,600,000</i>
<i>Ohio</i>	<i>Youngstown Air Reserve Station</i>	<i>\$8,700,000</i>

4 ***SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-***
 5 ***TIONAL GUARD AND RESERVE.***

6 *Funds are hereby authorized to be appropriated for fis-*
 7 *cal years beginning after September 30, 2021, for the costs*
 8 *of acquisition, architectural and engineering services, and*
 9 *construction of facilities for the Guard and Reserve Forces,*
 10 *and for contributions therefor, under chapter 1803 of title*
 11 *10, United States Code (including the cost of acquisition*
 12 *of land for those facilities), as specified in the funding table*
 13 *in section 4601.*

1 **TITLE XXVII—BASE REALIGN-**
2 **MENT AND CLOSURE ACTIVI-**
3 **TIES**

4 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE**
5 **REALIGNMENT AND CLOSURE ACTIVITIES**
6 **FUNDED THROUGH DEPARTMENT OF DE-**
7 **FENSE BASE CLOSURE ACCOUNT.**

8 *Funds are hereby authorized to be appropriated for fis-*
9 *cal years beginning after September 30, 2021, for base re-*
10 *alignment and closure activities, including real property*
11 *acquisition and military construction projects, as author-*
12 *ized by the Defense Base Closure and Realignment Act of*
13 *1990 (part A of title XXIX of Public Law 101–510; 10*
14 *U.S.C. 2687 note) and funded through the Department of*
15 *Defense Base Closure Account established by section 2906*
16 *of such Act (as amended by section 2711 of the Military*
17 *Construction Authorization Act for Fiscal Year 2013 (divi-*
18 *sion B of Public Law 112–239; 126 Stat. 2140)), as speci-*
19 *fied in the funding table in section 4601.*

20 **SEC. 2702. CONDITIONS ON CLOSURE OF PUEBLO CHEM-**
21 **ICAL DEPOT AND CHEMICAL AGENT-DE-**
22 **STRUCTION PILOT PLANT, COLORADO.**

23 *(a) SUBMISSION OF FINAL CLOSURE AND DISPOSAL*
24 *PLANS.—*

1 (1) *PLANS REQUIRED.*—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of the Army shall submit to the Committees on
4 Armed Services of the Senate and the House of Rep-
5 resentatives—

6 (A) a plan for the final closure of Pueblo
7 Chemical Depot, Colorado, upon the completion
8 of the chemical demilitarization mission of the
9 Chemical Agent-Destruction Pilot Plant at Pueb-
10 lo Chemical Depot; and

11 (B) a plan for the disposal of all remaining
12 land, buildings, facilities, and equipment at
13 Pueblo Chemical Depot.

14 (2) *LOCAL REDEVELOPMENT AUTHORITY*
15 *ROLE.*—In preparing the disposal plan required by
16 paragraph (1)(B), the Secretary of the Army shall
17 recognize the appropriate role of the Local Redevelop-
18 ment Authority.

19 (3) *DEFINITION.*—In this section, the term
20 “Local Redevelopment Authority” means the Local
21 Redevelopment Authority for Pueblo Chemical Depot,
22 as recognized by the Office of Local Defense Commu-
23 nity Cooperation.

24 (b) *LOCAL REDEVELOPMENT AUTHORITY ELIGIBILITY*
25 *FOR ASSISTANCE.*—The Secretary of Defense, acting

1 *through the Office of Local Defense Community Coopera-*
2 *tion, may make grants, conclude cooperative agreements,*
3 *and supplement other Federal funds in order to assist the*
4 *Local Redevelopment Authority in planning community*
5 *adjustments and economic diversification required by the*
6 *closure of Pueblo Chemical Depot and the Chemical Agent-*
7 *Destruction Pilot Plant if the Secretary determines that the*
8 *closure is likely to have a direct and significantly adverse*
9 *consequence on nearby communities.*

10 *(c) GENERAL CLOSURE, REALIGNMENT, AND DISPOSAL*
11 *PROHIBITION.—*

12 *(1) PROHIBITION; CERTAIN RECIPIENT EX-*
13 *CEPTED.—During the period specified in paragraph*
14 *(2), the Secretary of the Army shall take no action—*

15 *(A) to close or realign Pueblo Chemical*
16 *Depot or the Chemical Agent-Destruction Pilot*
17 *Plant; or*

18 *(B) to dispose of any land, building, facil-*
19 *ity, or equipment that comprises any portion of*
20 *Pueblo Chemical Depot or the Chemical Agent-*
21 *Destruction Pilot Plant other than to the Local*
22 *Redevelopment Authority.*

23 *(2) DURATION.—The prohibition imposed by*
24 *paragraph (1) shall apply pending a final closure*
25 *and disposal decision for Pueblo Chemical Depot fol-*

1 *lowing submission of the final closure and disposal*
2 *plans required by subsection (a).*

3 *(d) PROHIBITION ON DEMOLITION OR DISPOSAL RE-*
4 *LATED TO CHEMICAL AGENT-DESTRUCTION PILOT*
5 *PLANT.—*

6 *(1) PROHIBITION; CERTAIN RECIPIENT EX-*
7 *CEPTED.—During the period specified in paragraph*
8 *(4), the Secretary of the Army may not—*

9 *(A) demolish any building, facility, or*
10 *equipment described in paragraph (2) that com-*
11 *prises any portion of the Chemical Agent-De-*
12 *struction Pilot Plant; or*

13 *(B) dispose of such building, facility, or*
14 *equipment other than to the Local Redevelop-*
15 *ment Authority.*

16 *(2) COVERED BUILDINGS, FACILITIES, AND*
17 *EQUIPMENT.—The prohibition imposed by paragraph*
18 *(1) shall apply to the following:*

19 *(A) Any building, facility, or equipment*
20 *where chemical munitions were present, but*
21 *where contamination did not occur, which are*
22 *considered by the Secretary of the Army as clean,*
23 *safe, and acceptable for reuse by the public, after*
24 *a risk assessment by the Secretary.*

1 (B) *Any building, facility, or equipment*
2 *that was not contaminated by chemical muni-*
3 *tions and that was without the potential to be*
4 *contaminated, such as office buildings, parts*
5 *warehouses, or utility infrastructure, which are*
6 *considered by the Secretary of the Army as suit-*
7 *able for reuse by the public.*

8 (3) *EXCEPTION.—The prohibition imposed by*
9 *paragraph (1) shall not apply to any building, facil-*
10 *ity, or equipment otherwise described in paragraph*
11 *(2) for which the Local Redevelopment Authority pro-*
12 *vides to the Secretary of the Army a written deter-*
13 *mination specifying that the building, facility, or*
14 *equipment is not needed for community adjustment*
15 *and economic diversification following the closure of*
16 *the Chemical Agent-Destruction Pilot Plant.*

17 (4) *DURATION.—The prohibition imposed by*
18 *paragraph (1) shall apply for a period of not less*
19 *than three years beginning on the date of the enact-*
20 *ment of this Act.*

1 **TITLE XXVIII—MILITARY CON-**
2 **STRUCTION GENERAL PROVI-**
3 **SIONS**

4 ***Subtitle A—Military Construction***
5 ***Program Changes***

6 **SEC. 2801. SPECIAL CONSTRUCTION AUTHORITY TO USE**
7 **OPERATION AND MAINTENANCE FUNDS TO**
8 **MEET CERTAIN UNITED STATES MILITARY-RE-**
9 **LATED CONSTRUCTION NEEDS IN FRIENDLY**
10 **FOREIGN COUNTRIES.**

11 *Section 2804 of title 10, United States Code, is amend-*
12 *ed to read as follows:*

13 **“§2804. Special construction authority for certain**
14 ***military-related construction needs in***
15 ***friendly foreign countries***

16 **“(a) CONSTRUCTION AUTHORIZED.—***The Secretary*
17 *concerned may carry out a construction project in a friend-*
18 *ly foreign country, and perform planning and design to*
19 *support such a project, that the Secretary determines meets*
20 *each of the following conditions:*

21 **“(1) *The commander of the geographic combat-***
22 ***ant command in which the construction project will***
23 ***be carried out identified the construction project as***
24 ***necessary to support vital United States military re-***
25 ***quirements related to strategic laydown opportunities***

1 *at an air port of debarkation, sea port of debarkation,*
2 *or rail or other logistics support location.*

3 “(2) *The construction project will not carried out*
4 *at a military installation that is considered a main*
5 *operating base.*

6 “(3) *The use of construction authority under this*
7 *section is not duplicative of other construction au-*
8 *thorities available to the Secretary concerned to carry*
9 *out the construction project.*

10 “(4) *The funds made available under the author-*
11 *ity of this section for the construction project—*

12 “(A) *will be sufficient to produce a complete*
13 *and usable facility or other improvement or com-*
14 *plete the repair of an existing facility or im-*
15 *provement; to and*

16 “(B) *will not require additional funds from*
17 *other Department of Defense accounts.*

18 “(5) *The level of construction will be the min-*
19 *imum necessary to meet the vital military require-*
20 *ments identified under paragraph (1).*

21 “(6) *Deferral of the construction project pending*
22 *inclusion of the project proposal in the next budget*
23 *submission is inconsistent with the vital military re-*
24 *quirements identified under paragraph (1) and other*

1 *national security or national interests of the United*
2 *States.*

3 “(b) *USE OF OPERATION AND MAINTENANCE*
4 *FUNDS.—The Secretary concerned may obligate from ap-*
5 *propriations available to the Secretary concerned for oper-*
6 *ation and maintenance amounts necessary to carry out a*
7 *covered construction project.*

8 “(c) *NOTIFICATION OF PROPOSED OBLIGATION OF*
9 *FUNDS.—*

10 “(1) *NOTIFICATION REQUIRED.—Before using*
11 *appropriated funds available for operation and main-*
12 *tenance to carry out a covered construction project*
13 *that has an estimated cost in excess of the amounts*
14 *authorized for unspecified minor military construc-*
15 *tion projects under section 2805(c) of this title, the*
16 *Secretary concerned shall submit to the specified con-*
17 *gressional committees the following notices:*

18 “(A) *A notice regarding the proposed initi-*
19 *ation of planning and design for the covered con-*
20 *struction project.*

21 “(B) *A notice regarding the proposed solici-*
22 *tation of a contract for the covered construction*
23 *project.*

1 “(2) *NOTIFICATION ELEMENTS.*—*The notices re-*
2 *quired by paragraph (1) with regard to a covered*
3 *construction project shall include the following:*

4 “(A) *A certification that the conditions*
5 *specified in subsection (a) are satisfied with re-*
6 *gard to the covered construction project.*

7 “(B) *A description of the purpose for which*
8 *appropriated funds available for operation and*
9 *maintenance will be obligated.*

10 “(C) *All relevant documentation detailing*
11 *the covered construction project, including plan-*
12 *ning and design.*

13 “(D) *An estimate of the total amount to be*
14 *obligated for the covered construction project.*

15 “(E) *An explanation of the harm to na-*
16 *tional security or national interests that would*
17 *occur if the covered construction project was de-*
18 *ferred to permit inclusion in the next budget sub-*
19 *mission.*

20 “(3) *NOTICE AND WAIT.*—*A covered construction*
21 *project may be carried out only after the end of the*
22 *30-day period beginning on the date the second notice*
23 *required by paragraph (1) is received by the specified*
24 *congressional committees, including when a copy of*

1 *the notification is provided in an electronic medium*
2 *pursuant to section 480 of this title.*

3 “(4) *EFFECT OF FAILURE TO SUBMIT NOTIFICA-*
4 *TIONS.—If the notices required by paragraph (1) with*
5 *regard to a covered construction project are not sub-*
6 *mitted to the specified congressional committees by*
7 *the required date, appropriated funds available for*
8 *operation and maintenance may not be obligated or*
9 *expended after that date under the authority of this*
10 *section to carry out covered construction projects until*
11 *the date on which all late notices are finally sub-*
12 *mitted.*

13 “(d) *ANNUAL LIMITATIONS ON USE OF AUTHORITY.—*

14 “(1) *TOTAL COST LIMITATION.—For each fiscal*
15 *year, the total cost of the covered construction projects*
16 *carried out by each Secretary concerned using, in*
17 *whole or in part, appropriated funds available for op-*
18 *eration and maintenance shall not exceed*
19 *\$50,000,000.*

20 “(2) *ADDITIONAL OBLIGATION AUTHORITY.—Not-*
21 *withstanding paragraph (1), the Secretary of Defense*
22 *may authorize the obligation under this section of not*
23 *more than an additional \$10,000,000 of appropriated*
24 *funds available for operation and maintenance for a*
25 *fiscal year if the Secretary determines that the addi-*

1 *tional funds are needed for costs associated with con-*
2 *tract closeouts.*

3 “(3) *PROJECT LIMITATION.*—*The total amount of*
4 *operation and maintenance funds used for a single*
5 *covered construction project shall not exceed*
6 *\$10,000,000.*

7 “(e) *RELATION TO OTHER AUTHORITIES.*—*This sec-*
8 *tion, section 2805 of this title, and section 2808 of the Mili-*
9 *tary Construction Authorization Act for Fiscal Year 2004*
10 *(division B of Public Law 108–136; 117 Stat. 1723) are*
11 *the only authorities available to the Secretary concerned to*
12 *use appropriated funds available for operation and mainte-*
13 *nance to carry out construction projects.*

14 “(f) *DEFINITIONS.*—*In this section:*

15 “(1) *The term ‘covered construction project’*
16 *means a construction project meeting the conditions*
17 *specified in subsection (a) that the Secretary con-*
18 *cerned may carry out using appropriated funds*
19 *available for operation and maintenance under the*
20 *authority of this section.*

21 “(2) *The term ‘specified congressional commit-*
22 *tees’ means—*

23 “(A) *the Committee on Armed Services and*
24 *the Subcommittee on Defense and the Sub-*
25 *committee on Military Construction, Veterans*

1 *Affairs, and Related Agencies of the Committee*
2 *on Appropriations of the Senate; and*

3 “*(B) the Committee on Armed Services and*
4 *the Subcommittee on Defense and the Sub-*
5 *committee on Military Construction, Veterans*
6 *Affairs, and Related Agencies of the Committee*
7 *on Appropriations of the House of Representa-*
8 *tives.*”

9 “(g) *DURATION.*—*The authority of the Secretary con-*
10 *cerned to commence a covered construction project under*
11 *the authority of this section shall expire on September 30,*
12 *2026.*”.

13 ***SEC. 2802. INCREASE IN MAXIMUM AMOUNT AUTHORIZED***
14 ***FOR USE OF UNSPECIFIED MINOR MILITARY***
15 ***CONSTRUCTION PROJECT AUTHORITY.***

16 *Section 2805(a)(2) of title 10, United States Code, is*
17 *amended by striking “\$6,000,000” and inserting*
18 *“\$8,000,000”.*

1 **SEC. 2803. INCREASED TRANSPARENCY AND PUBLIC AVAIL-**
2 **ABILITY OF INFORMATION REGARDING SO-**
3 **LICITATION AND AWARD OF SUBCONTRACTS**
4 **UNDER MILITARY CONSTRUCTION CON-**
5 **TRACTS.**

6 (a) *AVAILABILITY OF CERTAIN INFORMATION RELAT-*
7 *ING TO MILITARY CONSTRUCTION SUBCONTRACTS.*—*Sec-*
8 *tion 2851 of title 10, United States Code, is amended—*

9 (1) *by redesignating subsection (d) as subsection*
10 *(f); and*

11 (2) *by inserting after subsection (c) the following*
12 *new subsections:*

13 “(d) *INFORMATION AND NOTICE REQUIREMENTS RE-*
14 *GARDING SOLICITATION AND AWARD OF SUBCONTRACTS.*—

15 (1) *The recipient of a contract for a construction project*
16 *described in subsection (c)(1) to be carried out in a State*
17 *shall make publicly available on a website of the General*
18 *Services Administration or the Small Business Administra-*
19 *tion, as applicable, any solicitation made by the contract*
20 *recipient under the contract for a subcontract with an esti-*
21 *mated value of \$250,000 or more.*

22 “(2) *The Secretary of Defense shall—*

23 “(A) *maintain on the Internet site required by*
24 *subsection (c)(1) information regarding the solicita-*
25 *tion date and award date (or anticipated date) for*
26 *each subcontract described in paragraph (1);*

1 “(B) submit written notice of the award of the
2 original contract for a project described in subsection
3 (c)(1) to be carried out in a State, and each sub-
4 contract described in paragraph (1) under the con-
5 tract, to each State agency that enforces workers’ com-
6 pensation or minimum wage laws in the State in
7 which the contract or subcontract will be carried out;
8 and

9 “(C) in the case of the award of a contract for
10 a project described in subsection (c)(1) to be carried
11 out in a State, and any subcontract described in
12 paragraph (1) under the contract, with an estimated
13 value of \$2,000,000 or more, submit written notice of
14 the award of the contract or subcontract within 30
15 days after the award to each Senator of the State in
16 which the contract or subcontract will be carried out
17 and the Member of the House of Representatives rep-
18 resenting the congressional district in which the con-
19 tract or subcontract will be carried out.

20 “(3) In this subsection:

21 “(A) The term ‘Member of the House of Rep-
22 resentatives’ includes a Delegate to the House of Rep-
23 resentatives and the Resident Commissioner from
24 Puerto Rico.

1 “(B) *The term ‘State’ means any of the several*
2 *States, the District of Columbia, the Commonwealth*
3 *of Puerto Rico, Guam, American Samoa, the United*
4 *States Virgin Islands, and the Commonwealth of the*
5 *Northern Mariana Islands.*”

6 “(e) *EXCLUSION OF CLASSIFIED PROJECTS.—Sub-*
7 *sections (c) and (d) do not apply to a classified construction*
8 *project otherwise described in subsection (c)(1).”.*”

9 (b) *APPLICABILITY.—Subsection (d) of section 2851 of*
10 *title 10, United States Code, as added by subsection (a)(2),*
11 *shall apply with respect to a contract for a construction*
12 *project described in subsection (c)(1) of such section that—*

13 (1) *is entered into on or after the date of the en-*
14 *actment of this Act; or*

15 (2) *was entered into before the date of the enact-*
16 *ment of this Act, if the first solicitation made by the*
17 *contract recipient under the contract for a sub-*
18 *contract with an estimated value of \$250,000 or more*
19 *is made on or after the date of the enactment of this*
20 *Act.*

21 **SEC. 2804. PUBLIC AVAILABILITY OF INFORMATION ON FA-**
22 **CILITIES SUSTAINMENT, RESTORATION, AND**
23 **MODERNIZATION PROJECTS AND ACTIVITIES.**

24 *Section 2851(c)(1) of title 10, United States Code, is*
25 *amended—*

1 (1) *by redesignating subparagraph (E) as sub-*
2 *paragraph (F);*

3 (2) *by inserting after subparagraph (D) the fol-*
4 *lowing new subparagraph (E):*

5 “*(E) Each military department project or activ-*
6 *ity with a total cost in excess of \$15,000,000 for Fa-*
7 *ilities Sustainment, Restoration, and Moderniza-*
8 *tion.*”; *and*

9 (3) *in subparagraph (F), as so redesignated, by*
10 *inserting after “construction project” the following: “,*
11 *military department Facilities Sustainment, Restora-*
12 *tion, and Modernization project or activity.”.*

13 **SEC. 2805. LIMITATIONS ON AUTHORIZED COST AND SCOPE**
14 **OF WORK VARIATIONS.**

15 (a) *PROCESS FOR APPROVING CERTAIN EXCEPTIONS;*
16 *LIMITATIONS.—Subsections (c) and (d) of section 2853 of*
17 *title 10, United States Code, are amended to read as follows:*

18 “(c) *EXCEPTIONS TO LIMITATION ON COST VARI-*
19 *ATIONS AND SCOPE OF WORK REDUCTIONS.—(1)(A) Except*
20 *as provided in subparagraph (D), the Secretary concerned*
21 *may waive the percentage or dollar cost limitation applica-*
22 *ble to a military construction project or a military family*
23 *housing project under subsection (a) and approve an in-*
24 *crease in the cost authorized for the project in excess of that*
25 *limitation if the Secretary concerned notifies the appro-*

1 *priate committees of Congress of the cost increase in the*
2 *manner provided in this paragraph.*

3 “(B) *The notification required by subparagraph (A)*
4 *shall—*

5 “(i) *identify the amount of the cost increase and*
6 *the reasons for the increase;*

7 “(ii) *certify that the cost increase is sufficient to*
8 *meet the mission requirement identified in the jus-*
9 *tification data provided to Congress as part of the re-*
10 *quest for authorization of the project; and*

11 “(iii) *describe the funds proposed to be used to*
12 *finance the cost increase.*

13 “(C) *A waiver and approval by the Secretary con-*
14 *cerned under subparagraph (A) shall take effect only after*
15 *the end of the 14-day period beginning on the date on which*
16 *the notification required by such subparagraph is received*
17 *by the appropriate committees of Congress in an electronic*
18 *medium pursuant to section 480 of this title.*

19 “(D) *The Secretary concerned may not use the author-*
20 *ity provided by subparagraph (A) to waive the cost limita-*
21 *tion applicable to a military construction project or a mili-*
22 *tary family housing project and approve an increase in the*
23 *cost authorized for the project that would increase the*
24 *project cost by more than 50 percent of the total authorized*
25 *cost of the project.*

1 “(E) *In addition to the notification required by this*
2 *paragraph, subsection (f) applies whenever a military con-*
3 *struction project or military family housing project with*
4 *a total authorized cost greater than \$40,000,000 will have*
5 *a cost increase of 25 percent or more. Subsection (f) may*
6 *not be construed to authorize a cost increase in excess of*
7 *the limitation imposed by subparagraph (D).*

8 “(2)(A) *The Secretary concerned may waive the per-*
9 *centage or dollar cost limitation applicable to a military*
10 *construction project or a military family housing project*
11 *under subsection (a) and approve a decrease in the cost au-*
12 *thorized for the project in excess of that limitation if the*
13 *Secretary concerned notifies the appropriate committees of*
14 *Congress of the cost decrease not later than 14 days after*
15 *the date funds are obligated in connection with the project.*

16 “(B) *The notification required by subparagraph (A)*
17 *shall be provided in an electronic medium pursuant to sec-*
18 *tion 480 of this title.*

19 “(3)(A) *The Secretary concerned may waive the limi-*
20 *tation on a reduction in the scope of work applicable to*
21 *a military construction project or a military family hous-*
22 *ing project under subsection (b)(1) and approve a scope of*
23 *work reduction for the project in excess of that limitation*
24 *if the Secretary concerned notifies the appropriate commit-*

1 *tees of Congress of the reduction in the manner provided*
2 *in this paragraph.*

3 “(B) *The notification required by subparagraph (A)*
4 *shall—*

5 “(i) *describe the reduction in the scope of work*
6 *and the reasons for the decrease; and*

7 “(ii) *certify that the mission requirement identi-*
8 *fied in the justification data provided to Congress can*
9 *still be met with the reduced scope.*

10 “(C) *A waiver and approval by the Secretary con-*
11 *cerned under subparagraph (A) shall take effect only after*
12 *the end of the 14-day period beginning on the date on which*
13 *the notification required by such subparagraph is received*
14 *by the appropriate committees of Congress in an electronic*
15 *medium pursuant to section 480 of this title.*

16 “(d) *EXCEPTIONS TO LIMITATION ON SCOPE OF WORK*
17 *INCREASES.—(1) Except as provided in paragraph (4), the*
18 *Secretary concerned may waive the limitation on an in-*
19 *crease in the scope of work applicable to a military con-*
20 *struction project or a military family housing project under*
21 *subsection (b)(1) and approve an increase in the scope of*
22 *work for the project in excess of that limitation if the Sec-*
23 *retary concerned notifies the appropriate committees of*
24 *Congress of the reduction in the manner provided in this*
25 *subsection.*

1 “(2) *The notification required by paragraph (1) shall*
2 *describe the increase in the scope of work and the reasons*
3 *for the increase.*

4 “(3) *A waiver and approval by the Secretary con-*
5 *cerned under paragraph (1) shall take effect only after the*
6 *end of the 14-day period beginning on the date on which*
7 *the notification required by such paragraph is received by*
8 *the appropriate committees of Congress in an electronic me-*
9 *dium pursuant to section 480 of this title.*

10 “(4) *The Secretary concerned may not use the author-*
11 *ity provided by paragraph (1) to waive the limitation on*
12 *an increase in the scope of work applicable to a military*
13 *construction project or a military family housing project*
14 *and approve an increase in the scope of work for the project*
15 *that would increase the scope of work by more than 10 per-*
16 *cent of the amount specified for the project in the justifica-*
17 *tion data provided to Congress as part of the request for*
18 *authorization of the project.”.*

19 **(b) CONFORMING AMENDMENT RELATED TO CALCU-**
20 **LATING LIMITATION ON COST VARIATIONS.**—*Section*
21 *2853(a) of title 10, United States Code, is amended by strik-*
22 *ing “the amount appropriated for such project” and insert-*
23 *ing “the total authorized cost of the project”*

24 **(c) CLERICAL AMENDMENTS.**—*Section 2853 of title 10,*
25 *United States Code, is further amended—*

1 (1) *in subsection (a), by inserting “COST VARI-*
 2 *ATIONS AUTHORIZED; LIMITATION.—” after the enu-*
 3 *merator “(a)”;*

4 (2) *in subsection (b), by inserting “SCOPE OF*
 5 *WORK VARIATIONS AUTHORIZED; LIMITATION.—”*
 6 *after the enumerator “(b)”;*

7 (3) *in subsection (e), by inserting “ADDITIONAL*
 8 *COST VARIATION EXCEPTIONS.—” after the enu-*
 9 *merator “(e)”;*

10 (4) *in subsection (f), by inserting “ADDITIONAL*
 11 *REPORTING REQUIREMENT FOR CERTAIN COST IN-*
 12 *CREASES.—” after the enumerator “(f)”;* and

13 (5) *in subsection (g), by inserting “RELATION TO*
 14 *OTHER LAW.—” after the enumerator “(g)”.*

15 **SEC. 2806. USE OF QUALIFIED APPRENTICES BY MILITARY**
 16 **CONSTRUCTION CONTRACTORS.**

17 (a) *ESTABLISHMENT OF APPRENTICESHIP USE CER-*
 18 *TIFICATION REQUIREMENT.—Subchapter III of chapter 169*
 19 *of title 10, United States Code, is amended by adding at*
 20 *the end the following new section:*

21 **“§2870. Use of qualified apprentices by military con-**
 22 **struction contractors**

23 “(a) *CERTIFICATION REQUIRED.—The Secretary of*
 24 *Defense shall require each offeror for a contract for a mili-*

1 tary construction project to certify to the Secretary that,
2 if awarded such a contract, the offeror will—

3 “(1) establish a goal that not less than 20 per-
4 cent of the total workforce employed in the perform-
5 ance of such a contract are qualified apprentices; and

6 “(2) ensure that each contractor and subcon-
7 tractor that employs four or more workers in a par-
8 ticular classification to perform construction activi-
9 ties on such a contract shall employ one or more
10 qualified apprentices in the same classification for the
11 purpose of meeting the goal established pursuant to
12 paragraph (1).

13 “(b) INCENTIVES.—The Secretary of Defense shall de-
14 velop incentives for offerors for a contract for military con-
15 struction projects to meet or exceed the goal described in
16 subsection (a).

17 “(c) CONSIDERATION OF USE OF QUALIFIED APPREN-
18 TICES.—

19 “(1) REVISION REQUIRED.—Not later than one
20 year after the date of the enactment of this section, the
21 Secretary of Defense shall revise the Department of
22 Defense Supplement to the Federal Acquisition Regu-
23 lation to require that the system used by the Federal
24 Government to monitor or record contractor past per-
25 formance includes an analysis of whether the con-

1 *tractor has made a good faith effort to meet or exceed*
2 *the goal described in subsection (a), including consid-*
3 *eration of the actual number of qualified apprentices*
4 *used by the contractor on a contract for a military*
5 *construction project, as part of the past performance*
6 *rating of such contractor.*

7 “(2) *IMPLEMENTATION.*—Upon revision of the
8 *Department of Defense Supplement to the Federal Ac-*
9 *quisition Regulation, contractors working on a mili-*
10 *tary construction project shall submit to the Depart-*
11 *ment of Defense such reports or information as re-*
12 *quired by the Secretary, which may include total*
13 *labor hours to be performed on a contract for a mili-*
14 *tary construction project, the number of qualified ap-*
15 *prentices to be employed on a contract for a military*
16 *construction project, and demographic information on*
17 *nontraditional apprentice populations.*

18 “(d) *QUALIFIED APPRENTICE DEFINED.*—In this sec-
19 *tion, the term ‘qualified apprentice’ means an employee*
20 *participating in an apprenticeship program registered with*
21 *the Office of Apprenticeship of the Employment Training*
22 *Administration of the Department of Labor or a State ap-*
23 *prenticeship agency recognized by the Office of Apprentice-*
24 *ship pursuant to the Act of August 16, 1937 (popularly*

1 *known as the National Apprenticeship Act; 29 U.S.C. 50*
2 *et seq.*)

3 “(e) *APPRENTICE-TO-JOURNEYWORKER RATIO.*—*Noth-*
4 *ing in this section shall relieve a contractor or subcontractor*
5 *on a military construction project of the obligation of the*
6 *contractor or subcontractor to comply with all applicable*
7 *requirements for apprentice-to-journeyworker ratios estab-*
8 *lished by the Department of Labor or the State Apprenticeship*
9 *Agency, whichever applies in the State in which the*
10 *military construction project is carried out.*

11 “(f) *APPLICABILITY.*—*Subsection (a) shall apply with*
12 *respect to each military construction project whose first ad-*
13 *vertisement for bid occurs on or after the end of the one-*
14 *year period beginning on the date of the enactment of this*
15 *section.*”.

16 “(b) *REPORTS TO CONGRESS.*—*Not later than three*
17 *months after the date of the enactment of this Act, nine*
18 *months after the date of the enactment of this Act, and upon*
19 *revision of the Department of Defense Supplement to the*
20 *Federal Acquisition Regulation required by subsection (c)*
21 *of section 2870 of title 10, United States Code, as added*
22 *by subsection (a), the Secretary of Defense shall submit to*
23 *the Committees on Armed Services of the Senate and the*
24 *House of Representatives a report providing a status update*
25 *on the implementation of the requirements of such section.*

1 *Each status update shall identify major milestones in such*
2 *implementation, challenges to such implementation, and*
3 *such other information as the Secretary considers appro-*
4 *priate.*

5 **SEC. 2807. MODIFICATION AND EXTENSION OF TEMPORARY,**
6 **LIMITED AUTHORITY TO USE OPERATION**
7 **AND MAINTENANCE FUNDS FOR CONSTRUC-**
8 **TION PROJECTS IN CERTAIN AREAS OUTSIDE**
9 **THE UNITED STATES.**

10 (a) *TWO-YEAR EXTENSION OF AUTHORITY.*—Sub-
11 *section (h) of section 2808 of the Military Construction Au-*
12 *thorization Act for Fiscal Year 2004 (division B of Public*
13 *Law 108–136; 117 Stat. 1723), as most recently amended*
14 *by section 2806(a) of the Military Construction Authoriza-*
15 *tion Act for Fiscal Year 2021 (division B of Public Law*
16 *116–283; 134 Stat. _____), is further amended—*

17 (1) *in paragraph (1), by striking “December 31,*
18 *2021” and inserting “December 31, 2023”; and*

19 (2) *paragraph (2), by striking “fiscal year 2022”*
20 *and inserting “fiscal year 2024”.*

21 (b) *CONTINUATION OF LIMITATION ON USE OF AU-*
22 *THORITY.*—*Subsection (c)(1) of section 2808 of the Military*
23 *Construction Authorization Act for Fiscal Year 2004 (divi-*
24 *sion B of Public Law 108–136; 117 Stat. 1723), as most*
25 *recently amended by subsections (b) and (c) of section 2806*

1 *of the Military Construction Authorization Act for Fiscal*
2 *Year 2021 (division B of Public Law 116–283; 134 Stat.*
3 *____), is further amended—*

4 *(1) by striking subparagraphs (A) and (B);*

5 *(2) by redesignating subparagraph (C) as sub-*
6 *paragraph (A); and*

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

9 *“(B) The period beginning October 1, 2021, and*
10 *ending on the earlier of December 31, 2022, or the*
11 *date of the enactment of an Act authorizing funds for*
12 *military activities of the Department of Defense for*
13 *fiscal year 2023.*

14 *“(C) The period beginning October 1, 2022, and*
15 *ending on the earlier of December 31, 2023, or the*
16 *date of the enactment of an Act authorizing funds for*
17 *military activities of the Department of Defense for*
18 *fiscal year 2024.”.*

19 *(c) ESTABLISHMENT OF PROJECT MONETARY LIMITA-*
20 *TION.—Subsection (c) of section 2808 of the Military Con-*
21 *struction Authorization Act for Fiscal Year 2004 (division*
22 *B of Public Law 108–136; 117 Stat. 1723) is amended by*
23 *adding at the end the following new paragraph:*

24 *“(3) The total amount of operation and maintenance*
25 *funds used for a single construction project carried out*

1 *under the authority of this section shall not exceed*
 2 *\$15,000,000.”.*

3 *(d) MODIFICATION OF NOTICE AND WAIT REQUIRE-*
 4 *MENT.—Subsection (b) of section 2808 of the Military Con-*
 5 *struction Authorization Act for Fiscal Year 2004 (division*
 6 *B of Public Law 108–136; 117 Stat. 1723) is amended—*

7 *(1) by striking “10-day period” and inserting*
 8 *“14-day period”; and*

9 *(2) by striking “or, if earlier, the end of the 7-*
 10 *day period beginning on the date on which” and in-*
 11 *serting “, including when”.*

12 ***Subtitle B—Continuation of***
 13 ***Military Housing Reforms***

14 ***SEC. 2811. APPLICABILITY OF WINDOW FALL PREVENTION***
 15 ***REQUIREMENTS TO ALL MILITARY FAMILY***
 16 ***HOUSING WHETHER PRIVATIZED OR GOVERN-***
 17 ***MENT-OWNED AND GOVERNMENT-CON-***
 18 ***TROLLED.***

19 *(a) TRANSFER OF WINDOW FALL PREVENTION SEC-*
 20 *TION TO MILITARY FAMILY HOUSING ADMINISTRATION*
 21 *SUBCHAPTER.—Section 2879 of title 10, United States*
 22 *Code—*

23 *(1) is transferred to appear after section 2856 of*
 24 *such title; and*

25 *(2) is redesignated as section 2857.*

1 (b) *APPLICABILITY OF SECTION TO ALL MILITARY*
2 *FAMILY HOUSING.*—Section 2857 of title 10, United States
3 Code, as transferred and redesignated by subsection (a), is
4 amended—

5 (1) in subsection (a)(1), by striking “acquired or
6 constructed under this chapter”;

7 (2) in subsection (b)(1), by striking “acquired or
8 constructed under this chapter”; and

9 (3) by adding at the end the following new sub-
10 section:

11 “(e) *APPLICABILITY TO ALL MILITARY FAMILY HOUS-*
12 *ING.*—This section applies to military family housing
13 under the jurisdiction of the Department of Defense and
14 military family housing acquired or constructed under sub-
15 chapter IV of this chapter.”.

16 (c) *IMPLEMENTATION PLAN.*—In the report required to
17 be submitted in 2022 pursuant to subsection (d) of section
18 2857 of title 10, United States Code, as transferred and re-
19 designated by subsection (a) and amended by subsection (b),
20 the Secretary of Defense shall include a plan for implemen-
21 tation of the fall protection devices described in subsection
22 (a)(3) of such section as required by such section.

23 (d) *LIMITATION ON USE OF FUNDS PENDING SUBMIS-*
24 *SION OF OVERDUE REPORT.*—Of the funds authorized to
25 be appropriated by this Act or otherwise made available

1 *for fiscal year 2022 for the Office of the Assistant Secretary*
2 *of Defense for Installations and Sustainment, not more*
3 *than 50 percent may be obligated or expended until the date*
4 *on which the Secretary of Defense certifies to the congress-*
5 *sional defense committees that—*

6 (1) *the independent assessment required by sec-*
7 *tion 2817(b) of the Military Construction Authoriza-*
8 *tion Act of 2018 (division B of Public Law 115–91;*
9 *131 Stat. 1852) has been initiated; and*

10 (2) *the Secretary expects the report containing*
11 *the results of the assessment to be submitted to the*
12 *congressional defense committees by September 1,*
13 *2022.*

14 **SEC. 2812. MODIFICATION OF MILITARY HOUSING TO AC-**
15 **COMMODATE TENANTS WITH DISABILITIES.**

16 *Section 2891a(d)(11) of title 10, United States Code,*
17 *is amended—*

18 (1) *by inserting “(A)” after “(11)”;* and

19 (2) *by adding at the end the following new sub-*
20 *paragraph:*

21 “(B) *Once a landlord is informed of the disability of*
22 *a tenant who has a disability (as such term is defined in*
23 *section 3 of the Americans with Disabilities Act of 1990*
24 *(42 U.S.C. 12102)) and who occupies or will occupy a hous-*
25 *ing unit provided by the landlord, the landlord is respon-*

1 sible for modifying the housing unit as necessary to comply
2 with standards under such Act (42 U.S.C. 12101 et seq.)
3 to facilitate occupancy of the housing unit by the tenant.”.

4 **SEC. 2813. REQUIRED INVESTMENTS IN IMPROVING MILI-**
5 **TARY UNACCOMPANIED HOUSING.**

6 (a) *INVESTMENTS IN MILITARY UNACCOMPANIED*
7 *HOUSING.*—

8 (1) *INVESTMENTS REQUIRED.*—Of the total
9 amount authorized to be appropriated by the Na-
10 tional Defense Authorization Act for a covered fiscal
11 year for Facilities Sustainment, Restoration, and
12 Modernization activities of a military department,
13 the Secretary of that military department shall re-
14 serve an amount equal to five percent of the estimated
15 replacement cost of the inventory of unimproved mili-
16 tary unaccompanied housing under the jurisdiction of
17 that Secretary for the purpose of carrying out projects
18 for the improvement of military unaccompanied hous-
19 ing.

20 (2) *DEFINITIONS.*—In this subsection:

21 (A) The term “military unaccompanied
22 housing” means military housing intended to be
23 occupied by members of the Armed Forces serv-
24 ing a tour of duty unaccompanied by depend-
25 ents.

1 (B) *The term “replacement cost”, with re-*
2 *spect to military unaccompanied housing, means*
3 *the amount that would be required to replace the*
4 *remaining service potential of that military un-*
5 *accompanied housing.*

6 (3) *DURATION OF INVESTMENT REQUIREMENT.—*
7 *Paragraph (1) shall apply for fiscal years 2022*
8 *through 2026.*

9 (b) *COMPTROLLER GENERAL ASSESSMENT.—*

10 (1) *ASSESSMENT REQUIRED.—The Comptroller*
11 *General of the United States shall conduct an inde-*
12 *pendent assessment of the condition of unaccompanied*
13 *military housing under the jurisdiction of the Secre-*
14 *taries of the military departments. As elements of the*
15 *assessment, the Comptroller General shall analyze—*

16 (A) *how the prioritization of Facilities*
17 *Sustainment, Restoration, and Modernization*
18 *outlays has impacted department infrastructure*
19 *identified as quality-of-life infrastructure;*

20 (B) *how that prioritization interacts with*
21 *the regular budget process for military construc-*
22 *tion projects; and*

23 (C) *the extent to which Facilities*
24 *Sustainment, Restoration, and Modernization*

1 *funds are being used to improve quality-of-life*
2 *infrastructure.*

3 (2) *BRIEFING.*—*Not later than February 2,*
4 *2022, the Comptroller General shall provide to the*
5 *Committees on Armed Services of the Senate and the*
6 *House of Representatives a briefing on the assessment*
7 *conducted pursuant to paragraph (1).*

8 (3) *REPORT.*—*No later than December 31, 2022,*
9 *the Comptroller General shall submit to the Commit-*
10 *tees on Armed Services of the Senate and the House*
11 *of Representatives a report containing the results of*
12 *the assessment conducted pursuant to paragraph (1).*

13 **SEC. 2814. IMPROVEMENT OF DEPARTMENT OF DEFENSE**
14 **CHILD DEVELOPMENT CENTERS AND IN-**
15 **CREASED AVAILABILITY OF CHILD CARE FOR**
16 **CHILDREN OF MILITARY PERSONNEL.**

17 (a) *SAFETY INSPECTION OF CHILD DEVELOPMENT*
18 *CENTERS.*—

19 (1) *SAFETY INSPECTION REQUIRED.*—*Not later*
20 *than one year after the date of the enactment of this*
21 *Act, each Secretary of a military department shall*
22 *complete an inspection of all facilities under the ju-*
23 *risdiction of that Secretary used as a child develop-*
24 *ment center to identify any unresolved safety issues,*

1 *including lead, asbestos, and mold, that adversely im-*
2 *pect the facilities.*

3 (2) *REPORTING REQUIREMENT.*—

4 (A) *REPORT REQUIRED.*—*Not later than 90*
5 *days after completing the safety inspections re-*
6 *quired by paragraph (1), the Secretary of the*
7 *military department concerned shall submit to*
8 *the Committees on Armed Services of the Senate*
9 *and the House of Representatives a report con-*
10 *taining the results of the safety inspections.*

11 (B) *REPORT ELEMENTS.*—*The Secretary of*
12 *a military department shall include in the re-*
13 *port prepared by that Secretary the following:*

14 (i) *The identity and location of each*
15 *child development center at which unre-*
16 *solved safety issues, including lead, asbestos,*
17 *and mold, were found.*

18 (ii) *For each identified child develop-*
19 *ment center—*

20 (I) *a description of the safety*
21 *issues found; and*

22 (II) *the proposed plan and sched-*
23 *ule and projected cost to remediate the*
24 *safety issues found.*

1 (b) *TEN-YEAR FACILITY IMPROVEMENT PLAN FOR*
2 *CHILD DEVELOPMENT CENTERS.*—

3 (1) *FACILITY IMPROVEMENT PLAN REQUIRED.*—

4 *Each Secretary of a military department shall estab-*
5 *lish a plan to renovate facilities under the jurisdic-*
6 *tion of that Secretary used as a child development*
7 *center so that, no later December 31, 2031—*

8 (A) *no child development center is identified*
9 *as being in poor or failing condition according*
10 *to the facility condition index of that military*
11 *department; and*

12 (B) *all facility projects involving a child de-*
13 *velopment center that were included on the pri-*
14 *ority lists within Appendix C of the “Depart-*
15 *ment of Defense Report to the Congressional De-*
16 *fense Committees On Department of Defense*
17 *Child Development Programs” published in 2020*
18 *are completed.*

19 (2) *REPORT ON FACILITIES IMPROVEMENT*
20 *PLAN.*—*Not later than 180 days after the date of the*
21 *enactment of this Act, the Secretary of the military*
22 *department concerned shall submit to the Committees*
23 *on Armed Services of the Senate and the House of*
24 *Representatives a report describing the facilities im-*
25 *provement plan established by that Secretary pursu-*

1 *ant to paragraph (1). The report shall include the fol-*
2 *lowing:*

3 *(A) Details regarding the child development*
4 *center facility improvement plan.*

5 *(B) An estimate of the funding required to*
6 *complete the facility improvement plan before the*
7 *deadline specified in paragraph (1).*

8 *(C) The plan of the Secretary to obtain the*
9 *funding necessary to complete the facility im-*
10 *provement plan.*

11 *(D) Any additional statutory authorities*
12 *that the Secretary needs to complete the facility*
13 *improvement plan before the deadline specified*
14 *in paragraph (1).*

15 *(E) A plan to execute preventive mainte-*
16 *nance on other child development center facilities*
17 *to prevent more from degrading to poor or fail-*
18 *ing condition.*

19 *(3) STATUS REPORTS.—Not later than 18*
20 *months after the date of the enactment of this Act,*
21 *and every 12 months thereafter until the date speci-*
22 *fied in paragraph (1), the Secretary of the military*
23 *department concerned shall submit to the Committees*
24 *on Armed Services of the Senate and the House of*
25 *Representatives a status report on the progress made*

1 *by that Secretary toward accomplishing the facility*
2 *improvement plan established by that Secretary pur-*
3 *suant to paragraph (1). Such a report shall include*
4 *the following:*

5 *(A) Details about projects planned, funded,*
6 *under construction, and completed under the fa-*
7 *cility improvement plan.*

8 *(B) Updated funding requirements to com-*
9 *plete all child development center facility con-*
10 *struction under the facility improvement plan.*

11 *(C) Any changes to the plan of the Sec-*
12 *retary to obtain the funding necessary to com-*
13 *plete the facility improvement plan.*

14 *(D) Any additional statutory authorities*
15 *that the Secretary needs to complete the facility*
16 *improvement plan before the deadline specified*
17 *in paragraph (1).*

18 *(c) PUBLIC-PRIVATE PARTNERSHIPS FOR CHILD CARE*
19 *FOR CHILDREN OF MILITARY PERSONNEL.—*

20 *(1) IN GENERAL.—Not later than one year after*
21 *the date of the enactment of this Act and pursuant to*
22 *regulations prescribed by the Secretary of Defense,*
23 *each Secretary of a military department shall seek to*
24 *enter into at least one agreement with a private enti-*
25 *ty to provide child care to the children of personnel*

1 *(including members of the Armed Forces and civilian*
2 *employees of the Department of Defense) under the ju-*
3 *risdiction of that Secretary.*

4 (2) *REPORTING.—*

5 (A) *PRELIMINARY REPORTS.—Not later*
6 *than one year after the date of the enactment of*
7 *this Act, the Secretary of Defense and the Secre-*
8 *taries of the military departments shall jointly*
9 *submit to the Committees on Armed Services of*
10 *the Senate and House of Representatives a report*
11 *regarding progress in carrying out paragraph*
12 *(1).*

13 (B) *REGULAR REPORTS.—Upon entering*
14 *into an agreement under paragraph (1) and an-*
15 *nually thereafter until the termination of such*
16 *agreement, the Secretary of the military depart-*
17 *ment concerned shall submit to the Committees*
18 *on Armed Services of the Senate and House of*
19 *Representatives a report regarding such agree-*
20 *ment. Such a report shall include—*

21 (i) *the terms of the agreement, includ-*
22 *ing cost to the United States;*

23 (ii) *the number of children described in*
24 *paragraph (1) projected to receive child care*
25 *under such agreement; and*

1 (iii) if applicable, the actual number of
2 children described in paragraph (1) who re-
3 ceived child care under such agreement
4 served during the previous year.

5 (d) *CHILD DEVELOPMENT CENTER DEFINED.*—In this
6 section, the term “child development center” has the mean-
7 ing given that term in section 2871(2) of title 10, United
8 States Code, and includes facilities identified as a child
9 care center or day care center.

10 ***Subtitle C—Real Property and***
11 ***Facilities Administration***

12 ***SEC. 2821. SECRETARY OF THE NAVY AUTHORITY TO SUP-***
13 ***PORT DEVELOPMENT AND OPERATION OF NA-***
14 ***TIONAL MUSEUM OF THE UNITED STATES***
15 ***NAVY.***

16 Chapter 861 of title 10, United States Code, is amend-
17 ed by inserting after section 8616 the following new section:

18 ***“§ 8617. National Museum of the United States Navy***

19 ***“(a) AUTHORITY TO SUPPORT DEVELOPMENT AND OP-***
20 ***ERATION OF MUSEUM.***—(1) *The Secretary of the Navy may*
21 *select and enter into a contract, cooperative agreement, or*
22 *other agreement with one or more eligible nonprofit organi-*
23 *zations to support the development, design, construction,*
24 *renovation, or operation of a multipurpose museum to serve*
25 *as the National Museum of the United States Navy.*

1 “(2) *The Secretary may—*

2 “(A) *authorize a partner organization to con-*
3 *tract for each phase of development, design, construc-*
4 *tion, renovation, or operation of the museum, or all*
5 *such phases; or*

6 “(B) *authorize acceptance of funds from a part-*
7 *ner organization for each or all such phases.*

8 “(b) *PURPOSES OF MUSEUM.—(1) The museum shall*
9 *be used for the identification, curation, storage, and public*
10 *viewing of artifacts and artwork of significance to the Navy,*
11 *as agreed to by the Secretary of the Navy.*

12 “(2) *The museum also may be used to support such*
13 *education, training, research, and associated activities as*
14 *the Secretary considers compatible with and in support of*
15 *the museum and the mission of the Naval History and Her-*
16 *itage Command.*

17 “(c) *ACCEPTANCE UPON COMPLETION.—Upon the sat-*
18 *isfactory completion, as determined by the Secretary of the*
19 *Navy, of any phase of the museum, and upon the satisfac-*
20 *tion of any financial obligations incident thereto, the Sec-*
21 *retary shall accept such phase of the museum from the part-*
22 *ner organization, and all right, title, and interest in and*
23 *to such phase of the museum shall vest in the United States.*
24 *Upon becoming the property of the United States, the Sec-*

1 *retary shall assume administrative jurisdiction over such*
2 *phase of the museum.*

3 “(d) *LEASE AUTHORITY.—(1) The Secretary of the*
4 *Navy may lease portions of the museum to an eligible non-*
5 *profit organization for use in generating revenue for the*
6 *support of activities of the museum and for such adminis-*
7 *trative purposes as may be necessary for support of the mu-*
8 *seum. Such a lease may not include any part of the collec-*
9 *tion of the museum.*

10 “(2) *Any rent received by the Secretary under a lease*
11 *under paragraph (1), including rent-in-kind, shall be used*
12 *solely to cover or defray the costs of development, mainte-*
13 *nance, or operation of the museum.*

14 “(e) *AUTHORITY TO ACCEPT GIFTS.—(1) The Sec-*
15 *retary of the Navy may accept, hold, administer, and spend*
16 *any gift, devise, or bequest of real property, personal prop-*
17 *erty, or money made on the condition that the gift, devise,*
18 *or bequest be used for the benefit, or in connection with,*
19 *the establishment, operation, or maintenance, of the mu-*
20 *seum. Section 2601 (other than subsections (b), (c), and (e))*
21 *of this title shall apply to gifts accepted under this sub-*
22 *section.*

23 “(2) *The Secretary may display at the museum rec-*
24 *ognition for an individual or organization that contributes*
25 *money to a partner organization, or an individual or orga-*

1 nization that contributes a gift directly to the Navy, for
2 the benefit of the museum, whether or not the contribution
3 is subject to the condition that the recognition be provided.
4 The Secretary shall prescribe regulations governing the cir-
5 cumstances under which contributor recognition may be
6 provided, appropriate forms of recognition, and suitable
7 display standards.

8 “(3) The Secretary may authorize the sale of donated
9 property received under paragraph (1). A sale under this
10 paragraph need not be conducted in accordance with dis-
11 posal requirements that would otherwise apply, so long as
12 the sale is conducted at arms-length and includes an
13 auditable transaction record.

14 “(4) Any money received under paragraph (1) and
15 any proceeds from the sale of property under paragraph
16 (3) shall be deposited into a fund established in the Treas-
17 ury to support the museum.

18 “(f) *ADDITIONAL TERMS AND CONDITIONS.*—The Sec-
19 retary of the Navy may require such additional terms and
20 conditions in connection with a contract, cooperative agree-
21 ment, or other agreement under subsection (a) or a lease
22 under subsection (d) as the Secretary considers appropriate
23 to protect the interests of the United States.

24 “(g) *USE OF NAVY INDICATORS.*—(1) In a contract,
25 cooperative agreement, or other agreement under subsection

1 *(a) or a lease under subsection (d), the Secretary of the*
2 *Navy may authorize, consistent with section 2260 (other*
3 *than subsection (d)) of this title, a partner organization to*
4 *enter into licensing, marketing, and sponsorship agreements*
5 *relating to Navy indicators, including the manufacture and*
6 *sale of merchandise for sale by the museum, subject to the*
7 *approval of the Department of the Navy.*

8 *“(2) No such licensing, marketing, or sponsorship*
9 *agreement may be entered into if it would reflect unfavor-*
10 *ably on the ability of the Department of the Navy, any of*
11 *its employees, or any member of the armed forces to carry*
12 *out any responsibility or duty in a fair and objective man-*
13 *ner, or if the Secretary determines that the use of the Navy*
14 *indicator would compromise the integrity or appearance of*
15 *integrity of any program of the Department of the Navy.*

16 *“(h) DEFINITIONS.—In this section:*

17 *“(1) The term ‘eligible nonprofit organization’*
18 *means an entity that—*

19 *“(A) qualifies as an exempt organization*
20 *under section 501(c)(3) of the Internal Revenue*
21 *Code of 1986; and*

22 *“(B) has as its primary purpose the preser-*
23 *vation and promotion of the history and heritage*
24 *of the Navy.*

1 “(2) *The term ‘museum’ means the National Mu-*
 2 *seum of the United States Navy, including its facili-*
 3 *ties and grounds.*

4 “(3) *The term ‘Navy indicators’ includes trade-*
 5 *marks and service marks, names, identities, abbrevia-*
 6 *tions, official insignia, seals, emblems, and acronyms*
 7 *of the Navy and Marine Corps, including underlying*
 8 *units, and specifically includes the term ‘National*
 9 *Museum of the United States Navy’.*

10 “(4) *The term ‘partner organization’ means an*
 11 *eligible nonprofit organization with whom the Sec-*
 12 *retary of the Navy enters into a contract, cooperative*
 13 *agreement, or other agreement under subsection (a) or*
 14 *a lease under subsection (d).’.*

15 **SEC. 2822. EXPANSION OF SECRETARY OF THE NAVY AU-**
 16 **THORITY TO LEASE AND LICENSE UNITED**
 17 **STATES NAVY MUSEUM FACILITIES TO GEN-**
 18 **ERATE REVENUE TO SUPPORT MUSEUM AD-**
 19 **MINISTRATION AND OPERATIONS.**

20 *(a) INCLUSION OF ADDITIONAL UNITED STATES NAVY*
 21 *MUSEUMS.—Section 2852 of the Military Construction Au-*
 22 *thorization Act for Fiscal Year 2006 (division B of Public*
 23 *Law 109–163; 119 Stat. 3530) is amended—*

24 *(1) in subsection (a)—*

1 (A) *by striking the text preceding para-*
2 *graph (1) and inserting “The Secretary of the*
3 *Navy may lease or license any portion of the fa-*
4 *ilities of a United States Navy museum to a*
5 *foundation established to support that museum*
6 *for the purpose of permitting the foundation to*
7 *carry out the following activities:”;* and

8 (B) *in paragraphs (1) and (2), by striking*
9 *“the United States Navy Museum” and inserting*
10 *“that United States Navy museum”;*

11 (2) *in subsection (b), by striking “the United*
12 *States Navy Museum” and inserting “the United*
13 *States Navy museum of which the facility is a part”;*

14 (3) *in subsection (c), by striking “the Naval His-*
15 *torical Foundation” and inserting “a foundation de-*
16 *scribed in subsection (a)”;* and

17 (4) *in subsection (d)—*

18 (A) *by striking “the United States Navy*
19 *Museum” and inserting “the applicable United*
20 *States Navy museum”;* and

21 (B) *by striking “the Museum” and inserting*
22 *“that museum”.*

23 (b) *UNITED STATES NAVY MUSEUM DEFINED.—Sec-*
24 *tion 2852 of the Military Construction Authorization Act*
25 *for Fiscal Year 2006 (division B of Public Law 109–163;*

1 119 Stat. 3530) is amended by adding at the end the fol-
2 lowing new subsection:

3 “(f) *UNITED STATES NAVY MUSEUM.*—In this section,
4 the term ‘United States Navy museum’ means a museum
5 under the jurisdiction of the Secretary of Defense and oper-
6 ated through the Naval History and Heritage Command.”.

7 (c) *CONFORMING CLERICAL AMENDMENT.*—The head-
8 ing of section 2852 of the Military Construction Authoriza-
9 tion Act for Fiscal Year 2006 (division B of Public Law
10 109–163; 119 Stat. 3530) is amended by striking “**AT**
11 **WASHINGTON, NAVY YARD, DISTRICT OF COLUM-**
12 **BIA**”.

13 **SEC. 2823. DEPARTMENT OF DEFENSE MONITORING OF**
14 **REAL PROPERTY OWNERSHIP AND OCCU-**
15 **PANCY IN VICINITY OF MILITARY INSTALLA-**
16 **TIONS TO IDENTIFY FOREIGN ADVERSARY**
17 **OWNERSHIP OR OCCUPANCY.**

18 Section 2661 of title 10, United States Code, is amend-
19 ed—

20 (1) by redesignating subsection (d) as subsection
21 (e); and

22 (2) by inserting after subsection (c) the following
23 new subsection (d):

24 “(d) *IDENTIFICATION OF FOREIGN ADVERSARY OWN-*
25 *ERSHIP OR OCCUPANCY OF REAL PROPERTY IN VICINITY*

1 *OF MILITARY INSTALLATIONS.—(1) The Secretary of De-*
2 *fense and each Secretary of a military department shall*
3 *monitor real property ownership and occupancy in the vi-*
4 *cinity of military installations under the jurisdiction of the*
5 *Secretary concerned inside and outside of the United States*
6 *to identify instances in which a foreign adversary owns or*
7 *occupies, or the Secretary concerned determines a foreign*
8 *adversary is seeking to own or occupy, real property in the*
9 *vicinity of a military installation.*

10 “(2) Not later than March 1 each year, the Secretary
11 of Defense, in coordination with the Secretaries of the mili-
12 tary departments, shall submit to the Committees on Armed
13 Services of the Senate and the House of Representatives a
14 report containing the following:

15 “(A) A description of all real property in the vi-
16 cinity of military installations that the Secretary
17 concerned—

18 “(i) has identified under paragraph (1) as
19 owned or occupied by a foreign adversary; or

20 “(ii) has determined under paragraph (1)
21 that a foreign adversary is seeking to own or oc-
22 cupy.

23 “(B) Changes in foreign adversary ownership or
24 occupancy of real property in the vicinity of military
25 installations since the previous report.

1 “(C) *Recommendations regarding the appro-*
2 *prate response to such foreign adversary ownership*
3 *or occupancy of real property in the vicinity of mili-*
4 *tary installations.*

5 “(3) *A report under paragraph (2) shall be submitted*
6 *in unclassified form, but may contain a classified annex*
7 *as necessary.*

8 “(4) *In this section:*

9 “(A) *The term ‘foreign adversary’ has the mean-*
10 *ing given that term in section 8(c)(2) of the Secure*
11 *and Trusted Communications Networks Act of 2019*
12 *(47 U.S.C. 1607(c)(2)). The term includes agents of,*
13 *and partnerships and corporations including, a for-*
14 *ign adversary.*

15 “(B) *The term ‘military installation’ does not*
16 *include a contingency overseas military location de-*
17 *scribed in section 2687a(a)(3)(A)(iii) of this title.*

18 “(C) *The term ‘vicinity’, with respect to prox-*
19 *imity to a military installation, means—*

20 “(i) *real property adjacent to the boundary*
21 *of a military installation; and*

22 “(ii) *real property any part of which is lo-*
23 *cated within 10 miles of the boundary of a mili-*
24 *tary installation.”.*

1 ***Subtitle D—Military Facilities***
2 ***Master Plan Requirements***

3 ***SEC. 2831. COOPERATION WITH STATE AND LOCAL GOVERN-***
4 ***MENTS IN DEVELOPMENT OF MASTER PLANS***
5 ***FOR MAJOR MILITARY INSTALLATIONS.***

6 *Section 2864(a) of title 10, United States Code, is*
7 *amended by adding at the end the following new paragraph:*

8 “(3)(A) *The commander of a major military installa-*
9 *tion shall develop and update the master plan for that*
10 *major military installation in consultation with represent-*
11 *atives of the government of the State in which the installa-*
12 *tion is located and representatives of local governments in*
13 *the vicinity of the installation to improve cooperation and*
14 *consistency between the Department of Defense and such*
15 *governments in addressing each component of the master*
16 *plan described in paragraph (1).*

17 “(B) *The consultation required by subparagraph (A)*
18 *is in addition to the consultation specifically required by*
19 *subsection (b)(1) in connection with the transportation*
20 *component of the master plan for a major military installa-*
21 *tion.”.*

1 **SEC. 2832. PROMPT COMPLETION OF MILITARY INSTALLA-**
2 **TION RESILIENCE COMPONENT OF MASTER**
3 **PLANS FOR AT-RISK MAJOR MILITARY IN-**
4 **STALLATIONS.**

5 (a) *IDENTIFICATION OF AT-RISK INSTALLATIONS.*—

6 *Not later than 30 days after the date of the enactment of*
7 *this Act, each Secretary of a military department shall—*

8 (1) *identify at least two major military installa-*
9 *tions under the jurisdiction of that Secretary that the*
10 *Secretary considers most at risk from extreme weather*
11 *events; and*

12 (2) *notify the Committees on Armed Services of*
13 *the Senate and the House of Representatives of the*
14 *major military installations identified under para-*
15 *graph (1).*

16 (b) *COMPLETION DEADLINE.*—*Not later than one year*
17 *after the date of the enactment of this Act, each Secretary*
18 *of a military department shall ensure that the military in-*
19 *stallation resilience component of the master plan for each*
20 *major military installation identified by the Secretary*
21 *under subsection (a) is completed.*

22 (c) *BRIEFINGS.*—*Not later than 60 days after comple-*
23 *tion of a master plan component as required by subsection*
24 *(b) for a major military installation, the Secretary of the*
25 *military department concerned shall brief the Committees*
26 *on Armed Services of the Senate and the House of Rep-*

1 *representatives regarding the results of the master plan efforts*
2 *for that major military installation.*

3 *(d) DEFINITIONS.—In this section:*

4 *(1) The term “major military installation” has*
5 *the meaning given that term in section 2864(f) of title*
6 *10, United States Code.*

7 *(2) The term “master plan” means the master*
8 *plan required by section 2864(a) of title 10, United*
9 *States Code, for a major military installation.*

10 **SEC. 2833. CONGRESSIONAL OVERSIGHT OF MASTER PLANS**
11 **FOR ARMY AMMUNITION PLANTS GUIDING**
12 **FUTURE INFRASTRUCTURE, FACILITY, AND**
13 **PRODUCTION EQUIPMENT IMPROVEMENTS.**

14 *(a) SUBMISSION OF MASTER PLAN.—Not later than*
15 *March 31, 2022, the Secretary of the Army shall submit*
16 *to the congressional defense committees the master plan for*
17 *each of the five Government-owned, contractor-operated*
18 *Army ammunition plants developed to guide planning and*
19 *budgeting for future infrastructure construction, facility*
20 *improvements, and production equipment needs at each*
21 *Army ammunition plant.*

22 *(b) ELEMENTS OF MASTER PLAN.—To satisfy the re-*
23 *quirements of subsection (a), a master plan submitted under*
24 *such subsection must include the following:*

1 (1) *A description of all infrastructure construc-*
2 *tion and facility improvements planned or being con-*
3 *sidered for an Army ammunition plant and produc-*
4 *tion equipment planned or being considered for in-*
5 *stallation, modernization, or replacement.*

6 (2) *A description of the funding sources for such*
7 *infrastructure construction, facility improvements,*
8 *and production equipment, including authorized mili-*
9 *tary construction projects, appropriations available*
10 *for operation and maintenance, and appropriations*
11 *available for procurement of Army ammunition.*

12 (3) *An explanation of how the master plan for*
13 *an Army ammunition plant will promote efficient, ef-*
14 *fective, resilient, secure, and cost-effective production*
15 *of ammunition and ammunition components for the*
16 *Armed Forces.*

17 (4) *A description of how development of the mas-*
18 *ter plan for an Army ammunition plant included*
19 *input from the contractor operating the Army ammu-*
20 *nition plant and how implementation of that master*
21 *plan will be coordinated with the contractor.*

22 (c) *ANNUAL UPDATES.*—*Not later than March 31,*
23 *2023, and each March 31 thereafter through March 31,*
24 *2026, the Secretary of the Army shall submit to the congres-*
25 *sional defense committees a report containing the following:*

1 (1) *A description of any revisions made to the*
 2 *master plans submitted under subsection (a) during*
 3 *the previous year.*

4 (2) *A description of any revisions to be made or*
 5 *being considered to the master plans.*

6 (3) *An explanation of the reasons for each revi-*
 7 *sion, whether made, to be made, or being considered.*

8 (4) *A description of the progress made in im-*
 9 *proving infrastructure, facility, and production*
 10 *equipment at the Army ammunition plants consistent*
 11 *with the master plans.*

12 (d) *DELEGATION AUTHORITY.—The Secretary of the*
 13 *Army shall carry out this section acting through the Assist-*
 14 *ant Secretary of the Army for Acquisition, Logistics, and*
 15 *Technology.*

16 ***Subtitle E—Matters Related to Uni-***
 17 ***fied Facilities Criteria and Mili-***
 18 ***tary Construction Planning and***
 19 ***Design***

20 ***SEC. 2841. AMENDMENT OF UNIFIED FACILITIES CRITERIA***
 21 ***TO REQUIRE INCLUSION OF PRIVATE NURS-***
 22 ***ING AND LACTATION SPACE IN CERTAIN MILI-***
 23 ***TARY CONSTRUCTION PROJECTS.***

24 (a) *AMENDMENT REQUIRED.—The Secretary of De-*
 25 *fense shall amend UFC 1–4.2 (Nursing and Lactation*

1 *Rooms) of the Unified Facilities Criteria/DoD Building*
2 *Code (UFC 1–200–01) to require that military construction*
3 *planning and design for buildings likely to be regularly fre-*
4 *quented by nursing mothers who are members of the uni-*
5 *formed services, civilian employees of the Department of De-*
6 *fense, contractor personnel, or visitors include a private*
7 *nursing and lactation room or other private space suitable*
8 *for that purpose.*

9 (b) *DEADLINE.*—*The Secretary of Defense shall com-*
10 *plete the amendment process required by subsection (a) and*
11 *implement the amended UFC 1–4.2 not later than one year*
12 *after the date of the enactment of this Act.*

13 **SEC. 2842. ADDITIONAL DEPARTMENT OF DEFENSE ACTIVI-**
14 **TIES TO IMPROVE ENERGY RESILIENCY OF**
15 **MILITARY INSTALLATIONS.**

16 (a) *AMENDMENT OF UNIFIED FACILITIES CRITERIA*
17 *REQUIRED.*—*The Secretary of Defense shall amend the*
18 *Unified Facilities Criteria/DoD Building Code (UFC 1–*
19 *200–01) to require that planning and design for military*
20 *construction projects inside the United States include con-*
21 *sideration of the feasibility and cost-effectiveness of install-*
22 *ing an energy microgrid as part of the project, including*
23 *intentional islanding capability of at least seven consec-*
24 *utive days, for the purpose of—*

1 (1) *promoting on-installation energy security*
2 *and energy resilience; and*

3 (2) *facilitating implementation and greater use*
4 *of the authority provided by subsection (h) of section*
5 *2911 of title 10, United States Code, as added and*
6 *amended by section 2825 of the Military Construction*
7 *Authorization Act for Fiscal Year 2021 (division B of*
8 *Public Law 116–283).*

9 (b) *CONTRACTS FOR EMERGENCY ACCESS TO EXIST-*
10 *ING ON-INSTALLATION RENEWABLE ENERGY SOURCES.—In*
11 *the case of a covered renewable energy generating source lo-*
12 *cated on a military installation pursuant to a lease of non-*
13 *excess defense property under section 2667 of title 10,*
14 *United States Code, the Secretary of the military depart-*
15 *ment concerned is encouraged to negotiate with the owner*
16 *and operator of the renewable energy generating source to*
17 *revise the lease contract to permit the military installation*
18 *to access the renewable energy generating source during an*
19 *emergency. The negotiations shall include consideration of*
20 *the ease of modifying the renewable energy generating*
21 *source to include an islanding capability, the necessity of*
22 *additional infrastructure to tie the renewable energy gener-*
23 *ating source into the installation energy grid, and the cost*
24 *of such modifications and infrastructure.*

25 (c) *DEFINITIONS.—In this section:*

1 (1) *The term “covered renewable energy gener-*
2 *ating source” means a renewable energy generating*
3 *source that, on the date of the enactment of this Act—*

4 *(A) is located on a military installation in-*
5 *side the United States; but*

6 *(B) cannot be used as a direct source of re-*
7 *silient energy for the installation in the event of*
8 *a power disruption.*

9 (2) *The term “islanding capability” refers to the*
10 *ability to remove an energy system, such as a*
11 *microgrid, from the local utility grid and to operate*
12 *the energy system, at least temporarily, as an inte-*
13 *grated, stand-alone system, during an emergency in-*
14 *volving the loss of external electric power supply.*

15 (3) *The term “microgrid” means an integrated*
16 *energy system consisting of interconnected loads and*
17 *energy resources with an islanding capability to per-*
18 *mit functioning separate from the local utility grid.*

19 **SEC. 2843. CONSIDERATION OF ANTICIPATED INCREASED**
20 **SHARE OF ELECTRIC VEHICLES IN DEPART-**
21 **MENT OF DEFENSE VEHICLE FLEET AND**
22 **OWNED BY MEMBERS OF THE ARMED FORCES**
23 **AND DEPARTMENT EMPLOYEES.**

24 (a) *AMENDMENT OF UNIFIED FACILITIES CRITERIA*
25 *REQUIRED.—The Secretary of Defense shall amend the*

1 *Unified Facilities Criteria/DoD Building Code (UFC 1–*
2 *200–01) to require that military construction planning and*
3 *design for buildings, including military housing, and re-*
4 *lated parking structures and surface lots to be constructed*
5 *for military installations inside the United States include*
6 *the installation of charging stations for electric vehicles*
7 *when inclusion of charging stations is feasible and cost ef-*
8 *fective given the anticipated need for charging stations to*
9 *service electric vehicles in the Department of Defense vehicle*
10 *fleet and electric vehicles owned by members of the Armed*
11 *Forces and Department employees.*

12 (b) *IMPLEMENTATION.—*

13 (1) *SOURCE OF SERVICES.—Each Secretary of a*
14 *military department may utilize expertise within the*
15 *military department or contract with an outside enti-*
16 *ty to make the determinations required by subsections*
17 *(c) through (f) related to the installation of charging*
18 *stations for electric vehicles.*

19 (2) *DETERMINATIONS.—Determinations required*
20 *by subsections (c) through (f) shall be a data-driven*
21 *analysis for the purpose of enabling alignment be-*
22 *tween internal and external stakeholders and address-*
23 *ing key questions regarding the installation of charg-*
24 *ing stations, including the composition of the electric*
25 *vehicle fleet, ownership costs, and kilowatt hour load*

1 *profiles for targeted locations. The parties making*
2 *these determinations shall make use of modeling and*
3 *multiple scenarios to optimize initial investments and*
4 *identify priority locations for investment.*

5 *(c) CONSIDERATIONS RELATED TO CHARGING STATION*
6 *LOCATION.—A determination of whether inclusion of charg-*
7 *ing stations is feasible and cost effective as part of a mili-*
8 *tary construction project shall include consideration of the*
9 *following:*

10 *(1) Calculation of detailed energy profiles of ex-*
11 *isting loads at locations to include the impacts of*
12 *managed and non-managed charging options.*

13 *(2) Local electric vehicle charging profiles, vehi-*
14 *cle traffic patterns and flow to readily access charg-*
15 *ing stations, signage needs, proximity to anticipated*
16 *users of charging stations, and existing building load*
17 *profiles.*

18 *(3) Availability of adequate space for vehicles*
19 *awaiting charging during peak usage times.*

20 *(4) Required infrastructure upgrades, including*
21 *electrical wiring.*

22 *(5) Safety protocols.*

23 *(d) CONSIDERATIONS RELATED TO TYPE AND NUMBER*
24 *OF CHARGING STATIONS.—A determination of the type and*
25 *number of charging stations to include as part of a military*

1 *construction project shall include consideration of the fol-*
2 *lowing:*

3 (1) *The different capabilities and energy de-*
4 *mands between level 1 charging, level 2 charging, and*
5 *level 3 charging.*

6 (2) *The current and anticipated future distribu-*
7 *tion of plug-in hybrid electric vehicles and plug-in*
8 *electric vehicles for a proposed charging station loca-*
9 *tion and how many electric vehicles will need to be*
10 *charged at the same time.*

11 (3) *In the case of level 3 charging, which pro-*
12 *vides the fastest charging rates, an assessment of sup-*
13 *porting utilities infrastructure, potential gaps, and*
14 *required improvements.*

15 (4) *The costs and benefits of using a single con-*
16 *necter versus multi-connector units.*

17 (5) *The interoperability of chargers and the po-*
18 *tential future needs or applications for chargers, such*
19 *as vehicle-to-grid or vehicle-to-building applications.*

20 (e) *CONSIDERATIONS RELATED TO CHARGING STATION*
21 *OWNERSHIP.—A determination of the optimal ownership*
22 *method to provide charging stations as part of a military*
23 *construction project shall include consideration of the fol-*
24 *lowing:*

1 (1) *Use of Government owned (purchased, in-*
2 *stalled, and maintained) charging stations.*

3 (2) *Use of third-party financed, installed, oper-*
4 *ated, and maintained charging stations.*

5 (3) *Use of financing models in which energy and*
6 *charging infrastructure operations and maintenance*
7 *are treated as a service.*

8 (4) *Network and data collection requirements,*
9 *including considerations related to communications*
10 *with charging and utility networks, managed charg-*
11 *ing, grid curtailment, and electric vehicles as a grid*
12 *asset.*

13 (5) *Cyber and physical security concerns and*
14 *best practices associated with different ownership, net-*
15 *work, and control models.*

16 (f) *CONSIDERATIONS RELATED TO POWER SOURCE.—*
17 *A determination of the optimal power source to provide*
18 *charging stations as part of a military construction project*
19 *shall include consideration of the following:*

20 (1) *Transformer and substation requirements.*

21 (2) *Microgrids and distributed energy to support*
22 *both charging requirements and energy storage.*

23 (g) *INSTALLATION PLANS FOR CHARGING STATIONS*
24 *REQUIRED.—*

1 (1) *INFRASTRUCTURE DEVELOPMENT PLANS.*—
2 *For each of fiscal years 2023 through 2027, each Sec-*
3 *retary of a military department shall complete for at*
4 *least five military installations in the United States*
5 *under the jurisdiction of the Secretary an infrastruc-*
6 *ture development plan for the installation of charging*
7 *stations for electric vehicles.*

8 (2) *INCLUSION OF ELECTRICITY MICROGRID.*—
9 *Each infrastructure development plan shall include*
10 *the use of a microgrid that will be sufficient—*

11 (A) *to cover anticipated electricity demand*
12 *of electric vehicles using charging stations in-*
13 *cluded in the plan; and*

14 (B) *to improve installation energy resil-*
15 *ience.*

16 (h) *DEFINITIONS.*—*In this section:*

17 (1) *The term “charging station” refers to a col-*
18 *lection of one or more electric vehicle supply equip-*
19 *ment units.*

20 (2) *The term “connector” refers to the socket or*
21 *cable that connects an electric vehicle being charged to*
22 *the electric vehicle supply equipment unit.*

23 (3) *The term “electric vehicle” includes—*

24 (A) *a plug-in hybrid electric vehicle that*
25 *uses a combination of electric and gas powered*

1 *engine that can use either gasoline or electricity*
2 *as a fuel source; and*

3 *(B) a plug-in electric vehicle that runs sole-*
4 *ly on electricity and does not contain an inter-*
5 *nal combustion engine or gas tank.*

6 *(4) The term “electric vehicle supply equipment*
7 *unit” refers to the port that supplies electricity to one*
8 *vehicle at a time.*

9 *(5) The term “level 1 charging” refers to an elec-*
10 *tric vehicle charging method that provides charging*
11 *through a 120 volt alternating current plug and sup-*
12 *plies approximately two to five miles of range per*
13 *hour of charging time.*

14 *(6) The term “level 2 charging” refers to an elec-*
15 *tric vehicle charging method that provides charging*
16 *through a 240 volt alternating current receptacle, re-*
17 *quires a dedicated 40-Amp circuit and supplies ap-*
18 *proximately 10 to 20 miles of range per hour of*
19 *charging time.*

20 *(7) The term “level 3 charging”, also known as*
21 *DC Fast Charging, refers to an electric vehicle charg-*
22 *ing method that provides charging via direct current*
23 *equipment that does not require a convertor and sup-*
24 *plies approximately 60 to 80 miles of range per 20*
25 *min of charging.*

1 (8) *The term “microgrid” refers to a group of*
2 *interconnected loads and distributed energy resources*
3 *within clearly defined electrical boundaries that acts*
4 *as a single controllable entity with respect to the grid.*

5 **SEC. 2844. CONDITIONS ON REVISION OF UNIFIED FACILI-**
6 **TIES CRITERIA OR UNIFIED FACILITIES**
7 **GUIDE SPECIFICATIONS REGARDING USE OF**
8 **VARIABLE REFRIGERANT FLOW SYSTEMS.**

9 (a) *CONGRESSIONAL NOTIFICATION REQUIRED.—The*
10 *Under Secretary of Defense for Acquisition and*
11 *Sustainment shall notify the Committee on Armed Services*
12 *of the House of Representatives before executing any revi-*
13 *sion to the Unified Facilities Criteria/DoD Building Code*
14 *(UFC 1–200–01) or Unified Facilities Guide Specifications*
15 *regarding the use of variable refrigerant flow systems*

16 (b) *ELEMENTS OF EFFECTIVE NOTIFICATION.—To be*
17 *effective as congressional notification for purposes of sub-*
18 *section (a), the notice submitted by the Under Secretary of*
19 *Defense for Acquisition and Sustainment must—*

20 (1) *be in writing;*

21 (2) *specify the nature of the revision to be made*
22 *to the Unified Facility Criteria/DoD Building Code*
23 *(UFC 1–200–01) or Unified Facilities Guide Speci-*
24 *fications regarding the use of variable refrigerant flow*
25 *systems;*

1 (3) explain the justification for the revision; and
2 (4) be received by the Committee on Armed Serv-
3 ices of the House of Representatives at least 30 days
4 before the revision takes effect.

5 ***Subtitle F—Land Conveyances***

6 **SEC. 2851. MODIFICATION OF RESTRICTIONS ON USE OF**
7 **FORMER NAVY PROPERTY CONVEYED TO UNI-**
8 **VERSITY OF CALIFORNIA, SAN DIEGO, CALI-**
9 **FORNIA.**

10 (a) *MODIFICATION OF ORIGINAL USE RESTRICTION.*—
11 Section 3(a) of Public Law 87–662 (76 Stat. 546) is
12 amended by inserting after “educational purposes” the fol-
13 lowing: “, which may include technology innovation and
14 entrepreneurship programs and establishment of innovation
15 incubators”.

16 (b) *EXECUTION.*—If necessary to effectuate the amend-
17 ment made by subsection (a), the Secretary of the Navy
18 shall execute and file in the appropriate office an amended
19 deed or other appropriate instrument reflecting the modi-
20 fication of restrictions on the use of former Camp Matthews
21 conveyed to the regents of the University of California pur-
22 suant to Public Law 87–662.

1 **SEC. 2852. LAND CONVEYANCE, JOINT BASE CAPE COD,**
2 **BOURNE, MASSACHUSETTS.**

3 (a) *CONVEYANCE AUTHORIZED.*—*The Secretary of the*
4 *Air Force may convey to the Commonwealth of Massachu-*
5 *setts (in this section referred to as the “Commonwealth”)*
6 *all right, title, and interest of the United States in and to*
7 *a parcel of real property, including improvements thereon*
8 *and related easements, consisting of approximately 10 acres*
9 *located on Joint Base Cape Cod, Bourne, Massachusetts.*

10 (b) *CONDITIONS OF CONVEYANCE.*—*The conveyance*
11 *under subsection (a) shall be subject to valid existing rights*
12 *and the Commonwealth shall accept the real property, and*
13 *any improvements thereon, in its condition at the time of*
14 *the conveyance (commonly known as a conveyance “as is”).*

15 (c) *CONSIDERATION.*—

16 (1) *CONSIDERATION REQUIRED.*—*As consider-*
17 *ation for the conveyance under subsection (a), the*
18 *Commonwealth shall pay to the United States an*
19 *amount equal to the fair market value of the right,*
20 *title, and interest conveyed under subsection (a) based*
21 *on an appraisal approved by the Secretary.*

22 (2) *TREATMENT OF CONSIDERATION RE-*
23 *CEIVED.*—*Consideration received under paragraph (1)*
24 *shall be deposited in the special account in the Treas-*
25 *ury established under subsection (b) of section 572 of*

1 *title 40, United States Code, and shall be available in*
2 *accordance with paragraph (5)(B) of such subsection.*

3 *(d) PAYMENT OF COSTS OF CONVEYANCE.—*

4 *(1) PAYMENT REQUIRED.—The Secretary of the*
5 *Air Force shall require the Commonwealth to cover all*
6 *costs (except costs for environmental remediation of*
7 *the property) to be incurred by the Secretary, or to*
8 *reimburse the Secretary for costs incurred by the Sec-*
9 *retary, to carry out the conveyance under subsection*
10 *(a), including survey costs, costs for environmental*
11 *documentation, and any other administrative costs*
12 *related to the conveyance. If amounts are collected*
13 *from the Commonwealth in advance of the Secretary*
14 *incurring the actual costs, and the amount collected*
15 *exceeds the costs actually incurred by the Secretary to*
16 *carry out the conveyance, the Secretary shall refund*
17 *the excess amount to the Commonwealth.*

18 *(2) TREATMENT OF AMOUNTS RECEIVED.—*

19 *Amounts received as reimbursement under paragraph*
20 *(1) shall be credited to the fund or account that was*
21 *used to cover the costs incurred by the Secretary in*
22 *carrying out the conveyance or, if the period of avail-*
23 *ability for obligations for that appropriation has ex-*
24 *pired, to an appropriate fund or account currently*
25 *available to the Secretary for the same purpose.*

1 *Amounts so credited shall be merged with amounts in*
2 *such fund or account, and shall be available for the*
3 *same purposes, and subject to the same conditions*
4 *and limitations, as amounts in such fund or account.*

5 *(e) DESCRIPTION OF PROPERTY.—The exact acreage*
6 *and legal description of the property to be conveyed under*
7 *subsection (a) shall be determined by a survey satisfactory*
8 *to the Secretary of the Air Force.*

9 *(f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
10 *retary of the Air Force may require such additional terms*
11 *and conditions in connection with the conveyance under*
12 *subsection (a) as the Secretary considers appropriate to*
13 *protect the interests of the United States.*

14 **SEC. 2853. LAND CONVEYANCE, ROSECRANS AIR NATIONAL**
15 **GUARD BASE, SAINT JOSEPH, MISSOURI.**

16 *(a) CONVEYANCE AUTHORIZED.—Once the Secretary*
17 *of the Air Force determines that the Missouri Air National*
18 *Guard has vacated the parcel of real property consisting*
19 *of approximately 54 acres at Rosecrans Air National Guard*
20 *Base located on the southern end of the airfield at Rosecrans*
21 *Memorial Airport in Saint Joseph, Missouri, the Secretary*
22 *may convey to the City of Saint Joseph, Missouri (in this*
23 *section referred to as the “City”), all right, title, and inter-*
24 *est of the United States in and to that parcel of real prop-*

1 *erty, including any improvements thereon, for the purpose*
2 *of—*

3 *(1) removing the property from within the*
4 *boundaries of Rosecrans Air National Guard Base;*

5 *(2) accommodating the operational and mainte-*
6 *nance needs of Rosecrans Memorial Airport; and*

7 *(3) permitting the development of the property*
8 *and any improvements thereon for economic purposes.*

9 *(b) CONDITIONS ON CONVEYANCE.—The conveyance of*
10 *the parcel of property under subsection (a) shall be subject*
11 *to any valid existing rights regarding the property, and the*
12 *City shall accept the property and any improvements there-*
13 *on in their condition at the time of the conveyance (com-*
14 *monly known as a conveyance “as is”).*

15 *(c) CONSIDERATION.—*

16 *(1) CONSIDERATION REQUIRED, FORMS.—As con-*
17 *sideration for the conveyance of the property under*
18 *subsection (a), the City shall enter into an agreement*
19 *with the Secretary—*

20 *(A) to convey to the Secretary of the Air*
21 *Force a parcel of real property acceptable to the*
22 *Secretary in exchange for the property conveyed*
23 *by the Secretary;*

24 *(B) to provide in-kind consideration accept-*
25 *able to the Secretary in the form of the construc-*

1 *tion, provision, improvement, alteration, protec-*
2 *tion, maintenance, repair, or restoration, includ-*
3 *ing environmental restoration, or a combination*
4 *thereof, of any facilities or infrastructure relat-*
5 *ing to the needs of the Missouri Air National*
6 *Guard at Rosecrans Air National Guard Base;*
7 *or*

8 *(C) to provide a combination of the consid-*
9 *eration authorized by subparagraphs (A) and*
10 *(B).*

11 *(2) AMOUNT OF CONSIDERATION; APPRAISAL.—*
12 *Except as provided in paragraph (3), the value of the*
13 *consideration provided by the City under paragraph*
14 *(1) shall be equal to the fair market value of the right,*
15 *title, and interest conveyed by the Secretary under*
16 *subsection (a), based on one or more appraisals deter-*
17 *mined necessary and approved by the Secretary.*

18 *(3) CASH EQUALIZATION PAYMENT.—If the value*
19 *of the property conveyed by the City or in-kind con-*
20 *sideration provided by the City under paragraph (1),*
21 *or combination thereof, is less than the fair market*
22 *value of the right, title, and interest conveyed by the*
23 *Secretary under subsection (a), the City shall pay to*
24 *the United States an amount equal to the difference*

1 *in the fair market values. Any cash consideration re-*
2 *ceived under this paragraph shall be—*

3 *(A) deposited in the special account in the*
4 *Treasury established pursuant to paragraph (5)*
5 *of section 572(b) of title 40, United States Code;*
6 *and*

7 *(B) available to the Secretary in accordance*
8 *with the subparagraph (B)(ii) of such para-*
9 *graph.*

10 *(d) PAYMENT OF COSTS OF CONVEYANCE.—*

11 *(1) PAYMENT REQUIRED.—The Secretary of the*
12 *Air Force may require the City to cover all costs to*
13 *be incurred by the Secretary, or to reimburse the Sec-*
14 *retary for costs incurred by the Secretary, to carry*
15 *out the conveyance under subsection (a), including*
16 *appraisal and survey costs, costs related to environ-*
17 *mental documentation, and any other administrative*
18 *costs related to the conveyance. If amounts paid by*
19 *the City to the Secretary in advance exceed the costs*
20 *actually incurred by the Secretary to carry out the*
21 *conveyance, the Secretary shall refund the excess*
22 *amount to the City.*

23 *(2) TREATMENT OF AMOUNTS RECEIVED.—*

24 *Amounts received under paragraph (1) as reimburse-*
25 *ment for costs incurred by the Secretary to carry out*

1 *the conveyance under subsection (a) shall be credited*
2 *to the fund or account that was used to cover the costs*
3 *incurred by the Secretary in carrying out the convey-*
4 *ance, or to an appropriate fund or account currently*
5 *available to the Secretary for the purposes for which*
6 *the costs were paid. Amounts so credited shall be*
7 *merged with amounts in such fund or account and*
8 *shall be available for the same purposes, and subject*
9 *to the same conditions and limitations, as amounts in*
10 *such fund or account.*

11 *(e) DESCRIPTION OF PROPERTY.—The exact acreage*
12 *and legal description of the property to be conveyed under*
13 *subsection (a) shall be determined by a survey satisfactory*
14 *to the Secretary of the Air Force.*

15 *(f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
16 *retary of the Air Force may require such additional terms*
17 *and conditions in connection with the conveyance under*
18 *subsection (a) as the Secretary considers appropriate to*
19 *protect the interests of the United States.*

20 **SEC. 2854. LAND CONVEYANCE, NAVAL AIR STATION**
21 **OCEANA, VIRGINIA BEACH, VIRGINIA.**

22 *(a) CONVEYANCE AUTHORIZED.—*

23 *(1) IN GENERAL.—The Secretary of the Navy*
24 *may convey to the School Board of the City of Vir-*
25 *ginia Beach, Virginia (in this section referred to as*

1 “VBCPS”) all right, title, and interest of the United
2 States in and to a parcel of real property, including
3 any improvements thereon, consisting of approxi-
4 mately 2.77 acres at Naval Air Station Oceana, Vir-
5 ginia Beach, Virginia, located at 121 West Lane
6 (GPIN: 2407-94-0772) for the purpose of permitting
7 VBCPS to use the property for educational purposes.

8 (2) CONTINUATION OF EXISTING EASEMENTS, RE-
9 STRICTIONS, AND COVENANTS.—The conveyance of the
10 property under paragraph (1) shall be subject to any
11 easement, restriction, or covenant of record applicable
12 to the property and in existence on the date of the en-
13 actment of this Act.

14 (b) CONSIDERATION.—

15 (1) CONSIDERATION REQUIRED; AMOUNT.—As
16 consideration for the conveyance under subsection (a),
17 VBCPS shall pay to the Secretary of the Navy an
18 amount that is not less than the fair market value of
19 the property to be conveyed, as determined by the Sec-
20 retary. The Secretary’s determination of fair market
21 value shall be final of the property to be conveyed.

22 (2) FORM OF CONSIDERATION.—The consider-
23 ation required by paragraph (1) may be in the form
24 of a cash payment, in-kind consideration as described
25 in paragraph (3), or a combination thereof, as accept-

1 *able to the Secretary. Cash consideration shall be de-*
2 *posited in the special account in the Treasury estab-*
3 *lished under section 572 of title 40, United States*
4 *Code, and the entire amount deposited shall be avail-*
5 *able for use in accordance with subsection (b)(5)(ii)*
6 *of such section.*

7 (3) *IN-KIND CONSIDERATION.—The Secretary*
8 *may accept as in-kind consideration under this sub-*
9 *section the acquisition, construction, provision, im-*
10 *provement, maintenance, repair, or restoration (in-*
11 *cluding environmental restoration), or combination*
12 *thereof, of any facilities or infrastructure, or the de-*
13 *livery of services, relating to the needs of Naval Air*
14 *Station Oceana.*

15 (c) *PAYMENT OF COSTS OF CONVEYANCE.—*

16 (1) *PAYMENT REQUIRED.—The Secretary of the*
17 *Navy shall require VBCPS to cover costs to be in-*
18 *curring by the Secretary, or to reimburse the Secretary*
19 *for costs incurred by the Secretary, to carry out the*
20 *conveyance under subsection (a), including costs re-*
21 *lated to environmental and real estate due diligence,*
22 *and any other administrative costs related to the con-*
23 *veyance. If amounts are collected in advance of the*
24 *Secretary incurring the actual costs, and the amount*
25 *collected exceeds the costs actually incurred by the*

1 *Secretary to carry out the conveyance, the Secretary*
2 *shall refund the excess amount to VBCPS.*

3 (2) *TREATMENT OF AMOUNTS RECEIVED.—*
4 *Amounts received as reimbursement under paragraph*
5 *(1) shall be credited to the fund or account that was*
6 *used to cover those costs incurred by the Secretary in*
7 *carrying out the conveyance or, if the period of avail-*
8 *ability for obligations for that appropriation has ex-*
9 *pired, to the fund or account currently available to*
10 *the Secretary for the same purpose. Amounts so cred-*
11 *ited shall be merged with amounts in such fund or ac-*
12 *count, and shall be available for the same purposes,*
13 *and subject to the same conditions and limitations, as*
14 *amounts in such fund or account.*

15 (d) *LIMITATION ON SOURCE OF FUNDS.—VBCPS may*
16 *not use Federal funds to cover any portion of the costs re-*
17 *quired by subsections (b) and (c) to be paid by VBCPS.*

18 (e) *DESCRIPTION OF PROPERTY.—The exact acreage*
19 *and legal description of the parcel of real property to be*
20 *conveyed under subsection (a) shall be determined by a sur-*
21 *vey satisfactory to the Secretary of the Navy.*

22 (f) *ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
23 *retary of the Navy may require such additional terms and*
24 *conditions in connection with the conveyance under sub-*

1 *section (a) as the Secretary considers appropriate to protect*
2 *the interests of the United States.*

3 ***Subtitle G—Authorized Pilot***
4 ***Programs***

5 ***SEC. 2861. PILOT PROGRAM ON INCREASED USE OF MASS***
6 ***TIMBER IN MILITARY CONSTRUCTION.***

7 *(a) PILOT PROGRAM REQUIRED.—Each Secretary of*
8 *a military department shall conduct a pilot program to*
9 *evaluate the effect that the use of mass timber as the pri-*
10 *mary construction material in military construction may*
11 *have on the environmental sustainability, infrastructure re-*
12 *silience, cost effectiveness, and construction timeliness of*
13 *military construction.*

14 *(b) PROJECT SELECTION AND LOCATIONS.—*

15 *(1) MINIMUM NUMBER OF PROJECTS.—Each Sec-*
16 *retary of a military department shall carry out at*
17 *least one military construction project under the pilot*
18 *program.*

19 *(2) PROJECT LOCATIONS.—The pilot program*
20 *shall be conducted at military installations in the*
21 *continental United States—*

22 *(A) that are identified as vulnerable to ex-*
23 *treme weather events; and—*

1 (B) *for which a military construction*
2 *project is authorized but a request for proposal*
3 *has not been released.*

4 (c) *INCLUSION OF MILITARY UNACCOMPANIED HOUS-*
5 *ING PROJECT.—The Secretaries of the military departments*
6 *shall coordinate the selection of military construction*
7 *projects to be carried out under the pilot program so that*
8 *at least one of the military construction projects involves*
9 *construction of military unaccompanied housing.*

10 (d) *PROGRAM AUTHORITY.—The Secretary of a mili-*
11 *tary department may carry out a military construction*
12 *project under the pilot program using the authorities avail-*
13 *able to the Secretary of Defense under section 2914 of title*
14 *10, United States Code, regarding military construction*
15 *projects for energy resilience, energy security, and energy*
16 *conservation.*

17 (e) *DURATION OF PROGRAM.—The authority of the*
18 *Secretary of a military department to carry out a military*
19 *construction project under the pilot program shall expire*
20 *on September 30, 2024. Any construction commenced under*
21 *the pilot program before the expiration date may continue*
22 *to completion.*

23 (f) *REPORTING REQUIREMENT.—*

24 (1) *REPORT REQUIRED.—Not later than 180*
25 *days after the date of the enactment of this Act, and*

1 every 180 days thereafter through December 31, 2024,
2 the Secretaries of the military departments shall sub-
3 mit to the congressional defense committees a report
4 on the progress of the pilot program.

5 (2) *REPORT ELEMENTS.*—The report shall in-
6 clude the following:

7 (A) A description of the status of the mili-
8 tary construction projects selected to be con-
9 ducted under the pilot program.

10 (B) An explanation of the reasons why those
11 military construction projects were selected.

12 (C) An analysis of the projected or actual
13 carbon footprint, resilience to extreme weather
14 events, construction timeliness, and cost effective-
15 ness of the military construction projects con-
16 ducted under the pilot program using mass tim-
17 ber as compared to other materials historically
18 used in military construction.

19 (D) Any updated guidance the Under Sec-
20 retary of Defense for Acquisition and
21 Sustainment has released in relation to the pro-
22 curement policy for future military construction
23 projects based on comparable benefits realized
24 from use of mass timber, including guidance on
25 prioritizing sustainable materials in establishing

1 *evaluation criteria for military construction*
2 *project contracts when technically feasible.*

3 (g) *MASS TIMBER DEFINED.*—*In this section, the term*
4 *“mass timber” includes the following:*

5 (1) *Cross-laminated timber.*

6 (2) *Nail-laminated timber.*

7 (3) *Glue-laminated timber.*

8 (4) *Laminated strand lumber.*

9 (5) *Laminated veneer lumber.*

10 **SEC. 2862. PILOT PROGRAM ON INCREASED USE OF SUS-**
11 **TAINABLE BUILDING MATERIALS IN MILI-**
12 **TARY CONSTRUCTION.**

13 (a) *PILOT PROGRAM REQUIRED.*—*Each Secretary of*
14 *a military department shall conduct a pilot program to*
15 *evaluate the effect that the use of sustainable building mate-*
16 *rials as the primary construction material in military con-*
17 *struction may have on the environmental sustainability, in-*
18 *frastructure resilience, cost effectiveness, and construction*
19 *timeliness of military construction.*

20 (b) *PROJECT SELECTION AND LOCATIONS.*—

21 (1) *MINIMUM NUMBER OF PROJECTS.*—*Each Sec-*
22 *retary of a military department shall carry out at*
23 *least one military construction project under the pilot*
24 *program.*

1 (2) *PROJECT LOCATIONS.*—*The pilot program*
2 *shall be conducted at military installations in the*
3 *continental United States—*

4 (A) *that are identified as vulnerable to ex-*
5 *treme weather events; and—*

6 (B) *for which a military construction*
7 *project is authorized but a request for proposal*
8 *has not been released.*

9 (c) *INCLUSION OF MILITARY UNACCOMPANIED HOUS-*
10 *ING PROJECT.*—*The Secretaries of the military departments*
11 *shall coordinate the selection of military construction*
12 *projects to be carried out under the pilot program so that*
13 *at least one of the military construction projects involves*
14 *construction of military unaccompanied housing.*

15 (d) *DURATION OF PROGRAM.*—*The authority of the*
16 *Secretary of a military department to carry out a military*
17 *construction project under the pilot program shall expire*
18 *on September 30, 2024. Any construction commenced under*
19 *the pilot program before the expiration date may continue*
20 *to completion.*

21 (e) *REPORTING REQUIREMENT.*—

22 (1) *REPORT REQUIRED.*—*Not later than 180*
23 *days after the date of the enactment of this Act, and*
24 *every 180 days thereafter through December 31, 2024,*
25 *the Secretaries of the military departments shall sub-*

1 *mit to the congressional defense committees a report*
2 *on the progress of the pilot program.*

3 (2) *REPORT ELEMENTS.—The report shall in-*
4 *clude the following:*

5 (A) *A description of the status of the mili-*
6 *tary construction projects selected to be con-*
7 *ducted under the pilot program.*

8 (B) *An explanation of the reasons why those*
9 *military construction projects were selected.*

10 (C) *An analysis of the projected or actual*
11 *carbon footprint over the full life cycle of the sus-*
12 *tainable building material, resilience to extreme*
13 *weather events, construction timeliness, and cost*
14 *effectiveness of the military construction projects*
15 *conducted under the pilot program using sus-*
16 *tainable building materials as compared to other*
17 *materials historically used in military construc-*
18 *tion.*

19 (D) *Any updated guidance the Under Sec-*
20 *retary of Defense for Acquisition and*
21 *Sustainment has released in relation to the pro-*
22 *curement policy for future military construction*
23 *projects based on comparable benefits realized*
24 *from use of sustainable building materials, in-*
25 *cluding guidance on prioritizing sustainable ma-*

1 *terials in establishing evaluation criteria for*
2 *military construction project contracts when*
3 *technically feasible.*

4 (f) *SUSTAINABLE BUILDING MATERIALS DEFINED.—*
5 *In this section, the term “sustainable building material”*
6 *means any building material the use of which will reduce*
7 *carbon emissions over the life cycle of the building. The term*
8 *includes mass timber, concrete, and other carbon reducing*
9 *materials.*

10 **SEC. 2863. PILOT PROGRAM ON ESTABLISHMENT OF AC-**
11 **COUNT FOR REIMBURSEMENT FOR USE OF**
12 **TESTING FACILITIES AT INSTALLATIONS OF**
13 **THE DEPARTMENT OF THE AIR FORCE.**

14 (a) *IN GENERAL.—Not later than 180 days after the*
15 *date of the enactment of this Act, the Secretary of the Air*
16 *Force shall establish a pilot program to authorize installa-*
17 *tions of the Department of the Air Force to establish a reim-*
18 *bursable account for the purpose of being reimbursed for*
19 *the use of testing facilities on such installation.*

20 (b) *INSTALLATIONS SELECTED.—The Secretary of the*
21 *Air Force shall select not more than two installations of*
22 *the Department of the Air Force to participate in the pilot*
23 *program under subsection (a) from among any such instal-*
24 *lations that are part of the Air Force Flight Test Center*
25 *construct and are currently funded for Facility,*

1 *Sustainment, Restoration, and Modernization (FSRM)*
2 *through the Research, Development, Test, and Evaluation*
3 *account of the Department of the Air Force.*

4 (c) *OVERSIGHT OF FUNDS.*—For each installation se-
5 *lected for the pilot program under subsection (a), the com-*
6 *mander of such installation shall have direct oversight over*
7 *50 percent of the funds allocated to the installation for Fa-*
8 *cility, Sustainment, Restoration, and Modernization and*
9 *the Commander of the Air Force Civil Engineer Center shall*
10 *have direct oversight over the remaining 50 percent of such*
11 *funds.*

12 (d) *BRIEFING AND REPORT.*—

13 (1) *BRIEFING.*—Not later than 30 days after es-
14 *tablishing the pilot program under subsection (a), the*
15 *Secretary of the Air Force shall brief the congressional*
16 *defense committees on the pilot program.*

17 (2) *ANNUAL REPORT.*—Not later than one year
18 *after establishing the pilot program under subsection*
19 *(a), and annually thereafter, the Secretary of the Air*
20 *Force shall submit to the congressional defense com-*
21 *mittees a report on the pilot program.*

22 (e) *TERMINATION.*—The pilot program under sub-
23 *section (a) shall terminate on December 1, 2026.*

1 **SEC. 2864. PILOT PROGRAM TO EXPEDITE 5G TELE-**
2 **COMMUNICATIONS ON MILITARY INSTALLA-**
3 **TIONS THROUGH DEPLOYMENT OF TELE-**
4 **COMMUNICATIONS INFRASTRUCTURE.**

5 (a) *PILOT PROGRAM REQUIRED.*—Not later than one
6 year after the date of the enactment of this Act, each Sec-
7 retary of a military department shall establish a pilot pro-
8 gram to evaluate the feasibility of deploying telecommuni-
9 cations infrastructure to expedite the availability of 5G tele-
10 communications on military installations.

11 (b) *SELECTION OF PROGRAM SITES.*—

12 (1) *IN GENERAL.*—Each Secretary of a military
13 department shall select at least one military installa-
14 tion under the jurisdiction of the Secretary as a loca-
15 tion at which to conduct the pilot program.

16 (2) *PRIORITY.*—In selecting a military installa-
17 tion as a location for the pilot program, the Secretary
18 of a military department shall prioritize military in-
19 stallations that are located in close proximity to other
20 military installations, whether or not the other instal-
21 lations are under the jurisdiction of that Secretary.

22 (c) *IMPLEMENTATION REPORT.*—Not later than six
23 months after the establishment of the pilot program by the
24 Secretary of a military department, that Secretary shall
25 submit to the congressional defense committees a report con-
26 taining the following:

1 (1) *A list of the military installations selected by*
2 *that Secretary as locations for the pilot program.*

3 (2) *A description of authorities used to execute*
4 *the pilot program.*

5 (3) *The number and identity of telecommuni-*
6 *cation carriers that intend to use the telecommuni-*
7 *cations infrastructure deployed pursuant to the pilot*
8 *program to provide 5G telecommunication services at*
9 *the selected military installations.*

10 (4) *An assessment of the need to have centralized*
11 *processes and points of contacts or additional au-*
12 *thorities, to facilitate deployment of telecommuni-*
13 *cations infrastructure.*

14 (d) *TELECOMMUNICATIONS INFRASTRUCTURE DE-*
15 *FINED.—In this section, the term “telecommunications in-*
16 *frastructure” includes, but is not limited to, the following:*

17 (1) *Macro towers.*

18 (2) *Small cell poles.*

19 (3) *Distributed antenna systems.*

20 (4) *Dark fiber.*

21 (5) *Power solutions.*

1 ***Subtitle H—Asia-Pacific and Indo-***
2 ***Pacific Issues***

3 ***SEC. 2871. IMPROVED OVERSIGHT OF CERTAIN INFRA-***
4 ***STRUCTURE SERVICES PROVIDED BY NAVAL***
5 ***FACILITIES ENGINEERING SYSTEMS COM-***
6 ***MAND PACIFIC.***

7 *The Secretary of the Navy shall designate an adminis-*
8 *trative position within the Naval Facilities Engineering*
9 *Systems Command Pacific for the purpose of improving the*
10 *continuity of management and oversight of real property*
11 *and infrastructure assets in the Pacific Area of Responsi-*
12 *bility related to the training needs of the Armed Forces,*
13 *particularly regarding leased property for which the lease*
14 *will expire within 10 years after the date of the enactment*
15 *of this Act.*

16 ***Subtitle I—Miscellaneous Studies***
17 ***and Reports***

18 ***SEC. 2881. IDENTIFICATION OF ORGANIC INDUSTRIAL BASE***
19 ***GAPS AND VULNERABILITIES RELATED TO***
20 ***CLIMATE CHANGE AND DEFENSIVE CYBERSE-***
21 ***CURITY CAPABILITIES.***

22 *Section 2504(3)(B) of title 10, United States Code, is*
23 *amended—*

24 *(1) by redesignating clauses (i), (ii), and (iii) as*
25 *clauses (ii), (iii), and (iv); and*

1 (2) by inserting before clause (ii), as so redesignig-
2 nated, the following new clause:

3 “(i) gaps and vulnerabilities related
4 to—

5 “(I) current and projected im-
6 pacts of climate change; and

7 “(II) defensive cybersecurity capa-
8 bilities;”.

9 ***Subtitle J—Other Matters***

10 ***SEC. 2891. CLARIFICATION OF INSTALLATION AND MAINTEN-***
11 ***NANCE REQUIREMENTS REGARDING FIRE EX-***
12 ***TINGUISHERS IN DEPARTMENT OF DEFENSE***
13 ***FACILITIES.***

14 *Section 2861 of the Military Construction Authoriza-*
15 *tion Act for Fiscal Year 2020 (division B of Public Law*
16 *116–92; 133 Stat. __) is amended by striking “require-*
17 *ments of national model fire codes developed by the Na-*
18 *tional Fire Protection Association and the International*
19 *Code Council” and inserting “NFPA 1, Fire Code of the*
20 *National Fire Protection Association and applicable re-*
21 *quirements of the international building code and inter-*
22 *national fire code of the International Code Council”.*

1 **TITLE XXIX—ADDITIONAL MILI-**
 2 **TARY CONSTRUCTION**
 3 **PROJECTS RELATED TO**
 4 **SCIENCE, TECHNOLOGY,**
 5 **TEST, AND EVALUATION**

6 **SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 7 **ACQUISITION PROJECTS.**

8 *The Secretary of the Army may acquire real property*
 9 *and carry out the military construction projects related to*
 10 *science, technology, test, and evaluation for the installations*
 11 *or locations inside the United States, and in the amounts,*
 12 *set forth in the following table:*

Army Projects

State	Installation or Location	Amount
Maryland	Aberdeen Proving Ground	\$29,000,000
	Fort Detrick	\$94,000,000
Mississippi	Engineering Research and Development Center	\$49,000,000
New Mexico	White Sands Missile Range	\$43,000,000

13 **SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 14 **ACQUISITION PROJECTS.**

15 *The Secretary of the Navy may acquire real property*
 16 *and carry out the military construction projects related to*
 17 *science, technology, test, and evaluation for the installations*
 18 *or locations inside the United States, and in the amounts,*
 19 *set forth in the following table:*

Navy Projects

State	Installation or location	Amount
California	Naval Information Warfare Center Pacific	\$49,970,000
District of Columbia	Naval Research Laboratory	\$556,030,000
Florida	Naval Surface Warfare Center Panama City	\$83,820,000
Indiana	Naval Surface Warfare Center Crane	\$86,920,000
Maryland	Naval Air Warfare Division	\$121,190,000
	Naval Surface Warfare Center Carderock	\$45,440,000
	Naval Surface Warfare Center Indian Head Explosive Ordnance Disposal Technology Division	\$132,030,000
Pennsylvania	Naval Surface Warfare Division Philadelphia	\$160,040,000
Rhode Island	Naval Undersea Warfare Center Newport	\$129,860,000
Virginia	Naval Surface Warfare Center Dahlgren	\$98,670,000

1 **SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND**
2 **LAND ACQUISITION PROJECTS.**

3 *The Secretary of the Air Force may acquire real prop-*
4 *erty and carry out the military construction projects related*
5 *to science, technology, test, and evaluation for the installa-*
6 *tions or locations inside the United States, and in the*
7 *amounts, set forth in the following table:*

Air Force Projects

State	Installation or location	Amount
California	Edwards Air Force Base	\$103,000,000
Florida	Eglin Air Force Base	\$662,000,000
Hawaii	Maui Experimental Site	\$88,000,000
New Mexico	Holloman Air Force Base	\$186,600,000
	Kirtland Air Force Base	\$138,000,000
Ohio	Wright-Patterson Air Force Base	\$378,000,000
Tennessee	Arnold Air Force Base	\$120,618,000
Texas	Joint Base San Antonio-Fort Sam Houston.	\$113,000,000

8 **SEC. 2904. AUTHORIZATION OF APPROPRIATIONS.**

9 *Funds are hereby authorized to be appropriated for fis-*
10 *cal years beginning after September 30, 2021, for the mili-*
11 *tary construction projects related to science, technology, test,*

1 *and evaluation authorized by this title, as specified in the*
2 *funding table in section 4601.*

3 ***DIVISION C—DEPARTMENT OF***
4 ***ENERGY NATIONAL SECURITY***
5 ***AUTHORIZATIONS AND***
6 ***OTHER AUTHORIZATIONS***

7 ***TITLE XXXI—DEPARTMENT OF***
8 ***ENERGY NATIONAL SECURITY***
9 ***PROGRAMS***

10 ***Subtitle A—National Security***
11 ***Programs and Authorizations***

12 ***SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-***
13 ***TION.***

14 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
15 *hereby authorized to be appropriated to the Department of*
16 *Energy for fiscal year 2022 for the activities of the National*
17 *Nuclear Security Administration in carrying out programs*
18 *as specified in the funding table in section 4701.*

19 *(b) AUTHORIZATION OF NEW PLANT PROJECTS.—*
20 *From funds referred to in subsection (a) that are available*
21 *for carrying out plant projects, the Secretary of Energy*
22 *may carry out new plant projects for the National Nuclear*
23 *Security Administration as follows:*

1 *Project 22–D–513, Power Sources Capability,*
2 *Sandia National Laboratories, Albuquerque, New*
3 *Mexico, \$13,827,000.*

4 *Project 22–D–514, Digital Infrastructure Capa-*
5 *bility Expansion, Lawrence Livermore National Lab-*
6 *oratory, Livermore, California, \$8,000,000.*

7 *Project 22–D–531, KL Chemistry and Radio-*
8 *logical Health Building, Knolls Atomic Power Lab-*
9 *oratory, Schenectady, New York, \$41,620,000.*

10 *Project 22–D–532, KL Security Upgrades,*
11 *Knolls Atomic Power Laboratory, Schenectady, New*
12 *York, \$5,100,000.*

13 *Shipping & Receiving (Exterior), Los Alamos*
14 *National Laboratory, Los Alamos, New Mexico,*
15 *\$9,700,000.*

16 *TCAP Restoration Column A, Savannah River*
17 *Site, Aiken, South Carolina, \$4,700,000.*

18 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

19 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
20 *hereby authorized to be appropriated to the Department of*
21 *Energy for fiscal year 2022 for defense environmental*
22 *cleanup activities in carrying out programs as specified in*
23 *the funding table in section 4701.*

24 *(b) AUTHORIZATION OF NEW PLANT PROJECTS.—*
25 *From funds referred to in subsection (a) that are available*

1 *for carrying out plant projects, the Secretary of Energy*
2 *may carry out, for defense environmental cleanup activities,*
3 *the following new plant projects:*

4 *Project 22–D–401, 400 Area Fire Station, Hanford*
5 *Site, Richland, Washington, \$15,200,000.*

6 *Project 22–D–402, 200 Area Water Treatment Facil-*
7 *ity, Hanford Site, Richland, Washington, \$12,800,000.*

8 *Project 22–D–403, Idaho Spent Nuclear Fuel Staging*
9 *Facility, Idaho National Laboratory, Idaho Falls, Idaho,*
10 *\$3,000,000.*

11 *Project 22–D–404, Additional ICDF Landfill Disposal*
12 *Cell and Evaporation Ponds Project, Idaho National Lab-*
13 *oratory, Idaho Falls, Idaho, \$5,000,000.*

14 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

15 *Funds are hereby authorized to be appropriated to the*
16 *Department of Energy for fiscal year 2022 for other defense*
17 *activities in carrying out programs as specified in the fund-*
18 *ing table in section 4701.*

19 **SEC. 3104. NUCLEAR ENERGY.**

20 *Funds are hereby authorized to be appropriated to the*
21 *Department of Energy for fiscal year 2022 for nuclear en-*
22 *ergy as specified in the funding table in section 4701.*

1 **Subtitle B—Program Authoriza-**
2 **tions, Restrictions, Limitations,**
3 **and Other Matters**

4 **SEC. 3111. IMPROVEMENTS TO ANNUAL REPORTS ON CON-**
5 **DITION OF THE UNITED STATES NUCLEAR**
6 **WEAPONS STOCKPILE.**

7 *Section 4205(e)(3) of the Atomic Energy Defense Act*
8 *(50 U.S.C. 2525(e)(3)) is amended—*

9 *(1) in subparagraph (A), by inserting “, includ-*
10 *ing with respect to cyber assurance,” after “methods”;*
11 *and*

12 *(2) in subparagraph (B), by inserting “, and the*
13 *confidence of the head in,” after “adequacy of”.*

14 **SEC. 3112. MODIFICATIONS TO CERTAIN REPORTING RE-**
15 **QUIREMENTS.**

16 *(a) NOTIFICATION OF EMPLOYEE PRACTICES AFFECT-*
17 *ING NATIONAL SECURITY.—Section 3245 of the National*
18 *Nuclear Security Administration Act (50 U.S.C. 2443) is*
19 *amended by striking subsections (a) and (b) and inserting*
20 *the following new subsections:*

21 *“(a) ANNUAL NOTIFICATION OF SECURITY CLEARANCE*
22 *REVOCATIONS.—At or about the time that the President’s*
23 *budget is submitted to Congress under section 1105(a) of*
24 *title 31, United States Code, the Administrator shall notify*
25 *the appropriate congressional committees of—*

1 “(1) the number of covered employees whose secu-
2 rity clearance was revoked during the year prior to
3 the year in which the notification is made; and

4 “(2) for each employee counted under paragraph
5 (1), the length of time such employee has been em-
6 ployed at the Administration, as the case may be,
7 since such revocation.

8 “(b) ANNUAL NOTIFICATION OF TERMINATIONS AND
9 REMOVALS.—Not later than December 31 of each year, the
10 Administrator shall notify the appropriate congressional
11 committees of each instance in which the Administrator ter-
12 minated the employment of a covered employee or removed
13 and reassigned a covered employee for cause during that
14 year.”.

15 (b) PLAN FOR CONSTRUCTION AND OPERATION OF
16 MOX FACILITY.—Section 4306 of the Atomic Energy De-
17 fense Act (50 U.S.C. 2566) is amended—

18 (1) by striking subsections (a) and (b); and

19 (2) by redesignating subsections (c) through (h)
20 as subsections (a) through (f), respectively.

21 (c) REPORTS ON CERTAIN TRANSFERS OF CIVIL NU-
22 CLEAR TECHNOLOGY.—Section 3136 of the National De-
23 fense Authorization Act for Fiscal Year 2016 (42 U.S.C.
24 2077a) is amended—

25 (1) by striking subsection (a);

1 (2) *by redesignating subsections (b) through (i)*
2 *as subsections (a) through (h), respectively; and*

3 (3) *in subsection (b)(2), as so redesignated, by*
4 *striking “each report under subsection (a) and”.*

5 (d) *CERTAIN ANNUAL REVIEWS BY NUCLEAR SCIENCE*
6 *ADVISORY COMMITTEE.—Section 3173(a)(4)(B) of the Na-*
7 *tional Defense Authorization Act for Fiscal Year 2013 (42*
8 *U.S.C. 2065(a)(4)(B)) is amended by striking “annual re-*
9 *views” and inserting “reviews during even-numbered*
10 *years”.*

11 (e) *CONFORMING AMENDMENT.—Section 161 n. of the*
12 *Atomic Energy Act of 1954 (42 U.S.C. 2201(n)) is amended*
13 *by striking “(as defined in section 3136(i) of the National*
14 *Defense Authorization Act for Fiscal Year 2016 (42 U.S.C.*
15 *2077a(i))” and inserting “(as defined in section 3136(h)*
16 *of the National Defense Authorization Act for Fiscal Year*
17 *2016 (42 U.S.C. 2077a(h))”.*

18 **SEC. 3113. PLUTONIUM PIT PRODUCTION CAPACITY.**

19 (a) *CERTIFICATIONS.—Section 4219 of the Atomic En-*
20 *ergy Defense Act (50 U.S.C. 2538a) is amended by adding*
21 *at the end the following new subsections:*

22 “(d) *CERTIFICATIONS ON PLUTONIUM ENTERPRISE.—*
23 “(1) *REQUIREMENT.—Not later than 30 days*
24 *after the date on which a covered project achieves a*
25 *critical decision milestone, the Assistant Secretary for*

1 *Environmental Management and the Deputy Admin-*
2 *istrator for Defense Programs shall jointly certify to*
3 *the congressional defense committees that the oper-*
4 *ations, infrastructure, and workforce of such project is*
5 *adequate to carry out the delivery and disposal of*
6 *planned waste shipments relating to the plutonium*
7 *enterprise, as outlined in the critical decision memo-*
8 *randa of the Department of Energy with respect to*
9 *such project.*

10 “(2) *FAILURE TO CERTIFY.*—*If the Assistant*
11 *Secretary for Environmental Management and the*
12 *Deputy Administrator for Defense Programs fail to*
13 *make a certification under paragraph (1) by the date*
14 *specified in such paragraph with respect to a covered*
15 *project achieving a critical decision milestone, the As-*
16 *stant Secretary and the Deputy Administrator shall*
17 *jointly submit to the congressional defense committees,*
18 *by not later than 30 days after such date, a plan to*
19 *ensure that the operations, infrastructure, and work-*
20 *force of such project will be adequate to carry out the*
21 *delivery and disposal of planned waste shipments de-*
22 *scribed in such paragraph.*

23 “(e) *REPORTS.*—

24 “(1) *REQUIREMENT.*—*Not later than March 1 of*
25 *each year during the period beginning on the date on*

1 *which the first covered project achieves critical deci-*
2 *sion 2 in the acquisition process and ending on the*
3 *date on which the second project achieves critical deci-*
4 *sion 4 and begins operations, the Administrator for*
5 *Nuclear Security shall submit to the congressional de-*
6 *fense committees a report on the production goals of*
7 *both covered projects during the first 10 years of the*
8 *operation of the projects.*

9 “(2) *ELEMENTS.*—*Each report under paragraph*
10 *(1) shall include, with respect to the covered projects*
11 *and the 10 years covered by the report—*

12 “(A) *the number of war reserve plutonium*
13 *pits planned to be produced during each year,*
14 *including the associated warhead type;*

15 “(B) *a description of risks and challenges to*
16 *meeting the performance baseline for the projects,*
17 *as approved in critical decision 2 in the acquisi-*
18 *tion process;*

19 “(C) *options available to the Administrator*
20 *to balance scope, costs, and production require-*
21 *ments at the projects to decrease overall risk to*
22 *the plutonium enterprise and enduring pluto-*
23 *nium pit requirements; and*

1 (1) *AGREEMENT.*—*The Secretary of the Interior*
2 *shall seek to enter into an agreement with an entity*
3 *to prepare a report on—*

4 (A) *the effects of climate change on the*
5 *Runit Dome nuclear waste disposal site in*
6 *Enewetak Atoll, Marshall Islands; and*

7 (B) *other environmental hazards created by*
8 *the United States relating to nuclear bomb and*
9 *other weapons testing in the vicinity of*
10 *Enewetak Atoll.*

11 (2) *INDEPENDENT ENTITY.*—*The Secretary shall*
12 *select an entity under paragraph (1) that is not part*
13 *of the Federal Government.*

14 (b) *MATTERS INCLUDED.*—*The report under subsection*
15 *(a) shall include the following:*

16 (1) *A detailed scientific analysis of any threats*
17 *to the environment, and to the health and safety, of*
18 *the residents of Enewetak Atoll posed by each of—*

19 (A) *the Runit Dome nuclear waste disposal*
20 *site;*

21 (B) *crypts used to contain nuclear waste*
22 *and other toxins on Enewetak Atoll;*

23 (C) *radionuclides and other toxins present*
24 *in the lagoon of Enewetak Atoll, including areas*
25 *in the lagoon where nuclear waste was dumped;*

1 (D) radionuclides and other toxins, includ-
2 ing beryllium, which may be present on the is-
3 lands of Enewetak Atoll as a result of nuclear
4 tests and other activities of the Federal Govern-
5 ment, including tests of chemical and biological
6 warfare agents, rocket tests, contaminated air-
7 craft landing on Enewetak Island, and nuclear
8 cleanup activities;

9 (E) radionuclides and other toxins that
10 may be present in the drinking water on
11 Enewetak Island or in the water source for the
12 desalination plant; and

13 (F) radionuclides and other toxins that may
14 be present in the ground water under and in the
15 vicinity of the Runit Dome nuclear waste dis-
16 posal site.

17 (2) A detailed scientific analysis of the extent to
18 which rising sea levels, severe weather events, and
19 other effects of climate change might exacerbate any
20 of the threats identified under paragraph (1).

21 (3) A detailed plan, including costs, to relocate
22 all of the nuclear waste and other toxic waste con-
23 tained in—

24 (A) the Runit Dome nuclear waste disposal
25 site;

1 (B) *all of the crypts on Enewetak Atoll con-*
2 *taining such waste; and*

3 (C) *the three dumping areas in Enewetak's*
4 *lagoon to a safe, secure facility to be constructed*
5 *in an uninhabited, unincorporated territory of*
6 *the United States.*

7 (c) *MARSHALLESE PARTICIPATION.—The Secretary*
8 *shall ensure that scientists or other experts selected by the*
9 *Government of the Marshall Islands are able to participate*
10 *in all aspects of the preparation of the report under sub-*
11 *section (a), including, at a minimum, with respect to devel-*
12 *oping the work plan, identifying questions, conducting re-*
13 *search, and collecting and interpreting data.*

14 (d) *SUBMISSION AND PUBLICATION.—*

15 (1) *FEDERAL REGISTER.—The Secretary shall*
16 *publish the report under subsection (a) in the Federal*
17 *Register for public comment for a period of not fewer*
18 *than 60 days.*

19 (2) *CONGRESS.—Not later than one year after*
20 *the date of the enactment of this Act, the Secretary*
21 *shall submit to Congress the report under subsection*
22 *(a).*

23 (3) *PUBLIC AVAILABILITY.—The Secretary shall*
24 *publish on a publicly available internet website the*

1 *report under subsection (a) and the results of the pub-*
2 *lic comments pursuant to paragraph (1).*

3 **SEC. 3115. UNIVERSITY-BASED NUCLEAR NONPROLIFERA-**
4 **TION COLLABORATION PROGRAM.**

5 *Title XLIII of the Atomic Energy Defense Act (50*
6 *U.S.C. 2565 et seq.) is amended by adding at the end the*
7 *following new section (and conforming the table of contents*
8 *accordingly):*

9 **“SEC. 4312. UNIVERSITY-BASED DEFENSE NUCLEAR NON-**
10 **PROLIFERATION COLLABORATION PROGRAM.**

11 *“(a) PROGRAM.—The Administrator shall carry out a*
12 *program under which the Administrator establishes a pol-*
13 *icy research consortium of institutions of higher education*
14 *and nonprofit entities in support of implementing and in-*
15 *novating the defense nuclear nonproliferation programs of*
16 *the Administration. The Administrator shall establish and*
17 *carry out such program in a manner similar to the pro-*
18 *gram established under section 4814.*

19 *“(b) PURPOSES.—The purposes of the consortium*
20 *under subsection (a) are as follows:*

21 *“(1) To shape the formulation and application of*
22 *policy through the conduct of research and analysis*
23 *regarding defense nuclear nonproliferation programs.*

1 “(2) *To maintain open-source databases on*
2 *issues relevant to understanding defense nuclear non-*
3 *proliferation, arms control, and nuclear security.*

4 “(3) *To facilitate the collaboration of research*
5 *centers of excellence relating to defense nuclear non-*
6 *proliferation to better distribute expertise to specific*
7 *issues and scenarios regarding such threats.*

8 “(c) *DUTIES.—*

9 “(1) *SUPPORT.—The Administrator shall ensure*
10 *that the consortium established under subsection (a)*
11 *provides support to individuals described in para-*
12 *graph (2) through the use of nongovernmental fellow-*
13 *ships, scholarships, research internships, workshops,*
14 *short courses, summer schools, and research grants.*

15 “(2) *INDIVIDUALS DESCRIBED.—The individuals*
16 *described in this paragraph are graduate students,*
17 *academics, and policy specialists, who are focused on*
18 *policy innovation related to—*

19 “(A) *defense nuclear nonproliferation;*

20 “(B) *arms control;*

21 “(C) *nuclear deterrence;*

22 “(D) *the study of foreign nuclear programs;*

23 “(E) *nuclear security; or*

1 “(F) educating and training the next gen-
2 eration of defense nuclear nonproliferation policy
3 experts.”.

4 **SEC. 3116. PROHIBITION ON AVAILABILITY OF FUNDS TO**
5 **RECONVERT OR RETIRE W76-2 WARHEADS.**

6 (a) *PROHIBITION.*—*Except as provided in subsection*
7 *(b), none of the funds authorized to be appropriated by this*
8 *Act or otherwise made available for fiscal year 2022 for the*
9 *National Nuclear Security Administration may be obli-*
10 *gated or expended to reconvert or retire a W76-2 warhead.*

11 (b) *WAIVER.*—*The Administrator for Nuclear Security*
12 *may waive the prohibition in subsection (a) if the Adminis-*
13 *trator, in consultation with the Secretary of Defense, the*
14 *Director of National Intelligence, and the Chairman of the*
15 *Joint Chiefs of Staff, certifies to the congressional defense*
16 *committees that Russia and China do not possess naval ca-*
17 *pabilities similar to the W76-2 warhead in the active stock-*
18 *piles of the respective country.*

19 **TITLE XXXII—DEFENSE NU-**
20 **CLEAR FACILITIES SAFETY**
21 **BOARD**

22 **SEC. 3201. AUTHORIZATION.**

23 *There are authorized to be appropriated for fiscal year*
24 *2022, \$31,000,000 for the operation of the Defense Nuclear*

1 *Facilities Safety Board under chapter 21 of the Atomic En-*
2 *ergy Act of 1954 (42 U.S.C. 2286 et seq.).*

3 **SEC. 3202. TECHNICAL AMENDMENTS REGARDING CHAIR**
4 **AND VICE CHAIR OF DEFENSE NUCLEAR FA-**
5 **CILITIES SAFETY BOARD.**

6 *Chapter 21 of the Atomic Energy Act of 1954 (42*
7 *U.S.C. 2286 et seq.) is amended—*

8 *(1) in section 311 (42 U.S.C. 2286)—*

9 *(A) in subsection (c)(4), by striking “the of-*
10 *fice of Chairman” and inserting “the office of the*
11 *Chair”; and*

12 *(B) by striking “Chairman” each place it*
13 *appears (including in the heading of subsection*
14 *(c)) and inserting “Chair”; and*

15 *(2) in section 313 (42 U.S.C. 2286b), by striking*
16 *“Chairman” each place it appears and inserting*
17 *“Chair”.*

18 **TITLE XXXIV—NAVAL**
19 **PETROLEUM RESERVES**

20 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

21 *(a) AMOUNT.—There are hereby authorized to be ap-*
22 *propriated to the Secretary of Energy \$13,650,000 for fiscal*
23 *year 2022 for the purpose of carrying out activities under*
24 *chapter 869 of title 10, United States Code, relating to the*
25 *naval petroleum reserves.*

1 (b) *PERIOD OF AVAILABILITY.*—*Funds appropriated*
 2 *pursuant to the authorization of appropriations in sub-*
 3 *section (a) shall remain available until expended.*

4 ***TITLE XXXV—MARITIME***

5 ***MATTERS***

6 ***Subtitle A—Maritime***

7 ***Administration***

8 ***SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINIS-***
 9 ***TRATION.***

10 (a) *IN GENERAL.*—*There are authorized to be appro-*
 11 *riated to the Department of Transportation for fiscal year*
 12 *2022, to be available without fiscal year limitation if so*
 13 *provided in appropriations Acts, for programs associated*
 14 *with maintaining the United States merchant marine, the*
 15 *following amounts:*

16 (1) *For expenses necessary for operations of the*
 17 *United States Merchant Marine Academy,*
 18 *\$90,532,000, of which—*

19 (A) *\$85,032,000 shall be for Academy oper-*
 20 *ations; and*

21 (B) *\$5,500,000 shall remain available until*
 22 *expended for capital asset management at the*
 23 *Academy.*

24 (2) *For expenses necessary to support the State*
 25 *maritime academies, \$358,300,000, of which—*

1 (A) \$2,400,000 shall remain available until
2 September 30, 2026, for the Student Incentive
3 Program; and

4 (B) \$30,500,000 shall remain available
5 until expended for maintenance and repair of
6 State maritime academy training vessels.

7 (3) For expenses necessary to support the Na-
8 tional Security Multi-Mission Vessel Program,
9 \$315,600,000, which shall remain available until ex-
10 pended.

11 (4) For expenses necessary to support Maritime
12 Administration operations and programs,
13 \$60,853,000.

14 (5) For expenses necessary to dispose of vessels in
15 the National Defense Reserve Fleet, \$10,000,000,
16 which shall remain available until expended.

17 (6) For expenses necessary to maintain and pre-
18 serve a United States flag merchant marine to serve
19 the national security needs of the United States under
20 chapter 531 of title 46, United States Code,
21 \$318,000,000.

22 (7) For expenses necessary for the loan guarantee
23 program authorized under chapter 537 of title 46,
24 United States Code, \$33,000,000, of which—

1 (A) \$30,000,000 may be used for the cost
2 (as defined in section 502(5) of the Federal Cred-
3 it Reform Act of 1990 (2 U.S.C. 661a(5))) of
4 loan guarantees under the program; and

5 (B) \$3,000,000 may be used for administra-
6 tive expenses relating to loan guarantee commit-
7 ments under the program.

8 (8) For expenses necessary to provide for the
9 Tanker Security Fleet, as authorized under chapter
10 534 of title 46, United States Code, \$60,000,000, to
11 remain available until expended.

12 (9) For expenses necessary to support maritime
13 environmental and technical assistance activities au-
14 thorized under section 50307 of title 46, United States
15 Code, \$6,000,000, of which \$3,000,000 is authorized
16 to carry out activities related to port and vessel air
17 emission reduction technologies, including zero emis-
18 sions technologies; and

19 (10) For expenses necessary to support marine
20 highway program activities authorized under chapter
21 556 of such title, \$11,000,000.

22 (11) For expenses necessary to provide assistance
23 to small shipyards authorized under section 54101 of
24 title 46, United States Code, \$20,000,000.

1 (12) *For expenses necessary to support port de-*
2 *velopment activities authorized under subsections (a)*
3 *and (b) of section 54301 of such title (as added by*
4 *this title), \$750,000,000.*

5 (b) *LIMITATION.—No amounts authorized under sub-*
6 *section (a)(11) may be used to provide a grant to purchase*
7 *fully automated cargo handling equipment that is remotely*
8 *operated or remotely monitored with or without the exercise*
9 *of human intervention or control, if the Secretary deter-*
10 *mines such equipment would result in a net loss of jobs*
11 *within a port or port terminal.*

12 **SEC. 3502. MARITIME ADMINISTRATION.**

13 (a) *IN GENERAL.—*

14 (1) *Part A of subtitle V of title 46, United States*
15 *Code, is amended by inserting before chapter 501 the*
16 *following:*

17 **“CHAPTER 500—MARITIME**
18 **ADMINISTRATION**

 “Sec.
 “50001. *Maritime Administration.*

19 **“§ 50001. Maritime Administration”.**

20 (2) *Section 109 of title 49, United States Code,*
21 *is redesignated as section 50001 of title 46, United*
22 *States Code, and transferred to appear in chapter 500*
23 *of such title (as added by paragraph (1)).*

24 (b) *CLERICAL AMENDMENTS.—*

1 (1) *The table of chapters for subtitle V of title 46,*
 2 *United States Code, as amended by this title, is fur-*
 3 *ther amended by inserting before the item relating to*
 4 *chapter 501 the following:*

 “**500. Maritime Administration****50001**”.

5 (2) *The analysis for chapter 1 of title 49, United*
 6 *States Code, is amended by striking the item relating*
 7 *to section 109.*

8 **Subtitle B—Other Matters**

9 **SEC. 3511. EFFECTIVE PERIOD FOR ISSUANCE OF DOCU-** 10 **MENTATION FOR RECREATIONAL VESSELS.**

11 *Section 12105(e)(2) of title 46, United States Code, is*
 12 *amended—*

13 (1) *by striking subparagraphs (A) and (B) and*
 14 *inserting the following:*

15 “(A) *IN GENERAL.—The owner or operator*
 16 *of a recreational vessel may choose a period of ef-*
 17 *fectiveness of between 1 and 5 years for a certifi-*
 18 *cate of documentation for a recreational vessel or*
 19 *the renewal thereof.”; and*

20 (2) *by redesignating subparagraph (C) as sub-*
 21 *paragraph (B).*

22 **SEC. 3512. AMERICA’S MARINE HIGHWAY PROGRAM.**

23 (a) *AMERICA’S MARINE HIGHWAY PROGRAM.—Section*
 24 *55601 of title 46, United States Code, is amended to read*
 25 *as follows:*

1 **“§ 55601. America’s marine highway program**

2 “(a) PROGRAM.—

3 “(1) IN GENERAL.—*The Secretary of Transpor-*
4 *tation shall—*

5 “(A) *establish a marine highway program*
6 *to be known as America’s marine highway pro-*
7 *gram;*

8 “(B) *designate marine highway routes*
9 *under subsection (c);*

10 “(C) *designate marine highway transpor-*
11 *tation projects under subsection (d); and*

12 “(D) *subject to the availability of appro-*
13 *priations, provide assistance under subsection*
14 *(e).*

15 “(2) PROGRAM ACTIVITIES.—*In carrying out the*
16 *marine highway program established under para-*
17 *graph (1), the Secretary may—*

18 “(A) *coordinate with ports, State depart-*
19 *ments of transportation, localities, other public*
20 *agencies, and the private sector on the develop-*
21 *ment of landside facilities and infrastructure to*
22 *support marine highway transportation;*

23 “(B) *develop performance measures for such*
24 *marine highway program;*

1 “(C) collect and disseminate data for the
2 *designation and delineation of marine highway*
3 *transportation routes under subsection (c); and*

4 “(D) conduct research on solutions to im-
5 *pediments to marine highway transportation*
6 *projects designated under subsection (d).*

7 “(b) *CRITERIA.—Routes designated under subsection*
8 *(c) and projects designated under subsection (d) shall—*

9 “(1) *provide a coordinated and capable alter-*
10 *native to landside transportation;*

11 “(2) *mitigate or relieve landside congestion; or*

12 “(3) *promote marine highway transportation.*

13 “(c) *MARINE HIGHWAY TRANSPORTATION ROUTES.—*
14 *The Secretary shall designate marine highway transpor-*
15 *tation routes that meet the criteria established in subsection*
16 *(b) as extensions of the surface transportation system.*

17 “(d) *PROJECT DESIGNATION.—The Secretary may*
18 *designate a project that meets the criteria established in*
19 *subsection (b) to be a marine highway transportation*
20 *project if the Secretary determines that such project uses*
21 *vessels documented under chapter 121 and—*

22 “(1) *develops, expands or promotes—*

23 “(A) *marine highway transportation serv-*
24 *ices;*

1 “(B) shipper utilization of marine highway
2 transportation; or

3 “(C) port and landside infrastructure for
4 which assistance is not available under section
5 54301; or

6 “(2) implements strategies developed under sec-
7 tion 55603.

8 “(e) ASSISTANCE.—

9 “(1) IN GENERAL.—The Secretary may make
10 grants, or enter into contracts or cooperative agree-
11 ments, to implement projects or components of a
12 project designated under subsection (d).

13 “(2) APPLICATION.—To receive a grant or enter
14 into a contract or cooperative agreement under the
15 program, an applicant shall—

16 “(A) submit an application to the Secretary
17 in such form and manner, at such time, and
18 containing such information as the Secretary
19 may require; and

20 “(B) demonstrate to the satisfaction of the
21 Secretary that—

22 “(i) the project is financially viable;

23 “(ii) the funds or other assistance re-
24 ceived will be spent or used efficiently and
25 effectively; and

1 “(iii) a market exists for the services of
2 the proposed project, as evidenced by con-
3 tracts or written statements of intent from
4 potential customers.

5 “(3) *NON-FEDERAL SHARE*.—An applicant shall
6 provide at least 20 percent of the project costs from
7 non-Federal sources. In awarding grants or entering
8 in contracts or cooperative agreements under this sub-
9 section, the Secretary shall give a preference to those
10 projects or components that present the most finan-
11 cially viable transportation services and require the
12 lowest percentage Federal share of the costs.”.

13 “(b) *MULTISTATE, STATE, AND REGIONAL TRANSPOR-*
14 *TATION PLANNING*.—Chapter 556 of title 46, United States
15 Code, is amended by inserting after section 55602 the fol-
16 lowing:

17 “**§ 55603. Multistate, State, and regional transpor-**
18 **tation planning**

19 “(a) *IN GENERAL*.—The Secretary, in consultation
20 with Federal entities, State and local governments, and the
21 private sector, may develop strategies to encourage the use
22 of marine highways transportation for transportation of
23 passengers and cargo.

24 “(b) *STRATEGIES*.—In developing the strategies de-
25 scribed in subsection (a), the Secretary may—

1 “(1) assess the extent to which States and local
2 governments include marine highway transportation
3 and other marine transportation solutions in trans-
4 portation planning;

5 “(2) encourage State departments of transpor-
6 tation to develop strategies, where appropriate, to in-
7 corporate marine highway transportation, ferries,
8 and other marine transportation solutions for re-
9 gional and interstate transport of freight and pas-
10 sengers in transportation planning; and

11 “(3) encourage groups of States and multi-State
12 transportation entities to determine how marine high-
13 ways can address congestion, bottlenecks, and other
14 interstate transportation challenges.”.

15 (c) *CLERICAL AMENDMENTS.*—*The analysis for chap-*
16 *ter 556 of title 46, United States Code, is amended—*

17 (1) *by striking the item relating to section 55601*
18 *and inserting the following:*

 “55601. *America’s marine highway program.*”; and

19 (2) *by inserting after the item relating to section*
20 *55602 the following:*

 “55603. *Multistate, State, and regional transportation planning.*”.

21 **SEC. 3513. COMMITTEES ON MARITIME MATTERS.**

22 (a) *IN GENERAL.*—

1 (1) Chapter 555 of title 46, United States Code,
2 is redesignated as chapter 504 of such title and trans-
3 ferred to appear after chapter 503 of such title.

4 (2) Chapter 504 of such title, as redesignated by
5 paragraph (1), is amended in the chapter heading by
6 striking “**MISCELLANEOUS**” and inserting
7 “**COMMITTEES**”.

8 (3) Sections 55501 and 55502 of such title are
9 redesignated as section 50401 and section 50402, re-
10 spectively, of such title and transferred to appear in
11 chapter 504 of such title (as redesignated by para-
12 graph (1)).

13 (4) The section heading for section 50401 of such
14 title, as redesignated by paragraph (3), is amended to
15 read as follows: “UNITED STATES COMMITTEE ON THE
16 MARINE TRANSPORTATION SYSTEM”.

17 (b) *CONFORMING AMENDMENT.*—Section 8332(b)(1) of
18 the *Elijah E. Cummings Coast Guard Authorization Act*
19 of 2020 (division G of the *William M. (Mac) Thornberry*
20 *National Defense Authorization Act for Fiscal Year 2021*
21 (Public Law 116–283)) is amended by striking “section
22 55502” and inserting “section 50402”.

23 (c) *CLERICAL AMENDMENTS.*—

1 (1) *The analysis for chapter 504 of title 46,*
2 *United States Code, as redesignated by subsection*
3 *(a)(1), is amended to read as follows:*

“CHAPTER 504—COMMITTEES

“Sec.

“50401. *United States Committee on the Marine Transportation System.*

“50402. *Maritime Transportation System National Advisory Committee.*”.

4 (2) *The table of chapters for subtitle V of title 46,*
5 *United States Code, is amended—*

6 (A) *by inserting after the item relating to*
7 *chapter 503 the following:*

“504. **Committees**50401”; and

8 (B) *by striking the item relating to chapter*
9 555.

10 **SEC. 3514. PORT INFRASTRUCTURE DEVELOPMENT PRO-**
11 **GRAM.**

12 (a) *IN GENERAL.—*

13 (1) *Part C of subtitle V of title 46, United States*
14 *Code, is amended by adding at the end the following:*

15 **“CHAPTER 543—PORT INFRASTRUCTURE**
16 **DEVELOPMENT PROGRAM**

“Sec.

“54301. *Port infrastructure development program.*

17 **“§ 54301. Port infrastructure development program”.**

18 (2) *Subsections (c), (d), and (e) of section 50302*
19 *of such title are redesignated as subsections (a), (b),*
20 *and (c) of section 54301 of such title, respectively,*

1 *and transferred to appear in chapter 543 of such title*
2 *(as added by paragraph (1)).*

3 **(b) AMENDMENTS TO SECTION 54301.**—*Section 54301*
4 *of such title, as redesignated by subsection (a)(2), is amend-*
5 *ed—*

6 **(1) in subsection (a)—**

7 **(A) in paragraph (2) by striking “or sub-**
8 **section (d)” and inserting “or subsection (b)”;**

9 **(B) in paragraph (3)(A)(i)—**

10 **(i) in subclause (II) by striking “; or”**
11 **and inserting a semicolon; and**

12 **(ii) by adding at the end the following:**

13 **“(IV) emissions mitigation meas-**
14 **ures directly related to reducing the**
15 **overall carbon footprint from port op-**
16 **erations; or”;**

17 **(C) in paragraph (5)—**

18 **(i) in subparagraph (A) by striking**
19 **“or subsection (d)” and inserting “or sub-**
20 **section (b)”;** *and*

21 **(ii) in subparagraph (B) by striking**
22 **“subsection (d)” and inserting “subsection**
23 **(b)”;**

24 **(D) in paragraph (6)—**

25 **(i) in subparagraph (A)(i)—**

1 (I) by striking “movement of
2 goods through a port or intermodal
3 connection to a port” and inserting
4 “movement of—”; and

5 (II) by adding at the end the fol-
6 lowing new subclauses:

7 “(I) goods through a port or inter-
8 modal connection to a port; or

9 “(II) passengers through an emis-
10 sion mitigation measure under para-
11 graph (3)(A)(i)(IV) that provides for
12 the use of shore power for vessels to
13 which sections 3507 and 3508 apply.”;
14 and

15 (ii) in subparagraph (B)—

16 (I) in clause (i) by striking “;
17 and” and inserting a semicolon;

18 (II) in clause (ii) by striking the
19 period and inserting “; and”; and

20 (III) by adding at the end the fol-
21 lowing:

22 “(iii) projects that increase the port’s
23 resilience to sea-level rise, flooding, extreme
24 weather events, including events associated
25 with climate change.”;

1 (E) in paragraph (7)—

2 (i) in subparagraph (B), by striking
3 “subsection (d)” in each place it appears
4 and inserting “subsection (b)”; and

5 (ii) in subparagraph (C) by striking
6 “subsection (d)(3)(A)(ii)(III)” and inserting
7 “subsection (b)(3)(A)(ii)(III)”;

8 (F) in paragraph (8)—

9 (i) in subparagraph (A) by striking
10 “or subsection (d)” and inserting “or sub-
11 section (b)”; and

12 (ii) in subparagraph (B)—

13 (I) in clause (i) by striking “sub-
14 section (d)” and inserting “subsection
15 (b)”; and

16 (II) in clause (ii) by striking
17 “subsection (d)” and inserting “sub-
18 section (b)”;

19 (G) in paragraph (9) by striking “sub-
20 section (d)” and inserting “subsection (b)”;

21 (H) in paragraph (10) by striking “sub-
22 section (d)” and inserting “subsection (b)”; and

23 (I) in paragraph (12)—

24 (i) by striking “subsection (d)” and in-
25 serting “subsection (b)”; and

1 (ii) by adding at the end the following:

2 “(D) *RESILIENCE*.—The term ‘resilience’
3 means the ability to anticipate, prepare for,
4 adapt to, withstand, respond to, and recover
5 from operational disruptions and sustain critical
6 operations at ports, including disruptions caused
7 by natural or manmade hazards.

8 “(E) *CARBON FOOTPRINT*.—The term ‘car-
9 bon footprint’ means the total carbon-based pol-
10 lutants, products, and any greenhouse gases that
11 are emitted into the atmosphere resulting from
12 the consumption of fossil fuels.

13 “(F) *CLIMATE CHANGE*.—The term ‘climate
14 change’ means detectable changes in 1 or more
15 climate system components over multiple dec-
16 ades, including—

17 “(i) changes in the average tempera-
18 ture of the atmosphere or ocean;

19 “(ii) changes in regional precipitation,
20 winds, and cloudiness; and

21 “(iii) changes in the severity or dura-
22 tion of extreme weather, including droughts,
23 floods, and storms.”;

24 (2) in subsection (b)—

1 (A) in the subsection heading by striking
2 “INLAND” and inserting “INLAND RIVER”;

3 (B) in paragraph (1) by striking “sub-
4 section (c)(7)(B)” and inserting “subsection
5 (a)(7)(B)”;

6 (C) in paragraph (3)(A)(i)(III) by striking
7 “subsection (c)(3)(B)” and inserting “subsection
8 (a)(3)(B)”;

9 (D) in paragraph (5)(A) by striking “sub-
10 section (c)(8)(B)” and inserting “subsection
11 (a)(8)(B)”;

12 (3) in subsection (c)—

13 (A) by striking “subsection (c) or subsection
14 (d)” and inserting “subsection (a) or subsection
15 (b)”;

16 (B) by striking “subsection (c)(2)” and in-
17 serting “subsection (a)(2)”.

18 (c) *CLERICAL AMENDMENTS.*—The table of chapters
19 for subtitle V of title 46, United States Code, as amended
20 by this title, is further amended by inserting after the item
21 relating to chapter 541 the following:

 “**543. Port Infrastructure Development Program54301**”.

22 **SEC. 3515. USES OF EMERGING MARINE TECHNOLOGIES**
23 **AND PRACTICES.**

24 Section 50307 of title 46, United States Code, is
25 amended—

1 (1) *by redesignating subsection (e) as subsection*
2 *(f);*

3 (2) *by inserting after subsection (d) the fol-*
4 *lowing:*

5 “(e) *USES.—The results of activities conducted under*
6 *subsection (b)(1) shall be used to inform—*

7 *“(1) the policy decisions of the United States re-*
8 *lated to domestic regulations; and*

9 *“(2) the position of the United States on matters*
10 *before the International Maritime Organization.”;*
11 *and*

12 (3) *by adding at the end the following:*

13 “(g) *AIR EMISSIONS DEFINED.—In this section, the*
14 *term ‘air emissions’ means release into the air of—*

15 *“(1) air pollutants, as such term is defined in*
16 *section 302 of the Clean Air Act (42 U.S.C. 7602); or*

17 *“(2) gases listed in section 731(2) of the Global*
18 *Environmental Protection Assistance Act of 1989 (22*
19 *U.S.C. 7901(2)).”.*

20 **SEC. 3516. PROHIBITION ON PARTICIPATION OF LONG**
21 **TERM CHARTERS IN TANKER SECURITY**
22 **FLEET.**

23 (a) *DEFINITION OF LONG TERM CHARTER.—Section*
24 *53401 of title 46, United States Code, is amended by adding*
25 *at the end the following new paragraph:*

1 “(8) *LONG TERM CHARTER.*—*The term ‘long*
2 *term charter’ means any time charter of a product*
3 *tank vessel to the United States Government that to-*
4 *gether with options is for more than 180 days.’.*”

5 (b) *PARTICIPATION OF LONG TERM CHARTERS IN*
6 *TANKER SECURITY FLEET.*—*Section 53404(b) of such title*
7 *is amended—*

8 (1) *by striking “The program participant of a”*
9 *and inserting “Any”;*

10 (2) *by inserting “long term” before “charter”;*

11 (3) *by inserting “not” before “eligible”; and*

12 (4) *by striking “receive payments pursuant to*
13 *any operating agreement that covers such vessel” and*
14 *inserting “participate in the Fleet”.*

15 **SEC. 3517. COASTWISE ENDORSEMENT.**

16 *Notwithstanding sections 12112 of title 46, United*
17 *States Code, the Secretary of the department in which the*
18 *Coast Guard is operating may issue a certificate of docu-*
19 *mentation with a coastwise endorsement for the vessel*
20 *WIDGEON (United States official number 1299656).*

1 **SEC. 3518. REPORT ON EFFORTS OF COMBATANT COM-**
2 **MANDS TO COMBAT THREATS POSED BY ILLE-**
3 **GAL, UNREPORTED, AND UNREGULATED**
4 **FISHING.**

5 (a) *REPORT REQUIRED.*—Not later than 180 days
6 after the date of the enactment of this Act, the Secretary
7 of the Navy, in consultation with the Director of the Office
8 of Naval Research and the heads of other relevant agencies,
9 as determined by the Secretary, shall submit to the Com-
10 mittee on Armed Services, the Committee on Commerce,
11 Science, and Transportation, the Committee on Foreign Re-
12 lations, and the Committee on Appropriations of the Senate
13 and the Committee on Armed Services, the Committee on
14 Natural Resources, the Committee on Transportation and
15 Infrastructure, the Committee on Foreign Affairs, and the
16 Committee on Appropriations of the House of Representa-
17 tives a report on the combatant commands' maritime do-
18 main awareness efforts to combat the threats posed by ille-
19 gal, unreported, and unregulated fishing.

20 (b) *CONTENTS OF REPORT.*—The report required by
21 subsection (a) shall include a detailed summary of each of
22 the following for each combatant command:

23 (1) *The activities undertaken to date to combat*
24 *the threats posed by illegal, unreported, and unregu-*
25 *lated fishing in the geographic area of the combatant*

1 *command, including the steps taken to build partner*
2 *capacity to combat such threats.*

3 (2) *Coordination with the Armed Forces of the*
4 *United States, partner nations, and public-private*
5 *partnerships to combat such threats.*

6 (3) *Efforts undertaken to support unclassified*
7 *data integration, analysis, and delivery with regional*
8 *partners to combat such threats.*

9 (4) *Best practices and lessons learned from exist-*
10 *ing and previous efforts relating to such threats, in-*
11 *cluding strategies for coordination and successes in*
12 *public-private partnerships.*

13 (5) *Limitations related to affordability, resource*
14 *constraints, or other gaps or factors that constrain the*
15 *success or expansion of efforts related to such threats.*

16 (6) *Any new authorities needed to support efforts*
17 *to combat the threats posed by illegal, unreported,*
18 *and unregulated fishing.*

19 (c) *FORM OF REPORT.*—*The report required by sub-*
20 *section (a) shall be submitted in unclassified form, but may*
21 *include a classified annex.*

22 **SEC. 3519. COAST GUARD YARD IMPROVEMENT.**

23 *Of the amounts authorized to be appropriated under*
24 *section 4902(2)(A)(ii) of title 14, United States Code, for*
25 *fiscal year 2022, \$175,000,000 shall be made available to*

1 *the Commandant to improve facilities at the Coast Guard*
2 *Yard in Baltimore, Maryland, including improvements to*
3 *dock, dry dock, capital equipment improvements, or dredg-*
4 *ing necessary to facilitate access to such Yard.*

5 **SEC. 3520. AUTHORIZATION TO PURCHASE DUPLICATE**
6 **MEDALS.**

7 (a) *IN GENERAL.*—*The Secretary of Transportation,*
8 *acting through the Administrator of the Maritime Adminis-*
9 *tration, may use funds appropriated for the fiscal year in*
10 *which the date of the enactment of this Act occurs, or funds*
11 *appropriated for any prior fiscal year, for the Maritime*
12 *Administration to purchase duplicate medals authorized*
13 *under the Merchant Mariners of World War II Congres-*
14 *sional Gold Medal Act of 2020 (Public Law 116–125) and*
15 *provide such medals to eligible individuals who engaged in*
16 *qualified service who submit an application under sub-*
17 *section (b) and were United States merchant mariners of*
18 *World War II.*

19 (b) *APPLICATION.*—*To be eligible to receive a medal*
20 *described in subsection (a), an eligible individual who en-*
21 *gaged in qualified service shall submit to the Administrator*
22 *an application containing such information and assurances*
23 *as the Administrator may require.*

24 (c) *ELIGIBLE INDIVIDUAL WHO ENGAGED IN QUALI-*
25 *FIED SERVICE.*—*In this section, the term “eligible indi-*

1 *vidual who engaged in qualified service” means an indi-*
2 *vidual who, between December 7, 1941, and December 31,*
3 *1946—*

4 *(1) was a member of the United States merchant*
5 *marine, including the Army Transport Service and*
6 *the Navy Transport Service, serving as a crewmember*
7 *of a vessel that was—*

8 *(A) operated by the War Shipping Admin-*
9 *istration, the Office of Defense Transportation,*
10 *or an agent of such departments;*

11 *(B) operated in waters other than inland*
12 *waters, the Great Lakes, and other lakes, bays, or*
13 *harbors of the United States;*

14 *(C) under contract or charter to, or prop-*
15 *erty of, the Government of the United States;*
16 *and*

17 *(D) serving in the Armed Forces; and*

18 *(2) while so serving, was licensed or otherwise*
19 *documented for service as a crewmember of such a*
20 *vessel by an officer or employee of the United States*
21 *authorized to license or document the person for such*
22 *service.*

1 ***DIVISION D—FUNDING TABLES***

2 ***SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-***
3 ***BLES.***

4 *(a) AUTHORIZATION.—Whenever a funding table in*
5 *this division specifies a dollar amount authorized for a*
6 *project, program, or activity, the obligation and expendi-*
7 *ture of the specified dollar amount for the project, program,*
8 *or activity is hereby authorized, subject to the availability*
9 *of appropriations.*

10 *(b) MERIT-BASED DECISIONS.—*

11 *(1) IN GENERAL.—A decision to commit, obli-*
12 *gate, or expend funds with or to a specific entity on*
13 *the basis of a dollar amount authorized pursuant to*
14 *subsection (a) shall—*

15 *(A) except as provided in paragraph (2), be*
16 *based on merit-based selection procedures in ac-*
17 *cordance with the requirements of sections*
18 *2304(k) and 2374 of title 10, United States Code,*
19 *or on competitive procedures; and*

20 *(B) comply with other applicable provisions*
21 *of law.*

22 *(2) EXCEPTION.—Paragraph (1)(A) does not*
23 *apply to a decision to commit, obligate, or expend*
24 *funds on the basis of a dollar amount authorized pur-*

1 *suant to subsection (a) if the project, program, or ac-*
2 *tivity involved—*

3 *(A) is listed in section 4201; and*

4 *(B) is identified as Community Project*
5 *Funding through the inclusion of the abbrevia-*
6 *tion “CPF” immediately before the name of the*
7 *project, program, or activity.*

8 *(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING*
9 *AUTHORITY.—An amount specified in the funding tables in*
10 *this division may be transferred or reprogrammed under*
11 *a transfer or reprogramming authority provided by another*
12 *provision of this Act or by other law. The transfer or re-*
13 *programming of an amount specified in such funding tables*
14 *shall not count against a ceiling on such transfers or*
15 *reprogrammings under section 1001 or section 1512 of this*
16 *Act or any other provision of law, unless such transfer or*
17 *reprogramming would move funds between appropriation*
18 *accounts.*

19 *(d) APPLICABILITY TO CLASSIFIED ANNEX.—This sec-*
20 *tion applies to any classified annex that accompanies this*
21 *Act.*

22 *(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral*
23 *or written communication concerning any amount specified*
24 *in the funding tables in this division shall supersede the*
25 *requirements of this section.*

1 **TITLE XLI—PROCUREMENT**

2 **SEC. 4101. PROCUREMENT.**

SEC. 4101. PROCUREMENT <i>(In Thousands of Dollars)</i>			
Line	Item	FY 2022 Request	House Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
001	UTILITY F/W AIRCRAFT		20,000
	Avionics upgrade		[20,000]
004	SMALL UNMANNED AIRCRAFT SYSTEM	16,005	16,005
ROTARY			
007	AH-64 APACHE BLOCK IIIA REMAN	504,136	494,136
	Unit cost growth		[-10,000]
008	AH-64 APACHE BLOCK IIIA REMAN AP	192,230	192,230
010	UH-60 BLACKHAWK M MODEL (MYP)	630,263	582,263
	Unit cost growth		[-48,000]
011	UH-60 BLACKHAWK M MODEL (MYP) AP	146,068	357,568
	UH-60 Black Hawk for Army Guard		[211,500]
012	UH-60 BLACK HAWK L AND V MODELS	166,205	166,205
013	CH-47 HELICOPTER	145,218	397,218
	Army UPL		[111,100]
	Program increase—F Block II Army UPL		[140,900]
014	CH-47 HELICOPTER AP	18,559	47,559
	Program increase—F Block II		[29,000]
MODIFICATION OF AIRCRAFT			
017	GRAY EAGLE MODS2	3,143	33,143
	Recapitalization of MQ-1 aircraft to extended range Multi Domain Operations configuration		[30,000]
018	MULTI SENSOR ABN RECON	127,665	115,910
	ABN ISR Mods—insufficient justification		[-4,000]
	ARL Payloads—MEP SIL reduction		[-3,000]
	Unjustified cost—spares		[-4,755]
019	AH-64 MODS	118,560	113,560
	Unjustified cost—Spike NLOS integration		[-5,000]
020	CH-47 CARGO HELICOPTER MODS (MYP)	9,918	9,918
021	GRCS SEMA MODS	2,762	2,762
022	ARL SEMA MODS	9,437	9,437
023	EMARSS SEMA MODS	1,568	1,568
024	UTILITY/CARGO AIRPLANE MODS	8,530	8,530
025	UTILITY HELICOPTER MODS	15,826	51,826
	Program increase		[11,000]
	UH-72 modernization		[25,000]
026	NETWORK AND MISSION PLAN	29,206	29,206
027	COMMS, NAV SURVEILLANCE	58,117	58,117
029	AVIATION ASSURED PNT	47,028	45,862
	Excess to need		[-1,166]
030	GATM ROLLUP	16,776	16,776
032	UAS MODS	3,840	3,840
GROUND SUPPORT AVIONICS			
033	AIRCRAFT SURVIVABILITY EQUIPMENT	64,561	64,561
034	SURVIVABILITY CM	5,104	5,104
035	CMWS	148,570	148,570
036	COMMON INFRARED COUNTERMEASURES (CIRCM)	240,412	240,412
OTHER SUPPORT			
038	COMMON GROUND EQUIPMENT	13,561	13,561
039	AIRCREW INTEGRATED SYSTEMS	41,425	41,425
040	AIR TRAFFIC CONTROL	21,759	21,759
	TOTAL AIRCRAFT PROCUREMENT, ARMY	2,806,452	3,309,031
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
002	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN	35,473	35,473
003	M-SHORAD—PROCUREMENT	331,575	331,575
004	MSE MISSILE	776,696	776,696
005	PRECISION STRIKE MISSILE (PRSM)	166,130	166,130
006	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	25,253	20,253
	Maintain level of effort		[-5,000]
AIR-TO-SURFACE MISSILE SYSTEM			
007	HELLFIRE SYS SUMMARY	118,800	115,800
	Unit cost growth		[-3,000]
008	JOINT AIR-TO-GROUND MSLS (JAGM)	152,177	214,177
	Army UPL		[67,000]
	Unit cost growth		[-5,000]
009	LONG RANGE PRECISION MUNITION	44,744	40,744
	Early to need		[-4,000]
ANTI-TANK/ASSAULT MISSILE SYS			
010	JAVELIN (AAWS-M) SYSTEM SUMMARY	120,842	130,842

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
	Early to need		[-5,000]
	JAVELIN Lightweight Command Launch Units (LWCLU)—Army UPL		[15,000]
011	TOW 2 SYSTEM SUMMARY	104,412	102,412
	Excess to need		[-2,000]
012	GUIDED MLRS ROCKET (GMLRS)	935,917	975,917
	Army UPL		[20,000]
	Previously funded		[-30,000]
	Program increase—Army UPL		[50,000]
013	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	29,574	29,574
014	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	128,438	128,438
016	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS)	68,278	68,278
	MODIFICATIONS		
017	PATRIOT MODS	205,469	205,469
021	AVENGER MODS	11,227	11,227
022	ITAS/TOW MODS	4,561	4,561
023	MLRS MODS	273,856	273,856
024	HIMARS MODIFICATIONS	7,192	7,192
	SPARES AND REPAIR PARTS		
025	SPARES AND REPAIR PARTS	5,019	5,019
	SUPPORT EQUIPMENT & FACILITIES		
026	AIR DEFENSE TARGETS	10,618	10,618
	TOTAL MISSILE PROCUREMENT, ARMY	3,556,251	3,654,251
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	ARMORED MULTI PURPOSE VEHICLE (AMPV)	104,727	104,727
002	ASSAULT BREACHER VEHICLE (ABV)	16,454	16,454
003	MOBILE PROTECTED FIREPOWER	286,977	286,977
	MODIFICATION OF TRACKED COMBAT VEHICLES		
005	STRYKER UPGRADE	1,005,028	1,120,028
	Excess growth		[-24,000]
	Program increase		[139,000]
006	BRADLEY PROGRAM (MOD)	461,385	564,704
	Program increase		[46,350]
	Program increase for IBAS—Army UPL		[56,969]
007	M109 FOV MODIFICATIONS	2,534	2,534
008	PALADIN INTEGRATED MANAGEMENT (PIM)	446,430	673,430
	Program increase		[77,515]
	Program increase Army UPL		[149,485]
009	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	52,059	52,059
010	ASSAULT BRIDGE (MOD)	2,136	2,136
013	JOINT ASSAULT BRIDGE	110,773	110,773
	Cost growth		[-4,000]
	Program increase		[4,000]
015	ABRAMS UPGRADE PROGRAM	981,337	1,350,337
	Army UPL		[234,457]
	Excess carryover		[-40,457]
	Program increase		[175,000]
016	VEHICLE PROTECTION SYSTEMS (VPS)	80,286	80,286
	WEAPONS & OTHER COMBAT VEHICLES		
018	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	31,623	31,623
019	MORTAR SYSTEMS	37,485	50,338
	Mortar cannons—Army UPL		[12,853]
020	XM320 GRENADE LAUNCHER MODULE (GLM)	8,666	8,666
021	PRECISION SNIPER RIFLE	11,040	11,040
023	CARBINE	4,434	4,434
024	NEXT GENERATION SQUAD WEAPON	97,087	97,087
026	HANDGUN	4,930	4,930
	MOD OF WEAPONS AND OTHER COMBAT VEH		
027	MK-19 GRENADE MACHINE GUN MODS	13,027	13,027
028	M777 MODS	21,976	23,771
	S/W Defined Radio-Hardware Integration kits—Army UPL		[1,795]
030	M2 50 CAL MACHINE GUN MODS	3,612	21,527
	M2A1 machine guns—Army UPL		[17,915]
	SUPPORT EQUIPMENT & FACILITIES		
036	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	1,068	1,068
037	PRODUCTION BASE SUPPORT (WOCV-WTCV)	90,819	90,819
	TOTAL PROCUREMENT OF W&TCV, ARMY	3,875,893	4,722,775
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	47,490	79,890
	Program increase		[16,480]
	Small Caliber Ammo—Army UPL		[15,920]
002	CTG, 7.62MM, ALL TYPES	74,870	103,343
	Program increase		[28,473]
003	NEXT GENERATION SQUAD WEAPON AMMUNITION	76,794	76,794
004	CTG, HANDGUN, ALL TYPES	7,812	7,812

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
005	CTG, .50 CAL, ALL TYPES	29,716	58,116
	Program increase		[28,400]
006	CTG, 20MM, ALL TYPES	4,371	4,371
008	CTG, 30MM, ALL TYPES	34,511	34,511
009	CTG, 40MM, ALL TYPES	35,231	49,231
	Medium Caliber Ammo—Army UPL		[14,000]
	MORTAR AMMUNITION		
010	60MM MORTAR, ALL TYPES	23,219	23,219
011	81MM MORTAR, ALL TYPES	52,135	52,135
012	120MM MORTAR, ALL TYPES	104,144	104,144
	TANK AMMUNITION		
013	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	224,503	218,503
	Early to need		[-6,000]
	ARTILLERY AMMUNITION		
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	26,709	54,753
	Army UPL		[30,844]
	Prior-year carryover		[-2,800]
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES	174,015	148,015
	Prior-year carryover		[-26,000]
016	PROJ 155MM EXTENDED RANGE M982	73,498	61,498
	Unit cost growth		[-12,000]
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	150,873	150,873
	MINES		
018	MINES & CLEARING CHARGES, ALL TYPES	25,980	20,980
	Excess to need		[-5,000]
019	CLOSE TERRAIN SHAPING OBSTACLE	34,761	29,761
	Contract Delay		[-5,000]
	ROCKETS		
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	24,408	22,408
	Excess to need		[-2,000]
021	ROCKET, HYDRA 70, ALL TYPES	109,536	123,336
	Program increase		[13,800]
	OTHER AMMUNITION		
022	CAD/PAD, ALL TYPES	6,549	6,549
023	DEMOLITION MUNITIONS, ALL TYPES	27,904	27,904
024	GRENADES, ALL TYPES	37,437	37,437
025	SIGNALS, ALL TYPES	7,530	7,530
026	SIMULATORS, ALL TYPES	8,350	8,350
027	REACTIVE ARMOR TILES	17,755	17,755
	MISCELLANEOUS		
028	AMMO COMPONENTS, ALL TYPES	2,784	2,784
029	ITEMS LESS THAN \$5 MILLION (AMMO)	17,797	17,797
030	AMMUNITION PECULIAR EQUIPMENT	12,290	12,290
031	FIRST DESTINATION TRANSPORTATION (AMMO)	4,331	4,331
032	CLOSEOUT LIABILITIES	99	99
	PRODUCTION BASE SUPPORT		
034	INDUSTRIAL FACILITIES	538,120	642,620
	Demo/Environmental remediation (RAAP)—Army UPL		[40,000]
	Environmental, Safety, Construction, Maintenance and Repair GOCO—Army UPL		[40,000]
	Pyrotechnics Energetic Capability (LCAAP)—Army UPL		[12,000]
	Solvent Propellant Facility (RAAP)—Army UPL		[12,500]
035	CONVENTIONAL MUNITIONS DEMILITARIZATION	139,410	232,410
	Program increase		[93,000]
036	ARMS INITIATIVE	3,178	3,178
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	2,158,110	2,444,727
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
002	SEMITRAILERS, FLATBED:	12,539	18,931
	M872A4 trailer—Army UPL		[6,392]
003	SEMITRAILERS, TANKERS	17,985	17,985
004	HI MOB MULTI-PURP WHLD VEH (HMMWV)	60,706	60,706
005	GROUND MOBILITY VEHICLES (GMV)	29,807	44,807
	Program increase for ISV		[15,000]
008	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	574,562	605,562
	Early to need		[-89,000]
	Program increase		[120,000]
009	TRUCK, DUMP, 20T (CCE)	9,882	29,382
	Heavy Dump, M917A3		[10,000]
	Program increase		[9,500]
010	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	36,885	76,885
	Program Increase		[40,000]
011	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	16,450	13,823
	Cost growth		[-2,627]
012	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	26,256	26,256
013	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	64,282	64,282
014	PLS ESP	16,943	16,943

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Line	Item	FY 2022 Request	House Authorized
015	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV		109,000
	Program increase		[109,000]
017	TACTICAL WHEELED VEHICLE PROTECTION KITS	17,957	17,957
018	MODIFICATION OF IN SVC EQUIP	29,349	212,650
	HMMWV modifications		[183,301]
	NON-TACTICAL VEHICLES		
020	PASSENGER CARRYING VEHICLES	1,232	1,232
021	NONTACTICAL VEHICLES, OTHER	24,246	19,246
	Excess carryover		[-5,000]
	COMM—JOINT COMMUNICATIONS		
022	SIGNAL MODERNIZATION PROGRAM	140,036	140,036
023	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	436,524	429,024
	Excess to need		[-7,500]
025	DISASTER INCIDENT RESPONSE COMMS TERMINAL	3,863	3,863
026	JCSE EQUIPMENT (USRDECOM)	4,845	4,845
	COMM—SATELLITE COMMUNICATIONS		
029	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	97,369	97,369
030	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	120,550	115,550
	Early to need		[-5,000]
031	SHF TERM	38,129	38,129
032	ASSURED POSITIONING, NAVIGATION AND TIMING	115,291	112,791
	Excess to need		[-2,500]
033	SMART-T (SPACE)	15,407	15,407
034	GLOBAL BRDCST SVC—GBS	2,763	2,763
	COMM—C3 SYSTEM		
037	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	99,858	99,858
	COMM—COMBAT COMMUNICATIONS		
038	HANDHELD MANPACK SMALL FORM FIT (HMS)	775,069	730,069
	Cost deviation		[-5,000]
	Single Channel Data Radio program decrease		[-35,000]
	Support cost excess to need		[-5,000]
040	ARMY LINK 16 SYSTEMS	17,749	17,749
042	UNIFIED COMMAND SUITE	17,984	17,984
043	COTS COMMUNICATIONS EQUIPMENT	191,702	185,702
	Unit cost growth		[-6,000]
044	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	15,957	15,957
045	ARMY COMMUNICATIONS & ELECTRONICS	89,441	79,441
	Insufficient justification		[-10,000]
	COMM—INTELLIGENCE COMM		
047	CI AUTOMATION ARCHITECTURE-INTEL	13,317	13,317
048	DEFENSE MILITARY DECEPTION INITIATIVE	5,207	5,207
049	MULTI-DOMAIN INTELLIGENCE	20,095	20,095
	INFORMATION SECURITY		
051	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	987	987
052	COMMUNICATIONS SECURITY (COMSEC)	126,273	126,273
053	DEFENSIVE CYBER OPERATIONS	27,389	31,489
	Cybersecurity / IT network mapping		[4,100]
056	SIO CAPABILITY	21,303	21,303
057	BIOMETRIC ENABLING CAPABILITY (BEC)	914	914
	COMM—LONG HAUL COMMUNICATIONS		
059	BASE SUPPORT COMMUNICATIONS	9,209	24,209
	Land Mobile Radios		[15,000]
	COMM—BASE COMMUNICATIONS		
060	INFORMATION SYSTEMS	219,026	219,026
061	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,875	4,875
064	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	223,001	225,041
	EUCOM—MPE USAREUR		[2,040]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
067	JTT/CIBS-M	5,463	5,463
068	TERRESTRIAL LAYER SYSTEMS (TLS)	39,240	39,240
070	DCGS-A-INTEL	92,613	114,563
	Army UPL		[26,950]
	Program decrease		[-5,000]
071	JOINT TACTICAL GROUND STATION (JTAGS)-INTEL	8,088	8,088
072	TROJAN	30,828	30,828
073	MOD OF IN-SVC EQUIP (INTEL SPT)	39,039	39,039
074	BIOMETRIC TACTICAL COLLECTION DEVICES	11,097	11,097
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
076	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	783	783
077	AIR VIGILANCE (AV)	13,486	10,986
	Program decrease		[-2,500]
079	FAMILY OF PERSISTENT SURVEILLANCE CAP.	14,414	14,414
080	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	19,111	19,111
081	CI MODERNIZATION	421	421
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
082	SENTINEL MODS	47,642	47,642
083	NIGHT VISION DEVICES	1,092,341	828,875
	IVAS program delay		[-213,466]

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Line	Item	FY 2022 Request	House Authorized
	<i>Transfer to RDT&E, Army line 98</i>		[-50,000]
084	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	21,103	21,103
085	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	6,153	6,153
086	FAMILY OF WEAPON SIGHTS (FWS)	184,145	184,145
087	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	2,371	2,371
088	FORWARD LOOKING INFRARED (IFLIR)	11,929	11,929
089	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS)	60,058	60,058
090	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	263,661	259,661
	<i>Excess carryover</i>		[-4,000]
091	JOINT EFFECTS TARGETING SYSTEM (JETS)	62,082	62,082
093	COMPUTER BALLISTICS: LHMC XM32	2,811	2,811
094	MORTAR FIRE CONTROL SYSTEM	17,236	17,236
095	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	2,830	2,830
096	COUNTERFIRE RADARS	31,694	26,694
	<i>Excess to need</i>		[-5,000]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
097	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (.....	49,410	49,410
098	FIRE SUPPORT C2 FAMILY	9,853	9,853
099	AIR & MSL DEFENSE PLANNING & CONTROL SYS	67,193	67,193
100	LAMD BATTLE COMMAND SYSTEM	301,872	291,872
	<i>Excess costs previously funded</i>		[-10,000]
101	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	5,182	5,182
102	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	31,349	31,349
104	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	11,271	11,271
105	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)	16,077	16,077
107	MOD OF IN-SVC EQUIPMENT (ENFIRE)	3,160	9,160
	<i>GPS laser survey equipment</i>		[6,000]
	ELECT EQUIP—AUTOMATION		
108	ARMY TRAINING MODERNIZATION	9,833	9,833
109	AUTOMATED DATA PROCESSING EQUIP	130,924	133,924
	<i>ATRRS Unlimited Data Rights</i>		[3,000]
110	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	44,635	39,635
	<i>Program decrease</i>		[-5,000]
111	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	1,452	1,452
112	HIGH PERF COMPUTING MOD PGM (HPCMP)	69,943	69,943
113	CONTRACT WRITING SYSTEM	16,957	16,957
114	CSS COMMUNICATIONS	73,110	73,110
115	RESERVE COMPONENT AUTOMATION SYS (RCAS)	12,905	12,905
	ELECT EQUIP—SUPPORT		
117	BCT EMERGING TECHNOLOGIES	13,835	13,835
	CLASSIFIED PROGRAMS		
117A	CLASSIFIED PROGRAMS	18,304	18,304
	CHEMICAL DEFENSIVE EQUIPMENT		
119	BASE DEFENSE SYSTEMS (BDS)	62,295	62,295
120	CBRN DEFENSE	55,632	55,632
	BRIDGING EQUIPMENT		
122	TACTICAL BRIDGING	9,625	9,625
123	TACTICAL BRIDGE, FLOAT-RIBBON	76,082	76,082
124	BRIDGE SUPPLEMENTAL SET	19,867	6,867
	<i>Excess carryover</i>		[-13,000]
125	COMMON BRIDGE TRANSPORTER (CBT) RECAP	109,796	99,339
	<i>Cost growth</i>		[-10,457]
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
126	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	5,628	5,628
128	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	26,823	26,823
131	ROBOTICS AND APPLIQUE SYSTEMS	124,233	124,233
	<i>Common Robotic System—Individual (CRS-I) - Army UPL</i>		[10,000]
	<i>Excess carryover CRS-I</i>		[-10,000]
132	RENDER SAFE SETS KITS OUTFITS	84,000	87,158
	<i>Army UPL</i>		[3,158]
	COMBAT SERVICE SUPPORT EQUIPMENT		
134	HEATERS AND ECUS	7,116	5,116
	<i>Contract delay</i>		[-2,000]
135	SOLDIER ENHANCEMENT	1,286	7,786
	<i>Program increase</i>		[6,500]
136	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	9,741	9,741
137	GROUND SOLDIER SYSTEM	150,244	150,244
138	MOBILE SOLDIER POWER	17,815	17,815
139	FORCE PROVIDER	28,860	28,860
140	FIELD FEEDING EQUIPMENT	2,321	2,321
141	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	40,240	40,240
142	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	36,163	36,163
	PETROLEUM EQUIPMENT		
144	QUALITY SURVEILLANCE EQUIPMENT	744	744
145	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	72,296	65,657
	<i>Army UPL</i>		[4,420]
	<i>Excess to need</i>		[-11,059]
	MEDICAL EQUIPMENT		

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Line	Item	FY 2022 Request	House Authorized
146	COMBAT SUPPORT MEDICAL	122,145	128,395
	Mobile digital x-ray units		[6,250]
	MAINTENANCE EQUIPMENT		
147	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	14,756	12,856
	Excess carryover		[-1,900]
	CONSTRUCTION EQUIPMENT		
154	ALL TERRAIN CRANES	112,784	107,784
	Cost savings		[-5,000]
156	CONST EQUIP ESP	8,694	8,694
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
158	ARMY WATERCRAFT ESP	44,409	44,409
159	MANEUVER SUPPORT VESSEL (MSV)	76,660	76,660
	GENERATORS		
161	GENERATORS AND ASSOCIATED EQUIP	47,606	47,606
162	TACTICAL ELECTRIC POWER RECAPITALIZATION	10,500	10,500
	MATERIAL HANDLING EQUIPMENT		
163	FAMILY OF FORKLIFTS	13,325	13,325
	TRAINING EQUIPMENT		
164	COMBAT TRAINING CENTERS SUPPORT	79,565	79,565
165	TRAINING DEVICES, NONSYSTEM	174,644	174,644
166	SYNTHETIC TRAINING ENVIRONMENT (STE)	122,104	122,104
168	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	11,642	10,642
	Excess carryover		[-1,000]
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
170	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	42,934	42,934
172	TEST EQUIPMENT MODERNIZATION (TEMOD)	24,304	24,304
	OTHER SUPPORT EQUIPMENT		
174	PHYSICAL SECURITY SYSTEMS (OPA3)	86,930	86,930
175	BASE LEVEL COMMON EQUIPMENT	27,823	27,823
176	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	32,392	32,392
177	BUILDING, PRE-FAB, RELOCATABLE	32,227	32,227
179	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	76,917	70,917
	Program decrease		[-6,000]
	OPA2		
180	INITIAL SPARES—C&E	9,272	9,272
	TOTAL OTHER PROCUREMENT, ARMY	8,873,558	8,926,160
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	F/A-18E/F (FIGHTER) HORNET	87,832	1,168,161
	Aircraft increase		[970,000]
	Production line shutdown		[-10,671]
	Program increase		[121,000]
003	JOINT STRIKE FIGHTER CV	2,111,009	2,047,709
	Target cost savings		[-63,300]
004	JOINT STRIKE FIGHTER CV AP	246,781	246,781
005	JSF STOVL	2,256,829	2,317,929
	F-35B PGSE & Depot Support—USMC UPL		[128,800]
	Target cost savings		[-67,700]
006	JSF STOVL AP	216,720	216,720
007	CH-53K (HEAVY LIFT)	1,286,296	1,256,514
	Excess to need—Pub/tech data		[-14,782]
	Unjustified growth—NRE production capacity		[-15,000]
008	CH-53K (HEAVY LIFT) AP	182,871	182,871
009	V-22 (MEDIUM LIFT)	751,716	1,166,116
	5 additional aircraft—Navy UPL		[414,400]
011	H-1 UPGRADES (UH-1Y/AH-1Z)	939	939
013	P-8A POSEIDON	44,595	724,595
	Four additional aircraft		[680,000]
014	E-2D ADV HAWKEYE	766,788	957,788
	Navy UPL		[191,000]
015	E-2D ADV HAWKEYE AP	118,095	118,095
	TRAINER AIRCRAFT		
016	ADVANCED HELICOPTER TRAINING SYSTEM	163,490	163,490
	OTHER AIRCRAFT		
017	KC-130J	520,787	914,787
	Two additional aircraft—USMC UPL		[197,000]
	Two additional C-130J aircraft—Navy UPL		[197,000]
018	KC-130J AP	68,088	68,088
021	MQ-4 TRITON	160,151	351,151
	One additional aircraft		[191,000]
023	MQ-8 UAV	49,249	49,249
024	STUASL0 UAV	13,151	13,151
025	MQ-25 AP	47,468	47,468
026	MQ-9A REAPER		40,000
	Navy UPL		[40,000]
027	MARINE GROUP 5 UAS	233,686	233,686
	MODIFICATION OF AIRCRAFT		

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Line	Item	FY 2022 Request	House Authorized
030	F-18 A-D UNIQUE	163,095	245,595
	AESA Radar Upgrades—USMC UPL		[27,500]
	RWR Upgrades—USMC UPL		[55,000]
031	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM	482,899	482,899
032	MARINE GROUP 5 UAS SERIES	1,982	1,982
033	AEA SYSTEMS	23,296	20,221
	Excess support costs		[-3,075]
034	AV-8 SERIES	17,882	17,882
035	INFRARED SEARCH AND TRACK (IRST)	138,827	138,827
036	ADVERSARY	143,571	143,571
037	F-18 SERIES	327,571	327,571
038	H-53 SERIES	112,436	109,136
	Excess to need		[-3,300]
039	MH-60 SERIES	94,794	94,794
040	H-1 SERIES	124,194	118,857
	Excess to need		[-5,337]
041	EP-3 SERIES	28,848	28,848
042	E-3 SERIES	204,826	204,826
043	TRAINER A/C SERIES	7,849	7,849
044	C-2A	2,843	2,843
045	C-130 SERIES	145,610	145,610
046	FEWSG	734	734
047	CARGO/TRANSPORT A/C SERIES	10,682	10,682
048	E-6 SERIES	128,029	128,029
049	EXECUTIVE HELICOPTERS SERIES	45,326	45,326
051	T-45 SERIES	158,772	158,772
052	POWER PLANT CHANGES	24,915	24,915
053	JPATS SERIES	22,955	22,955
054	AVIATION LIFE SUPPORT MODS	2,477	2,477
055	COMMON ECM EQUIPMENT	119,574	119,574
056	COMMON AVIONICS CHANGES	118,839	118,839
057	COMMON DEFENSIVE WEAPON SYSTEM	5,476	5,476
058	ID SYSTEMS	13,154	13,154
059	P-8 SERIES	131,298	131,298
060	MAGTF EW FOR AVIATION	29,151	29,151
061	MQ-8 SERIES	31,624	31,624
062	V-22 (TILT/ROTOR ACFT) OSPREY	312,835	312,835
063	NEXT GENERATION JAMMER (NGJ)	266,676	266,676
064	F-35 STOVL SERIES	177,054	168,154
	TR-3/B4 Delay		[-8,900]
065	F-35 CV SERIES	138,269	131,369
	TR-3/B4 Delay		[-6,900]
066	QRC	98,563	98,563
067	MQ-4 SERIES	7,100	7,100
068	RQ-21 SERIES	14,123	14,123
	AIRCRAFT SPARES AND REPAIR PARTS		
072	SPARES AND REPAIR PARTS	2,339,077	2,456,877
	F-35B spare engines—USMC UPL		[117,800]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
073	COMMON GROUND EQUIPMENT	517,267	517,267
074	AIRCRAFT INDUSTRIAL FACILITIES	80,500	80,500
075	WAR CONSUMABLES	42,496	42,496
076	OTHER PRODUCTION CHARGES	21,374	21,374
077	SPECIAL SUPPORT EQUIPMENT	271,774	271,774
	TOTAL AIRCRAFT PROCUREMENT, NAVY	16,477,178	19,608,713
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,144,446	1,144,446
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	7,319	7,319
	STRATEGIC MISSILES		
003	TOMAHAWK	124,513	138,140
	Program increase		[13,627]
	TACTICAL MISSILES		
005	SIDEWINDER	86,366	86,366
006	STANDARD MISSILE	521,814	521,814
007	STANDARD MISSILE AP	45,357	45,357
008	JASSM	37,039	37,039
009	SMALL DIAMETER BOMB II	40,877	40,877
010	RAM	92,981	72,981
	Contract award delay		[-20,000]
011	JOINT AIR GROUND MISSILE (JAGM)	49,702	49,702
012	HELLFIRE	7,557	7,557
013	AERIAL TARGETS	150,339	150,339
014	DRONES AND DECOYS	30,321	30,321
015	OTHER MISSILE SUPPORT	3,474	3,474
016	LRASM	161,212	161,212

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Line	Item	FY 2022 Request	House Authorized
017	NAVAL STRIKE MISSILE (NSM)	59,331	52,377
	Program decrease		[-6,954]
	MODIFICATION OF MISSILES		
018	TOMAHAWK MODS	206,233	206,233
019	ESSM	248,619	161,519
	ESSM block 2 contract award delays		[-87,100]
021	AARGM	116,345	116,345
022	STANDARD MISSILES MODS	148,834	148,834
	SUPPORT EQUIPMENT & FACILITIES		
023	WEAPONS INDUSTRIAL FACILITIES	1,819	1,819
	ORDNANCE SUPPORT EQUIPMENT		
026	ORDNANCE SUPPORT EQUIPMENT	191,905	191,905
	TORPEDOES AND RELATED EQUIP		
027	SSTD	4,545	4,545
028	MK-48 TORPEDO	159,107	172,477
	Contract award delay		[-34,000]
	Heavyweight Torpedo—Navy UPL		[50,000]
	Program decrease		[-2,630]
029	ASW TARGETS	13,630	13,630
	MOD OF TORPEDOES AND RELATED EQUIP		
030	MK-54 TORPEDO MODS	106,112	94,168
	Program decrease		[-11,944]
031	MK-48 TORPEDO ADCAP MODS	35,680	35,680
032	MARITIME MINES	8,567	8,567
	SUPPORT EQUIPMENT		
033	TORPEDO SUPPORT EQUIPMENT	93,400	93,400
034	ASW RANGE SUPPORT	3,997	3,997
	DESTINATION TRANSPORTATION		
035	FIRST DESTINATION TRANSPORTATION	4,023	4,023
	GUNS AND GUN MOUNTS		
036	SMALL ARMS AND WEAPONS	14,909	14,909
	MODIFICATION OF GUNS AND GUN MOUNTS		
037	CJWS MODS	6,274	6,274
038	COAST GUARD WEAPONS	45,958	45,958
039	GUN MOUNT MODS	68,775	68,775
040	LCS MODULE WEAPONS	2,121	2,121
041	AIRBORNE MINE NEUTRALIZATION SYSTEMS	14,822	14,822
	SPARES AND REPAIR PARTS		
043	SPARES AND REPAIR PARTS	162,382	166,682
	Maritime Outfitting and Spares		[4,300]
	TOTAL WEAPONS PROCUREMENT, NAVY	4,220,705	4,126,004
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	48,635	48,635
002	JDAM	74,140	74,140
003	AIRBORNE ROCKETS, ALL TYPES	75,383	75,383
004	MACHINE GUN AMMUNITION	11,215	11,215
005	PRACTICE BOMBS	52,225	52,225
006	CARTRIDGES & CART ACTUATED DEVICES	70,876	70,876
007	AIR EXPENDABLE COUNTERMEASURES	61,600	61,600
008	JATOS	6,620	6,620
009	5 INCH/54 GUN AMMUNITION	28,922	28,922
010	INTERMEDIATE CALIBER GUN AMMUNITION	36,038	36,038
011	OTHER SHIP GUN AMMUNITION	39,070	39,070
012	SMALL ARMS & LANDING PARTY AMMO	45,493	45,493
013	PYROTECHNIC AND DEMOLITION	9,163	9,163
015	AMMUNITION LESS THAN \$5 MILLION	1,575	1,575
	MARINE CORPS AMMUNITION		
016	MORTARS	50,707	50,707
017	DIRECT SUPPORT MUNITIONS	120,037	120,037
018	INFANTRY WEAPONS AMMUNITION	94,001	94,001
019	COMBAT SUPPORT MUNITIONS	35,247	35,247
020	AMMO MODERNIZATION	16,267	16,267
021	ARTILLERY MUNITIONS	105,669	95,169
	Contract Delay		[-10,500]
022	ITEMS LESS THAN \$5 MILLION	5,135	5,135
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	988,018	977,518
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
001	OHIO REPLACEMENT SUBMARINE	3,003,000	2,923,012
	Columbia partial restoral		[75,000]
	Excessive cost growth		[-154,988]
002	OHIO REPLACEMENT SUBMARINE AP	1,643,980	1,843,584
	Submarine supplier development		[300,000]
	Submarine supplier development reduction		[-100,396]
	OTHER WARSHIPS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
003	CARRIER REPLACEMENT PROGRAM	1,068,705	1,062,205
	Program decrease		[-6,500]
004	CVN-81	1,299,764	1,287,719
	Program decrease		[-12,045]
005	VIRGINIA CLASS SUBMARINE	4,249,240	4,816,240
	Industrial base expansion to 3 VA class/year starting in FY 2025		[567,000]
006	VIRGINIA CLASS SUBMARINE AP	2,120,407	2,120,407
007	CVN REFUELING OVERHAULS	2,456,018	2,232,018
	Full funding rephase		[-224,000]
008	CVN REFUELING OVERHAULS AP	66,262	66,262
009	DDG 1000	56,597	56,597
010	DDG-51	2,016,787	5,058,424
	AP for a third ship in FY 2023		[130,000]
	Change order excessive cost growth		[-12,300]
	Electronics excessive cost growth		[-35,500]
	One additional ship		[3,059,900]
	Plans cost excessive cost growth		[-47,000]
	Program decrease		[-20,463]
	Termination liability not required		[-33,000]
013	FFG-FRIGATE	1,087,900	1,087,900
014	FFG-FRIGATE AP	69,100	69,100
	AMPHIBIOUS SHIPS		
015	LPD FLIGHT II	60,636	60,636
019	LHA REPLACEMENT	68,637	1,268,637
	One additional ship		[1,200,000]
020	EXPEDITIONARY FAST TRANSPORT (EPP)		540,000
	Two additional ships		[540,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
021	TAO FLEET OILER	668,184	1,336,384
	One additional ship		[668,200]
022	TAO FLEET OILER AP	76,012	76,012
023	TAGOS SURTASS SHIPS	434,384	434,384
024	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	183,800	80,800
	One ship excess to Program of Record		[-103,000]
025	LCU 1700	67,928	67,928
026	OUTFITTING	655,707	581,931
	Outfitting early to need		[-32,800]
	Program decrease		[-40,976]
027	SHIP TO SHORE CONNECTOR	156,738	286,738
	Ship to Shore Connector		[130,000]
028	SERVICE CRAFT	67,866	67,866
029	LCAC SLEP	32,712	32,712
030	AUXILIARY VESSELS (USED SEALIFT)	299,900	299,900
031	COMPLETION OF PY SHIPBUILDING PROGRAMS	660,795	660,795
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	22,571,059	28,418,191
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	SURFACE POWER EQUIPMENT	41,414	41,414
	GENERATORS		
002	SURFACE COMBATANT HM&E	83,746	71,054
	Program decrease		[-12,692]
	NAVIGATION EQUIPMENT		
003	OTHER NAVIGATION EQUIPMENT	72,300	72,300
	OTHER SHIPBOARD EQUIPMENT		
004	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	234,932	234,932
005	DDG MOD	583,136	583,136
006	FIREFIGHTING EQUIPMENT	15,040	15,040
007	COMMAND AND CONTROL SWITCHBOARD	2,194	2,194
008	LHA/LHD MIDLIFE	133,627	120,854
	Program decrease		[-12,773]
009	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	4,387	4,387
010	POLLUTION CONTROL EQUIPMENT	18,159	18,159
011	SUBMARINE SUPPORT EQUIPMENT	88,284	88,284
012	VIRGINIA CLASS SUPPORT EQUIPMENT	22,669	22,669
013	LCS CLASS SUPPORT EQUIPMENT	9,640	9,640
014	SUBMARINE BATTERIES	21,834	21,834
015	LPD CLASS SUPPORT EQUIPMENT	34,292	29,478
	Program decrease		[-4,814]
016	DDG 1000 CLASS SUPPORT EQUIPMENT	126,107	106,107
	Program decrease		[-20,000]
017	STRATEGIC PLATFORM SUPPORT EQUIP	12,256	12,256
018	DSSP EQUIPMENT	10,682	10,682
019	CG MODERNIZATION	156,951	156,951
020	LCAC	21,314	21,314
021	UNDERWATER EOD EQUIPMENT	24,146	24,146
022	ITEMS LESS THAN \$5 MILLION	84,789	84,789
023	CHEMICAL WARFARE DETECTORS	2,997	2,997

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
REACTOR PLANT EQUIPMENT			
025	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,307,651	1,475,051
	A-120 Availabilities		[167,400]
026	REACTOR POWER UNITS	3,270	3,270
027	REACTOR COMPONENTS	438,729	438,729
OCEAN ENGINEERING			
028	DIVING AND SALVAGE EQUIPMENT	10,772	10,772
SMALL BOATS			
029	STANDARD BOATS	58,770	58,770
PRODUCTION FACILITIES EQUIPMENT			
030	OPERATING FORCES IPE	168,822	150,822
	Program decrease		[-18,000]
OTHER SHIP SUPPORT			
031	LCS COMMON MISSION MODULES EQUIPMENT	74,231	74,231
032	LCS MCM MISSION MODULES	40,630	30,119
	Program decrease		[-10,511]
033	LCS ASW MISSION MODULES	1,565	1,565
034	LCS SUW MISSION MODULES	3,395	3,395
035	LCS IN-SERVICE MODERNIZATION	122,591	122,591
036	SMALL & MEDIUM UUV	32,534	32,534
SHIP SONARS			
038	SPQ-9B RADAR	15,927	15,927
039	AN/SQQ-89 SURF ASW COMBAT SYSTEM	131,829	126,871
	Program decrease		[-4,958]
040	SSN ACOUSTIC EQUIPMENT	379,850	341,898
	Program decrease		[-18,952]
	Virginia class technical insertion kits previously funded		[-19,000]
041	UNDERSEA WARFARE SUPPORT EQUIPMENT	13,965	13,965
ASW ELECTRONIC EQUIPMENT			
042	SUBMARINE ACOUSTIC WARFARE SYSTEM	24,578	24,578
043	SSTD	11,010	11,010
044	FIXED SURVEILLANCE SYSTEM	363,651	363,651
045	SURTASS	67,500	67,500
ELECTRONIC WARFARE EQUIPMENT			
046	AN/SLQ-32	370,559	257,644
	Block 3 Kit early to need		[-56,500]
	Program decrease		[-56,415]
RECONNAISSANCE EQUIPMENT			
047	SHIPBOARD IW EXPLOIT	261,735	261,735
048	AUTOMATED IDENTIFICATION SYSTEM (AIS)	3,777	3,777
OTHER SHIP ELECTRONIC EQUIPMENT			
049	COOPERATIVE ENGAGEMENT CAPABILITY	24,641	46,924
	Maritime Outfitting and Spares		[13,300]
	Navy Tactical Grid Development for JADC2		[8,983]
050	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	14,439	14,439
051	ATDLS	101,595	101,595
052	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,535	3,535
053	MINESWEEPING SYSTEM REPLACEMENT	15,640	15,640
054	SHALLOW WATER MCM	5,610	0
	COBRA Block I mods excess to need		[-5,610]
055	NAVSTAR GPS RECEIVERS (SPACE)	33,097	33,097
056	AMERICAN FORCES RADIO AND TV SERVICE	2,513	2,513
057	STRATEGIC PLATFORM SUPPORT EQUIP	4,823	4,823
AVIATION ELECTRONIC EQUIPMENT			
058	ASHORE ATC EQUIPMENT	83,464	83,464
059	AFLOAT ATC EQUIPMENT	67,055	67,055
060	ID SYSTEMS	46,918	46,918
061	JOINT PRECISION APPROACH AND LANDING SYSTEM	35,386	35,386
062	NAVAL MISSION PLANNING SYSTEMS	17,951	17,951
OTHER SHORE ELECTRONIC EQUIPMENT			
063	MARITIME INTEGRATED BROADCAST SYSTEM	2,360	2,360
064	TACTICAL/MOBILE CAI SYSTEMS	18,919	18,919
065	DCGS-N	16,691	16,691
066	CANES	412,002	441,002
	Resilient PNT		[29,000]
067	RADLAC	9,074	9,074
068	CANES-INTELL	51,593	51,593
069	GPETE	23,930	23,930
070	MASF	8,795	8,795
071	INTEG COMBAT SYSTEM TEST FACILITY	5,829	5,829
072	EMI CONTROL INSTRUMENTATION	3,925	3,925
073	ITEMS LESS THAN \$5 MILLION	156,042	156,042
SHIPBOARD COMMUNICATIONS			
074	SHIPBOARD TACTICAL COMMUNICATIONS	43,212	43,212
075	SHIP COMMUNICATIONS AUTOMATION	90,724	128,707
	Navy Tactical Grid Development for JADC2		[8,983]
	Resilient PNT		[29,000]
076	COMMUNICATIONS ITEMS UNDER \$5M	44,447	44,447

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
	SUBMARINE COMMUNICATIONS		
077	SUBMARINE BROADCAST SUPPORT	47,579	47,579
078	SUBMARINE COMMUNICATION EQUIPMENT	64,642	64,642
	SATELLITE COMMUNICATIONS		
079	SATELLITE COMMUNICATIONS SYSTEMS	38,636	38,636
080	NAVY MULTIBAND TERMINAL (NMT)	34,723	34,723
	SHORE COMMUNICATIONS		
081	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	2,651	2,651
	CRYPTOGRAPHIC EQUIPMENT		
082	INFO SYSTEMS SECURITY PROGRAM (ISSP)	146,879	146,879
083	MIO INTEL EXPLOITATION TEAM	977	977
	CRYPTOLOGIC EQUIPMENT		
084	CRYPTOLOGIC COMMUNICATIONS EQUIP	17,809	17,809
	OTHER ELECTRONIC SUPPORT		
092	COAST GUARD EQUIPMENT	63,214	63,214
	SONOBUOYS		
094	SONOBUOYS—ALL TYPES	249,121	303,521
	<i>Navy UPL</i>		<i>[54,400]</i>
	AIRCRAFT SUPPORT EQUIPMENT		
095	MINOTAUR	4,963	4,963
096	WEAPONS RANGE SUPPORT EQUIPMENT	98,898	98,898
097	AIRCRAFT SUPPORT EQUIPMENT	178,647	178,647
098	ADVANCED ARRESTING GEAR (AAG)	22,265	22,265
099	METEOROLOGICAL EQUIPMENT	13,687	13,687
100	LEGACY AIRBORNE MCM	4,446	4,446
101	LAMPS EQUIPMENT	1,470	1,470
102	AVIATION SUPPORT EQUIPMENT	70,665	70,665
103	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	86,584	86,584
	SHIP GUN SYSTEM EQUIPMENT		
104	SHIP GUN SYSTEMS EQUIPMENT	5,536	5,536
	SHIP MISSILE SYSTEMS EQUIPMENT		
105	HARPOON SUPPORT EQUIPMENT	204	204
106	SHIP MISSILE SUPPORT EQUIPMENT	237,987	237,987
107	TOMAHAWK SUPPORT EQUIPMENT	88,726	88,726
	FBM SUPPORT EQUIPMENT		
108	STRATEGIC MISSILE SYSTEMS EQUIP	281,259	281,259
	ASW SUPPORT EQUIPMENT		
109	SSN COMBAT CONTROL SYSTEMS	143,289	143,289
110	ASW SUPPORT EQUIPMENT	30,595	30,595
	OTHER ORDNANCE SUPPORT EQUIPMENT		
111	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	1,721	1,721
112	ITEMS LESS THAN \$5 MILLION	8,746	8,746
	OTHER EXPENDABLE ORDNANCE		
113	ANTI-SHIP MISSILE DECOY SYSTEM	76,994	76,994
114	SUBMARINE TRAINING DEVICE MODS	75,813	75,813
115	SURFACE TRAINING EQUIPMENT	127,814	127,814
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
116	PASSENGER CARRYING VEHICLES	4,140	4,140
117	GENERAL PURPOSE TRUCKS	2,805	2,805
118	CONSTRUCTION & MAINTENANCE EQUIP	48,403	51,003
	<i>Excess carryover</i>		<i>[-2,000]</i>
	<i>GPS laser survey equipment</i>		<i>[4,600]</i>
119	FIRE FIGHTING EQUIPMENT	15,084	15,084
120	TACTICAL VEHICLES	27,400	27,400
121	POLLUTION CONTROL EQUIPMENT	2,607	2,607
122	ITEMS LESS THAN \$5 MILLION	51,963	51,963
123	PHYSICAL SECURITY VEHICLES	1,165	1,165
	SUPPLY SUPPORT EQUIPMENT		
124	SUPPLY EQUIPMENT	24,698	24,698
125	FIRST DESTINATION TRANSPORTATION	5,385	5,385
126	SPECIAL PURPOSE SUPPLY SYSTEMS	660,750	660,750
	TRAINING DEVICES		
127	TRAINING SUPPORT EQUIPMENT	3,465	3,465
128	TRAINING AND EDUCATION EQUIPMENT	60,114	60,114
	COMMAND SUPPORT EQUIPMENT		
129	COMMAND SUPPORT EQUIPMENT	31,007	31,007
130	MEDICAL SUPPORT EQUIPMENT	7,346	7,346
132	NAVAL MIP SUPPORT EQUIPMENT	2,887	2,887
133	OPERATING FORCES SUPPORT EQUIPMENT	12,815	12,815
134	CAISR EQUIPMENT	6,324	6,324
135	ENVIRONMENTAL SUPPORT EQUIPMENT	25,098	25,098
136	PHYSICAL SECURITY EQUIPMENT	110,647	100,647
	<i>Program decrease</i>		<i>[-10,000]</i>
137	ENTERPRISE INFORMATION TECHNOLOGY	31,709	31,709
	OTHER		
141	NEXT GENERATION ENTERPRISE SERVICE	41	41
142	CYBERSPACE ACTIVITIES	12,859	12,859
	CLASSIFIED PROGRAMS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
142A	CLASSIFIED PROGRAMS	19,808	19,808
	SPARES AND REPAIR PARTS		
143	SPARES AND REPAIR PARTS	424,405	517,105
	<i>Maritime Outfitting and Spares</i>		[92,700]
	TOTAL OTHER PROCUREMENT, NAVY	10,875,912	11,032,053
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	36,836	36,836
002	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	532,355	532,355
	<i>Excess growth</i>		[-7,000]
	<i>Program increase</i>		[7,000]
003	LAV PIP	23,476	23,476
	ARTILLERY AND OTHER WEAPONS		
004	155MM LIGHTWEIGHT TOWED HOWITZER	32	32
005	ARTILLERY WEAPONS SYSTEM	67,548	221,348
	<i>Program increase—NSM USMC UPL</i>		[57,800]
	<i>Program increase—TACTOM USMC UPL</i>		[96,000]
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	35,402	35,402
	GUIDED MISSILES		
008	GROUND BASED AIR DEFENSE	9,349	9,349
009	ANTI-ARMOR MISSILE-JAVELIN	937	937
010	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	20,481	20,481
011	ANTI-ARMOR MISSILE-TOW	14,359	12,359
	<i>Unit cost growth</i>		[-2,000]
012	GUIDED MLRS ROCKET (GMLRS)	98,299	98,299
	COMMAND AND CONTROL SYSTEMS		
013	COMMON AVIATION COMMAND AND CONTROL SYSTEM	18,247	18,247
	REPAIR AND TEST EQUIPMENT		
014	REPAIR AND TEST EQUIPMENT	33,554	33,554
	OTHER SUPPORT (TEL)		
015	MODIFICATION KITS	167	167
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
016	ITEMS UNDER \$5 MILLION (COMM & ELEC)	64,879	90,779
	<i>Fly-Away Broadcast System (FABS)—USMC UPL</i>		[9,000]
	<i>Improved Night/Day Observation Device (INOD) Block III—USMC UPL</i>		[16,900]
017	AIR OPERATIONS C2 SYSTEMS	1,291	1,291
	RADAR + EQUIPMENT (NON-TEL)		
019	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	297,369	645,369
	<i>AN/TPS-80 Retrofit Kits—USMC UPL</i>		[44,000]
	<i>AN/TPS-80 Procure (+8)—USMC UPL</i>		[304,000]
	INTELL/COMM EQUIPMENT (NON-TEL)		
020	GCSS-MC	604	604
021	FIRE SUPPORT SYSTEM	39,810	39,810
022	INTELLIGENCE SUPPORT EQUIPMENT	67,309	72,909
	<i>SCINet—USMC UPL</i>		[5,600]
024	UNMANNED AIR SYSTEMS (INTEL)	24,299	24,299
025	DCGS-MC	28,633	28,633
026	UAS PAYLOADS	3,730	3,730
	OTHER SUPPORT (NON-TEL)		
029	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	97,060	97,060
030	COMMON COMPUTER RESOURCES	83,606	116,506
	<i>(SONIC)—Enterprise Infrastructure Modernization (EIM)</i>		[7,500]
	<i>Marine Corps Hardware Suite (MCHS) End User Devices (EUD) Refresh</i>		[6,300]
	<i>NGEN Infrastructure Refresh</i>		[19,100]
031	COMMAND POST SYSTEMS	53,708	39,708
	<i>NOTM refresh early to need</i>		[-14,000]
032	RADIO SYSTEMS	468,678	444,678
	<i>TCM ground radios sparing previously funded</i>		[-10,000]
	<i>Unjustified request</i>		[-14,000]
033	COMM SWITCHING & CONTROL SYSTEMS	49,600	41,600
	<i>Excess growth</i>		[-8,000]
034	COMM & ELEC INFRASTRUCTURE SUPPORT	110,835	116,635
	<i>Excess growth</i>		[-10,000]
	<i>NETWORK Base Telecommunications Infrastructure (BTI)—USMC UPL</i>		[15,800]
035	CYBERSPACE ACTIVITIES	25,377	46,577
	<i>Defensive Cyber Operations (DCO)—Internal Defensive Measures (IDM) Kits</i>		[21,200]
	CLASSIFIED PROGRAMS		
037A	CLASSIFIED PROGRAMS	4,034	4,034
	ADMINISTRATIVE VEHICLES		
038	COMMERCIAL CARGO VEHICLES	17,848	17,848
	TACTICAL VEHICLES		
039	MOTOR TRANSPORT MODIFICATIONS	23,363	19,363
	<i>Excess growth</i>		[-4,000]
040	JOINT LIGHT TACTICAL VEHICLE	322,013	322,013
042	TRAILERS	9,876	9,876
	ENGINEER AND OTHER EQUIPMENT		
044	TACTICAL FUEL SYSTEMS	2,161	2,161

SEC. 4101. PROCUREMENT
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Line	Item	FY 2022 Request	House Authorized
045	POWER EQUIPMENT ASSORTED	26,625	26,625
046	AMPHIBIOUS SUPPORT EQUIPMENT	17,119	10,119
	<i>Excess carryover</i>		[−7,000]
047	EOD SYSTEMS	94,472	107,672
	<i>Buried Command Wire Detector (BCWD)—USMC UPL</i>		[7,800]
	<i>Instrument Set, Recon and Survey (ENFIRE)—USMC UPL</i>		[5,400]
	MATERIALS HANDLING EQUIPMENT		
048	PHYSICAL SECURITY EQUIPMENT	84,513	84,513
	GENERAL PROPERTY		
049	FIELD MEDICAL EQUIPMENT	8,105	8,105
050	TRAINING DEVICES	37,814	37,814
051	FAMILY OF CONSTRUCTION EQUIPMENT	34,658	50,458
	<i>All-Terrain Crane (ATC)—USMC UPL</i>		[10,800]
	<i>Rough Terrain Container Handler (RTCH)—USMC UPL</i>		[5,000]
052	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	15,439	15,439
	OTHER SUPPORT		
053	ITEMS LESS THAN \$5 MILLION	4,402	15,002
	<i>Lightweight Water Purification System—USMC UPL</i>		[10,600]
	SPARES AND REPAIR PARTS		
054	SPARES AND REPAIR PARTS	32,819	32,819
	TOTAL PROCUREMENT, MARINE CORPS	3,043,091	3,616,891
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC OFFENSIVE		
001	B-21 RAIDER AP	108,027	108,027
	TACTICAL FORCES		
002	F-35	4,167,604	3,973,504
	<i>F135 PM Procurement—Air Force UPL</i>		[175,000]
	<i>Sustainment Enterprise Support</i>		[−429,100]
	<i>USG depot acceleration</i>		[60,000]
003	F-35 AP	352,632	352,632
005	F-15EX	1,186,903	2,562,903
	<i>12 additional aircraft</i>		[1,376,000]
006	F-15EX AP	147,919	147,919
	TACTICAL AIRLIFT		
007	KC-46A MDAP	2,380,315	2,275,315
	<i>Excess growth</i>		[−105,000]
	OTHER AIRLIFT		
008	C-130J	128,896	128,896
009	MC-130J	220,049	220,049
	UPT TRAINERS		
011	ADVANCED TRAINER REPLACEMENT T-X	10,397	10,397
	HELICOPTERS		
013	COMBAT RESCUE HELICOPTER	792,221	792,221
	MISSION SUPPORT AIRCRAFT		
016	CIVIL AIR PATROL A/C	2,813	11,413
	<i>Recapitalization rate increase</i>		[8,600]
	OTHER AIRCRAFT		
017	TARGET DRONES	116,169	116,169
018	COMPASS CALL		75,000
	<i>Add 5 spare engines—Air Force UPL</i>		[75,000]
019	E-11 BACN/HAG	124,435	124,435
021	MQ-9	3,288	118,288
	<i>Add 6 aircraft</i>		[115,000]
	STRATEGIC AIRCRAFT		
023	B-2A	29,944	29,944
024	B-1B	30,518	30,518
025	B-52	74,957	74,957
026	COMBAT RESCUE HELICOPTER	61,191	45,891
	<i>Early to need—contract delay</i>		[−15,300]
027	LARGE AIRCRAFT INFRARED COUNTERMEASURES	57,001	57,001
	TACTICAL AIRCRAFT		
028	A-10	83,621	183,621
	<i>Modernization and Upgrades</i>		[100,000]
029	E-11 BACN/HAG	68,955	68,955
030	F-15	234,340	234,340
031	F-16	613,166	733,166
	<i>ANG AESA Radars</i>		[100,000]
	<i>HUD upgrade</i>		[20,000]
032	F-22A	424,722	384,722
	<i>Program decrease</i>		[−40,000]
033	F-35 MODIFICATIONS	304,135	308,935
	<i>RMIP increase</i>		[20,000]
	<i>TR-3/B4 delay</i>		[−15,200]
034	F-15 EPAW	149,797	149,797
036	KC-46A MDAP	1,984	1,984
	AIRLIFT AIRCRAFT		
037	C-5	25,431	25,431

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
038	C-17A	59,570	59,570
040	C-32A	1,949	1,949
041	C-37A	5,984	5,984
	TRAINER AIRCRAFT		
042	GLIDER MODS	142	142
043	T-6	8,735	8,735
044	T-1	3,872	3,872
045	T-38	49,851	49,851
	OTHER AIRCRAFT		
046	U-2 MODS	126,809	126,809
047	KC-10A (ATCA)	1,902	1,902
049	VC-25A MOD	96	96
050	C-40	262	262
051	C-130	29,071	169,771
	Modular Airborne Fire Fighting Systems		[15,000]
	NP-2000 modifications		[75,700]
	T-56 engine modifications		[50,000]
052	C-130J MODS	110,784	116,584
	Virtual reality maintenance training		[5,800]
053	C-135	61,376	61,376
054	COMPASS CALL	195,098	195,098
056	RC-135	207,596	207,596
057	E-3	109,855	109,855
058	E-4	19,081	19,081
059	E-8	16,312	43,312
	Program increase—CDL		[27,000]
060	AIRBORNE WARNING AND CNTRL SYS (AWACS) 40/45	30,327	26,627
	Block 40/45 carryover		[-3,700]
062	H-1	1,533	1,533
063	H-60	13,709	32,139
	OLR mod early to need		[-1,570]
	Restore degraded visual environment		[20,000]
064	RQ-4 MODS	3,205	3,205
065	HC/MC-130 MODIFICATIONS	150,263	150,263
066	OTHER AIRCRAFT	54,828	54,828
067	MQ-9 MODS	144,287	129,787
	Early to need—MQ-9 Upgrade		[-11,500]
	Unjustified increase—MQ-9 Upgrade other government support		[-3,000]
068	MQ-9 UAS PAYLOADS	40,800	40,800
069	SENIOR LEADER C3, SYSTEM—AIRCRAFT	23,554	23,554
070	CV-22 MODS	158,162	240,562
	Nacelle improvement program		[5,000]
	SOCOM—CV-22 Reliability Acceleration		[77,400]
	AIRCRAFT SPARES AND REPAIR PARTS		
071	INITIAL SPARES/REPAIR PARTS	923,573	923,573
	COMMON SUPPORT EQUIPMENT		
072	AIRCRAFT REPLACEMENT SUPPORT EQUIP	138,761	138,761
	POST PRODUCTION SUPPORT		
073	B-2A	1,651	1,651
074	B-2B	38,811	38,811
075	B-52	5,602	5,602
078	F-15	2,324	2,324
079	F-16	10,456	10,456
081	RQ-4 POST PRODUCTION CHARGES	24,592	24,592
	INDUSTRIAL PREPAREDNESS		
082	INDUSTRIAL RESPONSIVENESS	18,110	18,110
	WAR CONSUMABLES		
083	WAR CONSUMABLES	35,866	35,866
	OTHER PRODUCTION CHARGES		
084	OTHER PRODUCTION CHARGES	979,388	1,019,388
	Classified modifications—program increase		[40,000]
	CLASSIFIED PROGRAMS		
086A	CLASSIFIED PROGRAMS	18,092	18,092
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	15,727,669	17,468,799
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	57,793	57,793
	BALLISTIC MISSILES		
002	GROUND BASED STRATEGIC DETERRENT	10,895	10,895
	Review of Engineering and Manufacturing Development Contract		
	TACTICAL		
003	REPLAC EQUIP & WAR CONSUMABLES	7,681	7,681
004	AGM-183A AIR-LAUNCHED RAPID RESPONSE WEAPON	160,850	110,850
	Procurement early to need		[-50,000]
006	JOINT AIR-SURFACE STANDOFF MISSILE	710,550	660,550
	Program decrease		[-50,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
008	SIDEWINDER (AIM-9X)	107,587	107,587
009	AMRAAM	214,002	214,002
010	PREDATOR HELLFIRE MISSILE	103,684	103,684
011	SMALL DIAMETER BOMB	82,819	82,819
012	SMALL DIAMETER BOMB II	294,649	294,649
	INDUSTRIAL FACILITIES		
013	INDUSTRL PREPAREDNS/POL PREVENTION	757	757
	CLASS IV		
015	ICBM FUZE MOD	53,013	53,013
016	ICBM FUZE MOD AP	47,757	47,757
017	MM III MODIFICATIONS	88,579	88,579
019	AIR LAUNCH CRUISE MISSILE (ALCM)	46,799	46,799
	MISSILE SPARES AND REPAIR PARTS		
020	MSL SPRS/REPAIR PARTS (INITIAL)	14,212	14,212
021	MSL SPRS/REPAIR PARTS (REPLEN)	63,547	63,547
022	INITIAL SPARES/REPAIR PARTS	4,045	4,045
	SPECIAL PROGRAMS		
027	SPECIAL UPDATE PROGRAMS	30,352	30,352
	CLASSIFIED PROGRAMS		
027A	CLASSIFIED PROGRAMS	570,240	570,240
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,669,811	2,569,811
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	36,597	36,597
	CARTRIDGES		
002	CARTRIDGES	169,163	164,163
	<i>Excess to need</i>		<i>[-5,000]</i>
	BOMBS		
003	PRACTICE BOMBS	48,745	48,745
004	GENERAL PURPOSE BOMBS	176,565	176,565
005	MASSIVE ORDNANCE PENETRATOR (MOP)	15,500	15,500
006	JOINT DIRECT ATTACK MUNITION	124,102	124,102
007	B-61	2,709	2,709
	OTHER ITEMS		
008	CAD/PAD	47,210	47,210
009	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,151	6,151
010	SPARES AND REPAIR PARTS	535	535
011	MODIFICATIONS	292	292
012	ITEMS LESS THAN \$5,000,000	9,164	9,164
	FLARES		
013	FLARES	95,297	95,297
	FUZES		
014	FUZES	50,795	50,795
	SMALL ARMS		
015	SMALL ARMS	12,343	12,343
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	795,168	790,168
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
002	AF SATELLITE COMM SYSTEM	43,655	43,655
003	COUNTERSPACE SYSTEMS	64,804	64,804
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	39,444	39,444
005	GENERAL INFORMATION TECH—SPACE	3,316	9,816
	<i>Increase satellite control capacity UPL</i>		<i>[4,700]</i>
	<i>Modernize Space Aggressor Equipment</i>		<i>[1,800]</i>
006	GPSIII FOLLOW ON	601,418	601,418
007	GPS III SPACE SEGMENT	84,452	84,452
008	GLOBAL POSITIONING (SPACE)	2,274	2,274
009	HERITAGE TRANSITION	13,529	13,529
010	SPACEBORNE EQUIP (COMSEC)	26,245	26,245
011	MILSATCOM	24,333	24,333
012	SBIR HIGH (SPACE)	154,526	154,526
013	SPECIAL SPACE ACTIVITIES	142,188	142,188
014	MOBILE USER OBJECTIVE SYSTEM	45,371	45,371
015	NATIONAL SECURITY SPACE LAUNCH	1,337,347	1,337,347
016	NUDET DETECTION SYSTEM	6,690	6,690
017	PTES HUB	7,406	7,406
018	ROCKET SYSTEMS LAUNCH PROGRAM	10,429	10,429
020	SPACE MODS	64,371	64,371
021	SPACELIFT RANGE SYSTEM SPACE	93,774	93,774
	SPARES		
022	SPARES AND REPAIR PARTS	1,282	1,282
	TOTAL PROCUREMENT, SPACE FORCE	2,766,854	2,773,354
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	8,448	8,448

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(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	5,804	5,804
003	CAP VEHICLES	1,066	1,800
	Program increase		[734]
004	CARGO AND UTILITY VEHICLES	57,459	49,959
	Prior-year underexecution		[-7,500]
	SPECIAL PURPOSE VEHICLES		
005	JOINT LIGHT TACTICAL VEHICLE	97,326	92,326
	Excess carryover		[-5,000]
006	SECURITY AND TACTICAL VEHICLES	488	488
007	SPECIAL PURPOSE VEHICLES	75,694	75,694
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	12,525	12,525
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	34,933	34,933
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	9,134	9,134
011	BASE MAINTENANCE SUPPORT VEHICLES	111,820	87,013
	Insufficient justification		[-4,807]
	Program decrease		[-20,000]
	COMM SECURITY EQUIPMENT(COMSEC)		
013	COMSEC EQUIPMENT	66,022	66,022
014	STRATEGIC MICROELECTRONIC SUPPLY SYSTEM	885,051	885,051
	INTELLIGENCE PROGRAMS		
015	INTERNATIONAL INTEL TECH & ARCHITECTURES	5,809	5,809
016	INTELLIGENCE TRAINING EQUIPMENT	5,719	5,719
017	INTELLIGENCE COMM EQUIPMENT	25,844	25,844
	ELECTRONICS PROGRAMS		
018	AIR TRAFFIC CONTROL & LANDING SYS	44,516	44,516
019	BATTLE CONTROL SYSTEM—FIXED	2,940	2,940
020	THEATER AIR CONTROL SYS IMPROVEMEN	43,442	43,442
021	3D EXPEDITIONARY LONG-RANGE RADAR	96,186	307,686
	ANG/Cyber Requirements—AF UPL		[164,000]
	Build Command and Control Framework		[55,000]
	Program decrease		[-7,500]
022	WEATHER OBSERVATION FORECAST	32,376	32,376
023	STRATEGIC COMMAND AND CONTROL	37,950	37,950
024	CHEYENNE MOUNTAIN COMPLEX	8,258	8,258
025	MISSION PLANNING SYSTEMS	14,717	14,717
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	43,917	116,247
	EUCOM—MPE MOB/FOB		[13,800]
	INDOPACOM Mission Partner Environment		[30,530]
	MISO		[28,000]
028	AF GLOBAL COMMAND & CONTROL SYS	414	414
030	MOBILITY COMMAND AND CONTROL	10,619	10,619
031	AIR FORCE PHYSICAL SECURITY SYSTEM	101,896	91,896
	Program decrease		[-10,000]
032	COMBAT TRAINING RANGES	222,598	222,598
033	COMBAT TRAINING RANGES AP	14,730	14,730
034	MINIMUM ESSENTIAL EMERGENCY COMM N	77,119	77,119
035	WIDE AREA SURVEILLANCE (WAS)	38,794	38,794
036	C3 COUNTERMEASURES	131,238	131,238
037	INTEGRATED PERSONNEL AND PAY SYSTEM	15,240	15,240
038	GCSS-AF FOS	3,959	3,959
040	MAINTENANCE REPAIR & OVERHAUL INITIATIVE	4,387	4,387
041	THEATER BATTLE MGT C2 SYSTEM	4,052	4,052
042	AIR & SPACE OPERATIONS CENTER (AOC)	2,224	2,224
	AIR FORCE COMMUNICATIONS		
043	BASE INFORMATION TRANSPRT INFRAST (BITI) WIRED	58,499	58,499
044	AFNET	65,354	65,354
045	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,377	4,377
046	USCENTCOM	18,101	18,101
047	USSTRATCOM	4,226	4,226
	ORGANIZATION AND BASE		
048	TACTICAL C-E EQUIPMENT	162,955	156,955
	Program decrease		[-6,000]
049	RADIO EQUIPMENT	14,232	12,232
	Program decrease		[-2,000]
051	BASE COMM INFRASTRUCTURE	200,797	310,797
	EUCOM—Modernize IT infrastructure		[55,000]
	Improve Space Digital Integrated Network and Network Switches		[7,000]
	Modernize Essential Warfighter IT infrastructure		[55,000]
	MQ-9 UAV—Excess carryover		[-7,000]
	MODIFICATIONS		
052	COMM ELECT MODS	18,607	18,607
	PERSONAL SAFETY & RESCUE EQUIP		
053	PERSONAL SAFETY AND RESCUE EQUIPMENT	106,449	106,449

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
	DEPOT PLANT+MTRLS HANDLING EQ		
054	POWER CONDITIONING EQUIPMENT	11,274	11,274
055	MECHANIZED MATERIAL HANDLING EQUIP	8,594	8,594
	BASE SUPPORT EQUIPMENT		
056	BASE PROCURED EQUIPMENT	1	1
057	ENGINEERING AND EOD EQUIPMENT	32,139	32,139
058	MOBILITY EQUIPMENT	63,814	63,814
059	FUELS SUPPORT EQUIPMENT (FSE)	17,928	17,928
060	BASE MAINTENANCE AND SUPPORT EQUIPMENT	48,534	48,534
	SPECIAL SUPPORT PROJECTS		
062	DARP RC135	27,359	27,359
063	DCGS-AF	261,070	261,070
065	SPECIAL UPDATE PROGRAM	777,652	777,652
	CLASSIFIED PROGRAMS		
065A	CLASSIFIED PROGRAMS	20,983,908	21,183,908
	Program Increase		[200,000]
	SPARES AND REPAIR PARTS		
066	SPARES AND REPAIR PARTS (CYBER)	978	978
067	SPARES AND REPAIR PARTS	9,575	9,575
	TOTAL OTHER PROCUREMENT, AIR FORCE	25,251,137	25,790,394
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DPAA		
024	MAJOR EQUIPMENT, DPAA	494	494
047	MAJOR EQUIPMENT, OSD	31,420	31,420
048	JOINT CAPABILITY TECH DEMONSTRATION (JCTD)	74,060	74,060
	MAJOR EQUIPMENT, NSA		
046	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	315	315
	MAJOR EQUIPMENT, DISA		
010	INFORMATION SYSTEMS SECURITY	18,923	18,923
011	TELEPORT PROGRAM	34,908	34,908
012	JOINT FORCES HEADQUARTERS—DODIN	1,968	1,968
013	ITEMS LESS THAN \$5 MILLION	42,270	42,270
014	DEFENSE INFORMATION SYSTEM NETWORK	18,025	18,025
015	WHITE HOUSE COMMUNICATION AGENCY	44,522	44,522
016	SENIOR LEADERSHIP ENTERPRISE	54,592	54,592
017	JOINT REGIONAL SECURITY STACKS (JRSS)	62,657	62,657
018	JOINT SERVICE PROVIDER	102,039	102,039
019	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	80,645	70,645
	Program execution		[-10,000]
	MAJOR EQUIPMENT, DLA		
021	MAJOR EQUIPMENT	530,896	510,896
	Excess growth		[-20,000]
	MAJOR EQUIPMENT, DCSA		
002	MAJOR EQUIPMENT	3,014	3,014
	MAJOR EQUIPMENT, TJS		
049	MAJOR EQUIPMENT, TJS	7,830	7,830
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
029	THAAD	251,543	361,122
	12 additional systems		[109,579]
031	AEGIS BMD	334,621	334,621
032	AEGIS BMD AP	17,493	17,493
033	BMDs AN/TPY-2 RADARS	2,738	2,738
034	SM-3 IAS	295,322	336,822
	Procure 2 additional all-up rounds		[41,500]
035	ARROW 3 UPPER TIER SYSTEMS	62,000	62,000
036	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	30,000	30,000
037	DEFENSE OF GUAM PROCUREMENT	40,000	40,000
038	AEGIS ASHORE PHASE III	25,866	25,866
039	IRON DOME	108,000	108,000
040	AEGIS BMD HARDWARE AND SOFTWARE	81,791	81,791
	MAJOR EQUIPMENT, DHRA		
004	PERSONNEL ADMINISTRATION	4,042	4,042
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
026	VEHICLES	118	118
027	OTHER MAJOR EQUIPMENT	12,681	12,681
	MAJOR EQUIPMENT, DODEA		
023	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	2,963	2,963
	MAJOR EQUIPMENT, DMACT		
022	MAJOR EQUIPMENT	8,498	8,498
	CLASSIFIED PROGRAMS		
051A	CLASSIFIED PROGRAMS	635,338	635,338
	AGILE PROCUREMENT TRANSITION PILOT		
081	AGILE PROCUREMENT TRANSITION PILOT		100,000
	Program increase		[100,000]
	AVIATION PROGRAMS		
052	ARMED OVERWATCH/TARGETING	170,000	170,000
053	MANNED ISR	2,500	2,500

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(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
054	MC-12	2,250	2,250
055	MH-60 BLACKHAWK	29,900	29,900
056	ROTARY WING UPGRADES AND SUSTAINMENT	202,278	202,278
057	UNMANNED ISR	55,951	55,951
058	NON-STANDARD AVIATION	3,282	3,282
059	U-28	4,176	4,176
060	MH-47 CHINOOK	130,485	130,485
061	CV-22 MODIFICATION	41,762	47,572
	SOCOM—CV-22 Reliability Acceleration		[5,810]
062	MQ-9 UNMANNED AERIAL VEHICLE	8,020	8,020
063	PRECISION STRIKE PACKAGE	165,224	165,224
064	AC/MC-130J	205,216	205,216
065	C-130 MODIFICATIONS	13,373	13,373
	SHIPBUILDING		
066	UNDERWATER SYSTEMS	17,227	23,327
	SOCOM—Modernized Forward Look Sonar		[900]
	SOCOM Combat Diving Advanced Equipment Acceleration		[5,200]
	AMMUNITION PROGRAMS		
067	ORDNANCE ITEMS <\$5M	168,072	168,072
	OTHER PROCUREMENT PROGRAMS		
068	INTELLIGENCE SYSTEMS	131,889	123,889
	Program decrease		[-8,000]
069	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,991	5,991
070	OTHER ITEMS <\$5M	62,722	62,722
071	COMBATANT CRAFT SYSTEMS	17,080	17,080
072	SPECIAL PROGRAMS	44,351	75,531
	SOCOM—Medium Fixed Wing Mobility Modifications		[31,180]
073	TACTICAL VEHICLES	26,806	26,806
074	WARRIOR SYSTEMS <\$5M	284,548	304,548
	Radio Integration System Program Upgrade		[20,000]
075	COMBAT MISSION REQUIREMENTS	27,513	27,513
077	OPERATIONAL ENHANCEMENTS INTELLIGENCE	20,252	20,252
078	OPERATIONAL ENHANCEMENTS	328,569	389,872
	SOCOM—Armored Ground Mobility Systems (AGMS) Acceleration		[33,303]
	SOCOM—Fused Panoramic Night Vision Goggles Acceleration		[28,000]
	CBDP		
079	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	167,918	167,918
080	CB PROTECTION & HAZARD MITIGATION	189,265	189,265
	TOTAL PROCUREMENT, DEFENSE-WIDE	5,548,212	5,885,684
	NATIONAL GUARD AND RESERVE EQUIPMENT		
	UNDISTRIBUTED		
007	UNDISTRIBUTED		950,000
	Program increase		[950,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		950,000
	TOTAL PROCUREMENT	132,205,078	147,064,524

1 **TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
2 **TION**

4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
5 **TION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601102A	DEFENSE RESEARCH SCIENCES	297,241	324,288
		Lightweight, High Entropy Alloy Research		[5,000]
		Program increase		[22,047]
002	0601103A	UNIVERSITY RESEARCH INITIATIVES	66,981	72,809
		Program increase		[5,828]
003	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	94,003	109,003

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	House Authorized
		Biotechnology advancements		[4,000]
		Polar Research and Training		[6,000]
004	0601121A	SMART and Cognitive Research for RF/ Radar		[5,000]
		CYBER COLLABORATIVE RESEARCH ALLIANCE	5,067	5,067
005	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH.	10,183	15,183
		Program increase		[5,000]
		SUBTOTAL BASIC RESEARCH	473,475	526,350
APPLIED RESEARCH				
006	0602115A	BIOMEDICAL TECHNOLOGY	11,925	11,925
007	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	1,976	1,976
008	0602141A	LETHALITY TECHNOLOGY	64,126	65,126
		CPF—Research and Development of Next Generation Explosives and Propellants.		[1,000]
009	0602142A	ARMY APPLIED RESEARCH	28,654	28,654
010	0602143A	SOLDIER LETHALITY TECHNOLOGY	105,168	115,168
		AFC Pathfinder Partnership Program-Air Assault		[10,000]
011	0602144A	GROUND TECHNOLOGY	56,400	118,400
		Additive Manufacturing Materials		[9,000]
		Advanced materials process		[10,000]
		Chemical and Biological Detection		[5,000]
		CPF—Army Research Lab (ARL) Additive Manufacturing/Machine Learning (AM/ML) Initiative.		[5,000]
		High performance polymers		[10,000]
		Modeling Enabled Multifunctional Materials Development (MEMMD)		[6,000]
		Program increase		[17,000]
012	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	172,166	190,166
		CPF—High-efficiency Truck Users Forum (HTUF)		[2,500]
		CPF—Structural Thermoplastics Large-Scale Low-Cost Tooling Solutions.		[4,500]
		Prototyping Energy Smart Autonomous Ground Systems		[8,000]
		Tactical Behaviors for Autonomous Maneuver		[3,000]
013	0602146A	NETWORK C3I TECHNOLOGY	84,606	136,406
		Advanced fabrics for shelters		[9,000]
		Alternative PNT		[15,000]
		CPF—Future Nano- and Micro-Fabrication - Advanced Materials Engineering Research Institute.		[6,800]
		CPF—Multiple Drone, Multiple Sensor ISR Capabilities		[5,000]
		Distributed Radio Frequency Sensor/Effecter Technology for Strategic Defense.		[10,000]
		Intelligent Electronic Protection Technologies		[6,000]
014	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	64,285	94,535
		Machine Learning for Army Integrated Fires		[10,000]
		Novel Printed Armaments Components		[15,000]
		Precision Long Range Integrated Strike (PLRIS)		[5,250]
015	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	91,411	91,411
016	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	19,316	64,316
		Advancement of critical HEL technologies		[10,000]
		Cyber Electromagnetic (CEMA) Missile Defender		[15,000]
		High energy laser integration		[20,000]
017	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES.	15,034	15,034
018	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH	25,967	25,967
019	0602182A	C3I APPLIED RESEARCH	12,406	12,406
020	0602183A	AIR PLATFORM APPLIED RESEARCH	6,597	16,597
		High density eVTOL power source		[10,000]
021	0602184A	SOLDIER APPLIED RESEARCH	11,064	26,064
		Advanced AI/AA analytics		[5,000]
		AFC Pathfinder Partnership Program		[10,000]
022	0602213A	C3I APPLIED CYBER	12,123	12,123
023	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH	20,643	20,643
024	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	18,701	18,701
025	0602787A	MEDICAL TECHNOLOGY	91,720	95,720
		CPF—Human Performance Optimization (HIPO) Center		[2,000]
		CPF—Suicide Prevention with Focus on Rural, Remote, Isolated, and OCONUS Installations.		[2,000]
		SUBTOTAL APPLIED RESEARCH	914,288	1,161,338
ADVANCED TECHNOLOGY DEVELOPMENT				
026	0603002A	MEDICAL ADVANCED TECHNOLOGY	43,804	43,804
027	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	14,273	14,273
028	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION	22,231	22,231
029	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES.	909	909
030	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY	17,743	17,743
031	0603042A	C3I ADVANCED TECHNOLOGY	3,151	3,151

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032	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY	754	754
033	0603044A	SOLDIER ADVANCED TECHNOLOGY	890	890
034	0603115A	MEDICAL DEVELOPMENT	26,521	26,521
035	0603116A	LETHALITY ADVANCED TECHNOLOGY	8,066	8,066
036	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	76,815	76,815
037	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	107,966	107,966
038	0603119A	GROUND ADVANCED TECHNOLOGY	23,403	63,403
		Advanced Entry Control Point Design		[5,000]
		Cold weather military research		[2,000]
		CPF—Military Operations in a Permafrost Environment		[3,000]
		Ground Advanced Technology—3D Printed Structures		[12,000]
		Program increase		[10,000]
		Rapid entry and sustainment for the Arctic		[8,000]
039	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	24,747	24,747
040	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH	53,736	53,736
041	0603457A	C3I CYBER ADVANCED DEVELOPMENT	31,426	31,426
042	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	189,123	231,523
		Program increase		[42,400]
043	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY	164,951	169,951
		Vehicle Cyber Security Research		[5,000]
044	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	155,867	174,267
		C3I Assured Position, Navigation, and Timing Technology		[10,000]
		Infrastructure Smart Technology		[8,400]
045	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	93,909	123,909
		Extended Range Artillery Munition Suite (ERAMS)		[10,000]
		Missile effects planning tool development		[10,000]
		Project AG5		[10,000]
046	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	179,677	179,677
047	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	48,826	66,326
		Late contract award		[-2,500]
		Program increase—Missile Mentor		[10,000]
		Vehicle-mounted high-energy laser weapon systems development		[10,000]
048	0603920A	HUMANITARIAN DEMINING	8,649	8,649
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	1,297,437	1,450,737
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
049	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	11,702	53,702
		Electro-Magnetic Denial and Protect		[10,000]
		Flight Analysis Software Toolkit		[8,000]
		PNT Resiliency Lab		[8,000]
		Program increase		[10,000]
		Scalable High Powered Microwave Technology		[6,000]
050	0603308A	ARMY SPACE SYSTEMS INTEGRATION	18,755	21,755
		Multi-Mission Synthetic Aperture Radar Payload Development		[3,000]
052	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	50,314	50,314
053	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	79,873	79,873
054	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	170,590	176,390
		Excess to need		[-4,000]
		Ground vehicle modeling and simulation research and development		[9,800]
055	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	2,897	2,897
056	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	113,365	113,365
057	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	18,000	21,804
		Soldier Maneuver Sensors Adv Dev Lethality Smart System—Army UPL		[3,804]
058	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	11,921	11,921
059	0603790A	NATO RESEARCH AND DEVELOPMENT	3,777	3,777
060	0603801A	AVIATION—ADV DEV	1,125,641	1,134,141
		Excess to need		[-24,500]
		FLRAA risk reduction		[33,000]
061	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	7,055	7,055
062	0603807A	MEDICAL SYSTEMS—ADV DEV	22,071	22,071
063	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	17,459	17,459
064	0604017A	ROBOTICS DEVELOPMENT	87,198	75,048
		Excess carryover		[-7,150]
		Unjustified growth—other support costs		[-5,000]
065	0604019A	EXPANDED MISSION AREA MISSILE (EMAM)	50,674	43,674
		IPPC-HEL Late Contract Award		[-7,000]
067	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	19,638	19,638
068	0604036A	MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV	50,548	45,498
		Insufficient justification		[-5,050]
069	0604037A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV	28,347	28,347
070	0604100A	ANALYSIS OF ALTERNATIVES	10,091	10,091
071	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	926	926
072	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	69,697	69,697
073	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	327,690	327,690
074	0604115A	TECHNOLOGY MATURATION INITIATIVES	270,124	180,324

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		<i>Insufficient justification</i>		[-80,000]
		<i>Program decrease</i>		[-9,800]
075	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	39,376	32,976
		<i>Excess carryover</i>		[-6,400]
076	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING	189,483	189,483
077	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	96,679	96,679
078	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING	194,195	192,195
		<i>Prior-year carryover</i>		[-2,000]
079	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING	13,379	13,379
080	0604182A	HYPERSONICS	300,928	300,928
081	0604403A	FUTURE INTERCEPTOR	7,895	7,895
082	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT	19,148	19,148
083	0604541A	UNIFIED NETWORK TRANSPORT	35,409	35,409
084	0604644A	MOBILE MEDIUM RANGE MISSILE	286,457	281,457
		<i>Prior-year carryover</i>		[-5,000]
085	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	2,040	2,040
086	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	52,988	52,988
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	3,806,330	3,742,034
		SYSTEM DEVELOPMENT & DEMONSTRATION		
089	0604201A	AIRCRAFT AVIONICS	6,654	6,654
090	0604270A	ELECTRONIC WARFARE DEVELOPMENT	30,840	26,440
		<i>Early to need</i>		[-4,400]
091	0604601A	INFANTRY SUPPORT WEAPONS	67,873	72,873
		<i>Turret Gunner Survivability and Simulation Environment</i>		[5,000]
092	0604604A	MEDIUM TACTICAL VEHICLES	11,374	11,374
093	0604611A	JAVELIN	7,094	7,094
094	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	31,602	31,602
095	0604633A	AIR TRAFFIC CONTROL	4,405	4,405
096	0604642A	LIGHT TACTICAL WHEELED VEHICLES	2,055	7,655
		<i>Electric Light Recon Vehicle—Army UPL</i>		[5,600]
097	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	137,256	137,256
098	0604710A	NIGHT VISION SYSTEMS—ENG DEV	62,690	112,690
		<i>Transfer from Other Procurement, Army line 83</i>		[50,000]
099	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,658	1,658
100	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	26,540	26,540
101	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	59,518	59,518
102	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	22,331	22,331
103	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,807	8,807
104	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	7,453	7,453
107	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	21,534	21,534
108	0604802A	WEAPONS AND MUNITIONS—ENG DEV	309,778	309,778
109	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	59,261	52,261
		<i>Excess carryover</i>		[-7,000]
110	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	20,121	20,121
111	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	44,424	44,424
112	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	14,137	9,137
		<i>Insufficient justification</i>		[-5,000]
113	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	162,704	162,704
114	0604820A	RADAR DEVELOPMENT	127,919	127,919
115	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GPEBS)	17,623	17,623
117	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	6,454	6,454
118	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	106,354	127,354
		<i>Program increase for vehicle protection system research—Army UPL</i>		[21,000]
120	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	122,168	122,168
121	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	76,936	76,936
122	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	35,560	35,560
124	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	16,364	16,364
125	0605031A	JOINT TACTICAL NETWORK (JTN)	28,954	28,954
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	16,630	16,630
130	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE	7,618	7,618
131	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	18,892	18,892
132	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	28,849	28,849
133	0605047A	CONTRACT WRITING SYSTEM	22,960	22,960
135	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	65,603	65,603
136	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	233,512	233,512
137	0605053A	GROUND ROBOTICS	18,241	18,241
138	0605054A	EMERGING TECHNOLOGY INITIATIVES	254,945	254,945
139	0605143A	BIOMETRICS ENABLING CAPABILITY (BEC)	4,326	4,326
140	0605144A	NEXT GENERATION LOAD DEVICE—MEDIUM	15,616	15,616

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141	0605145A	MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOPMENT ...	962	962
142	0605148A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) EMD	54,972	54,972
143	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	122,175	122,175
144	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	2,275	2,275
145	0605224A	MULTI-DOMAIN INTELLIGENCE	9,313	9,313
146	0605225A	SIO CAPABILITY DEVELOPMENT	22,713	22,713
147	0605231A	PRECISION STRIKE MISSILE (PRSM)	188,452	188,452
148	0605232A	HYPERSONICS EMD	111,473	111,473
149	0605233A	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	18,790	18,790
150	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	2,134	2,134
151	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	157,873	157,873
152	0605531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS SYS DEV & DEMONSTRATION.	33,386	33,386
153	0605625A	MANNED GROUND VEHICLE	225,106	203,106
		<i>Excess carryover</i>		[−10,000]
		<i>Unjustified growth—other support costs</i>		[−7,000]
		<i>Unjustified growth—program management</i>		[−5,000]
154	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	14,454	14,454
155	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	2,564	2,564
156	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,201	1,201
157	0303032A	TROJAN—RH12	3,362	3,362
161	0304270A	ELECTRONIC WARFARE DEVELOPMENT	75,520	75,520
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	3,392,358	3,435,558
		MANAGEMENT SUPPORT		
162	0604256A	THREAT SIMULATOR DEVELOPMENT	18,439	18,439
163	0604258A	TARGET SYSTEMS DEVELOPMENT	17,404	17,404
164	0604759A	MAJOR T&E INVESTMENT	68,139	68,139
165	0605103A	RAND ARROYO CENTER	33,126	33,126
166	0605301A	ARMY KWAJALEIN ATOLL	240,877	240,877
167	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	79,710	79,710
169	0605601A	ARMY TEST RANGES AND FACILITIES	354,227	354,227
170	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	49,253	69,739
		<i>Modular Open System Architecture (MOSA) integration research and testing.</i>		[20,486]
171	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	36,389	36,389
172	0605606A	AIRCRAFT CERTIFICATION	2,489	2,489
173	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,689	6,689
174	0605706A	MATERIEL SYSTEMS ANALYSIS	21,558	21,558
175	0605709A	EXPLOITATION OF FOREIGN ITEMS	13,631	13,631
176	0605712A	SUPPORT OF OPERATIONAL TESTING	55,122	55,122
177	0605716A	ARMY EVALUATION CENTER	65,854	65,854
178	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	2,633	2,633
179	0605801A	PROGRAMWIDE ACTIVITIES	96,589	96,589
180	0605803A	TECHNICAL INFORMATION ACTIVITIES	26,808	26,808
181	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	43,042	48,042
		<i>Program increase for Advanced Ammunition Material and Manufacturing Technologies.</i>		[5,000]
182	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,789	1,789
183	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	52,108	52,108
185	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	80,952	80,952
186	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	5,363	5,363
187	0606105A	MEDICAL PROGRAM-WIDE ACTIVITIES	39,041	39,041
188	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	5,466	5,466
		SUBTOTAL MANAGEMENT SUPPORT	1,416,698	1,442,184
		OPERATIONAL SYSTEMS DEVELOPMENT		
190	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	12,314	12,314
191	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	8,868	8,868
192	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS.	22,828	38,828
		<i>Agile Manufacturing for Advanced Armament Systems</i>		[16,000]
194	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	4,773	6,773
		<i>Program increase</i>		[2,000]
195	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	52,372	62,372
		<i>Program increase—T55—714C acceleration</i>		[10,000]
196	0607139A	IMPROVED TURBINE ENGINE PROGRAM	275,024	315,024
		<i>Army Improved Turbine Engine Program</i>		[40,000]
197	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT.	12,417	12,417
198	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	4,594	4,594
199	0607145A	APACHE FUTURE DEVELOPMENT	10,067	25,067
		<i>Program increase—air vehicle advancement and advanced mission systems.</i>		[15,000]
200	0607148A	AN/TPQ-53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM.	56,681	56,681

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201	0607150A	INTEL CYBER DEVELOPMENT	3,611	12,471
		Cyber-Info Dominance Center		[8,860]
202	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	28,029	28,029
203	0607313A	ELECTRONIC WARFARE DEVELOPMENT	5,673	5,673
204	0607665A	FAMILY OF BIOMETRICS	1,178	1,178
205	0607865A	PATRIOT PRODUCT IMPROVEMENT	125,932	125,932
206	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs)	25,547	25,547
207	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	211,523	276,533
		Abrams tank modernization		[65,000]
208	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	213,281	208,136
		Excess carryover		[-5,145]
210	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	132	132
211	0203758A	DIGITIZATION	3,936	3,936
212	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	127	127
213	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	10,265	10,265
214	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	262	262
215	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	182	182
216	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	63,937	63,937
217	0208053A	JOINT TACTICAL GROUND SYSTEM	13,379	13,379
219	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	24,531	24,531
220	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	15,720	15,720
221	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	52,739	61,739
		ERP Convergence		[9,000]
222	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	15,247	15,247
226	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	5,430	5,430
227	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	8,410	8,410
228	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	24,460	24,460
233	0307665A	BIOMETRICS ENABLED INTELLIGENCE	2,066	2,066
234	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	61,720	76,720
		Digital Night Vision Cameras		[15,000]
236A	999999999	CLASSIFIED PROGRAMS	2,993	2,993
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..	1,380,248	1,555,963
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
237	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT	118,811	118,811
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	118,811	118,811
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	12,799,645	13,432,975
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	117,448	160,136
		Defense University Research Instrumentation Program		[20,000]
		Program increase		[22,688]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH		23,399
		Program increase		[23,399]
003	0601153N	DEFENSE RESEARCH SCIENCES	484,421	489,406
		CPF—Digital Twins for Navy Maintenance		[1,985]
		Program increase		[3,000]
		SUBTOTAL BASIC RESEARCH	601,869	672,941
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	23,013	33,013
		Multi-Mission UAV-borne Electronic Attack		[10,000]
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	122,888	143,388
		Program increase		[5,000]
		Relative positioning of autonomous platforms		[5,000]
		Talent and technology for Navy power and energy systems		[10,500]
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	51,112	61,112
		Unmanned logistics solutions		[10,000]
007	0602235N	COMMON PICTURE APPLIED RESEARCH	51,477	51,477
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	70,547	80,547
		High Mobility Ground Robots to Assist Dismounted Infantry in Urban Operations		[5,000]
		Humanoid robotics in complex unstructured environments		[5,000]
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	85,157	85,157
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	70,086	90,086
		Program increase		[20,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,405	6,405
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	57,484	112,484
		Academic partnerships for undersea vehicle research and manufacturing		[16,500]
		Continuous distributed sensing systems		[20,000]

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Line	Program Element	Item	FY 2022 Request	House Authorized
		CPF—Connected AI for Autonomous UUV Systems		[5,000]
		CPF—Persistent Maritime Surveillance		[5,000]
		Program increase		[8,500]
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	173,356	193,356
		Remote acoustic sensing		[20,000]
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	32,160	32,160
015	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH	152,976	152,976
016	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	79,254	79,254
		SUBTOTAL APPLIED RESEARCH	975,915	1,121,415
		ADVANCED TECHNOLOGY DEVELOPMENT		
017	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	21,661	21,661
018	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,146	8,146
019	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	224,155	264,055
		Low Cost Attributable Aircraft Technology		[25,000]
		Maritime Targeting Cell—Expeditionary (MTC-X)		[5,300]
		Next Generation Logistics – Autonomous Littoral Connector		[9,600]
020	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	13,429	13,429
021	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	265,299	265,299
022	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	57,236	57,236
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,935	4,935
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	47,167	52,167
		Net-Zero and Resilient Energy Installations		[5,000]
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	1,981	1,981
026	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	133,779	158,779
		Attributable Group III Ultra-Long Endurance Unmanned Aircraft for Persistent ISR.		[10,000]
		Program increase—railgun		[15,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	777,788	847,688
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603128N	UNMANNED AERIAL SYSTEM	16,879	16,879
028	0603178N	MEDIUM AND LARGE UNMANNED SURFACE VEHICLES (USVs) ...	144,846	144,846
029	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	27,849	27,849
030	0603216N	AVIATION SURVIVABILITY	16,815	16,815
031	0603239N	NAVAL CONSTRUCTION FORCES	5,290	5,290
033	0603254N	ASW SYSTEMS DEVELOPMENT	17,612	17,612
034	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,111	3,111
035	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	32,310	32,310
036	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	58,013	58,013
037	0603506N	SURFACE SHIP TORPEDO DEFENSE	1,862	1,862
038	0603512N	CARRIER SYSTEMS DEVELOPMENT	7,182	7,182
039	0603525N	PILOT FISH	408,087	408,087
040	0603527N	RETRACT LARCH	44,197	44,197
041	0603536N	RETRACT JUNIPER	144,541	144,541
042	0603542N	RADIOLOGICAL CONTROL	761	761
043	0603553N	SURFACE ASW	1,144	1,144
044	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	99,782	79,782
		Production delay		[-20,000]
045	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	14,059	14,059
046	0603563N	SHIP CONCEPT ADVANCED DESIGN	111,590	111,590
047	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	106,957	106,957
048	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	203,572	203,572
049	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	78,122	78,122
050	0603576N	CHALK EAGLE	80,270	80,270
051	0603581N	LITTORAL COMBAT SHIP (LCS)	84,924	84,924
052	0603582N	COMBAT SYSTEM INTEGRATION	17,322	17,322
053	0603595N	OHIO REPLACEMENT	296,231	266,231
		Excessive cost growth		[-30,000]
054	0603596N	LCS MISSION MODULES	75,995	75,995
055	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	7,805	7,805
056	0603599N	FRIGATE DEVELOPMENT	109,459	109,459
057	0603609N	CONVENTIONAL MUNITIONS	7,296	7,296
058	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	77,065	77,065
059	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	34,785	34,785
060	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	8,774	8,774
061	0603721N	ENVIRONMENTAL PROTECTION	20,677	20,677
062	0603724N	NAVY ENERGY PROGRAM	33,824	43,824
		AR3P Auto Refueling System		[10,000]
063	0603725N	FACILITIES IMPROVEMENT	6,327	6,327
064	0603734N	CHALK CORAL	579,389	579,389
065	0603739N	NAVY LOGISTIC PRODUCTIVITY	669	669
066	0603746N	RETRACT MAPLE	295,295	295,295

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067	0603748N	LINK PLUMERIA	692,280	692,280
068	0603751N	RETRACT ELM	83,904	83,904
069	0603764M	LINK EVERGREEN	221,253	221,253
071	0603790N	NATO RESEARCH AND DEVELOPMENT	5,805	5,805
072	0603795N	LAND ATTACK TECHNOLOGY	4,017	4,017
073	0603851M	JOINT NON-LETHAL WEAPONS TESTING	29,589	29,589
074	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/ VAL	24,450	24,450
075	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	81,803	81,803
076	0604014N	F/A-18 INFRARED SEARCH AND TRACK (IRST)	48,793	48,793
077	0604027N	DIGITAL WARFARE OFFICE	46,769	55,752
		<i>Navy Tactical Grid Development for JADC2</i>		[8,983]
078	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	84,676	84,676
079	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	59,299	59,299
081	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	88,063	88,063
082	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	121,509	156,509
		<i>Integrated Digital Shipbuilding</i>		[35,000]
083	0604126N	LITTORAL AIRBORNE MCM	18,669	69
		<i>COBRA Block II early to need</i>		[-18,600]
084	0604127N	SURFACE MINE COUNTERMEASURES	13,655	13,655
085	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	33,246	33,246
086	0604289M	NEXT GENERATION LOGISTICS	1,071	6,071
		<i>Additive Manufacturing Part Screening and Selection Software Tool</i>		[5,000]
087	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	9,825	9,825
088	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	6,555	6,555
089	0604454N	LX (R)	3,344	3,344
090	0604536N	ADVANCED UNDERSEA PROTOTYPING	58,473	58,473
091	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	5,529	5,529
092	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	97,944	97,944
093	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/EN- GINEERING SUPPORT	9,340	9,340
094	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	127,756	127,756
095	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVS)	60,028	101,728
		<i>Carry out execution of CLIN 0101</i>		[41,700]
096	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES	170,838	123,838
		<i>USV machinery qualification insufficient justification</i>		[-47,000]
097	0605514M	GROUND BASED ANTI-SHIP MISSILE (MARFORRES)	102,716	102,716
098	0605516M	LONG RANGE FIRES (MARFORRES)	88,479	88,479
099	0605518N	CONVENTIONAL PROMPT STRIKE (CPS)	1,372,340	1,498,340
		<i>Conventional Prompt Strike (CPS) RDT&E</i>		[126,000]
100	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	8,571	8,571
101	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	16,204	63,604
		<i>KMAX</i>		[12,400]
		<i>Solar-powered UAS</i>		[35,000]
102	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	506	506
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	7,077,987	7,236,470
SYSTEM DEVELOPMENT & DEMONSTRATION				
103	0603208N	TRAINING SYSTEM AIRCRAFT	5,864	5,864
104	0604212N	OTHER HELO DEVELOPMENT	56,444	49,312
		<i>AURA—excess to need</i>		[-7,132]
105	0604214M	AV-8B AIRCRAFT—ENG DEV	10,146	10,146
106	0604215N	STANDARDS DEVELOPMENT	4,082	4,082
107	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	46,418	56,418
		<i>Program increase—MH-60 modernization</i>		[10,000]
108	0604221N	P-3 MODERNIZATION PROGRAM	579	579
109	0604230N	WARFARE SUPPORT SYSTEM	10,167	10,167
110	0604231N	COMMAND AND CONTROL SYSTEMS	122,913	122,913
111	0604234N	ADVANCED HAWKEYE	386,860	386,860
112	0604245M	H-1 UPGRADES	50,158	50,158
113	0604261N	ACOUSTIC SEARCH SENSORS	46,066	46,066
114	0604262N	V-32A	107,984	107,984
115	0604264N	AIR CREW SYSTEMS DEVELOPMENT	22,746	22,746
116	0604269N	EA-18	68,425	68,425
117	0604270N	ELECTRONIC WARFARE DEVELOPMENT	139,535	136,593
		<i>Dual Band Decoy previously funded</i>		[-2,942]
118	0604273M	EXECUTIVE HELO DEVELOPMENT	45,932	45,932
119	0604274N	NEXT GENERATION JAMMER (NGJ)	243,923	245,423
		<i>High band risk reduction</i>		[10,000]
		<i>Test and evaluation delays</i>		[-8,500]
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	234,434	243,417
		<i>Navy Tactical Grid Development for JADC2</i>		[8,983]
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	248,096	230,100
		<i>Contract delays</i>		[-17,996]
122	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	371,575	371,575

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123	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	904	904
124	0604329N	SMALL DIAMETER BOMB (SDB)	46,769	46,769
125	0604366N	STANDARD MISSILE IMPROVEMENTS	343,511	343,511
126	0604373N	AIRBORNE MCM	10,881	10,881
127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.	46,121	46,121
129	0604501N	ADVANCED ABOVE WATER SENSORS	77,852	77,852
130	0604503N	SSN-688 AND TRIDENT MODERNIZATION	95,693	95,693
131	0604504N	AIR CONTROL	27,499	27,499
132	0604512N	SHIPBOARD AVIATION SYSTEMS	8,924	8,924
133	0604518N	COMBAT INFORMATION CENTER CONVERSION	11,631	11,631
134	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	96,556	96,556
135	0604530N	ADVANCED ARRESTING GEAR (AAG)	147	147
136	0604558N	NEW DESIGN SSN	503,252	653,252
		SSN Block VI design and advanced capabilities		[150,000]
137	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	62,115	68,115
		Submarine Launched UAS		[6,000]
138	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	54,829	54,829
139	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,290	4,290
140	0604601N	MINE DEVELOPMENT	76,027	76,027
141	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	94,386	94,386
142	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,348	8,348
143	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV.	42,144	42,144
144	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,375	7,375
146	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	149,433	149,433
147	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	87,862	87,862
148	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	69,006	69,006
149	0604761N	INTELLIGENCE ENGINEERING	20,684	20,684
150	0604771N	MEDICAL DEVELOPMENT	3,967	11,467
		Program increase - autonomous aerial technology for distributed logistics..		[7,500]
151	0604777N	NAVIGATION/ID SYSTEM	48,837	48,837
152	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	577	577
153	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	262	262
154	0604850N	SSN(X)	29,829	29,829
155	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	11,277	11,277
156	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	243,828	243,828
157	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	8,426	8,426
158	0605180N	TACAMO MODERNIZATION	150,592	90,472
		Unjustified air vehicle acquisition strategy		[-60,120]
159	0605212M	CH-53K RDTE	256,903	256,903
160	0605215N	MISSION PLANNING	88,128	88,128
161	0605217N	COMMON AVIONICS	60,117	92,017
		MAGTF Agile Network Gateway Link (MAGNL) Wholeme Tactical		[31,900]
162	0605220N	SHIP TO SHORE CONNECTOR (SSC)	6,320	6,320
163	0605327N	T-AO 205 CLASS	4,336	4,336
164	0605414N	UNMANNED CARRIER AVIATION (UCA)	268,937	268,937
165	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	356	356
166	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	27,279	27,279
167	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	173,784	173,784
168	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION.	80,709	80,709
169	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,005	2,005
170	0204202N	DDG-1000	112,576	112,576
174	0304785N	ISR & INFO OPERATIONS	136,140	126,140
		Program decrease		[-10,000]
175	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	26,318	26,318
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	5,910,089	6,027,782
MANAGEMENT SUPPORT				
176	0604256N	THREAT SIMULATOR DEVELOPMENT	20,862	20,862
177	0604258N	TARGET SYSTEMS DEVELOPMENT	12,113	12,113
178	0604759N	MAJOR T&E INVESTMENT	84,617	84,617
179	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,108	3,108
180	0605154N	CENTER FOR NAVAL ANALYSES	38,590	38,590
183	0605804N	TECHNICAL INFORMATION SERVICES	934	934
184	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	93,966	93,966
185	0605856N	STRATEGIC TECHNICAL SUPPORT	3,538	3,538
186	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	135,149	135,149
187	0605864N	TEST AND EVALUATION SUPPORT	429,277	429,277
188	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	24,872	24,872
189	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	17,653	17,653
190	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,065	8,065
191	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	47,042	44,042
		Wargaming capability project restructured		[-3,000]

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192	0605898N	MANAGEMENT HQ—R&D	35,614	35,614
193	0606355N	WARFARE INNOVATION MANAGEMENT	38,958	38,958
194	0305327N	INSIDER THREAT	2,581	2,581
195	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES).	1,747	1,747
		SUBTOTAL MANAGEMENT SUPPORT	998,686	995,686
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604840M	F-35 C2D2	515,746	464,146
		TR-3/B4 cost growth		[-51,600]
200	0604840N	F-35 C2D2	481,962	433,762
		TR-3/B4 cost growth		[-48,200]
201	0605520M	MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS (MARFORRES).	65,381	65,381
202	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	176,486	176,486
203	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	177,098	186,098
		Next Generation Strategic Inertial Measurement Unit		[9,000]
204	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	45,775	45,775
205	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	64,752	74,752
		MK 5 acoustic device countermeasure		[10,000]
206	0101402N	NAVY STRATEGIC COMMUNICATIONS	35,451	35,451
207	0204136N	FA-18 SQUADRONS	189,224	193,224
		Jet Noise Reduction Technology		[4,000]
208	0204228N	SURFACE SUPPORT	13,733	13,733
209	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC).	132,181	132,181
210	0204311N	INTEGRATED SURVEILLANCE SYSTEM	84,276	84,276
211	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	6,261	6,261
212	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	1,657	1,657
213	0204460M	GROUND/AIR TASK ORIENTED RADAR (GATOR)	21,367	68,367
		Naval Integrated Fire Control—USMC UPL		[12,000]
		Radar Signal Processor Refresh—USMC UPL		[12,000]
		SENSOR AN/TPS-80 Ground/Air Task-Oriented Radar (GATOR):		[23,000]
		Air Traffic Control (ATC) Block IV Development—USMC UPL.		
214	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	56,741	56,741
215	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	62,006	62,006
216	0205601N	ANTI-RADIATION MISSILE IMPROVEMENT	133,520	123,520
		Program decrease		[-10,000]
217	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	28,804	28,804
218	0205632N	MK-48 ADCAP	114,492	114,492
219	0205633N	AVIATION IMPROVEMENTS	132,486	132,486
220	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	113,760	113,760
221	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	89,897	92,697
		Compact Solid State Antenna (CSSA)—USMC UPL		[2,800]
222	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S) ...	9,324	9,324
223	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	108,235	108,235
224	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	13,185	13,185
225	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) ...	37,695	37,695
226	0206629M	AMPHIBIOUS ASSAULT VEHICLE	7,551	7,551
227	0207161N	TACTICAL AIM MISSILES	23,881	23,881
228	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	32,564	32,564
229	0208043N	PLANNING AND DECISION AID SYSTEM (PDAS)	3,101	3,101
234	0303138N	AFLOAT NETWORKS	30,890	44,873
		Navy Tactical Grid Development for JADC2		[8,983]
		Program increase		[5,000]
235	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	33,311	33,311
236	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	7,514	7,514
237	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	9,837	9,837
238	0305205N	UAS INTEGRATION AND INTEROPERABILITY	9,797	9,797
239	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	38,800	38,800
240	0305220N	MQ-4C TRITON	13,029	13,029
241	0305231N	MQ-8 UAV	26,543	26,543
242	0305232M	RQ-11 UAV	533	533
243	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLo)	1,772	1,772
245	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	59,252	59,252
246	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	9,274	9,274
247	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	36,378	36,378
248	0305421N	RQ-4 MODERNIZATION	134,323	134,323
249	0307577N	INTELLIGENCE MISSION DATA (IMD)	907	907
250	0308601N	MODELING AND SIMULATION SUPPORT	9,772	9,772
251	0702207N	DEPOT MAINTENANCE (NON-IP)	36,880	41,880
		CPF—Defense Industrial Skills and Technology Training		[5,000]
252	0708730N	MARITIME TECHNOLOGY (MARITECH)	3,329	3,329
253A	9999999999	CLASSIFIED PROGRAMS	1,872,586	1,872,586
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..	5,313,319	5,295,302

SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	House Authorized
254	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM.	13,703	13,703
255	0608113N	NAVY NEXT GENERATION ENTERPRISE NETWORK (NGEN)—SOFTWARE PILOT PROGRAM.	955,151	955,151
256	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM.	14,855	14,855
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	983,709	983,709
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	22,639,362	23,180,993
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	328,303	357,823
		Program increase		[19,520]
		Space Force University Partnerships		[10,000]
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	162,403	175,714
		CPF—Neural-enabled Prosthetics		[1,500]
		Program increase		[11,811]
		SUBTOTAL BASIC RESEARCH	490,706	533,537
		APPLIED RESEARCH		
004	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	79,901	79,901
005	0602102F	MATERIALS	113,460	160,960
		CPF—Affordable Multifunctional Aerospace Composites		[10,000]
		Digital Maintenance Advisor		[7,500]
		Maturation of carbon/carbon thermal protection systems		[5,000]
		Program increase		[25,000]
006	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	163,032	175,532
		Nano-UAS for the Military Warfighter		[2,500]
		Novel advanced agile air platform technologies		[10,000]
007	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	136,273	136,273
008	0602203F	AEROSPACE PROPULSION	174,683	131,683
		Program decrease		[-43,000]
009	0602204F	AEROSPACE SENSORS	193,514	211,214
		Chip-locking microelectronics security		[8,700]
		Cyber Assurance and Assessment of Electronic Hardware Systems		[9,000]
011	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEAD-QUARTERS ACTIVITIES.	8,891	8,891
012	0602602F	CONVENTIONAL MUNITIONS	151,757	161,757
		Advanced Propulsion Technology for Hypersonic Systems		[10,000]
013	0602605F	DIRECTED ENERGY TECHNOLOGY	121,869	124,369
		CPF—Directed Energy Research and Education for Workforce Development.		[2,500]
014	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	169,110	171,110
		CPF—Assessment of a National Laboratory for Transformational Computing.		[2,000]
		SUBTOTAL APPLIED RESEARCH	1,312,490	1,361,690
		ADVANCED TECHNOLOGY DEVELOPMENT		
017	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	131,643	131,643
018	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	31,905	61,905
		Composites Research		[15,000]
		Metals affordability research		[15,000]
019	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	21,057	21,057
020	0603203F	ADVANCED AEROSPACE SENSORS	44,730	54,030
		Authorization Software for Autonomous Sensors		[9,300]
021	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	70,486	85,486
		Enhanced Capability Hypersonic Airbreathing Testbed		[15,000]
022	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	75,273	169,773
		CPF—Development of Advanced Propulsion Technologies for Hypersonic Systems.		[5,000]
		Ground Testing of Reusable High Mach Turbine Engines		[20,000]
		Next Generation UAS Propulsion Development		[30,000]
		Reusable High Mach Turbine engine		[29,500]
		Turbine engine technology		[10,000]
023	0603270F	ELECTRONIC COMBAT TECHNOLOGY	46,591	46,591
026	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT.	24,589	24,589
027	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	157,423	157,423
028	0603605F	ADVANCED WEAPONS TECHNOLOGY	28,258	33,258
		LIDAR CUAS Automated Target Recognition		[5,000]
029	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	45,259	175,259
		Aerospace and defense supply ecosystem		[6,000]
		CPF—Additive Manufacturing and Ultra-High Performance Concrete		[5,000]
		Program increase		[95,000]
		Smart Manufacturing Digital Thread Initiative		[10,000]

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Line	Program Element	Item	FY 2022 Request	House Authorized
		Universal robotic controller		[6,000]
		Virtual, Augmented, and Mixed Reality Readiness		[8,000]
030	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	56,772	56,772
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	733,986	1,017,786
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
031	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,795	5,795
032	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,939	21,939
033	0603790F	NATO RESEARCH AND DEVELOPMENT	4,114	4,114
034	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DE/MVAL	49,621	49,621
036	0604001F	NC3 ADVANCED CONCEPTS	6,900	6,900
037	0604002F	AIR FORCE WEATHER SERVICES RESEARCH	986	986
038	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	203,849	178,849
		Program decrease		[-25,000]
039	0604004F	ADVANCED ENGINE DEVELOPMENT	123,712	380,712
		Project 643608—AETP		[257,000]
040	0604006F	ARCHITECTURE INITIATIVES	82,438	43,438
		Program decrease		[-39,000]
041	0604015F	LONG RANGE STRIKE—BOMBER	2,872,624	2,872,624
042	0604032F	DIRECTED ENERGY PROTOTYPING	10,820	10,820
043	0604033F	HYPERSONICS PROTOTYPING	438,378	438,378
044	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	39,742	39,742
045	0604257F	ADVANCED TECHNOLOGY AND SENSORS	23,745	23,745
046	0604288F	SURVIVABLE AIRBORNE OPERATIONS CENTER	133,253	133,253
047	0604317F	TECHNOLOGY TRANSFER	15,768	15,768
048	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	15,886	15,886
049	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	71,229	71,229
050	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	40,103	40,103
051	0604858F	TECH TRANSITION PROGRAM	343,545	423,545
		NORTHCOM/NORAD—Proliferated Low Earth Orbit Arctic Communications (P-LEO).		[80,000]
052	0605230F	GROUND BASED STRATEGIC DETERRENT	2,553,541	2,553,541
054	0207110F	NEXT GENERATION AIR DOMINANCE	1,524,667	1,474,667
		High-Risk Technology Integration Plan		[-50,000]
055	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)		50,000
		Build Command and Control Framework		[50,000]
056	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	10,905	10,905
057	0208030F	WAR RESERVE MATERIEL—AMMUNITION	3,943	3,943
059	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	43,881	43,881
061	0305601F	MISSION PARTNER ENVIRONMENTS	16,420	16,420
062	0306250F	CYBER OPERATIONS TECHNOLOGY SUPPORT	242,499	242,499
063	0306415F	ENABLED CYBER ACTIVITIES	16,578	16,578
066	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	20,343	20,343
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	8,937,224	9,210,224
		SYSTEM DEVELOPMENT & DEMONSTRATION		
078	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	23,499	23,499
079	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	167,520	167,520
080	0604222F	NUCLEAR WEAPONS SUPPORT	30,050	30,050
081	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,110	7,110
		Program increase—Ultra-Wideband Receiver		[5,000]
082	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	169,836	169,836
083	0604287F	PHYSICAL SECURITY EQUIPMENT	8,469	8,469
085	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	9,047	9,047
086	0604604F	SUBUNITIONS	2,954	2,954
087	0604617F	AGILE COMBAT SUPPORT	16,603	16,603
089	0604706F	LIFE SUPPORT SYSTEMS	25,437	25,437
090	0604735F	COMBAT TRAINING RANGES	23,980	23,980
092	0604932F	LONG RANGE STANDOFF WEAPON	609,042	609,042
093	0604933F	ICBM FUZE MODERNIZATION	129,709	129,709
095	0605056F	OPEN ARCHITECTURE MANAGEMENT	37,109	37,109
096	0605221F	KC-46	1	1
097	0605223F	ADVANCED PILOT TRAINING	188,898	169,998
		MS-C Delay		[-18,900]
098	0605229F	HH-60W	66,355	30,506
		Early to need—capability upgrades and modernization		[-35,849]
101	0207171F	F-15 EPAWSS	112,012	112,012
102	0207328F	STAND IN ATTACK WEAPON	166,570	161,551
		Program decrease		[-5,000]
		SiAW Acq Strategy Change		[-19]
103	0207701F	FULL COMBAT MISSION TRAINING	7,064	16,564
		Airborne Augmented Reality Technology		[9,500]
105	0401221F	KC-46A TANKER SQUADRONS	73,458	62,458
		RVS testing early to need		[-11,000]

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107	0401319F	VC-25B	680,665	584,665
		<i>Early to need</i>		[-96,000]
108	0701212F	AUTOMATED TEST SYSTEMS	15,445	15,445
109	0804772F	TRAINING DEVELOPMENTS	4,482	4,482
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	2,570,315	2,418,047
		MANAGEMENT SUPPORT		
124	0604256F	THREAT SIMULATOR DEVELOPMENT	41,909	63,946
		<i>Commercial Physics-Based Simulation and Modeling Technology</i>		[5,000]
		<i>Program increase</i>		[17,037]
125	0604759F	MAJOR T&E INVESTMENT	130,766	133,766
		<i>Gulf Test Range and Training Enhancements</i>		[3,000]
126	0605101F	RAND PROJECT AIR FORCE	36,017	36,017
128	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	12,582	12,582
129	0605807F	TEST AND EVALUATION SUPPORT	811,032	803,032
		<i>Program decrease</i>		[-8,000]
131	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	243,796	243,796
132	0605828F	ACQ WORKFORCE- GLOBAL REACH	435,930	435,930
133	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	435,274	435,274
135	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	243,806	243,806
136	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	103,041	103,041
137	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	226,055	226,055
138	0605898F	MANAGEMENT HQ—R&D	4,079	4,079
139	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	70,788	70,788
140	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	30,057	30,057
141	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	85,799	75,799
		<i>Program decrease</i>		[-10,000]
142	0606398F	MANAGEMENT HQ—T&E	6,163	6,163
143	0303166F	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	537	537
144	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM.	25,340	45,340
		<i>Establishment of Rapid Engineering Architecture Engineering Hub—collaborative research network.</i>		[10,000]
		<i>Establishment of Rapid Engineering Architecture Engineering Hub—prototype development.</i>		[10,000]
145	0308602F	ENTERPRISE INFORMATION SERVICES (EIS)	28,720	28,720
146	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	37,211	37,211
147	0804731F	GENERAL SKILL TRAINING	1,506	1,506
148	0804772F	TRAINING DEVELOPMENTS	2,957	2,957
150	1001004F	INTERNATIONAL ACTIVITIES	2,420	2,420
156	1206864F	SPACE TEST PROGRAM (STP)	3	3
		SUBTOTAL MANAGEMENT SUPPORT	3,015,788	3,042,825
		OPERATIONAL SYSTEMS DEVELOPMENT		
157	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	5,509	5,509
158	0604445F	WIDE AREA SURVEILLANCE	2,760	2,760
160	0604840F	F-35 C2D2	985,404	886,904
		<i>TR-3/B4 cost growth</i>		[-98,500]
161	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	22,010	22,010
162	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	51,492	51,492
163	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	71,391	71,391
164	0605278F	HC/MC-130 RECAP RDT&E	46,796	46,796
165	0606018F	NC3 INTEGRATION	26,532	26,532
167	0101113F	B-52 SQUADRONS	715,811	568,811
		<i>CERP contract delay early to need</i>		[-147,000]
168	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	453	453
169	0101126F	B-1B SQUADRONS	29,127	29,127
170	0101127F	B-2 SQUADRONS	144,047	144,047
171	0101213F	MINUTEMAN SQUADRONS	113,622	113,622
172	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	15,202	15,202
174	0101328F	ICBM REENTRY VEHICLES	96,313	96,313
176	0102110F	UH-1N REPLACEMENT PROGRAM	16,132	16,132
177	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM.	771	771
178	0102412F	NORTH WARNING SYSTEM (NWS)	99	25,199
		<i>NORTHCOM/NORAD—Over the Horizon Radar</i>		[25,100]
179	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR	42,300	42,300
180	0202834F	VEHICLES AND SUPPORT EQUIPMENT—GENERAL	5,889	5,889
181	0205219F	MQ-9 UAV	85,135	84,121
		<i>Early to need—program protection technology insertion</i>		[-1,014]
182	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	3,111	3,111
183	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	36,607	36,607
184	0207131F	A-10 SQUADRONS	39,224	39,224
185	0207133F	F-16 SQUADRONS	224,573	224,573
186	0207134F	F-15E SQUADRONS	239,616	239,616
187	0207136F	MANNED DESTRUCTIVE SUPPRESSION	15,855	15,855

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188	0207138F	F-22A SQUADRONS	647,296	647,296
189	0207142F	F-35 SQUADRONS	69,365	64,475
		TR-3/B4 delay		[-4,890]
190	0207146F	F-15EX	118,126	118,126
191	0207161F	TACTICAL AIM MISSILES	32,974	32,974
192	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	51,288	51,288
193	0207227F	COMBAT RESCUE—PARARESCUE	852	852
194	0207247F	AF TENCAP	23,685	23,685
195	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	12,083	12,083
196	0207253F	COMPASS CALL	91,266	91,266
197	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	103,715	103,715
198	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	117,325	117,325
199	0207327F	SMALL DIAMETER BOMB (SDB)	27,109	27,109
200	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	3	3
201	0207412F	CONTROL AND REPORTING CENTER (CRC)	9,875	9,875
202	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	171,014	171,014
203	0207418F	AFSPECWAR—TACP	4,598	4,598
205	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	21,863	21,863
206	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	7,905	7,905
207	0207439F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR)	15,000	15,000
208	0207444F	TACTICAL AIR CONTROL PARTY-MOD	13,081	13,081
209	0207452F	DCAPES	4,305	4,305
210	0207521F	AIR FORCE CALIBRATION PROGRAMS	1,984	1,984
211	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	7,392	7,392
212	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	1,971	1,971
213	0207590F	SEEK EAGLE	30,539	30,539
214	0207601F	USAF MODELING AND SIMULATION	17,110	17,110
215	0207605F	WARGAMING AND SIMULATION CENTERS	7,535	7,535
216	0207610F	BATTLEFIELD ABN COMM NODE (BACN)	32,008	32,008
217	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,007	4,007
218	0208006F	MISSION PLANNING SYSTEMS	92,557	92,557
219	0208007F	TACTICAL DECEPTION	489	489
220	0208064F	OPERATIONAL HQ—CYBER	2,115	2,115
221	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	72,487	72,487
222	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	18,449	18,449
223	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2)	79,079	79,079
224	0208099F	UNIFIED PLATFORM (UP)	101,893	101,893
228	0208288F	INTEL DATA APPLICATIONS	493	493
229	0301025F	GEORASE	2,782	2,782
231	0301113F	CYBER SECURITY INTELLIGENCE SUPPORT	5,224	5,224
238	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS	2,463	2,463
239	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	26,331	26,331
240	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	20,700	20,700
242	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	8,032	8,032
243	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	452	452
244	0303248F	ALL DOMAIN COMMON PLATFORM	64,000	64,000
246	0304260F	AIRBORNE SIGINT ENTERPRISE	97,546	93,546
		Excess carryover—Special projects		[-4,000]
247	0304310F	COMMERCIAL ECONOMIC ANALYSIS	3,770	8,770
		CPF—Mobilizing Civilian Expertise for National Security Education on Geo-Economics, and Innovation in the Era of Great Power Competition		[5,000]
251	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,663	1,663
252	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	18,888	15,888
		Excess to need		[-3,000]
253	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,672	4,672
254	0305103F	CYBER SECURITY INITIATIVE	290	290
255	0305111F	WEATHER SERVICE	26,228	36,228
		Commercial Weather Data Pilot		[10,000]
256	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	8,749	8,749
257	0305116F	AERIAL TARGETS	1,528	1,528
260	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	223	223
262	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	8,733	8,733
264	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	21,335	21,335
265	0305202F	DRAGON U-2	17,146	36,146
		ASARS processor and antenna development—AF UPL		[19,000]
267	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	71,791	167,091
		ASARS processor and antenna development—AF UPL		[67,000]
		Program increase—Sensor Open Systems Architecture (SOSA) High Altitude Project		[10,000]
		Wide Area Motion Imagery sensor improvements		[18,300]
268	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,799	14,799
269	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	24,568	24,568
270	0305220F	RQ-4 UAV	83,124	83,124
271	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	17,224	17,224

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272	0305238F	NATO AGS	19,473	19,473
273	0305240F	SUPPORT TO DCGS ENTERPRISE	40,421	40,421
274	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES.	14,473	14,473
275	0305881F	RAPID CYBER ACQUISITION	4,326	4,326
276	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,567	2,567
277	0307577F	INTELLIGENCE MISSION DATA (IMD)	6,169	6,169
278	0401115F	C-130 AIRLIFT SQUADRON	9,752	9,752
279	0401119F	C-5 AIRLIFT SQUADRONS (IF)	17,507	17,507
280	0401130F	C-17 AIRCRAFT (IF)	16,360	16,360
281	0401132F	C-130J PROGRAM	14,112	14,112
282	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,540	5,540
283	0401218F	KC-135S	3,564	3,564
285	0401318F	CV-22	17,189	17,189
286	0408011F	SPECIAL TACTICS / COMBAT CONTROL	6,640	6,640
288	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	26,921	26,921
289	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	7,071	7,071
291	0804743F	OTHER FLIGHT TRAINING	1,999	1,999
293	0901202F	JOINT PERSONNEL RECOVERY AGENCY	1,841	1,841
294	0901218F	CIVILIAN COMPENSATION PROGRAM	3,560	3,560
295	0901220F	PERSONNEL ADMINISTRATION	3,368	3,368
296	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,248	1,248
297	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	4,852	4,852
301	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	6,737	6,737
316A	999999999	CLASSIFIED PROGRAMS	15,868,973	13,708,973
		Program decrease		[-160,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..	21,705,541	21,441,537
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
317	0608158F	STRATEGIC MISSION PLANNING AND EXECUTION SYSTEM—SOFTWARE PILOT PROGRAM.	96,100	96,100
318	0608410F	AIR & SPACE OPERATIONS CENTER (AOC)—SOFTWARE PILOT PROGRAM.	186,915	166,915
		Program decrease		[-20,000]
319	0608920F	DEFENSE ENTERPRISE ACCOUNTING AND MANAGEMENT SYSTEM (DEAMS)—SOFTWARE PILOT PRO.	135,263	135,263
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	418,278	398,278
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	39,184,328	39,423,924
		RDTE, SPACE FORCE APPLIED RESEARCH		
001	12066018F	SPACE TECHNOLOGY	175,796	240,796
		Hybrid Space Architecture		[20,000]
		Space Power and Collection Technology		[35,000]
		University Consortium Space Technology Development		[10,000]
		SUBTOTAL APPLIED RESEARCH	175,796	240,796
		ADVANCED TECHNOLOGY DEVELOPMENT		
002	12066168F	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO	76,653	137,653
		Accelerate Cislunar Flight Experiment UPL		[61,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	76,653	137,653
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
003	12031648F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	434,194	434,194
004	12037108F	EO/IR WEATHER SYSTEMS	162,274	162,274
005	12039058F	SPACE SYSTEM SUPPORT	37,000	0
		Surface Warfare Analysis Center, insufficient justification – partial transfer to SSDP.		[-37,000]
006	12064228F	WEATHER SYSTEM FOLLOW-ON	61,521	71,521
		Program Increase		[10,000]
007	12064258F	SPACE SITUATION AWARENESS SYSTEMS	123,262	123,262
008	12064278F	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	101,851	129,851
		Expand Blackjack Radio Frequency Payloads UPL		[28,000]
009	12064388F	SPACE CONTROL TECHNOLOGY	32,931	32,931
010	12067308F	SPACE SECURITY AND DEFENSE PROGRAM	56,546	81,546
		Program increase		[15,000]
		Transfer from Surface Warfare Analysis Center		[10,000]
011	12067608F	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	100,320	100,320
012	12067618F	PROTECTED TACTICAL SERVICE (PTS)	243,285	243,285
013	12068558F	EVOLVED STRATEGIC SATCOM (ESS)	160,056	160,056
014	12068578F	SPACE RAPID CAPABILITIES OFFICE	66,193	69,093

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Line	Program Element	Item	FY 2022 Request	House Authorized
		High Power Density Structural Heat Spreaders		[2,900]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	1,579,433	1,608,333
		SYSTEM DEVELOPMENT & DEMONSTRATION		
015	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	264,265	264,265
016	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	56,279	56,279
017	1206421SF	COUNTERSPACE SYSTEMS	38,063	38,063
018	1206422SF	WEATHER SYSTEM FOLLOW-ON	1,438	1,438
019	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	127,026	136,026
		Space domain rapid innovation pathfinders UPL		[9,000]
020	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	28,218	28,218
021	1206432SF	POLAR MILSATCOM (SPACE)	127,870	127,870
022	1206442SF	NEXT GENERATION OPIR	2,451,256	2,451,256
023	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION	23,400	23,400
024	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD	221,510	280,710
		Liquid Oxygen Explosive Tests UPL		[9,200]
		Maintain competition for Ph3 - DoD unique requirements		[50,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	3,339,325	3,407,525
		MANAGEMENT SUPPORT		
025	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT	19,319	19,319
026	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	214,051	214,051
027	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	12,119	12,119
028	1206759SF	MAJOR T&E INVESTMENT—SPACE	71,503	81,503
		Increase SCN Antenna Resources		[10,000]
029	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	17,769	21,769
		CPF—Small Rocket Program		[4,000]
030	1206862SF	TACTICALLY RESPONSIVE LAUNCH		50,000
		Continue FY 2021 efforts		[50,000]
031	1206864SF	SPACE TEST PROGRAM (STP)	20,881	20,881
		SUBTOTAL MANAGEMENT SUPPORT	355,642	419,642
		OPERATIONAL SYSTEM DEVELOPMENT		
033	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	4,731	4,731
034	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	156,788	156,788
035	1203040SF	DCO-SPACE	2,150	2,150
036	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS	112,012	112,012
037	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	36,810	36,810
038	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	1,966	1,966
039	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	1,699	5,699
		Improve operations of payload adapter UPL		[4,000]
040	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	18,054	33,354
		NSTTR Digital Core Services UPL		[15,300]
041	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,115	33,115
		High-Fidelity Open-Air Scene Target Generator		[10,000]
		CPF—Tactically Responsive Launch/Deployable Spaceport		[7,000]
		Program Increase		[5,000]
042	1203265SF	GPS III SPACE SEGMENT	7,207	7,207
043	1203330SF	SPACE SUPERIORITY ISR	18,109	18,109
044	1203620SF	NATIONAL SPACE DEFENSE CENTER	1,280	1,280
045	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	12,292	12,292
046	1203906SF	NCMC—TW/AA SYSTEM	9,858	9,858
047	1203913SF	NUDET DETECTION SYSTEM (SPACE)	45,887	45,887
048	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	64,763	64,763
049	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	413,766	413,766
053	1206770SF	ENTERPRISE GROUND SERVICES	191,713	191,713
053A	9999999999	CLASSIFIED PROGRAMS	4,474,809	4,474,809
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	5,585,009	5,626,309
		SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
054	1203614SF	JSPOC MISSION SYSTEM	154,529	154,529
		SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS.	154,529	154,529
		TOTAL RDTE, SPACE FORCE	11,266,387	11,594,787
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH	11,828	12,705
		Program increase		[877]
002	0601101E	DEFENSE RESEARCH SCIENCES	395,781	454,281
		Adversary Influence Operations (IO) - Detection, Modeling, Mitigation..		[10,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
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Line	Program Element	Item	FY 2022 Request	House Authorized
		Artificial Intelligence (AI) – Trustworthy, Human Integrated, Robust Biotechnology for Challenging Environments		[10,000]
		CPF—Novel Analytical and Empirical Approaches to the Prediction and Monitoring of Disease Transmission.		[7,000]
		ERI 2.0		[1,500]
		High Assurance Software Systems – Resilient, Adaptable, Trustworthy		[20,000]
003	0601108D8Z	HIGH ENERGY LASER RESEARCH INITIATIVES	15,390	[10,000]
004	0601110D8Z	BASIC RESEARCH INITIATIVES	39,828	15,390
		Consortium to Study Irregular Warfare		114,361
		CPF—Florida Memorial University Department of Natural Sciences STEM Equipment.		[8,000]
		CPF—SOUTHCOM Enhanced Domain Awareness (EDA) Initiative		[400]
		Interagency AI Standards		[1,300]
		Minerva research initiative restoration		[3,300]
		MURI R&D Partnerships with allies—program enhancement		[13,000]
		Program increase		[20,000]
		Providing Research and End-user Products to Accelerate Readiness and Environmental Security (PREPARES).		[4,533]
005	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	76,018	[24,000]
		Assessing Immune Memory		81,018
006	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	112,195	[5,000]
		Civics education		132,195
		CPF—Florida Memorial Avionics Smart Scholars		[2,000]
		SMART scholarships for AI related education		[1,000]
		SMART scholarships program increase		[13,000]
007	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	31,136	[4,000]
		CPF—Augmenting Quantum Sensing Research, Education and Training in DoD CoE at DSU.		73,247
		CPF—HBCU Training for the Future of Aerospace		[1,111]
		Diversity in SMART Scholarships		[1,000]
		Program increase		[20,000]
008	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	34,708	[20,000]
		Chemically Resistant, High-Performance Military Cordage, Rope, and Webbing.		39,708
		SUBTOTAL BASIC RESEARCH	716,884	922,905
		APPLIED RESEARCH		
009	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,591	19,591
010	0602115E	BIOMEDICAL TECHNOLOGY	108,698	118,698
		Bridging the Gap After Spinal Cord Injury		[5,000]
		Non-Invasive Neurotechnology Rehabilitation Take Home Trials		[5,000]
012	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	22,918	32,918
		Artificial Intelligence (AI) – Trustworthy, Human Integrated, Robust		[10,000]
013	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	55,692	55,692
014	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	65,015	265,015
		AI Research and Development		[200,000]
015	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	430,363	755,363
		High Assurance Software Systems – Resilient, Adaptable, Trustworthy		[15,000]
		Program increase—artificial intelligence		[250,000]
		Underexplored Approaches to Utility-Scale Quantum Computing		[60,000]
016	0602383E	BIOLOGICAL WARFARE DEFENSE	31,421	31,421
017	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	206,956	213,456
		Biodetection System for Joint Force Infrastructure Protection		[6,500]
018	0602668D8Z	CYBER SECURITY RESEARCH	15,380	35,380
		AI-enabled cyber defense acceleration study		[10,000]
		Program increase		[10,000]
019	0602702E	TACTICAL TECHNOLOGY	202,515	249,515
		Adapting Cross-domain Kill-Webs (ACK)		[2,000]
		Adversary Influence Operations (IO) – Detection, Modeling, Mitigation..		[15,000]
		MADFIRES		[30,000]
020	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	317,024	398,624
		Adaptive Immunomodulation-Based Therapeutics (ElectRx)		[4,600]
		Agile Chemical Manufacturing Technologies (ACMT)		[20,000]
		Bioengineered Electronics and Electromagnetic Devices (Bio-INC)		[6,000]
		Bioremediation of Battlefields		[7,000]
		Maritime Materials Technologies (M2T)		[5,000]
		Materiel Protection through Biologies		[5,000]
		Neuroprotection from Brain Injury		[9,000]
		Regenerative Engineering for Complex Tissue Regeneration & Limb Reconstruction.		[5,000]
		Scalable and Affordable Mapping of U.S. Critical Mineral Resources ..		[20,000]
021	0602716E	ELECTRONICS TECHNOLOGY	357,384	393,384
		ERI 2.0		[36,000]
022	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	197,011	197,011

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Line	Program Element	Item	FY 2022 Request	House Authorized
023	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	9,601	9,601
024	0602890D8Z	HIGH ENERGY LASER RESEARCH	45,997	115,997
		Directed Energy Innovation—Improved beam control		[50,000]
		Joint Directed Energy Transition Office		[20,000]
025	1160401BB	SOF TECHNOLOGY DEVELOPMENT	44,829	54,829
		Brain Health Research and Treatment, Cognitive Performance		[5,000]
		POTFF—Brain Health Research		[5,000]
		SUBTOTAL APPLIED RESEARCH	2,130,395	2,946,495
ADVANCED TECHNOLOGY DEVELOPMENT				
026	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	23,213	23,213
027	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	4,665	4,665
028	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	69,376	69,376
029	0603133D8Z	FOREIGN COMPARATIVE TESTING	25,432	25,432
031	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	399,362	404,362
		Reduced order models		[5,000]
032	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	15,800	29,700
		BATMAA BMDs Advanced Technology		[8,700]
		Improvements to MDS Cybersecurity UPL		[5,200]
033	0603180C	ADVANCED RESEARCH	21,466	21,466
034	0603183D8Z	JOINT HYPERSONIC TECHNOLOGY DEVELOPMENT & TRANSITION.	51,340	51,340
035	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	19,063	19,063
036	0603286E	ADVANCED AEROSPACE SYSTEMS	174,043	273,043
		Glide Breaker		[20,000]
		HAWC		[27,000]
		Hypersonic Air-Breathing Weapon Concept (HAWC)		[10,000]
		OpFires		[27,000]
		Tactical Boost Glide (TBG)		[15,000]
037	0603287E	SPACE PROGRAMS AND TECHNOLOGY	101,524	186,524
		Blackjack critical risk reduction		[25,000]
		Blackjack schedule assurance		[30,000]
		Robotic Servicing of Geosynchronous Satellites (RSGS)		[30,000]
038	0603288D8Z	ANALYTIC ASSESSMENTS	24,012	34,012
		Analytic Assessments		[10,000]
039	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	51,513	56,513
		Innovative operational concepts		[5,000]
042	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING	115,443	138,443
		Defense Critical Supply Chain Documentation and Monitoring		[3,000]
		WLIF AI-enabled applications		[20,000]
043	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	31,873	31,873
044	0603375D8Z	TECHNOLOGY INNOVATION	54,433	54,433
045	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	197,824	197,824
046	0603527D8Z	RETRACT LARCH	99,175	99,175
047	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	18,221	38,221
		Accelerating Joint Electronic Advanced Technologies		[20,000]
048	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	102,669	102,669
049	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	2,984	9,984
		Cross-domain EMS communications capability		[7,000]
050	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	134,022	476,322
		Additive manufacturing training		[5,000]
		Biotechnology innovation—Enabling Modular and Scalable Bioindustrial & Reusable Assets.		[200,000]
		CPF—Cold Spray and Rapid Deposition Lab		[1,300]
		HPC-enabled advanced manufacturing		[15,000]
		Hypersonics material innovation—Silicon carbide matrix materials ..		[100,000]
		Non-destructive evaluation of carbon-carbon composites		[3,000]
		Program increase		[15,000]
		Virtual reality-enabled smart installation experimentation		[3,000]
051	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	37,543	68,543
		Demonstration of automotive aftermarket capabilities		[6,000]
		Modeling and Simulation Innovation Competition		[10,000]
		Program increase		[5,000]
		Steel Performance Initiative		[10,000]
052	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	202,400	202,400
		AI Front		[200,000]
		NORTHCOM/NORAD—Polar Over the Horizon Radar (POTHR)		[2,400]
053	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	12,418	12,418
054	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	51,863	81,863
		AFFF replacement		[15,000]
		PFAS environmental remediation and disposal		[15,000]
055	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	160,821	160,821
056	0603727D8Z	JOINT WARFIGHTING PROGRAM	2,169	2,169

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057	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	116,716	140,716
		ERI 2.0		[24,000]
058	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	251,794	345,394
		Classified increase		[21,000]
		Deep water active sonar		[15,000]
		Network UP		[5,000]
		Program increase—artificial intelligence		[50,000]
		SHARE alignment with OTNK research		[1,100]
		SHARE ICN performance enhancements for operational use		[1,500]
059	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	584,771	679,246
		Air Combat Evolution (ACE)		[8,200]
		Assault Breaker II		[50,000]
		Classified increase		[20,400]
		Ocean of Things (OoT)		[875]
		Ocean of Things phase 3 demonstration		[10,000]
		Timely Information for Maritime Engagements (TIMEly)		[5,000]
060	0603767E	SENSOR TECHNOLOGY	294,792	367,392
		Classified increase		[27,800]
		SECTRE Munitions Digital Twin for in Theater/Flight Target Additions and Performance Improvements		[4,400]
		Systems of Systems-Enhanced Small Units (SESU)		[4,400]
		Thermal Imaging Technology Experiment-Recon (TITE-R)		[36,000]
061	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	6,398	9,198
		Systems of Systems-Enhanced Small Units (SESU)		[2,800]
062	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	14,677	14,977
		CODE enhancements for SESU		[300]
065	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	107,397	129,397
		Short pulse laser research		[10,000]
		Thermal management scaling		[12,000]
066	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	267,161	267,161
067	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK	21,270	40,000
		Program increase		[18,730]
068	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	74,300	74,300
070	0303310D8Z	CWMD SYSTEMS		5,000
		Data storage capabilities for special operations forces		[5,000]
071	0303367D8Z	SPECTRUM ACCESS RESEARCH AND DEVELOPMENT		100,000
		Spectrum Management Analysis		[50,000]
		Spectrum Management Architecture		[20,000]
		Spectrum Management Modules for Fielded Systems		[30,000]
074	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	93,415	98,415
		SOF Platform Agnostic Data Storage Capability		[5,000]
075	12063108DA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT	172,638	172,638
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	4,007,596	5,319,701
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
076	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	28,687	28,687
077	0603600D8Z	WALKOFF	108,652	108,652
078	0603821D8Z	ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES		130,000
		CDO for ADA		[5,000]
		CDO: Enterprise data sets		[125,000]
079	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	71,429	96,429
		AFFF innovation prize		[5,000]
		AFFF replacement		[5,000]
		Environmental remediation and disposal		[10,000]
		Military Energy Resilience Catalyst		[5,000]
080	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	277,949	277,949
		Program increase		[64,567]
		Unjustified request, lacking acquisition strategy—LHD		[-64,567]
081	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	745,144	795,144
		Ensure BMD Interceptors do not fall below 40		[50,000]
082	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	129,445	129,445
083	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	224,750	227,762
		Improvements to MDS Cybersecurity UPL		[3,012]
084	0603890C	BMD ENABLING PROGRAMS	595,301	687,297
		Cruise Missile Defense for HLD (NORTHCOM/NORAD—Elevated Radar)		[27,000]
		Improvements to MDS Cybersecurity UPL		[44,830]
		Pacing the Threat		[20,166]
085	0603891C	SPECIAL PROGRAMS—MDA	413,374	413,374
086	0603892C	AEGIS BMD	732,512	780,912
		Navy SPY Radar Digital Upgrade		[48,400]
087	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI	603,448	609,928

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	House Authorized
		Improvements to MDS Cybersecurity UPL		[2,000]
		JADC2 Interface		[4,480]
088	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT ...	50,594	50,594
089	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	52,403	52,403
090	0603906C	REGARDING TRENCH	11,952	11,952
091	0603907C	SEA BASED X-BAND RADAR (SBX)	147,241	147,241
092	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
093	0603914C	BALLISTIC MISSILE DEFENSE TEST	362,906	362,906
094	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	553,334	578,334
		Advanced Target Front End Configuration 3 Tech Maturation		[5,000]
		Architecture RTS Development		[10,000]
		MDS Architecture IAC Prototype		[10,000]
096	0603923D8Z	COALITION WARFARE	5,103	5,103
097	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G).	374,665	374,665
098	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,259	3,259
099	0604102C	GUAM DEFENSE DEVELOPMENT	78,300	272,750
		Guam Defense System		[194,450]
100	0604115C	TECHNOLOGY MATURATION INITIATIVES		34,000
		Continue Diode Pumped Alkali Laser Demonstrator Development		[25,000]
		Short Pulse Laser Directed Energy Demonstration		[9,000]
103	0604181C	HYPERSONIC DEFENSE	247,931	309,931
		Program increase		[62,000]
104	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	716,456	816,456
		Mission-Based Acquisition		[100,000]
		Program decrease		[-8,000]
		Program increase		[8,000]
105	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	509,195	548,995
		Advanced Analog & Mixed Signal Microelectronics Design and Manufacturing.		[6,800]
		Radiation-Hardened Application Specific Integrated Circuits		[18,000]
		Trusted and Assured GaN and GaAs RFIC Technology		[15,000]
106	0604331D8Z	RAPID PROTOTYPING PROGRAM	103,575	182,575
		ADA network resiliency/cloud		[79,000]
107	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING	11,213	26,213
		National Security Innovation Capital program increase		[15,000]
108	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	2,778	2,778
109	0604551BR	CATAPULT	7,166	7,166
110	0604555D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT—NON S&T	23,200	23,200
111	0604672C	HOMELAND DEFENSE RADAR—HAWAII (HDR-H)		75,000
		Restore program		[75,000]
113	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA)	3,519	3,519
114	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	17,439	17,439
115	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	133,335	133,335
116	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	926,125	926,125
117	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST.	32,697	32,697
118	0604878C	AEGIS BMD TEST	117,055	117,055
119	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	77,428	77,428
120	0604880C	LAND-BASED SM-3 (LBSM3)	43,158	43,158
121	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	61,424	61,424
122	0202057C	SAFETY PROGRAM MANAGEMENT	2,323	2,323
123	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,568	2,568
125	0305103C	CYBER SECURITY INITIATIVE	1,142	1,142
126	1206410SDA	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING	636,179	642,179
		Laser Communication Terminal Technologies		[6,000]
127	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM	15,176	15,176
128	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	292,811	292,811
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	9,854,341	10,839,479
		SYSTEM DEVELOPMENT & DEMONSTRATION		
129	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	5,682	5,682
131	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	299,848	370,328
		Joint Vaccine Acquisition Program		[70,480]
132	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	9,345	9,345
133	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	14,063	14,063
134	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	4,265	4,265
135	06050218E	HOMELAND PERSONNEL SECURITY INITIATIVE	7,205	7,205
136	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	5,447	5,447
137	0605027D8Z	OSD(C) IT DEVELOPMENT INITIATIVES	16,892	34,892
		ADVANA for ADA		[18,000]
138	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	679	679

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	House Authorized
140	0605080S	DEFENSE AGENCY INITIATIVES (DAD)—FINANCIAL SYSTEM	32,254	32,254
142	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMIS)	5,500	5,500
143	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	7,148	7,148
144	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	113,895	113,895
146	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	3,991	3,991
149	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEM).	2,227	2,227
150	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	20,246	20,246
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	548,687	637,167
		MANAGEMENT SUPPORT		
151	0603829J	JOINT CAPABILITY EXPERIMENTATION	8,444	8,444
152	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	7,508	7,508
153	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	7,859	7,859
154	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	550,140	551,040
		<i>Support Funding for Cyber Resiliency</i>		[900]
155	0604942D8Z	ASSESSMENTS AND EVALUATIONS	17,980	17,980
156	0605001E	MISSION SUPPORT	73,145	73,145
157	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETS)	71,410	71,410
159	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	52,671	52,671
161	0605142D8Z	SYSTEMS ENGINEERING	40,030	40,030
162	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	4,612	4,612
163	0605161D8Z	NUCLEAR MATTERS—PHYSICAL SECURITY	14,429	14,429
164	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	4,759	4,759
165	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	1,952	1,952
166	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	110,503	110,503
172	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,639	8,639
		<i>Transition education for DEPSCoR and underserved communities</i>		[5,000]
173	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	25,889	63,889
		<i>Regional Secure Computing Enclave Pilot</i>		[38,000]
174	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	39,774	257,774
		<i>ISR & information operations</i>		[10,000]
		<i>PNT Modernization—Signals of Opportunity</i>		[140,000]
		<i>Spectrum Innovation—Low SWaP-C directional sources</i>		[68,000]
175	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	61,453	61,453
176	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	18,762	18,762
177	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	27,366	27,366
178	0605898E	MANAGEMENT HQ—R&D	12,740	12,740
179	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	3,549	3,549
180	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	15,438	15,438
181	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	2,897	2,897
182	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT	918	918
183	0606771D8Z	CYBER RESILIENCY AND CYBERSECURITY POLICY	31,638	31,638
184	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	2,925	2,925
185	0204571J	JOINT STAFF ANALYTICAL SUPPORT	977	977
186	0208045K	C4I INTEROPERABILITY	55,361	60,361
		<i>Joint Warfighting Network Architecture</i>		[5,000]
189	03031408E	INFORMATION SYSTEMS SECURITY PROGRAM	853	853
191	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	969	969
192	0305172K	COMBINED ADVANCED APPLICATIONS	15,696	15,696
194	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,073	3,073
197	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	29,530	67,530
		<i>AFRICOM—Joint Exercise Program</i>		[18,000]
		<i>CENTCOM—CE2T2 EAGER LION Exercises</i>		[20,000]
198	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOM).	689	689
199	0901598C	MANAGEMENT HQ—MDA	24,102	24,102
200	0903235K	JOINT SERVICE PROVIDER (JSP)	2,645	2,645
201A	9999999999	CLASSIFIED PROGRAMS	37,520	37,520
		SUBTOTAL MANAGEMENT SUPPORT	1,383,845	1,688,745
		OPERATIONAL SYSTEMS DEVELOPMENT		
202	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	5,355	5,355
203	0604532K	JOINT ARTIFICIAL INTELLIGENCE	10,033	267,833
		<i>AI-enabled logistics and sustainment</i>		[100,000]
		<i>Commercial AI for Business Applications</i>		[100,000]
		<i>JAIC for ADA</i>		[57,800]
206	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	58,189	162,189
		<i>3D Heterogeneous Integration and Advanced Packaging for Microelectronics.</i>		[16,600]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	House Authorized
		Accelerated Training in Defense Manufacturing (ATDM) Pilot		[15,400]
		Advanced Shipbuilding Workforce Development		[10,000]
		Carbon/carbon industrial base enhancement		[15,000]
		Directed Energy Supply Chain Assurance		[2,000]
		Machine and Advanced Manufacturing—LACMI		[20,000]
		Program increase		[20,000]
		Radar Resiliency		[5,000]
207	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	18,721	18,721
208	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	7,398	7,398
209	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	58,261	58,261
215	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.	16,233	16,233
216	0303126K	LONG-HAUL COMMUNICATIONS—DCS	10,275	10,275
217	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	4,892	4,892
218	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	83,751	83,751
219	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	49,191	49,191
220	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	423,745	600,845
		Hardening DOD Networks		[12,100]
		ISSP for GENCYBER		[15,000]
		JFHQ DODIN Staffing and Tools		[150,000]
221	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	5,707	5,707
222	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	4,150	4,150
223	0303153K	DEFENSE SPECTRUM ORGANIZATION	19,302	19,302
224	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	9,342	9,342
226	0303430V	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY.	15,326	15,326
232	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES	8,800	8,800
235	0305146V	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	3,820	3,820
237	0305186D8Z	POLICY R&D PROGRAMS	4,843	4,843
238	0305199D8Z	NET CENTRICITY	13,471	13,471
240	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,994	5,994
247	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	1,273	1,273
255	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,690	1,690
256	07080128	PACIFIC DISASTER CENTERS	1,799	1,799
257	07080478	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	6,390	6,390
259	1105219BB	MQ-9 UAV	19,065	19,065
261	1160403BB	AVIATION SYSTEMS	173,537	173,537
262	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	32,766	32,766
263	1160408BB	OPERATIONAL ENHANCEMENTS	145,830	213,830
		AI in Small Unit Maneuver (AISUM)		[50,000]
		High-energy laser technologies		[5,000]
		Mobile Compact High Energy Laser (MCHEL)		[13,000]
264	1160431BB	WARRIOR SYSTEMS	78,592	82,803
		SOCOM—Maritime Scalable Effects Acceleration		[4,211]
265	1160432BB	SPECIAL PROGRAMS	6,486	6,486
266	1160434BB	UNMANNED ISR	18,006	18,006
267	1160480BB	SOF TACTICAL VEHICLES	7,703	7,703
268	1160483BB	MARITIME SYSTEMS	58,430	58,430
270	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	10,990	10,990
271A	9999999999	CLASSIFIED PROGRAMS	5,208,029	5,208,029
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..	6,607,385	7,218,496
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
272	0604532K	JOINT ARTIFICIAL INTELLIGENCE	186,639	186,639
273	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM.	123,570	123,570
274	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	18,307	18,307
275	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	32,774	32,774
276	0308588D8Z	ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS—SOFTWARE PILOT PROGRAM.	247,452	283,452
		MAVEN for ADA		[36,000]
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	608,742	644,742
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	25,857,875	30,217,730
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	105,394	105,394
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	68,549	75,049
		Thinking Red		[2,500]
		University-based cyber and software centers of excellence for Operational Test & Evaluation.		[4,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	House Authorized
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	42,648	42,648
		SUBTOTAL MANAGEMENT SUPPORT	216,591	223,091
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	216,591	223,091
		TOTAL RDT&E	111,964,188	118,073,500

1 **TITLE XLIII—OPERATION AND**
2 **MAINTENANCE**

3 **SEC. 4301. OPERATION AND MAINTENANCE.**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
	OPERATING FORCES		
010	MANEUVER UNITS	3,563,856	3,317,341
	OFS Drawdown		[-191,515]
	Unjustified growth		[-55,000]
020	MODULAR SUPPORT BRIGADES	142,082	142,082
030	ECHELONS ABOVE BRIGADE	758,174	748,174
	Unjustified growth		[-10,000]
040	THEATER LEVEL ASSETS	2,753,783	1,614,442
	OFS Drawdown		[-998,027]
	Program decrease		[-5,000]
	Unjustified growth		[-136,314]
050	LAND FORCES OPERATIONS SUPPORT	1,110,156	1,110,156
060	AVIATION ASSETS	1,795,522	1,775,522
	Unjustified growth		[-20,000]
070	FORCE READINESS OPERATIONS SUPPORT	7,442,976	5,476,104
	Advanced Bomb Suit		[12,940]
	Arctic Cold Weather Gloves		[13,867]
	Arctic OCIE for Fort Drum, Fort Carson, and Alaska bases		[65,050]
	CENTCOM—Heavy Lift Logistics		[40,300]
	Extended Cold Weather Clothing System (ECWCS)		[8,999]
	Female/Small Stature Body Armor		[81,750]
	Garrison Installation Facilities-Related Control Systems (FRCS)		[13,070]
	Industrial Base Special Installation Control Systems		[14,820]
	Multi-Domain Operations—Live		[1,500]
	OFS Drawdown		[-2,144,168]
	Unjustified growth		[-75,000]
080	LAND FORCES SYSTEMS READINESS	580,921	614,921
	CENTCOM—COMSAT air time trasponder leases		[34,000]
	Sustainment and maintenance of quality of life infrastructure ...		[20,000]
	Unjustified growth		[-20,000]
090	LAND FORCES DEPOT MAINTENANCE	1,257,959	1,346,976
	Tactical Combat Vehicle Repair Cycle Float (RCF)		[89,017]
100	MEDICAL READINESS	1,102,964	1,102,964
110	BASE OPERATIONS SUPPORT	8,878,603	8,916,732
	Program decrease		[-14,000]
	Subsistence		[52,129]
120	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,051,869	4,503,249
	Program increase		[451,380]
130	MANAGEMENT AND OPERATIONAL HEADQUARTERS	289,891	291,041
	Autonomic Security Operations Center		[1,150]
140	ADDITIONAL ACTIVITIES	526,517	556,517
	Security Operations Center as a service		[30,000]
160	RESET	397,196	392,196
	Unjustified growth		[-5,000]
170	US AFRICA COMMAND	384,791	468,291
	AFRICOM—COMSATCOM leases		[16,500]
	AFRICOM Unmanned Contract ISR		[67,000]
180	US EUROPEAN COMMAND	293,932	335,910

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
	<i>EUCOM—Information Operations maintain FY21 level</i>		[26,765]
	<i>EUCOM—MPE BICES rapid intel capabilities</i>		[4,500]
	<i>EUCOM—MPE NATO C2 NATO Response Force</i>		[9,708]
	<i>EUCOM—MPE OSINT</i>		[1,005]
190	US SOUTHERN COMMAND	196,726	204,526
	<i>SOUTHCOM—Enhanced Domain Awareness</i>		[3,400]
	<i>SOUTHCOM—HUMINT in the Cyber Domain</i>		[4,400]
200	US FORCES KOREA	67,052	67,052
210	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	621,836	654,756
	<i>Critical Infrastructure Risk Management Cyber Resiliency Mitigations (GOCO)</i>		[13,630]
	<i>MRCT / Cyber IdW / Ops Cell</i>		[4,660]
	<i>Security Operations Center as a Service</i>		[14,630]
220	CYBERSPACE ACTIVITIES—CYBERSECURITY	629,437	841,327
	<i>C-SCRM Supplier Vetting and Equipment Inspection</i>		[1,200]
	<i>Cyber—Supply Chain Risk Mgmt (C-SCRM) Program</i>		[2,750]
	<i>Cybersecurity Control Systems Assessments</i>		[89,889]
	<i>Cybersecurity Support Services Task Order (CSSTO)</i>		[1,320]
	<i>Data and Applications Support Task Order (DASTO)</i>		[12,886]
	<i>Defensive Cyber Sensors</i>		[2,900]
	<i>Harden CSS VSAT Network</i>		[10,066]
	<i>Information Technology Infrastructure Support (ITIS)</i>		[15,469]
	<i>Weapon System Software Readiness</i>		[75,410]
	SUBTOTAL OPERATING FORCES	36,846,243	34,480,279
MOBILIZATION			
230	STRATEGIC MOBILITY	353,967	385,454
	<i>APS-4 South Humanitarian Assistance-Disaster Relief Site</i>		[31,487]
240	ARMY PREPOSITIONED STOCKS	381,192	451,908
	<i>Second destination transportation</i>		[70,716]
250	INDUSTRIAL PREPAREDNESS	3,810	3,810
	SUBTOTAL MOBILIZATION	738,969	841,172
TRAINING AND RECRUITING			
260	OFFICER ACQUISITION	163,568	163,568
270	RECRUIT TRAINING	75,140	75,140
280	ONE STATION UNIT TRAINING	81,274	81,274
290	SENIOR RESERVE OFFICERS TRAINING CORPS	520,973	520,973
300	SPECIALIZED SKILL TRAINING	998,869	998,869
310	FLIGHT TRAINING	1,309,556	1,309,556
320	PROFESSIONAL DEVELOPMENT EDUCATION	218,651	218,651
330	TRAINING SUPPORT	616,380	634,480
	<i>ATRRS Modernization</i>		[18,100]
340	RECRUITING AND ADVERTISING	683,569	684,963
	<i>Enterprise Technology Integration, Governance, and Engineering Requirements (ETIGER)</i>		[1,394]
350	EXAMINING	169,442	169,442
360	OFF-DUTY AND VOLUNTARY EDUCATION	214,923	231,078
	<i>Tuition assistance</i>		[16,155]
370	CIVILIAN EDUCATION AND TRAINING	220,589	220,589
380	JUNIOR RESERVE OFFICER TRAINING CORPS	187,569	187,569
	SUBTOTAL TRAINING AND RECRUITING	5,460,503	5,496,152
ADMIN & SRVWIDE ACTIVITIES			
400	SERVICEWIDE TRANSPORTATION	684,562	672,562
	<i>Unjustified growth</i>		[-12,000]
410	CENTRAL SUPPLY ACTIVITIES	808,895	808,895
420	LOGISTIC SUPPORT ACTIVITIES	767,053	796,153
	<i>Preserve Logistics Data Analysis Capability While Transitioning to an Organic Civilian Workforce</i>		[29,100]
430	AMMUNITION MANAGEMENT	469,038	469,038
440	ADMINISTRATION	488,535	468,535
	<i>Unjustified growth</i>		[-20,000]
450	SERVICEWIDE COMMUNICATIONS	1,952,742	2,013,762
	<i>CHRA IT Cloud</i>		[5,300]
	<i>ERP Convergence</i>		[49,420]
	<i>Mission Partner Environment</i>		[6,300]
460	MANPOWER MANAGEMENT	323,273	328,643
	<i>Integrated Personnel Electronic Records Management Systems</i>		[5,370]
470	OTHER PERSONNEL SUPPORT	663,602	694,992

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
	Enterprise Technology Integration, Governance, and Engineering Requirements (ETIGER)		[1,390]
	Personnel Security Investigations		[30,000]
480	OTHER SERVICE SUPPORT	2,004,981	2,031,364
	DFAS bill to the Army		[49,983]
	Unjustified growth		[-23,600]
490	ARMY CLAIMS ACTIVITIES	180,178	180,178
500	REAL ESTATE MANAGEMENT	269,009	269,009
510	FINANCIAL MANAGEMENT AND AUDIT READINESS	437,940	437,940
520	INTERNATIONAL MILITARY HEADQUARTERS	482,571	482,571
530	MISC. SUPPORT OF OTHER NATIONS	29,670	29,670
575	CLASSIFIED PROGRAMS	2,008,633	2,041,233
	SOUTHCOM UPL		[32,600]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	11,570,682	11,724,545
	TOTAL OPERATION & MAINTENANCE, ARMY ..	54,616,397	52,542,148
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	10,465	10,465
020	ECHELONS ABOVE BRIGADE	554,992	554,992
030	THEATER LEVEL ASSETS	120,892	120,892
040	LAND FORCES OPERATIONS SUPPORT	597,718	597,718
050	AVIATION ASSETS	111,095	111,095
060	FORCE READINESS OPERATIONS SUPPORT	385,506	385,506
070	LAND FORCES SYSTEMS READINESS	98,021	98,021
080	LAND FORCES DEPOT MAINTENANCE	34,368	34,368
090	BASE OPERATIONS SUPPORT	584,513	584,513
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	342,433	342,433
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	22,472	22,472
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	2,764	2,764
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,476	7,476
	SUBTOTAL OPERATING FORCES	2,872,715	2,872,715
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	15,400	15,400
150	ADMINISTRATION	19,611	19,611
160	SERVICEWIDE COMMUNICATIONS	37,458	37,458
170	MANPOWER MANAGEMENT	7,162	7,162
180	RECRUITING AND ADVERTISING	48,289	48,289
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	127,920	127,920
	TOTAL OPERATION & MAINTENANCE, ARMY RES	3,000,635	3,000,635
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	799,854	799,854
020	MODULAR SUPPORT BRIGADES	211,561	211,561
030	ECHELONS ABOVE BRIGADE	835,709	835,709
040	THEATER LEVEL ASSETS	101,179	101,179
050	LAND FORCES OPERATIONS SUPPORT	34,436	34,436
060	AVIATION ASSETS	1,110,416	1,110,416
070	FORCE READINESS OPERATIONS SUPPORT	704,827	734,927
	ARNG Weapons of Mass Destruction / Civil Support Teams (WMD-CST) Equipment Sustainment		[5,100]
	Program increase		[25,000]
080	LAND FORCES SYSTEMS READINESS	47,886	47,886
090	LAND FORCES DEPOT MAINTENANCE	244,439	244,439
100	BASE OPERATIONS SUPPORT	1,097,960	1,097,960
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	956,988	956,988
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,047,870	1,047,870
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	8,071	14,371
	Joint Information Exchange Environment		[6,300]
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,828	7,828
	SUBTOTAL OPERATING FORCES	7,209,024	7,245,424
	ADMIN & SRVWD ACTIVITIES		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
150	SERVICEWIDE TRANSPORTATION	8,017	8,017
160	ADMINISTRATION	76,993	83,293
	ARNG Joint Information Exchange Environment		[6,300]
170	SERVICEWIDE COMMUNICATIONS	101,113	101,113
180	MANPOWER MANAGEMENT	8,920	8,920
190	OTHER PERSONNEL SUPPORT	240,292	240,292
200	REAL ESTATE MANAGEMENT	2,850	2,850
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	438,185	444,485
	TOTAL OPERATION & MAINTENANCE, ARNG ..	7,647,209	7,689,909
	AFGHANISTAN SECURITY FORCES FUND		
	AFGHAN NATIONAL ARMY		
010	SUSTAINMENT	1,053,668	0
	OFS Drawdown		[-1,053,668]
020	INFRASTRUCTURE	1,818	0
	OFS Drawdown		[-1,818]
030	EQUIPMENT AND TRANSPORTATION	22,911	0
	OFS Drawdown		[-22,911]
040	TRAINING AND OPERATIONS	31,837	0
	OFS Drawdown		[-31,837]
	SUBTOTAL AFGHAN NATIONAL ARMY	1,110,234	0
	AFGHAN NATIONAL POLICE		
050	SUSTAINMENT	440,628	0
	OFS Drawdown		[-440,628]
070	EQUIPMENT AND TRANSPORTATION	38,551	0
	OFS Drawdown		[-38,551]
080	TRAINING AND OPERATIONS	38,152	0
	OFS Drawdown		[-38,152]
	SUBTOTAL AFGHAN NATIONAL POLICE	517,331	0
	AFGHAN AIR FORCE		
090	SUSTAINMENT	562,056	0
	OFS Drawdown		[-562,056]
110	EQUIPMENT AND TRANSPORTATION	26,600	0
	OFS Drawdown		[-26,600]
120	TRAINING AND OPERATIONS	169,684	0
	OFS Drawdown		[-169,684]
	SUBTOTAL AFGHAN AIR FORCE	758,340	0
	AFGHAN SPECIAL SECURITY FORCES		
130	SUSTAINMENT	685,176	0
	OFS Drawdown		[-685,176]
150	EQUIPMENT AND TRANSPORTATION	78,962	0
	OFS Drawdown		[-78,962]
160	TRAINING AND OPERATIONS	177,767	0
	OFS Drawdown		[-177,767]
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	941,905	0
	UNDISTRIBUTED		
170	UNDISTRIBUTED		325,000
	Contract close-out and other close-out operations		[350,000]
	Program decrease		[-25,000]
	SUBTOTAL UNDISTRIBUTED		325,000
	TOTAL AFGHANISTAN SECURITY FORCES FUND	3,327,810	325,000
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	345,000	345,000
020	SYRIA	177,000	177,000
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	522,000	522,000
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	522,000	522,000

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
OPERATION & MAINTENANCE, NAVY			
OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	6,264,654	6,545,054
	Flying Hour Program (1A1A—Fleet Operations)		[280,400]
020	FLEET AIR TRAINING	2,465,007	2,465,007
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	55,140	55,140
040	AIR OPERATIONS AND SAFETY SUPPORT	197,904	197,904
050	AIR SYSTEMS SUPPORT	1,005,932	1,005,932
060	AIRCRAFT DEPOT MAINTENANCE	1,675,356	1,897,556
	Aircraft Depot Maintenance Events (Multiple Type/Model/Se-		[222,200]
	ries)		
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	65,518	65,518
080	AVIATION LOGISTICS	1,460,546	1,440,546
	Historical underexecution		[-20,000]
090	MISSION AND OTHER SHIP OPERATIONS	5,858,028	5,929,028
	Resilient PNT		[29,000]
	Submarine Tender Overhaul		[42,000]
100	SHIP OPERATIONS SUPPORT & TRAINING	1,154,696	1,163,679
	Navy Tactical Grid Development for JADC2		[8,983]
110	SHIP DEPOT MAINTENANCE	10,300,078	10,476,778
	A-120 Availabilities		[39,800]
	restore CG-56, CG-57, and CG-61		[136,900]
120	SHIP DEPOT OPERATIONS SUPPORT	2,188,454	2,188,454
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE ...	1,551,846	1,551,846
140	SPACE SYSTEMS AND SURVEILLANCE	327,251	327,251
150	WARFARE TACTICS	798,082	798,082
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	447,486	447,486
170	COMBAT SUPPORT FORCES	2,250,756	2,297,856
	CENTCOM—Maintain Cyclone PCs and MK VI patrol boats ...		[47,100]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUP-		
	PORT	192,968	192,968
190	COMBATANT COMMANDERS CORE OPERATIONS	61,614	61,614
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	198,596	504,436
	INDOPACOM—Critical Manpower Positions		[4,620]
	INDOPACOM—Enhanced ISR Augmentation		[41,000]
	INDOPACOM—Future fusion centers		[3,300]
	INDOPACOM—Movement Coordination Center		[500]
	INDOPACOM—Pacific Multi-Domain Training and Experi-		[114,410]
	mentation Capability (PMTEC)		
	INDOPACOM—Wargaming analytical tools		[88,000]
	INDOPACOM Mission Partner Environment		[54,010]
210	MILITARY INFORMATION SUPPORT OPERATIONS	8,984	36,984
	INDOPACOM Military Information Support Operations		[28,000]
	(MISO)		
220	CYBERSPACE ACTIVITIES	565,926	565,926
230	FLEET BALLISTIC MISSILE	1,476,247	1,471,247
	Historical underexecution		[-5,000]
240	WEAPONS MAINTENANCE	1,538,743	1,513,743
	Historical underexecution		[-25,000]
250	OTHER WEAPON SYSTEMS SUPPORT	592,357	587,357
	Historical underexecution		[-5,000]
260	ENTERPRISE INFORMATION	734,970	714,970
	Program decrease		[-20,000]
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,961,937	3,411,937
	Program increase		[450,000]
280	BASE OPERATING SUPPORT	4,826,314	4,816,314
	Program decrease		[-10,000]
	SUBTOTAL OPERATING FORCES	51,225,390	52,730,613
MOBILIZATION			
290	SHIP PREPOSITIONING AND SURGE	457,015	380,531
	Historical underexecution		[-76,484]
300	READY RESERVE FORCE	645,522	645,522
310	SHIP ACTIVATIONS/INACTIVATIONS	353,530	348,530
	Historical underexecution		[-5,000]
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	149,384	149,384
330	COAST GUARD SUPPORT	20,639	20,639
	SUBTOTAL MOBILIZATION	1,626,090	1,544,606
TRAINING AND RECRUITING			

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
340	OFFICER ACQUISITION	172,913	172,913
350	RECRUIT TRAINING	13,813	13,813
360	RESERVE OFFICERS TRAINING CORPS	167,152	167,152
370	SPECIALIZED SKILL TRAINING	1,053,104	1,053,104
380	PROFESSIONAL DEVELOPMENT EDUCATION	311,209	315,509
	<i>Sea Cadets</i>		[4,300]
390	TRAINING SUPPORT	306,302	306,302
400	RECRUITING AND ADVERTISING	205,219	205,219
410	OFF-DUTY AND VOLUNTARY EDUCATION	79,053	79,053
420	CIVILIAN EDUCATION AND TRAINING	109,754	109,754
430	JUNIOR ROTC	57,323	57,323
	SUBTOTAL TRAINING AND RECRUITING	2,475,842	2,480,142
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	1,268,961	1,221,353
	<i>Program decrease</i>		[-75,000]
	<i>Restoration of cuts to Naval Audit Service</i>		[27,392]
450	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	212,952	212,952
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	562,546	562,546
470	MEDICAL ACTIVITIES	285,436	285,436
480	SERVICEWIDE TRANSPORTATION	217,782	217,782
500	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	479,480	479,480
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	741,045	741,045
520	INVESTIGATIVE AND SECURITY SERVICES	738,187	726,187
	<i>Historical underexecution</i>		[-5,000]
	<i>Program decrease</i>		[-7,000]
665	CLASSIFIED PROGRAMS	607,517	607,517
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	5,113,906	5,054,298
	TOTAL OPERATION & MAINTENANCE, NAVY ..	60,441,228	61,809,659
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	1,587,456	1,632,756
	<i>Plate Carrier Generation III</i>		[45,300]
020	FIELD LOGISTICS	1,532,630	1,532,630
030	DEPOT MAINTENANCE	215,949	215,949
040	MARITIME PREPOSITIONING	107,969	107,969
050	CYBERSPACE ACTIVITIES	233,486	233,486
060	SUSTAINMENT, RESTORATION & MODERNIZATION	1,221,117	1,221,117
070	BASE OPERATING SUPPORT	2,563,278	2,563,278
	SUBTOTAL OPERATING FORCES	7,461,885	7,507,185
	TRAINING AND RECRUITING		
080	RECRUIT TRAINING	24,729	24,729
090	OFFICER ACQUISITION	1,208	1,208
100	SPECIALIZED SKILL TRAINING	110,752	110,752
110	PROFESSIONAL DEVELOPMENT EDUCATION	61,539	61,539
120	TRAINING SUPPORT	490,975	490,975
130	RECRUITING AND ADVERTISING	223,643	223,643
140	OFF-DUTY AND VOLUNTARY EDUCATION	49,369	49,369
150	JUNIOR ROTC	26,065	26,065
	SUBTOTAL TRAINING AND RECRUITING	988,280	988,280
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	100,475	100,475
170	ADMINISTRATION	410,729	410,729
215	CLASSIFIED PROGRAMS	63,422	63,422
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	574,626	574,626
	TOTAL OPERATION & MAINTENANCE, MA- RINE CORPS	9,024,791	9,070,091
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	628,522	628,522
020	INTERMEDIATE MAINTENANCE	9,593	9,593
030	AIRCRAFT DEPOT MAINTENANCE	135,280	135,280
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	497	497
050	AVIATION LOGISTICS	29,435	29,435

SEC. 4301. OPERATION AND MAINTENANCE
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Line	Item	FY 2022 Request	House Authorized
070	COMBAT COMMUNICATIONS	18,469	18,469
080	COMBAT SUPPORT FORCES	136,710	136,710
090	CYBERSPACE ACTIVITIES	440	440
100	ENTERPRISE INFORMATION	26,628	26,628
110	SUSTAINMENT, RESTORATION AND MODERNIZATION	42,311	42,311
120	BASE OPERATING SUPPORT	103,606	103,606
	SUBTOTAL OPERATING FORCES	1,131,491	1,131,491
	ADMIN & SRVWD ACTIVITIES		
130	ADMINISTRATION	1,943	1,943
140	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	12,191	12,191
150	ACQUISITION AND PROGRAM MANAGEMENT	3,073	3,073
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	17,207	17,207
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,148,698	1,148,698
	OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES		
010	OPERATING FORCES	102,271	148,171
	Reserve Component Individual Combat Equipment		[45,900]
020	DEPOT MAINTENANCE	16,811	16,811
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	42,702	42,702
040	BASE OPERATING SUPPORT	109,210	109,210
	SUBTOTAL OPERATING FORCES	270,994	316,894
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	14,056	14,056
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	14,056	14,056
	TOTAL OPERATION & MAINTENANCE, MC RE- SERVE	285,050	330,950
	OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	706,860	564,412
	Historical underexecution		[-75,000]
	OFS Drawdown		[-67,448]
020	COMBAT ENHANCEMENT FORCES	2,382,448	2,121,529
	CENTCOM—MQ-9 Combat Lines		[53,000]
	OFS Drawdown		[-313,919]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,555,320	1,356,542
	Contract Adversary Air		[5,000]
	Historical underexecution		[-200,000]
	OFS Drawdown		[-3,778]
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	3,661,762	3,641,762
	Historical underexecution		[-10,000]
	Program decrease		[-10,000]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	3,867,114	4,317,114
	Program increase		[450,000]
060	CYBERSPACE SUSTAINMENT	179,568	179,568
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	8,457,653	8,635,153
	F-35 WSS Air Force UPL		[185,000]
	Program decrease		[-7,500]
080	FLYING HOUR PROGRAM	5,646,730	5,094,372
	Cyber Training		[23,300]
	CYBERCOM—Acquisition Personnel		[4,800]
	CYBERCOM—HUMINT		[500]
	OFS Drawdown		[-560,958]
	Program decrease		[-20,000]
090	BASE SUPPORT	9,846,037	9,869,037
	Program decrease		[-15,000]
	Sustainment and maintenance of quality of life infrastructure ...		[20,000]
	U.S. Air Force Academy IT Modernization		[18,000]
100	GLOBAL C3I AND EARLY WARNING	979,705	987,390
	EUCOM—MPE Air Component Battle Network		[9,200]
	OFS Drawdown		[-1,515]
110	OTHER COMBAT OPS SPT PROGRAMS	1,418,515	1,406,592
	OFS Drawdown		[-11,923]

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(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
120	CYBERSPACE ACTIVITIES	864,761	864,761
150	SPACE CONTROL SYSTEMS	13,223	13,223
160	US NORTHCOM/NORAD	196,774	196,774
170	US STRATCOM	475,015	475,015
180	US CYBERCOM	389,663	389,663
190	US CENTCOM	372,354	396,354
	CENTCOM Military Information Support Operations (MISO) ..		[24,000]
200	US SOCOM	28,733	28,733
220	CENTCOM CYBERSPACE SUSTAINMENT	1,289	1,289
230	USSPACECOM	272,601	339,601
	Bridging Space Protection Gaps—Commercial SSA		[10,000]
	Program increase		[57,000]
235	CLASSIFIED PROGRAMS	1,454,383	1,454,383
	SUBTOTAL OPERATING FORCES	42,770,508	42,333,267
	MOBILIZATION		
240	AIRLIFT OPERATIONS	2,422,784	2,422,784
250	MOBILIZATION PREPAREDNESS	667,851	667,851
	SUBTOTAL MOBILIZATION	3,090,635	3,090,635
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	156,193	156,193
270	RECRUIT TRAINING	26,072	26,072
280	RESERVE OFFICERS TRAINING CORPS (ROTC)	127,693	127,693
290	SPECIALIZED SKILL TRAINING	491,286	482,056
	OFS Drawdown		[-9,230]
300	FLIGHT TRAINING	718,742	718,742
310	PROFESSIONAL DEVELOPMENT EDUCATION	302,092	302,092
320	TRAINING SUPPORT	162,165	162,165
330	RECRUITING AND ADVERTISING	171,339	171,339
340	EXAMINING	8,178	8,178
350	OFF-DUTY AND VOLUNTARY EDUCATION	236,760	236,760
360	CIVILIAN EDUCATION AND TRAINING	306,602	306,602
370	JUNIOR ROTC	65,940	65,940
	SUBTOTAL TRAINING AND RECRUITING	2,773,062	2,763,832
	ADMIN & SRVWD ACTIVITIES		
380	LOGISTICS OPERATIONS	1,062,709	1,062,709
390	TECHNICAL SUPPORT ACTIVITIES	169,957	169,957
400	ADMINISTRATION	1,005,827	987,327
	Program decrease		[-18,500]
410	SERVICEWIDE COMMUNICATIONS	31,054	31,054
420	OTHER SERVICEWIDE ACTIVITIES	1,470,757	1,459,757
	Program decrease		[-11,000]
430	CIVIL AIR PATROL	29,128	47,300
	Civil Air Patrol		[18,172]
450	INTERNATIONAL SUPPORT	81,118	81,118
455	CLASSIFIED PROGRAMS	1,391,720	1,391,720
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	5,242,270	5,230,942
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	53,876,475	53,418,676
	OPERATION & MAINTENANCE, SPACE FORCE OPERATING FORCES		
010	GLOBAL C3I & EARLY WARNING	495,615	495,615
020	SPACE LAUNCH OPERATIONS	185,700	185,700
030	SPACE OPERATIONS	611,269	611,269
040	EDUCATION & TRAINING	22,887	22,887
060	DEPOT MAINTENANCE	280,165	332,565
	Space Force Weapons System Sustainment		[52,400]
070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	213,347	279,647
	Cheyenne Mountain Improvements UPL		[66,300]
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT	1,158,707	1,350,707
	Space Force Weapons System Sustainment		[192,000]
090	SPACE OPERATIONS -BOS	143,520	143,520
095	CLASSIFIED PROGRAMS	172,755	172,755
	SUBTOTAL OPERATING FORCES	3,283,965	3,594,665

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(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
ADMINISTRATION AND SERVICE WIDE ACTIVITIES			
100	ADMINISTRATION	156,747	156,747
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	156,747	156,747
TOTAL OPERATION & MAINTENANCE, SPACE FORCE			
		3,440,712	3,751,412
OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES			
010	PRIMARY COMBAT FORCES	1,665,015	1,544,978
	Historical underexecution		[-100,000]
	Program decrease		[-20,037]
020	MISSION SUPPORT OPERATIONS	179,486	169,486
	Historical underexecution		[-10,000]
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	530,540	510,540
	Program decrease		[-20,000]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	114,987	114,987
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT Program decrease	254,831	244,831
			[-10,000]
060	BASE SUPPORT	470,801	470,801
070	CYBERSPACE ACTIVITIES	1,372	1,372
	SUBTOTAL OPERATING FORCES	3,217,032	3,056,995
ADMINISTRATION AND SERVICEWIDE ACTIVITIES			
080	ADMINISTRATION	91,289	91,289
090	RECRUITING AND ADVERTISING	23,181	23,181
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	13,966	13,966
110	OTHER PERS SUPPORT (DISABILITY COMP)	6,196	6,196
120	AUDIOVISUAL	442	442
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	135,074	135,074
TOTAL OPERATION & MAINTENANCE, AF RE- SERVE			
		3,352,106	3,192,069
OPERATION & MAINTENANCE, ANG OPERATING FORCES			
010	AIRCRAFT OPERATIONS	2,281,432	2,281,432
020	MISSION SUPPORT OPERATIONS	582,848	588,748
	ANG HRF/CERFP Sustainment w/in WMD		[5,900]
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,241,318	1,221,318
	Program decrease		[-20,000]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	353,193	353,193
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT Program decrease	1,077,654	1,067,654
			[-10,000]
060	BASE SUPPORT	908,198	908,198
070	CYBERSPACE SUSTAINMENT	23,895	23,895
080	CYBERSPACE ACTIVITIES	17,263	17,263
	SUBTOTAL OPERATING FORCES	6,485,801	6,461,701
ADMINISTRATION AND SERVICE-WIDE ACTIVITIES			
090	ADMINISTRATION	46,455	46,455
100	RECRUITING AND ADVERTISING	41,764	41,764
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	88,219	88,219
TOTAL OPERATION & MAINTENANCE, ANG			
		6,574,020	6,549,920
OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES			
010	JOINT CHIEFS OF STAFF	407,240	407,240
020	JOINT CHIEFS OF STAFF—CE2T2	554,634	589,734
	INDOPACOM—Joint Exercise Program		[35,100]
030	JOINT CHIEFS OF STAFF—CYBER	8,098	8,098
050	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	2,044,479	2,047,789

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
	SOCOM—Armored Ground Mobility Systems (AGMS) Acceleration		[3,310]
060	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES	45,851	45,851
070	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,614,757	1,614,757
080	SPECIAL OPERATIONS COMMAND MAINTENANCE	1,081,869	1,090,210
	Advanced Engine Performance and Restoration Program (Nucleated Foam)		[2,000]
	SOCOM—Modernized Forward Look Sonar		[900]
	SOCOM—Personal Signature Management Acceleration		[5,441]
090	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS	180,042	170,042
	Program decrease		[-10,000]
100	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT JMWC	1,202,060	1,205,060
			[3,000]
110	SPECIAL OPERATIONS COMMAND THEATER FORCES	3,175,789	3,185,789
	Program increase		[10,000]
	SUBTOTAL OPERATING FORCES	10,314,819	10,364,570
	TRAINING AND RECRUITING		
130	DEFENSE ACQUISITION UNIVERSITY	171,607	171,607
140	JOINT CHIEFS OF STAFF	92,905	92,905
150	PROFESSIONAL DEVELOPMENT EDUCATION	31,669	31,669
	SUBTOTAL TRAINING AND RECRUITING	296,181	296,181
	ADMIN & SRVWIDE ACTIVITIES		
170	CIVIL MILITARY PROGRAMS	137,311	228,311
	National Guard Youth Challenge		[50,000]
	STARBASE		[41,000]
190	DEFENSE CONTRACT AUDIT AGENCY	618,526	618,526
200	DEFENSE CONTRACT AUDIT AGENCY—CYBER	3,984	3,984
220	DEFENSE CONTRACT MANAGEMENT AGENCY	1,438,296	1,438,296
230	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	11,999	11,999
240	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	941,488	941,488
260	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	9,859	9,859
270	DEFENSE HUMAN RESOURCES ACTIVITY	816,168	886,168
	Defense Suicide Prevention Office		[5,000]
	DHRA/DSPO—support FY 2021 congressional increases		[5,000]
	DHRA/SAPRO—FY 2021 baseline restoral		[60,000]
280	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	17,655	17,655
290	DEFENSE INFORMATION SYSTEMS AGENCY	1,913,734	1,935,469
	Cloud Migration and Technology (Milcloud 2.0)		[11,000]
	CYBERCOM—HUMINT		[2,700]
	Program decrease		[-2,000]
	Program increase—cloud migration and technology		[10,000]
	Secure Congressional communications		[35]
310	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	530,278	580,278
	Hardening DODIN		[50,000]
350	DEFENSE LEGAL SERVICES AGENCY	229,498	229,498
360	DEFENSE LOGISTICS AGENCY	402,864	407,664
	Procurement Technical Assistance Program		[4,800]
370	DEFENSE MEDIA ACTIVITY	222,655	224,655
	Public Web Program		[2,000]
380	DEFENSE PERSONNEL ACCOUNTING AGENCY	130,174	155,174
	DPAA (POW/MIA)—support FY 2021 congressional increases ..		[25,000]
390	DEFENSE SECURITY COOPERATION AGENCY	2,067,446	2,033,046
	Baltic Security Initiative		[175,000]
	Offset for Baltic Security Initiative		[-175,000]
	Program increase		[215,600]
	Transfer to Ukraine Security Assistance		[-250,000]
420	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	39,305	39,305
440	DEFENSE THREAT REDUCTION AGENCY	885,749	885,749
460	DEFENSE THREAT REDUCTION AGENCY—CYBER	36,736	36,736
470	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	3,138,345	3,208,345
	Impact Aid		[50,000]
	Impact Aid—Students with Disabilities		[20,000]
490	MISSILE DEFENSE AGENCY	502,450	502,450

SEC. 4301. OPERATION AND MAINTENANCE <i>(In Thousands of Dollars)</i>			
Line	Item	FY 2022 Request	House Authorized
530	OFFICE OF THE LOCAL DEFENSE COMMUNITY COOPERATION—OSD	89,686	107,686
	Defense Community Infrastructure Program		[15,000]
	Oversight Personnel		[3,000]
540	OFFICE OF THE SECRETARY OF DEFENSE	1,766,614	1,802,414
	Assistant Secretary of Defense for Energy, Installation and Environment oversight personnel		[10,000]
	Basic Needs Allowance		[50,000]
	CAPE Civilian Technical Staff Increase		[3,000]
	CAPE cost data and software initiative increase		[3,500]
	Commission on Afghanistan		[5,000]
	Defense Resource Budgeting & Allocation Commission		[4,000]
	DIU Civilian Technical Staff Increase		[3,000]
	DOT&E Civilian Technical Staff Increase		[3,000]
	Military working dog pilot program		[10,000]
	Program decrease		[-55,700]
550	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	32,851	32,851
560	SPACE DEVELOPMENT AGENCY	53,851	53,851
570	WASHINGTON HEADQUARTERS SERVICES	369,698	340,698
	Program decrease		[-29,000]
575	CLASSIFIED PROGRAMS	17,900,146	17,900,146
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	34,307,366	34,632,301
	UNDISTRIBUTED		
580	UNDISTRIBUTED		1,322,055
	Afghanistan withdrawal contingency costs		[250,000]
	Depot Capital Investment		[900,000]
	FSRM increase for Defense-wide activities		[172,055]
	SUBTOTAL UNDISTRIBUTED		1,322,055
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	44,918,366	46,615,107
	UKRAINE SECURITY ASSISTANCE		
010	UKRAINE SECURITY ASSISTANCE INITIATIVE		300,000
	Program increase		[50,000]
	Transfer from Defense Security Cooperation Agency		[250,000]
	SUBTOTAL UKRAINE SECURITY ASSISTANCE		300,000
	TOTAL UKRAINE SECURITY ASSISTANCE		300,000
	US COURT OF APPEALS FOR ARMED FORCES, DEF ADMINISTRATION AND ASSOCIATED ACTIVITIES		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	15,589	15,589
	SUBTOTAL ADMINISTRATION AND ASSOCIATED ACTIVITIES	15,589	15,589
	TOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF	15,589	15,589
	DOD ACQUISITION WORKFORCE DEVELOPMENT FUND		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	54,679	54,679
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	54,679	54,679
	TOTAL DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	54,679	54,679
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
	HUMANITARIAN ASSISTANCE		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	110,051	650,051
	Afghan SIV costs		[500,000]
	Program Increase		[40,000]
	SUBTOTAL HUMANITARIAN ASSISTANCE	110,051	650,051

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2022 Request	House Authorized
	TOTAL OVERSEAS HUMANITARIAN, DIS- ASTER, AND CIVIC AID	110,051	650,051
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	COOPERATIVE THREAT REDUCTION	239,849	344,849
	Program increase		[105,000]
	SUBTOTAL COOPERATIVE THREAT REDUC- TION	239,849	344,849
	TOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	239,849	344,849
	ENVIRONMENTAL RESTORATION DEPARTMENT OF THE ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	200,806	300,806
	Program increase for PFAS		[100,000]
	SUBTOTAL DEPARTMENT OF THE ARMY	200,806	300,806
	DEPARTMENT OF THE NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	298,250	472,250
	Program increase for PFAS		[174,000]
	SUBTOTAL DEPARTMENT OF THE NAVY	298,250	472,250
	DEPARTMENT OF THE AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	301,768	476,768
	Program increase for PFAS		[175,000]
	SUBTOTAL DEPARTMENT OF THE AIR FORCE ...	301,768	476,768
	DEFENSE-WIDE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,783	58,783
	Military Munitions Response Program		[50,000]
	SUBTOTAL DEFENSE-WIDE	8,783	58,783
	DEFENSE-WIDE		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES ..	218,580	392,580
	Program increase		[74,000]
	Program increase for PFAS		[100,000]
	SUBTOTAL DEFENSE-WIDE	218,580	392,580
	TOTAL ENVIRONMENTAL RESTORATION	1,028,187	1,701,187
	TOTAL OPERATION & MAINTENANCE	253,623,852	253,032,629

1 **TITLE XLIV—MILITARY**
2 **PERSONNEL**
3 **SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2022 Request	House Authorized
MERHCF	9,337,175	9,337,175
MILPERS	157,947,920	157,521,920
ARNG Chemical Biological Radiological Nuclear (CBRN) Response Forces Readiness		9,200
Historical underexecution		[-500,000]
Military Personnel, Navy—Manpower costs for CG-56, CG-57, and CG-61		64,800

1 **TITLE XLV—OTHER**
 2 **AUTHORIZATIONS**

3 **SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)		
Item	FY 2022 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
ARMY ARSENALS INITIATIVE	26,935	26,935
ARMY SUPPLY MANAGEMENT	357,776	357,776
TOTAL WORKING CAPITAL FUND, ARMY	384,711	384,711
WORKING CAPITAL FUND, NAVY		
SUPPLY MANAGEMENT—NAVY	150,000	150,000
TOTAL WORKING CAPITAL FUND, NAVY	150,000	150,000
WORKING CAPITAL FUND, AIR FORCE		
SUPPLY MANAGEMENT	77,453	77,453
TOTAL WORKING CAPITAL FUND, AIR FORCE ..	77,453	77,453
WORKING CAPITAL FUND, DEFENSE-WIDE		
ENERGY MANAGEMENT—DEFENSE	40,000	40,000
SUPPLY CHAIN MANAGEMENT—DEFENSE	87,765	87,765
TOTAL WORKING CAPITAL FUND, DEFENSE- WIDE	127,765	127,765
WORKING CAPITAL FUND, DECA		
COMMISSARY OPERATIONS	1,162,071	1,162,071
TOTAL WORKING CAPITAL FUND, DECA	1,162,071	1,162,071
CHEM AGENTS & MUNITIONS DESTRUCTION		
CHEM DEMILITARIZATION—O&M	93,121	93,121
CHEM DEMILITARIZATION—RDT&E	1,001,231	1,001,231
TOTAL CHEM AGENTS & MUNITIONS DE- STRUCTION	1,094,352	1,094,352
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
COUNTER-NARCOTICS SUPPORT	593,250	593,250
DRUG DEMAND REDUCTION PROGRAM	126,024	126,024
NATIONAL GUARD COUNTER-DRUG PROGRAM	96,970	96,970
NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,664	5,664
TOTAL DRUG INTERDICTION & CTR-DRUG AC- TIVITIES, DEF	821,908	821,908
OFFICE OF THE INSPECTOR GENERAL		
OFFICE OF THE INSPECTOR GENERAL	434,700	434,700
OFFICE OF THE INSPECTOR GENERAL—CYBER	1,218	1,218
OFFICE OF THE INSPECTOR GENERAL—RDTE	2,365	2,365
OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT	80	80
TOTAL OFFICE OF THE INSPECTOR GENERAL	438,363	438,363
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	9,720,004	9,757,004
DHA—reverse DWR cuts to Defense Health Program		[37,000]
PRIVATE SECTOR CARE	18,092,679	18,092,679
CONSOLIDATED HEALTH SUPPORT	1,541,122	2,316,047
Anomalous Health Incidents		[114,925]
DHA—Global Emerging Infectious Surveillance System ...		[50,000]
DHP COVID-related shortfalls		[600,000]
Global Emerging Infectious Surveillance Program		[10,000]

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

<i>Item</i>	<i>FY 2022 Request</i>	<i>House Authorized</i>
INFORMATION MANAGEMENT	2,233,677	2,233,677
MANAGEMENT ACTIVITIES	335,138	335,138
EDUCATION AND TRAINING	333,234	708,734
<i>DWR cut reversal to USUHS Basic Research Program</i>		<i>[15,500]</i>
<i>USUHS BLDG usage: ID and Var Research, Pandemic</i>		
<i>Response and Collaboration and Supply Chain Inde-</i>		
<i>pendence</i>		<i>[360,000]</i>
BASE OPERATIONS/COMMUNICATIONS	1,926,865	1,941,865
<i>National Disaster Medical System Surge Partnerships</i>		<i>[15,000]</i>
R&D RESEARCH	9,091	9,091
R&D EXPLORATORY DEVELOPMENT	75,463	75,463
R&D ADVANCED DEVELOPMENT	235,556	235,556
R&D DEMONSTRATION/VALIDATION	142,252	142,252
R&D ENGINEERING DEVELOPMENT	101,054	123,054
<i>Brainscope</i>		<i>[5,000]</i>
<i>Freeze-dried platelets</i>		<i>[10,000]</i>
<i>Program increase</i>		<i>[7,000]</i>
R&D MANAGEMENT AND SUPPORT	49,645	49,645
R&D CAPABILITIES ENHANCEMENT	17,619	17,619
PROC INITIAL OUTFITTING	20,926	20,926
PROC REPLACEMENT & MODERNIZATION	250,366	250,366
PROC MILITARY HEALTH SYSTEM—DESKTOP TO		
<i>DATACENTER</i>	72,302	72,302
PROC DOD HEALTHCARE MANAGEMENT SYSTEM MOD-		
<i>ERNIZATION</i>	435,414	435,414
TOTAL DEFENSE HEALTH PROGRAM	35,592,407	36,816,832
TOTAL OTHER AUTHORIZATIONS	39,849,030	41,073,455

1 **TITLE XLVI—MILITARY**
2 **CONSTRUCTION**

3 **SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

<i>Account</i>	<i>State/Country and Installation</i>	<i>Project Title</i>	<i>FY 2022 Request</i>	<i>House Agreement</i>
	<i>Alabama</i>			
Army	<i>Anniston Army Depot</i>	<i>Welding Facility</i>	0	25,000
Army	<i>Fort Rucker</i>	<i>AIT Barracks Complex</i>	0	66,000
Army	<i>Redstone Arsenal</i>	<i>Propulsion Systems Lab</i>	55,000	55,000
	<i>Belgium</i>			
Army	<i>Shape Headquarters</i>	<i>Command and Control Facility</i>	16,000	16,000
	<i>California</i>			
Army	<i>Fort Irwin</i>	<i>Simulations Center</i>	52,000	52,000
	<i>Georgia</i>			
Army	<i>Fort Gordon</i>	<i>Cyber Instructional Fac (Admin/Cmd), Inc. 2</i>	69,000	69,000
Army	<i>Fort Stewart</i>	<i>Barracks</i>	0	100,000
	<i>Germany</i>			
Army	<i>East Camp Grafenwoehr</i>	<i>EDI: Barracks and Dining Facility</i>	103,000	50,000
Army	<i>Smith Barracks</i>	<i>Indoor Small Arms Range</i>	17,500	17,500
Army	<i>Smith Barracks</i>	<i>Live Fire Exercise Shoothouse</i>	16,000	16,000
	<i>Hawaii</i>			
Army	<i>West Loch Nav Mag Annex</i>	<i>Ammunition Storage</i>	51,000	51,000
	<i>Kansas</i>			
Army	<i>Fort Leavenworth</i>	<i>Child Development Center</i>	0	34,000
	<i>Kentucky</i>			
Army	<i>Fort Knox</i>	<i>Child Development Center</i>	0	27,000
	<i>Louisiana</i>			
Army	<i>Fort Polk, Louisiana</i>	<i>Joint Operations Center</i>	55,000	55,000
	<i>Louisiana</i>			
Army	<i>Fort Polk</i>	<i>Barracks</i>	0	56,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
	<i>Maryland</i>			
Army	Aberdeen Proving Ground	Moving Target Simulator (Combat Systems Simulation Laboratory).	0	29,000
Army	Fort Detrick	Medical Waste Incinerator	0	23,981
Army	Fort Detrick	Medical Incinerator	0	23,981
Army	Fort Detrick	USAMRMC Headquarters	0	94,000
Army	Fort Meade	Barracks	81,000	81,000
	<i>Mississippi</i>			
Army	Engineer Research and Development Center	Communications Center	0	17,000
Army	Engineer Research and Development Center	Rtd&e (Risk Lab)	0	32,000
	<i>New Jersey</i>			
Army	Picatinny Arsenal	Igloo Storage, Installation	0	1,800
	<i>New Mexico</i>			
Army	White Sands Missile Range	Missile Assembly Support Facility	0	14,200
Army	White Sands Missile Range	Missile Assembly Building	0	29,000
	<i>New York</i>			
Army	Fort Hamilton	Information Systems Facility	26,000	26,000
Army	Watervliet Arsenal	Access Control Point	20,000	20,000
	<i>Pennsylvania</i>			
Army	Letherkenny Army Depot	Fire Station	21,000	21,000
	<i>South Carolina</i>			
Army	Fort Jackson	Reception Barracks Complex, Ph2, Inc. 2	34,000	34,000
Army	Fort Jackson	Reception Barracks, Ph1	0	21,000
	<i>Texas</i>			
Army	Fort Hood	Barracks	0	61,000
Army	Fort Hood	Barracks	0	29,200
	<i>Virginia</i>			
Army	Joint Base Langley-Eustis	AIT Barracks Complex, Ph4	0	16,000
	<i>Worldwide Classified</i>			
Army	Classified Location	Forward Operating Site	31,000	31,000
	<i>Worldwide Unspecified</i>			
Army	Unspecified Worldwide Locations	Host Nation Support	27,000	27,000
Army	Unspecified Worldwide Locations	Minor Construction	35,543	35,543
Army	Unspecified Worldwide Locations	Planning and Design	124,649	134,649
	Military Construction, Army Total		834,692	1,491,854
	<i>Arizona</i>			
Navy	Marine Corps Air Station Yuma	Bachelor Enlisted Quarters	0	99,600
	<i>California</i>			
Navy	Air Ground Combat Center Twentynine Palms	Wastewater Treatment Facility	0	45,000
Navy	Camp Pendleton	1 MEF Consolidated Information Center Inc.	19,869	19,869
Navy	Naval Air Station Lemoore	F-35C Hangar 6 Phase 2 (Mod 3/4) Inc.	75,070	50,000
Navy	Naval Information Warfare Center Pacific	Reconfigurable Cyber Laboratory	0	49,970
Navy	Naval Weapons Station Seal Beach	Missile Magazines Inc.	10,840	10,840
Navy	Naval Base San Diego	Pier 6 Replacement Inc.	50,000	50,000
Navy	San Nicholas Island	Directed Energy Weapons Test Facilities	19,907	19,907
	<i>District of Columbia</i>			
Navy	Naval Research Laboratory	Electromagnetic & Cyber Countermeasures Laboratory.	0	95,271
Navy	Naval Research Laboratory	Biomolecular Science & Synthetic Biology Laboratory.	0	58,940
	<i>Florida</i>			
Navy	Naval Air Station Jacksonville	Planning and Design for Lighterage and Small Craft	0	7,000
Navy	Naval Surface Warfare Center Panama City Division	Unmanned Vehicle Littoral Combat Space	0	30,960
Navy	Naval Surface Warfare Center Panama City Division	Mine Warfare RDT&E Facility	0	52,860
Navy	Naval Undersea Warfare Center Newport Division	AUTEC Pier Facility 1902	0	37,980

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
Navy	Naval Undersea Warfare Center Newport Division	Array Calibration Facility	0	6,530
	Greece			
Navy	Naval Support Activity Souda Bay	EDI: Joint Mobility Processing Center	41,650	0
	Guam			
Navy	Andersen Air Force Base	Aviation Admin Building	50,890	50,890
Navy	Joint Region Marianas	4th Marines Regiment Facilities	109,507	80,000
Navy	Joint Region Marianas	Bachelor Enlisted Quarters H Inc.	43,200	43,200
Navy	Joint Region Marianas	Combat Logistics Battalion-4 Facility	92,710	92,710
Navy	Joint Region Marianas	Consolidated Armory	43,470	43,470
Navy	Joint Region Marianas	Infantry Battalion Company HQ	44,100	44,100
Navy	Joint Region Marianas	Joint Communication Upgrade Inc.	84,000	84,000
Navy	Joint Region Marianas	Marine Expeditionary Brigade Enablers	66,830	66,830
Navy	Joint Region Marianas	Principal End Item (PEI) Warehouse	47,110	47,110
Navy	Joint Region Marianas	X-Ray Wharf Berth 2	103,800	51,900
	Hawaii			
Navy	Marine Corps Base Kaneohe	Bachelor Enlisted Quarters, Ph 2	0	101,200
	Idaho			
Navy	Naval Surface Warfare Center Carderock Division	ARD Rangecraft Birthing Facility	0	6,140
	Indiana			
Navy	Naval Surface Warfare Center Crane Division	Strategic Systems Engineering & Hardware Assurance Center.	0	27,350
Navy	Naval Surface Warfare Center Crane Division	Corporate Operations and Training Center	0	22,910
Navy	Naval Surface Warfare Center Crane Division	Anti-Ship Missile Defense Life Cycle Integration and Test Center.	0	36,660
	Japan			
Navy	Fleet Activities Yokosuka	Pier 5 (Berths 2 and 3) Inc.	15,292	15,292
Navy	Fleet Activities Yokosuka	Ship Handling & Combat Training Facilities	49,900	49,900
	Maine			
Navy	Portsmouth Naval Shipyard	Multi-Mission Drydock #1 Extension Inc.	250,000	250,000
	Maryland			
Navy	Naval Air Station Patuxent River	Planning and Design for Aircraft Prototyping Facility, Ph 3.	0	1,500
Navy	Naval Air Warfare Center Aircraft Division	Aircraft Prototyping Facility, Ph 3	0	40,920
Navy	Naval Air Warfare Center Aircraft Division	Rotary Wing T&E Hangar Replacement	0	80,270
Navy	Naval Surface Warfare Center Carderock Division	Ship Systems Design & Integration Facility	0	22,090
Navy	Naval Surface Warfare Center Indian Head	Planning and Design for Contained Burn Facility	0	1,500
Navy	Naval Surface Warfare Center Indian Head	Energetic Systems and Technology Laboratory Complex, Ph 2.	0	25,210
Navy	Naval Surface Warfare Center Indian Head	Contained Burn Facility	0	14,980
Navy	Naval Surface Warfare Center Indian Head	Energetic Chemical Scale-up	0	29,130
Navy	Naval Surface Warfare Center Indian Head	Energetics Prototyping Facility	0	36,230
Navy	Naval Surface Warfare Center Indian Head	Energetic Systems and Technology Laboratory Complex, Ph 3.	0	26,480
	Nevada			
Navy	Naval Air Station Fallon	Training Range Land Acquisition—Ph 2	48,250	48,250
	North Carolina			
Navy	Camp Lejeune, North Carolina	II MEF Operations Center Replacement Inc.	42,200	42,200
Navy	Cherry Point Marine Corps Air Station	Aircraft Maintenance Hangar	207,897	60,000
Navy	Cherry Point Marine Corps Air Station	F-35 Flightline Utilities Modernization Ph 2	113,520	30,000
	Pennsylvania			
Navy	Naval Surface Warfare Center Philadelphia Division	Machinery Control Development Center	0	77,290

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Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
Navy	Naval Surface Warfare Center Philadelphia Division	Machinery Integration Lab, Ph 1	0	34,010
Navy	Naval Surface Warfare Center Philadelphia Division	Power & Energy Tech Systems Integration Lab	0	48,740
	Poland			
Navy	Redzikowo	AEGIS Ashore Barracks Planning and Design	0	3,000
	Rhode Island			
Navy	Naval Undersea Warfare Center Newport Division	Next Generation Secure Submarine Platform Facility	0	40,760
Navy	Naval Undersea Warfare Center Newport Division	Next Generation Torpedo Integration Lab	0	12,870
Navy	Naval Undersea Warfare Center Newport Division	Submarine Payloads Integration Facility	0	14,430
Navy	Naval Undersea Warfare Center Newport Division	Consolidation RDT&E Systems Facility	0	17,290
	Texas			
Navy	Naval Air Station Kingsville	Planning and Design for Fire Rescue Safety Center ..	0	2,500
	Virginia			
Navy	Naval Station Norfolk	Submarine Pier 3 Inc.	88,923	88,923
Navy	Naval Surface Warfare Center Carderock Division	Navy Combatant Craft Laboratory	0	17,210
Navy	Naval Surface Warfare Center Dahlgren Division	Cyber Threat & Weapon Systems Engineering Complex.	0	60,560
Navy	Naval Surface Warfare Center Dahlgren Division	High Powered Electric Weapons Laboratory	0	38,110
Navy	Norfolk Naval Shipyard	Dry Dock Saltwater System for CVN-78	156,380	30,000
Navy	Marine Corps Base Quantico	Vehicle Inspection and Visitor Control Center	42,850	42,850
Navy	Marine Corps Base Quantico	Wargaming Center Inc.	30,500	30,500
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning and Design	363,252	363,252
Navy	Unspecified Worldwide Locations	Shipyards Investment Optimization Program	0	225,000
Navy	Unspecified Worldwide Locations	Shipyards Investment Optimization Program—Planning and Design.	0	62,820
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	56,435	56,435
	Military Construction, Navy Total		2,368,352	3,473,699
	Alaska			
AF	Joint Base Elmendorf-Richardson	Extend Runway 16/34, Inc. 1	79,000	79,000
	Arizona			
AF	Davis-Monthan Air Force Base	South Wilmot Gate	13,400	13,400
AF	Luke Air Force Base	F-35A ADAL AMU Facility Squadron #6	28,000	28,000
AF	Luke Air Force Base	F-35A Squadron Operations Facility #6	21,000	21,000
	Australia			
AF	Royal Australian Air Force Base Darwin	Squadron Operations Facility	7,400	7,400
AF	Royal Australian Air Force Base Tindal	Aircraft Maintenance Support Facility	6,200	6,200
AF	Royal Australian Air Force Base Tindal	Squadron Operations Facility	8,200	8,200
	California			
AF	Edwards Air Force Base	Flight Test Engineering Lab Complex	4,000	4,000
AF	Edwards Air Force Base	Upgrade Munitions Complex	0	28,000
AF	Edwards Air Force Base	Rocket Engineering, Analysis, and Collaboration HUB (REACH).	0	75,000
AF	Vandenberg Air Force Base	GBSD Re-Entry Vehicle Facility	48,000	48,000
AF	Vandenberg Air Force Base	GBSD Stage Processing Facility	19,000	19,000
	Colorado			

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AF	Schriever Air Force Base	ADAL Fitness Center	0	30,000
AF	United States Air Force Academy	Add High Bay Vehicle Maintenance	0	4,360
AF	District of Columbia Joint Base Anacostia Bolling	Joint Air Defense Operations Center Ph 2	24,000	24,000
<i>Florida</i>				
AF	Eglin Air Force Base	Weapons Technology Integration Center	0	100,000
AF	Eglin Air Force Base	HC-Blackfyre Facilities	0	91,000
AF	Eglin Air Force Base	JADC2 & Abms Test Facility	0	21,000
AF	Eglin Air Force Base	F-35A Development/Operational Test 2-Bay Hangar	0	39,000
AF	Eglin Air Force Base	Integrated Control Facility	0	73,000
AF	Eglin Air Force Base	F-35A Development Test 2-Bay MX Hangar	0	35,000
<i>Germany</i>				
AF	Spangdahlem Air Base	F/A-22 LO/Composite Repair Facility	22,625	22,625
<i>Guam</i>				
AF	Joint Region Marianas	Airfield Damage Repair Warehouse	30,000	30,000
AF	Joint Region Marianas	Hayman Munitions Storage Igloos, MSA2	9,824	9,824
AF	Joint Region Marianas	Munitions Storage Igloos IV	55,000	55,000
<i>Hawaii</i>				
AF	Maui Experimental Site #3	Secure Integration Support Lab W/ Land Acquisition	0	88,000
<i>Hungary</i>				
AF	Kecskemet Air Base	ERI: Construct Airfield Upgrades	20,564	20,564
AF	Kecskemet Air Base	ERI: Construct Parallel Taxiway	38,650	38,650
<i>Japan</i>				
AF	Kadena Air Base	Airfield Damage Repair Storage Facility	38,000	38,000
AF	Kadena Air Base	Helicopter Rescue OPS Maintenance Hangar	168,000	83,800
AF	Kadena Air Base	Replace Munitions Structures	26,100	26,100
AF	Misawa Air Base	Airfield Damage Repair Facility	25,000	25,000
AF	Yokota Air Base	C-130J Corrosion Control Hangar	67,000	67,000
AF	Yokota Air Base	Construct CATM Facility	25,000	25,000
<i>Louisiana</i>				
AF	Barksdale Air Force Base	Weapons Generation Facility, Inc. 1	40,000	40,000
AF	Barksdale Air Force Base	New Entrance Road and Gate Complex	0	36,000
<i>Maryland</i>				
AF	Joint Base Andrews	Fire Crash Rescue Station	26,000	26,000
AF	Joint Base Andrews	Military Working Dog Kennel	0	7,800
<i>Massachusetts</i>				
AF	Hanscom Air Force Base	NC3 Acquisitions Management Facility	66,000	66,000
<i>Nebraska</i>				
AF	Offutt Air Force Base	Replace Trestle F312	0	5,000
<i>New Mexico</i>				
AF	Holloman Air Force Base	RAMS Indoor Target Flip Facility	0	26,000
AF	Holloman Air Force Base	Holloman High Speed Test Track Recapitalization ...	0	100,000
AF	Holloman Air Force Base	ADAL Fabrication Shop	0	10,600
AF	Kirtland Air Force Base	High Power Electromagnetic (HPEM) Laboratory ...	0	58,000
AF	Kirtland Air Force Base	Laser Effects & Simulation Laboratory	0	58,000
AF	Kirtland Air Force Base	ADAL Systems & Engineering Lab	0	22,000
<i>New Jersey</i>				
AF	Joint Base McGuire-Dix-Lakehurst	SFS OPS Confinement Facility	0	4,500
<i>Ohio</i>				
AF	Wright-Patterson Air Force Base	Child Development Center	0	24,000
AF	Wright-Patterson Air Force Base	Human Performance Wing Laboratory	0	40,000
AF	Wright-Patterson Air Force Base	Bionatronics Research Center Laboratory	0	100,000
<i>Oklahoma</i>				
AF	Tinker Air Force Base	KC-46A 3-Bay Depot Maintenance Hangar	160,000	60,000
<i>South Carolina</i>				
AF	Joint Base Charleston	Fire and Rescue Station	0	30,000
<i>South Dakota</i>				
AF	Ellsworth Air Force Base	B-21 2-Bay LO Restoration Facility, Inc. 2	91,000	50,000
AF	Ellsworth Air Force Base	B-21 ADAL Flight Simulator	24,000	24,000
AF	Ellsworth Air Force Base	B-21 Field Training Detachment Facility	47,000	47,000
AF	Ellsworth Air Force Base	B-21 Formal Training Unit/AMU	70,000	70,000

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AF	Ellsworth Air Force Base	B-21 Mission Operations Planning Facility	36,000	36,000
AF	Ellsworth Air Force Base	B-21 Washrack & Maintenance Hangar	65,000	65,000
AF	Spain Moron Air Base	EDI-Hot Cargo Pad	8,542	8,542
AF	Tennessee Arnold Air Force Base	Cooling Water Expansion, Rowland Creek 20009	0	15,500
AF	Arnold Air Force Base	Add/Alter Test Cell Delivery Bay	0	14,600
AF	Arnold Air Force Base	Primary Pumping Station Upgrades	0	90,518
AF	Texas Joint Base San Antonio	BMT Recruit Dormitory 7	141,000	40,000
AF	Joint Base San Antonio	BMT Recruit Dormitory 8, Inc. 3	31,000	31,000
AF	Joint Base San Antonio—Fort Sam Houston	Child Development Center	0	29,000
AF	Joint Base San Antonio—Fort Sam Houston	Directed Energy Research Center	0	113,000
AF	Joint Base San Antonio—Lackland Air Force Base	Child Development Center	0	22,000
AF	Sheppard Air Force Base	Child Development Center	20,000	20,000
AF	United Kingdom Royal Air Force Fairford	EDI: Construct DABS-FEV Storage	94,000	94,000
AF	Royal Air Force Lakenheath	F-35A Child Development Center	0	24,000
AF	Royal Air Force Lakenheath	F-35A Munition Inspection Facility	31,000	31,000
AF	Royal Air Force Lakenheath	F-35A Weapons Load Training Facility	49,000	49,000
AF	Utah Hill Air Force Base	GBSD Organic Software Sustain Ctr, Inc. 2	31,000	31,000
AF	Virginia Joint Base Langley-Eustis	Fuel Systems Maintenance Dock	0	24,000
AF	Worldwide Unspecified Various Worldwide Locations	EDI: Planning & Design	648	25,648
AF	Various Worldwide Locations	PDI: Planning & Design	27,200	52,200
AF	Various Worldwide Locations	Planning & Design	201,453	161,453
AF	Various Worldwide Locations	Planning & Design for Dormitories and Barracks	0	20,000
AF	Various Worldwide Locations	Intelligence, Surveillance, and Reconnaissance Infrastructure Planning and Design.	0	20,000
AF	Various Worldwide Locations	Unspecified Minor Military Construction	58,884	58,884
Military Construction, Air Force Total			2,102,690	3,265,368
Def-Wide	Alabama Fort Rucker	10 MW RICE Generator Plant and Microgrid Controls.	24,000	24,000
Def-Wide	Belgium Chievres Air Force Base	Europe West District Superintendent's Office	15,000	15,000
Def-Wide	California Camp Pendleton	Veterinary Treatment Facility Replacement	13,600	13,600
Def-Wide	Naval Amphibious Base Coronado	SOF ATC Operations Support Facility	21,700	21,700
Def-Wide	Naval Amphibious Base Coronado	SOF NSWG11 Operations Support Facility	12,000	12,000
Def-Wide	Marine Corps Air Station Miramar	Additional LFG Power Meter Station	4,054	4,054
Def-Wide	Naval Air Weapons Station China Lake	Solar Energy Storage System	9,120	9,120
Def-Wide	Naval Amphibious Base Coronado	SOF Training Command	0	20,500
Def-Wide	Colorado Buckley Air Force Base	JCC Expansion	20,000	20,000
Def-Wide	District of Columbia Joint Base Anacostia-Bolling	DIA HQ Cooling Towers and Cond Pumps	0	2,257
Def-Wide	Joint Base Anacostia-Bolling	PV Carports	0	29,004

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	<i>Florida</i>			
Def-Wide	MacDill Air Force Base	Transmission and Switching Stations	22,000	22,000
	<i>Georgia</i>			
Def-Wide	Fort Benning	4.8 MW Generation and Microgrid	17,593	17,593
Def-Wide	Fort Benning	SOF Battalion Headquarters Facility	62,000	62,000
Def-Wide	Fort Stewart	10 MW Generation Plant, With Microgrid Controls ...	22,000	22,000
Def-Wide	Kings Bay Naval Submarine Base	Electrical Transmission and Distribution	19,314	19,314
	<i>Germany</i>			
Def-Wide	Ramstein Air Base	Ramstein Middle School	93,000	93,000
	<i>Guam</i>			
Def-Wide	Naval Base Guam	Inner Apra Harbor Resiliency Upgrades Ph1	38,300	38,300
	<i>Hawaii</i>			
Def-Wide	Joint Base Pearl Harbor-Hickam	Veterinary Treatment Facility Replacement	29,800	29,800
	<i>Idaho</i>			
Def-Wide	Mountain Home Air Force Base	Water Treatment Plant and Pump Station	33,800	33,800
	<i>Japan</i>			
Def-Wide	Iwakuni	Fuel Pier	57,700	57,700
Def-Wide	Kadena Air Base	Operations Support Facility	24,000	24,000
Def-Wide	Kadena Air Base	Truck Unload Facilities	22,300	22,300
Def-Wide	Misawa Air Base	Additive Injection Pump and Storage Sys	6,000	6,000
Def-Wide	Naval Air Facility Atsugi	Smart Grid for Utility and Facility Controls	3,810	3,810
Def-Wide	Yokota Air Base	Hangar/AMU	108,253	53,000
	<i>Kuwait</i>			
Def-Wide	Camp Arifjan	Microgrid Controller, 1.25 MW Solar PV, and 1.5 MWH Battery.	15,000	15,000
	<i>Maryland</i>			
Def-Wide	Bethesda Naval Hospital	MEDCEN Addition / Alteration, Inc. 5	153,233	153,233
Def-Wide	Fort Meade	NSAW Mission OPS and Records Center Inc. 1	94,000	94,000
Def-Wide	Fort Meade	NSAW Recap Building 4, Inc. 1	104,100	104,100
Def-Wide	Fort Meade	SOF Operations Facility	100,000	100,000
	<i>Michigan</i>			
Def-Wide	Camp Grayling	650 KW Gas-Fired Micro-Turbine Generation System	5,700	5,700
	<i>Mississippi</i>			
Def-Wide	Camp Shelby	10 MW Generation Plant an Feeder Level Microgrid System.	0	34,500
Def-Wide	Camp Shelby	Electrical Distribution Infrastructure Undergrounding Hardening Project.	0	11,155
	<i>Missouri</i>			
Def-Wide	Fort Leonard Wood	Hospital Replacement, Inc. 4	160,000	160,000
	<i>New Mexico</i>			
Def-Wide	Kirtland Air Force Base	Environmental Health Facility Replacement	8,600	8,600
	<i>New York</i>			
Def-Wide	Fort Drum	Wellfield Expansion Resiliency Project	0	27,000
	<i>North Carolina</i>			
Def-Wide	Fort Bragg	10 MW Microgrid Utilizing Existing and New Generators.	19,464	19,464
Def-Wide	Fort Bragg	Fort Bragg Emergency Water System	0	7,705
	<i>North Dakota</i>			
Def-Wide	Cavalier Air Force Station	Pears Emergency Power Plant Fuel Storage	0	24,150
	<i>Ohio</i>			
Def-Wide	Springfield-Beckley Municipal Airport	Base-Wide Microgrid With Natural Gas Generator, Photovoltaic, and Battery Storage.	4,700	4,700
	<i>Puerto Rico</i>			
Def-Wide	Fort Allen	Microgrid Control System, 690 KW PV, 275 KW Gen, 570 Kwh Bess.	0	12,190
Def-Wide	Punta Borinquen	Ramey Unit School Replacement	84,000	84,000
Def-Wide	Ramey Unit School	Microgrid Control System, 460 KW PV, 275 KW Generator, 660 Kwh Bess.	0	10,120
	<i>Tennessee</i>			
Def-Wide	Memphis International Airport	PV Arrays and Battery Storage	4,780	4,780
	<i>Texas</i>			
Def-Wide	Joint Base San Antonio	Ambulatory Care Center Ph 4	35,000	35,000
	<i>United Kingdom</i>			
Def-Wide	Menwith Hill Station	Rafmh Main Gate Rehabilitation	20,000	20,000
Def-Wide	Royal Air Force Lakenheath	Hospital Replacement-Temporary Facilities	19,283	19,283
	<i>Virginia</i>			
Def-Wide	Fort Belvoir	Veterinary Treatment Facility Replacement	29,800	29,800
Def-Wide	National Geospatial Intelligence Agency Springfield	North Campus East Electrical System Redundancy ...	0	5,299

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Def-Wide	Pentagon	Consolidated Maintenance Complex (RRMC)	20,000	20,000
Def-Wide	Pentagon	Force Protection Perimeter Enhancements	8,608	8,608
Def-Wide	Pentagon	Public Works Support Facility	21,935	21,935
Def-Wide	Various Locations	Led Upgrade Package	365	365
Def-Wide	Various Locations	Recommissioning of Hvac Systems, Part B	2,600	2,600
	Washington			
Def-Wide	Oak Harbor	ACC / Dental Clinic (Oak Harbor)	59,000	59,000
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	DIA Planning and Design	11,000	11,000
Def-Wide	Unspecified Worldwide Locations	DODEA Planning and Design	13,317	13,317
Def-Wide	Unspecified Worldwide Locations	DODEA Unspecified Minor Construction	8,000	8,000
Def-Wide	Unspecified Worldwide Locations	ERCIP Design	40,150	40,150
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	5,615	5,615
Def-Wide	Unspecified Worldwide Locations	INDOPACOM—Planning and Design	0	68,200
Def-Wide	Unspecified Worldwide Locations	MDA Unspecified Minor Construction	4,435	4,435
Def-Wide	Unspecified Worldwide Locations	NSA Planning and Design	83,840	83,840
Def-Wide	Unspecified Worldwide Locations	NSA Unspecified Minor Construction	12,000	12,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design	14,194	14,194
Def-Wide	Unspecified Worldwide Locations	SOCOM Unspecified Minor Construction	21,746	21,746
Def-Wide	Unspecified Worldwide Locations	TJS Planning and Design	2,000	2,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	WHS Planning and Design	5,275	5,275
Def-Wide	Various Worldwide Locations	DHA Planning and Design	35,099	35,099
Def-Wide	Various Worldwide Locations	DLA Planning and Design	20,862	20,862
Def-Wide	Various Worldwide Locations	DLA Unspecified Minor Construction	6,668	6,668
Def-Wide	Various Worldwide Locations	SOCOM Planning and Design	20,576	20,576
		Military Construction, Defense-Wide Total	1,957,289	2,154,116
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO Security Investment Program	205,853	205,853
		NATO Security Investment Program Total	205,853	205,853
	Alaska			
Army NG	Joint Base Elmendorf-Richardson	Planning and Design for National Guard Readiness Center	0	5,000
	California			
Army NG	Beale Air Force Base	940 ARW SQ OPS & AMU Complex	0	33,000
	Connecticut			
Army NG	Putnam	National Guard Readiness Center	17,500	17,500
	Georgia			
Army NG	Fort Benning	Post-Initial Mil. Training Unaccomp. Housing	13,200	13,200
	Guam			
Army NG	Barrigada	National Guard Readiness Center Addition	34,000	34,000
	Idaho			
Army NG	Jerome	National Guard Readiness Center	15,000	15,000
	Illinois			
Army NG	Bloomington	National Guard Vehicle Maintenance Shop	15,000	15,000
	Kansas			
Army NG	Topeka	National Guard/Reserve Center Building	16,732	16,732
	Louisiana			
Army NG	Camp Minden	Collective Training Unaccompanied Housing	0	13,800
Army NG	Lake Charles	National Guard Readiness Center	18,500	18,500
	Maine			
Army NG	Saco	National Guard Vehicle Maintenance Shop	21,200	21,200
	Michigan			
Army NG	Camp Grayling	National Guard Readiness Center	0	16,000
	Mississippi			

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Army NG	Camp Shelby Montana	Maneuver Area Training Equipment Site	0	15,500
Army NG	Butte Nebraska	National Guard Readiness Center	16,000	16,000
Army NG	Camp Ashland North Dakota	Collective Training Unaccompanied Housing	0	11,000
Army NG	Dickinson South Carolina	National Guard Readiness Center	15,500	15,500
Army NG	McEntire Joint National Guard Base Virginia	Hazardous Cargo Pad	0	9,000
Army NG	Troutville	Combined Support Maintenance Shop Addition	6,900	6,900
Army NG	Troutville	National Guard Readiness Center Addition	6,100	6,100
Army NG	Virginia Army National Guard Sandston	Aircraft Maintenance Hangar	0	5,805
Army NG	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design	22,000	28,000
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	39,471	39,471
Military Construction, Army National Guard Total			257,103	372,208
Army Res	Michigan Southfield	Area Maintenance Support Activity	12,000	12,000
Army Res	Ohio Wright-Patterson Air Force Base	AR Center Training Building/ UHS	19,000	19,000
Army Res	Wisconsin Fort McCoy	Transient Training BN HQ	12,200	12,200
Army Res	Fort McCoy	Transient Training Enlisted Barracks	0	29,200
Army Res	Fort McCoy	Transient Training Enlisted Barracks	0	29,200
Army Res	Fort McCoy	Transient Training Enlisted Barracks	0	24,000
Army Res	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design	7,167	7,167
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	14,544	14,544
Military Construction, Army Reserve Total			64,911	147,311
N/MC Res	Michigan Battle Creek	Reserve Center & Vehicle Maintenance Facility	49,090	49,090
N/MC Res	Minnesota Minneapolis	Joint Reserve Intelligence Center	14,350	14,350
N/MC Res	Worldwide Unspecified Unspecified Worldwide Locations	MCNR Planning & Design	1,257	1,257
N/MC Res	Unspecified Worldwide Locations	MCNR Unspecified Minor Construction	2,359	1,359
N/MC Res	Unspecified Worldwide Locations	USMCR Planning and Design	4,748	4,748
Military Construction, Naval Reserve Total			71,804	70,804
Air NG	Delaware Newcastle Air National Guard Base	Replace Fuel Cell/Corrosion Control Hangar	0	17,500
Air NG	Idaho Boise Air National Guard Base	Medical Training Facility	0	6,500
Air NG	Illinois Abraham Capital Air- port	Civil Engineering Facility	0	10,200
Air NG	Massachusetts Barnes Air National Guard	Combined Engine/ASE/NDI Shop	12,200	12,200
Air NG	Michigan Alpena County Regional Airport	Aircraft Maintenance Hangar/Shops	23,000	23,000
Air NG	W. K. Kellogg Regional Airport	Construct Main Base Entrance	10,000	10,000
Air NG	Mississippi Jackson International Airport	Fire Crash and Rescue Station	9,300	9,300
Air NG	New York Schenectady Municipal Airport	C-130 Flight Simulator Facility	10,800	10,800

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	<i>Ohio</i>			
Air NG	Camp Perry	Red Horse Logistics Complex	7,800	7,800
	<i>South Carolina</i>			
Air NG	McEntire Joint National Guard Base	F-16 Mission Training Center	9,800	9,800
	<i>South Dakota</i>			
Air NG	Joe Foss Field	F-16 Mission Training Center	9,800	9,800
	<i>Wisconsin</i>			
Air NG	Truax Field	F-35 3-Bay Specialized Hangar	31,000	31,000
Air NG	Truax Field	Medical Readiness Facility	13,200	13,200
	<i>Worldwide Unspecified</i>			
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	29,068	29,068
Air NG	Various Worldwide Locations	Planning and Design	18,402	34,402
	<i>Wyoming</i>			
Air NG	Cheyenne Municipal Airport	Combined Vehicle Maintenance & ASE Complex	13,400	13,400
	Military Construction, Air National Guard Total		197,770	247,970
	<i>Florida</i>			
AF Res	Homestead Air Force Reserve Base	Corrosion Control Facility	14,000	14,000
AF Res	Patrick Air Force Base	Simulator C-130J	18,500	18,500
	<i>Minnesota</i>			
AF Res	Minneapolis-St Paul International Airport	Mission Support Group Facility	14,000	14,000
	<i>New York</i>			
AF Res	Niagara Falls Air Reserve Station	Main Gate	10,600	10,600
	<i>Ohio</i>			
AF Res	Youngstown Air Reserve Station	Assault Strip Widening	0	8,700
	<i>Worldwide Unspecified</i>			
AF Res	Unspecified Worldwide Locations	Planning & Design	5,830	5,830
AF Res	Unspecified Worldwide Locations	Unspecified Minor Military Construction	15,444	15,444
	Military Construction, Air Force Reserve Total		78,374	87,074
	<i>Italy</i>			
FH Con Army	Vicenza	Family Housing New Construction	92,304	92,304
	<i>Kwajalein Atoll</i>			
FH Con Army	Kwajalein Atoll	Family Housing Replacement Construction	0	10,000
	<i>Pennsylvania</i>			
FH Con Army	Tobyhanna Army Depot	Family Housing Replacement Construction	0	7,500
	<i>Puerto Rico</i>			
FH Con Army	Fort Buchanan	Family Housing Replacement Construction	0	14,000
	<i>Worldwide Unspecified</i>			
FH Con Army	Unspecified Worldwide Locations	Family Housing P & D	7,545	22,545
	Family Housing Construction, Army Total		99,849	146,349
	<i>Worldwide Unspecified</i>			
FH Ops Army	Unspecified Worldwide Locations	Furnishings	18,077	18,077
FH Ops Army	Unspecified Worldwide Locations	Housing Privatization Support	38,404	38,404
FH Ops Army	Unspecified Worldwide Locations	Leasing	128,110	128,110
FH Ops Army	Unspecified Worldwide Locations	Maintenance	111,181	111,181
FH Ops Army	Unspecified Worldwide Locations	Management	42,850	42,850
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	556	556
FH Ops Army	Unspecified Worldwide Locations	Services	8,277	8,277
FH Ops Army	Unspecified Worldwide Locations	Utilities	43,772	43,772
	Family Housing Operation And Maintenance, Army Total		391,227	391,227
	<i>Worldwide Unspecified</i>			
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements	71,884	71,884

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<i>FH Con Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Planning & Design</i>	3,634	3,634
<i>FH Con Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>USMC DPRI/Guam Planning and Design</i>	2,098	2,098
Family Housing Construction, Navy And Marine Corps Total			77,616	77,616
<i>Worldwide Unspecified</i>				
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings</i>	16,537	16,537
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Housing Privatization Support</i>	54,544	54,544
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing</i>	62,567	62,567
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance</i>	95,417	95,417
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Management</i>	54,083	54,083
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous</i>	285	285
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Services</i>	17,637	17,637
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities</i>	56,271	56,271
Family Housing Operation And Maintenance, Navy And Marine Corps Total			357,341	357,341
<i>Georgia</i>				
<i>FH Con AF</i>	<i>Robins Air Force Base</i>	<i>Robins 2 MHPI Restructure</i>	6,000	6,000
<i>Nebraska</i>				
<i>FH Con AF</i>	<i>Offutt Air Force Base</i>	<i>Offutt MHPI Restructure</i>	50,000	50,000
<i>Worldwide Unspecified</i>				
<i>FH Con AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Construction Improvements</i>	49,258	49,258
<i>FH Con AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Planning & Design</i>	10,458	10,458
Family Housing Construction, Air Force Total			115,716	115,716
<i>Worldwide Unspecified</i>				
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings</i>	26,842	26,842
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Housing Privatization</i>	23,275	23,275
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing</i>	9,520	9,520
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance</i>	141,754	141,754
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Management</i>	70,062	70,062
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous</i>	2,200	2,200
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Services</i>	8,124	8,124
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities</i>	43,668	43,668
Family Housing Operation And Maintenance, Air Force Total			325,445	325,445
<i>Worldwide Unspecified</i>				
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>DIA Furnishings</i>	656	656
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>DIA Leasing</i>	31,430	31,430
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>DIA Utilities</i>	4,166	4,166
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance</i>	49	49
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>NSA Furnishings</i>	83	83
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>NSA Leasing</i>	13,387	13,387
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>NSA Utilities</i>	14	14
Family Housing Operation And Maintenance, Defense-Wide Total			49,785	49,785
<i>Worldwide Unspecified</i>				

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
FHIF	Unspecified Worldwide Locations	Administrative Expenses—FHIF	6,081	6,081
Unaccompanied Housing Improvement Fund Total			6,081	6,081
UHIF	Worldwide Unspecified Unspecified Worldwide Locations	Administrative Expenses—UHIF	494	494
Unaccompanied Housing Improvement Fund Total			494	494
BRAC	Worldwide Unspecified Base Realignment & Closure, Army	Base Realignment and Closure	65,301	115,301
Base Realignment and Closure—Army Total			65,301	115,301
BRAC	Worldwide Unspecified Unspecified Worldwide Locations	Base Realignment & Closure	111,155	161,155
Base Realignment and Closure—Navy Total			111,155	161,155
BRAC	Worldwide Unspecified Unspecified Worldwide Locations	DOD BRAC Activities—Air Force	104,216	154,216
Base Realignment and Closure—Air Force Total			104,216	154,216
BRAC	Worldwide Unspecified Unspecified Worldwide Locations	Int-4: DLA Activities	3,967	3,967
Base Realignment and Closure—Defense-wide Total			3,967	3,967
Total, Military Construction			9,847,031	13,420,950

1 **TITLE XLVII—DEPARTMENT OF**
2 **ENERGY NATIONAL SECURITY**
3 **PROGRAMS**
4 **SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY**
5 **PROGRAMS.**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2022 Request	House Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	149,800	149,800
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	15,484,295	15,944,295
Defense nuclear nonproliferation	1,934,000	1,994,500
Naval reactors	1,860,705	1,860,705
Federal salaries and expenses	464,000	464,000
Total, National Nuclear Security Administration	19,743,000	20,263,500
Environmental and other defense activities:		
Defense environmental cleanup	6,841,670	6,848,170
Other defense activities	1,170,000	920,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	House Authorized
Total, Environmental & other defense activities	8,011,670	7,768,170
Total, Atomic Energy Defense Activities	27,754,670	28,031,670
Total, Discretionary Funding	27,904,470	28,181,470
Nuclear Energy		
Idaho site-wide safeguards and security	149,800	149,800
Total, Nuclear Energy	149,800	149,800
Stockpile Management		
Stockpile Major Modernization		
B61-12 Life extension program	771,664	771,664
W88 Alteration Program	207,157	207,157
W80-4 Life extension program	1,080,400	1,080,400
W80-4 ALT SLCM	10,000	10,000
W87-1 Modification Program	691,031	691,031
W93 Program	72,000	72,000
Total, Stockpile Major Modernization	2,832,252	2,832,252
Stockpile services		
Production Operations	568,941	568,941
Stockpile Sustainment	1,180,483	1,128,483
No funds for B83 service life extension		[-52,000]
Weapons Dismantlement and Disposition	51,000	51,000
Subtotal, Stockpile Services	1,800,424	1,748,424
Total, Stockpile Management	4,632,676	4,580,676
Weapons Activities		
Production Modernization		
Primary Capability Modernization		
Plutonium Modernization		
Los Alamos Plutonium Modernization		
Los Alamos Plutonium Operations	660,419	660,419
21-D-512 Plutonium Pit Production Project, LANL	350,000	350,000
Subtotal, Los Alamos Plutonium Modernization	1,010,419	1,010,419
Savannah River Plutonium Modernization		
Savannah River Plutonium Operations	128,000	128,000
21-D-511 Savannah River Plutonium Processing Facility, SRS	475,000	475,000
Subtotal, Savannah River Plutonium Modernization	603,000	603,000
Enterprise Plutonium Support	107,098	107,098
Total, Plutonium Modernization	1,720,517	1,720,517
High Explosives and Energetics	68,785	68,785
Total, Primary Capability Modernization	1,789,302	1,789,302
Secondary Capability Modernization	488,097	488,097
Tritium and Domestic Uranium Enrichment	489,017	489,017
Non-Nuclear Capability Modernization	144,563	144,563
Total, Production Modernization	2,910,979	2,910,979
Stockpile Research, Technology, and Engineering		
Assessment Science	689,578	689,578
Engineering and Integrated Assessments	336,766	351,766
Program increase for plutonium aging assessments		[15,000]
Inertial Confinement Fusion	529,000	600,000
Program Increase		[71,000]
Advanced Simulation and Computing	747,012	747,012
Weapon Technology and Manufacturing Maturation	292,630	292,630
Academic Programs	85,645	85,645
Total, Stockpile Research, Technology, and Engineering	2,680,631	2,766,631
Infrastructure and Operations		
Operations of facilities	1,014,000	1,014,000
Safety and environmental operations	165,354	165,354
Maintenance and repair of facilities	670,000	1,020,000
Program increase		[350,000]
Recapitalization:		
Infrastructure and safety	508,664	508,664
Capability based investments	143,066	143,066
Total, Recapitalization	651,730	651,730

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	House Authorized
Construction:		
22-D-513 Power Sources Capability, SNL	13,827	13,827
21-D-510, HE Synthesis, Formulation, and Production Facility, PX ..	44,500	44,500
18-D-690, Lithium Processing Facility, Y-12	171,902	171,902
18-D-650, Tritium Finishing Facility, SRS	27,000	27,000
17-D-640, U1a Complex Enhancements Project, NNS	135,000	135,000
15-D-302, TA-55 Reinvestment Project—Phase 3, LANL	27,000	27,000
06-D-141, Uranium Processing Facility, Y-12	524,000	600,000
Program increase		[76,000]
04-D-125, Chemistry and Metallurgy Research Replacement Project, LANL	138,123	138,123
22-D-514 Digital Infrastructure Capability Expansion	8,000	8,000
Total, Construction	1,089,352	1,165,352
Total, Infrastructure and operations	3,590,436	4,016,436
Secure transportation asset		
Operations and equipment	213,704	213,704
Program direction	123,060	123,060
Total, Secure transportation asset	336,764	336,764
Defense Nuclear Security		
Construction:	824,623	824,623
17-D-710 West end protected area reduction project, Y-12	23,000	23,000
Total, Defense nuclear security	847,623	847,623
Information technology and cybersecurity	406,530	406,530
Legacy contractor pensions	78,656	78,656
Total, Weapons Activities	15,484,295	15,944,295
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global material security		
International nuclear security	79,939	79,939
Domestic radiological security	158,002	158,002
International radiological security	85,000	85,000
Nuclear smuggling detection and deterrence	175,000	175,000
Total, Global material security	497,941	497,941
Material management and minimization		
Conversion	100,660	100,660
Nuclear material removal	42,100	42,100
Material disposition	200,186	200,186
Total, Material management & minimization	342,946	342,946
Nonproliferation and arms control	184,795	184,795
National Technical Nuclear Forensics R&D	45,000	45,000
Defense nuclear nonproliferation R&D		
Proliferation Detection	269,407	299,407
Nuclear verification and detection, next-gen technologies		[30,000]
Nuclear Detonation Detection	271,000	271,000
Nonproliferation Stewardship Program	87,329	105,829
Program increase		[18,500]
Total, Defense nuclear nonproliferation R&D	627,736	676,236
Nonproliferation Construction:		
18-D-150 Surplus Plutonium Disposition Project, SRS	156,000	149,500
Program decrease		[-6,500]
Total, Nonproliferation construction	156,000	149,500
Total, Defense Nuclear Nonproliferation Programs	1,854,418	1,896,418
Legacy contractor pensions	38,800	38,800
Nuclear counterterrorism and incident response program	356,185	374,685
Program increase		[18,500]
Emergency Operations	14,597	14,597
Use of prior-year MOX balances	-330,000	-330,000
Total, Defense Nuclear Nonproliferation	1,934,000	1,994,500

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	House Authorized
Naval Reactors		
Naval reactors development	635,684	635,684
Columbia-Class reactor systems development	55,000	55,000
S8G Prototype refueling	126,000	126,000
Naval reactors operations and infrastructure	599,017	599,017
Construction:		
22-D-532 Security Upgrades KL	5,100	5,100
22-D-531 KL Chemistry & Radiological Health Building	41,620	41,620
14-D-901 Spent Fuel Handling Recapitalization Project, NRF	348,705	348,705
Use of prior year balances	-6,000	-6,000
Total, Construction	389,425	389,425
Program direction	55,579	55,579
Total, Naval Reactors	1,860,705	1,860,705
Federal Salaries And Expenses		
Program direction	464,000	464,000
Total, Office Of The Administrator	464,000	464,000
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	3,987	3,987
Richland:		
River corridor and other cleanup operations	196,000	196,000
Central plateau remediation	689,776	689,776
Richland community and regulatory support	5,121	5,121
Construction:		
18-D-404 Modification of Waste Encapsulation and Storage Facility ..	8,000	8,000
22-D-401 L-888, 400 Area Fire Station	15,200	15,200
22-D-402 L-897, 200 Area Water Treatment Facility	12,800	12,800
Total, Construction	36,000	36,000
Total, Hanford site	926,897	926,897
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	50,000	50,000
Rad liquid tank waste stabilization and disposition	817,642	817,642
Tank farm activities		0
Construction:		
18-D-16 Waste treatment and immobilization plant—LBL/Direct feed LAW	586,000	586,000
01-D-16D High-Level Waste Facility	60,000	60,000
01-D-16E Pretreatment Facility	20,000	20,000
Total, Construction	666,000	666,000
ORP Low-level waste offsite disposal	7,000	7,000
Total, Office of River Protection	1,540,642	1,540,642
Idaho National Laboratory:		
Idaho cleanup and waste disposition	358,925	358,925
Idaho excess facilities R&D		
Idaho community and regulatory support	2,658	2,658
Construction:		
22-D-403 Idaho Spent Nuclear Fuel Staging Facility	3,000	3,000
22-D-404 Additional ICDF Landfill Disposal Cell and Evapo- ration Ponds Project	5,000	5,000
Total, Construction	8,000	8,000
Total, Idaho National Laboratory	369,583	369,583
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,806	1,806
LLNL Excess Facilities D&D	35,000	35,000
Nuclear facility D & D		
Separations Process Research Unit	15,000	15,000
Nevada	60,737	60,737
Sandia National Laboratories	4,576	4,576

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	House Authorized
<i>Los Alamos National Laboratory</i>	275,119	275,119
<i>Los Alamos Excess Facilities D&D</i>	58,381	58,381
Total, NNSA sites and Nevada off-sites	450,619	450,619
Oak Ridge Reservation:		
<i>OR Nuclear facility D & D</i>	274,923	274,923
Total, OR Nuclear facility D & D	274,923	274,923
<i>U233 Disposition Program</i>	55,000	55,000
<i>OR cleanup and disposition</i>	73,725	73,725
Construction:		
<i>17-D-401 On-site waste disposal facility</i>	12,500	12,500
Total, Construction	12,500	12,500
Total, OR cleanup and waste disposition	141,225	141,225
<i>OR community & regulatory support</i>	5,096	5,096
<i>OR technology development and deployment</i>	3,000	3,000
Total, Oak Ridge Reservation	424,244	424,244
Savannah River Sites:		
Savannah River risk management operations		
<i>Nuclear Material</i>	312,760	312,760
<i>Solid Waste Stabilization and Disposition</i>	45,968	45,968
<i>Soil and Water Remediation</i>	55,439	55,439
<i>Risk Reduction Deactivation and Surveillance</i>	21,000	21,000
<i>Infrastructure and Land Management</i>	17,557	17,557
Construction:		
<i>18-D-402 Emergency Operations Center Replacement, SR</i>	8,999	8,999
Total, risk management operations	461,723	461,723
<i>Savannah River Legacy Pensions</i>	130,882	130,882
<i>SR community and regulatory support</i>	5,805	12,305
<i>Program increase</i>		[6,500]
<i>Radioactive liquid tank waste stabilization and disposition</i>	890,865	890,865
Construction:		
<i>20-D-401 Saltstone Disposal Unit #10, 11, 12</i>	19,500	19,500
<i>19-D-701 SR Security sytem replacement</i>	5,000	5,000
<i>18-D-402 Saltstone Disposal Unit #8/9</i>	68,000	68,000
Total, Construction	92,500	92,500
Total, Savannah River site	1,581,775	1,588,275
Waste Isolation Pilot Plant		
<i>Waste Isolation Pilot Plant</i>	350,424	350,424
Construction:		
<i>15-D-411 Safety significant confinement ventilation system, WIPP</i>	55,000	55,000
<i>15-D-412 Exhaust Shaft, WIPP</i>	25,000	25,000
Total, Construction	80,000	80,000
Total, Waste Isolation Pilot Plant	430,424	430,424
<i>Program direction</i>	293,106	293,106
<i>Program support</i>	62,979	62,979
<i>Technology development</i>	25,000	25,000
<i>Safeguards and Security</i>	316,744	316,744
<i>Federal Contribution to the Uranium Enrichment D&D Fund</i>	415,670	415,670
Total, Defense Environmental Cleanup	6,841,670	6,848,170
Other Defense Activities		
Environment, health, safety and security		
<i>Environment, health, safety and security</i>	130,809	130,809
<i>Program direction</i>	75,511	75,511
Total, Environment, Health, safety and security	206,320	206,320
Independent enterprise assessments		
<i>Independent enterprise assessments</i>	27,335	27,335
<i>Program direction</i>	56,049	56,049
Total, Independent enterprise assessments	83,384	83,384
<i>Specialized security activities</i>	283,500	283,500
Office of Legacy Management		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2022 Request	House Authorized
<i>Legacy management</i>	408,797	158,797
<i>Rejection of proposed transfer of FUSRAP</i>		[-250,000]
<i>Program direction</i>	19,933	19,933
Total, Office of Legacy Management	428,730	178,730
 <i>Defense related administrative support</i>	 163,710	 163,710
 <i>Office of hearings and appeals</i>	 4,356	 4,356
Subtotal, Other defense activities	1,170,000	920,000
Total, Other Defense Activities	1,170,000	920,000

1 ***DIVISION E—NON-DEPARTMENT***
2 ***OF DEFENSE MATTERS***
3 ***TITLE L—BARRY GOLDWATER***
4 ***SCHOLARSHIP AND EXCEL-***
5 ***LENCE IN EDUCATION MOD-***
6 ***ERNIZATION ACT***

7 ***SEC. 5001. SHORT TITLE.***

8 *This title may be cited as the “Barry Goldwater Schol-*
9 *arship and Excellence in Education Modernization Act of*
10 *2021”.*

11 ***SEC. 5002. CLARIFYING AMENDMENTS TO DEFINITIONS.***

12 *Section 1403 of the Barry Goldwater Scholarship and*
13 *Excellence in Education Act (20 U.S.C. 4702) is amend-*
14 *ed—*

15 *(1) by striking paragraph (5) and inserting the*
16 *following:*

17 *“(5) The term ‘State’ means each of the 50*
18 *States, the District of Columbia, the Commonwealth*
19 *of Puerto Rico, Guam, the United States Virgin Is-*
20 *lands, American Samoa, the Commonwealth of the*

1 *Northern Mariana Islands, the Republic of the Mar-*
2 *shall Islands, the Federated States of Micronesia, and*
3 *the Republic of Palau.”; and*

4 *(2) in paragraph (6), by inserting “, a resident*
5 *of a State,” after “national of the United States”.*

6 **SEC. 5003. BARRY GOLDWATER SCHOLARSHIP AND EXCEL-**
7 **LENCE IN EDUCATION AWARDS.**

8 *(a) AWARD OF SCHOLARSHIPS, FELLOWSHIPS, AND*
9 *RESEARCH INTERNSHIPS.—Section 1405(a) of the Barry*
10 *Goldwater Scholarship and Excellence in Education Act*
11 *(20 U.S.C. 4704(a)) is amended—*

12 *(1) in the subsection heading, by striking*
13 *“AWARD OF SCHOLARSHIPS AND FELLOWSHIPS” and*
14 *inserting “AWARD OF SCHOLARSHIPS, FELLOWSHIPS,*
15 *AND RESEARCH INTERNSHIPS”;*

16 *(2) in paragraph (1)—*

17 *(A) by striking “scholarships and fellow-*
18 *ships” and inserting “scholarships, fellowships,*
19 *and research internships”;* and

20 *(B) by striking “science and mathematics”*
21 *and inserting “the natural sciences, engineering,*
22 *and mathematics”;*

23 *(3) in paragraph (2), by striking “mathematics*
24 *and the natural sciences” and inserting “the natural*
25 *sciences, engineering, and mathematics, which shall*

1 *be prioritized for students attending community col-*
2 *leges and minority-serving institutions specified in*
3 *section 371(a) of the Higher Education Act of 1965*
4 *(20 U.S.C. 1067q(a))”;*

5 *(4) in paragraph (3), by striking “mathematics*
6 *and the natural sciences” and inserting “the natural*
7 *sciences, engineering, and mathematics”;*

8 *(5) by redesignating paragraph (4) as para-*
9 *graph (5);*

10 *(6) in paragraph (5), as so redesignated, by*
11 *striking “scholarships and fellowships” and inserting*
12 *“scholarships, fellowships, and research internships”;*
13 *and*

14 *(7) by inserting after paragraph (3) the fol-*
15 *lowing:*

16 *“(4) Research internships shall be awarded to*
17 *outstanding undergraduate students who intend to*
18 *pursue careers in the natural sciences, engineering,*
19 *and mathematics, which shall be prioritized for stu-*
20 *dents attending community colleges and minority-*
21 *serving institutions specified in section 371(a) of the*
22 *Higher Education Act of 1965 (20 U.S.C.*
23 *1067q(a)).”.*

24 *(b) BARRY GOLDWATER SCHOLARS AND RESEARCH*
25 *INTERNS.—Section 1405(b) of the Barry Goldwater Schol-*

1 arship and Excellence in Education Act (20 U.S.C.
2 4704(b)) is amended—

3 (1) in the subsection heading, by adding “**AND**
4 **RESEARCH INTERNS**” after “**SCHOLARS**”; and

5 (2) by adding at the end the following: “*Recipi-*
6 *ents of research internships under this title shall be*
7 *known as ‘Barry Goldwater Interns’.*”.

8 **SEC. 5004. STIPENDS.**

9 Section 1406 of the Barry Goldwater Scholarship and
10 Excellence in Education Act (20 U.S.C. 4705) is amended
11 by adding at the end the following: “*Each person awarded*
12 *a research internship under this title shall receive a stipend*
13 *as may be prescribed by the Board, which shall not exceed*
14 *the maximum stipend amount awarded for a scholarship*
15 *or fellowship.*”.

16 **SEC. 5005. SCHOLARSHIP AND RESEARCH INTERNSHIP**
17 **CONDITIONS.**

18 Section 1407 of the Barry Goldwater Scholarship and
19 Excellence in Education Act (20 U.S.C. 4706) is amend-
20 ed—

21 (1) in the section heading, by inserting “**AND**
22 **RESEARCH INTERNSHIP**” after “**SCHOLARSHIP**”;

23 (2) in subsection (a), by striking the subsection
24 heading and inserting “**SCHOLARSHIP CONDITIONS**”;

1 (3) *in subsection (b), by striking the subsection*
2 *heading and inserting “REPORTS ON SCHOLAR-*
3 *SHIPS”;* and

4 (4) *by adding at the end the following:*

5 “(c) *RESEARCH INTERNSHIP CONDITIONS.—A person*
6 *awarded a research internship under this title may receive*
7 *payments authorized under this title only during such peri-*
8 *ods as the Foundation finds that the person is maintaining*
9 *satisfactory proficiency and is not engaging in gainful em-*
10 *ployment other than employment approved by the Founda-*
11 *tion pursuant to regulations of the Board.*

12 “(d) *REPORTS ON RESEARCH INTERNSHIPS.—The*
13 *Foundation may require reports containing such informa-*
14 *tion in such form and to be filed at such times as the Foun-*
15 *dation determines to be necessary from any person awarded*
16 *a research internship under this title. Such reports may*
17 *be accompanied by a certificate from an appropriate offi-*
18 *cial at the institution of higher education or internship em-*
19 *ployer, approved by the Foundation, stating that such per-*
20 *son is maintaining satisfactory progress in the internship,*
21 *and is not engaged in gainful employment, except as other-*
22 *wise provided in subsection (c).”.*

1 **SEC. 5006. SUSTAINABLE INVESTMENTS OF FUNDS.**

2 *Section 1408 of the Barry Goldwater Scholarship and*
3 *Excellence in Education Act (20 U.S.C. 4707) is amend-*
4 *ed—*

5 *(1) by redesignating subsections (c) and (d) as*
6 *subsections (d) and (e), respectively; and*

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

9 *“(c) INVESTMENT IN SECURITIES.—Notwithstanding*
10 *subsection (b), the Secretary of the Treasury may invest up*
11 *to 40 percent of any public or private funds received by*
12 *the Foundation after the date of enactment of the Barry*
13 *Goldwater Scholarship and Excellence in Education Mod-*
14 *ernization Act of 2021 in securities other than public debt*
15 *securities of the United States, if—*

16 *“(1) the Secretary receives a determination from*
17 *the Board that such investments are necessary to en-*
18 *able the Foundation to carry out the purposes of this*
19 *title; and*

20 *“(2) the securities in which such funds are in-*
21 *vested are traded in established United States mar-*
22 *kets.*

23 *“(d) CONSTRUCTION.—Nothing in this section shall be*
24 *construed to limit the authority of the Board to increase*
25 *the number of scholarships provided under section 4704, or*
26 *to increase the amount of the stipend authorized by section*

1 4705, as the Board considers appropriate and is otherwise
2 consistent with the requirements of this title.”.

3 **SEC. 5007. ADMINISTRATIVE PROVISIONS.**

4 Section 1411(a) of the Barry Goldwater Scholarship
5 and Excellence in Education Act (20 U.S.C. 4710(a)) is
6 amended—

7 (1) by striking paragraph (1) and inserting the
8 following:

9 “(1) appoint and fix the rates of basic pay of not
10 more than three employees (in addition to the Execu-
11 tive Secretary appointed under section 4709) to carry
12 out the provisions of this title, without regard to the
13 provisions in chapter 33 of title 5, United States
14 Code, governing appointment in the competitive serv-
15 ice or the provisions of chapter 51 and subchapter III
16 of chapter 53 of such title, except that—

17 “(A) a rate of basic pay set under this
18 paragraph may not exceed the maximum rate
19 provided for employees in grade GS-15 of the
20 General Schedule under section 5332 of title 5,
21 United States Code; and

22 “(B) the employee shall be entitled to the
23 applicable locality-based comparability payment
24 under section 5304 of title 5, United States Code,

1 *subject to the applicable limitation established*
2 *under subsection (g) of such section;”;*

3 *(2) in paragraph (2), by striking “grade GS–18*
4 *under section 5332 of such title” and inserting “level*
5 *IV of the Executive Schedule”;*

6 *(3) in paragraph (7), by striking “and” at the*
7 *end;*

8 *(4) by redesignating paragraph (8) as para-*
9 *graph (10); and*

10 *(5) by inserting after paragraph (7) the fol-*
11 *lowing:*

12 *“(8) expend not more than 5 percent of the*
13 *Foundation’s annual operating budget on programs*
14 *that, in addition to or in conjunction with the Foun-*
15 *dition’s scholarship financial awards, support the de-*
16 *velopment of Goldwater Scholars throughout their*
17 *professional careers;*

18 *“(9) expend not more than 5 percent of the*
19 *Foundation’s annual operating budget to pay the*
20 *costs associated with fundraising activities, including*
21 *public and private gatherings; and”.*

1 **TITLE LI—FINANCIAL SERVICES**
2 **MATTERS**

3 **SEC. 5101. ENHANCED PROTECTION AGAINST DEBT COL-**
4 **LECTOR HARASSMENT OF SERVICEMEMBERS.**

5 (a) *COMMUNICATION IN CONNECTION WITH DEBT*
6 *COLLECTION.*—Section 805 of the Fair Debt Collection
7 Practices Act (15 U.S.C. 1692c) is amended by adding at
8 the end the following:

9 “(e) *COMMUNICATIONS CONCERNING SERVICEMEMBER*
10 *DEBTS.*—

11 “(1) *DEFINITION.*—In this subsection, the term
12 ‘covered member’ means—

13 “(A) a covered member or a dependent as
14 defined in section 987(i) of title 10, United
15 States Code; and

16 “(B)(i) an individual who was separated,
17 discharged, or released from duty described in
18 such section 987(i)(1), but only during the 365-
19 day period beginning on the date of separation,
20 discharge, or release; or

21 “(ii) a person, with respect to an individual
22 described in clause (i), described in subpara-
23 graph (A), (D), (E), or (I) of section 1072(2) of
24 title 10, United States Code.

1 “(2) *PROHIBITIONS.*—A debt collector may not,
2 in connection with the collection of any debt of a cov-
3 ered member—

4 “(A) threaten to have the covered member
5 reduced in rank;

6 “(B) threaten to have the covered member’s
7 security clearance revoked; or

8 “(C) threaten to have the covered member
9 prosecuted under chapter 47 of title 10, United
10 States Code (the Uniform Code of Military Jus-
11 tice).”.

12 (b) *UNFAIR PRACTICES.*—Section 808 of the Fair Debt
13 Collection Practices Act (15 U.S.C. 1692f) is amended by
14 adding at the end the following:

15 “(9) The representation to any covered member
16 (as defined under section 805(e)(1)) that failure to co-
17 operate with a debt collector will result in—

18 “(A) a reduction in rank of the covered
19 member;

20 “(B) a revocation of the covered member’s
21 security clearance; or

22 “(C) prosecution under chapter 47 of title
23 10, United States Code (the Uniform Code of
24 Military Justice).”.

1 **SEC. 5102. COMPTROLLER GENERAL STUDY ON ENHANCED**
2 **PROTECTION AGAINST DEBT COLLECTOR**
3 **HARASSMENT OF SERVICEMEMBERS.**

4 (a) *STUDY.*—*The Comptroller General of the United*
5 *States shall conduct a study of the effects of the amendments*
6 *made by section 5101 on—*

7 (1) *the timely delivery of information to a cov-*
8 *ered member (as defined in section 805(e) of the Fair*
9 *Debt Collection Practices Act, as added by such sec-*
10 *tion);*

11 (2) *military readiness; and*

12 (3) *national security, including the extent to*
13 *which covered members with security clearances*
14 *would be affected by uncollected debt.*

15 (b) *REPORT.*—*Not later than one year after the date*
16 *of the enactment of this Act, the Comptroller General shall*
17 *submit to the Committee on Financial Services, the Com-*
18 *mittee on Armed Services, and Committee on Transpor-*
19 *tation and Infrastructure of the House of Representatives*
20 *a report on the study required under subsection (a).*

1 **SEC. 5103. SUPPORT TO ENHANCE THE CAPACITY OF INTER-**
2 **NATIONAL MONETARY FUND MEMBERS TO**
3 **EVALUATE THE LEGAL AND FINANCIAL**
4 **TERMS OF SOVEREIGN DEBT CONTRACTS.**

5 (a) *IN GENERAL.*—*Title XVI of the International Fi-*
6 *ancial Institutions Act (22 U.S.C. 262p–262p–13) is*
7 *amended by adding at the end the following:*

8 **“SEC. 1630. SUPPORT TO ENHANCE THE CAPACITY OF FUND**
9 **MEMBERS TO EVALUATE THE LEGAL AND FI-**
10 **NANCIAL TERMS OF SOVEREIGN DEBT CON-**
11 **TRACTS.**

12 *“The Secretary of the Treasury shall instruct the*
13 *United States Executive Director at the International Mon-*
14 *etary Fund to use the voice and vote of the United States*
15 *to advocate that the Fund promote international standards*
16 *and best practices with respect to sovereign debt contracts*
17 *and provide technical assistance to Fund members, and in*
18 *particular to lower middle-income countries and countries*
19 *eligible to receive assistance from the International Develop-*
20 *ment Association, seeking to enhance their capacity to*
21 *evaluate the legal and financial terms of sovereign debt con-*
22 *tracts with multilateral, bilateral, and private sector credi-*
23 *tors.”.*

24 (b) *REPORT TO THE CONGRESS.*—*Within 1 year after*
25 *the date of the enactment of this Act, and annually there-*
26 *after for the next 4 years, the Secretary of the Treasury*

1 *shall report to the Committee on Financial Services of the*
2 *House of Representatives and the Committee on Foreign Re-*
3 *lations of the Senate on—*

4 (1) *the activities of the International Monetary*
5 *Fund in the then most recently completed fiscal year*
6 *to provide technical assistance described in section*
7 *1630 of the International Financial Institutions Act,*
8 *including the ability of the Fund to meet the demand*
9 *for the assistance; and*

10 (2) *the efficacy of efforts by the United States to*
11 *achieve the policy goal described in such section and*
12 *any further actions that should be taken, if necessary,*
13 *to implement that goal.*

14 (c) *SUNSET.—The amendment made by subsection (a)*
15 *shall have no force or effect after the 5-year period that be-*
16 *gins with the date of the enactment of this Act.*

17 **SEC. 5104. ADVERSE INFORMATION IN CASES OF TRAF-**
18 **FICKING.**

19 (a) *IN GENERAL.—The Fair Credit Reporting Act (15*
20 *U.S.C. 1681 et seq.) is amended by inserting after section*
21 *605B the following:*

22 **“§ 605C. Adverse information in cases of trafficking**

23 “(a) *IN GENERAL.—A consumer reporting agency may*
24 *not furnish a consumer report containing any adverse item*
25 *of information about a consumer that resulted from a severe*

1 *form of trafficking in persons or sex trafficking if the con-*
2 *sumer has provided trafficking documentation to the con-*
3 *sumer reporting agency.*

4 “(b) *RULEMAKING.*—

5 “(1) *IN GENERAL.*—*The Director shall, not later*
6 *than 180 days after the date of the enactment of this*
7 *section, issue a rule to implement subsection (a).*

8 “(2) *CONTENTS.*—*The rule issued pursuant to*
9 *paragraph (1) shall establish a method by which con-*
10 *sumers shall submit trafficking documentation to con-*
11 *sumer reporting agencies.*

12 “(c) *DEFINITIONS.*—

13 “(1) *TRAFFICKING DOCUMENTATION.*—*The term*
14 *trafficking documentation means—*

15 “(A) *documentation of either—*

16 “(i) *a determination by a Federal or*
17 *State government entity that a consumer is*
18 *a victim of trafficking; or*

19 “(ii) *a determination by a court of*
20 *competent jurisdiction that a consumer is a*
21 *victim of trafficking; and*

22 “(B) *documentation that identifies items of*
23 *adverse information that should not be furnished*
24 *by a consumer reporting agency because the*
25 *items resulted from the severe form of trafficking*

1 *in persons or sex trafficking of which such con-*
2 *sumer is a victim.*

3 “(2) *VICTIM OF TRAFFICKING.*—*For the purposes*
4 *of this section, the term “victim of trafficking” means*
5 *a person who is a victim of a severe form of traf-*
6 *ficking in persons or sex trafficking, as such terms are*
7 *defined in section 103 of the Trafficking Victims Pro-*
8 *tection Act of 2000.”.*

9 **(b) TABLE OF CONTENTS AMENDMENT.**—*The table of*
10 *contents of the Fair Credit Reporting Act is amended by*
11 *inserting after the item relating to section 605B the fol-*
12 *lowing new item:*

 “605C. *Adverse information in cases of trafficking.*”.

13 **(c) EFFECTIVE DATE.**—*The amendments made by this*
14 *section shall apply on the date that is 30 days after the*
15 *date on which the Director of the Bureau of Consumer Fi-*
16 *nancial Protection issues a rule pursuant to section 605C(b)*
17 *of the Fair Credit Reporting Act.*

18 **SEC. 5105. UNITED STATES POLICY REGARDING INTER-**
19 **NATIONAL FINANCIAL INSTITUTION ASSIST-**
20 **ANCE WITH RESPECT TO ADVANCED WIRE-**
21 **LESS TECHNOLOGIES.**

22 **(a) IN GENERAL.**—*The Secretary of the Treasury (in*
23 *this section referred to as the “Secretary”) shall instruct*
24 *the United States Executive Director at each international*
25 *financial institution (as defined in section 1701(c)(2) of the*

1 *International Financial Institutions Act*) that it is the pol-
2 *icy of the United States to—*

3 (1) *support assistance by the institution with re-*
4 *spect to advanced wireless technologies (such as 5th*
5 *generation wireless technology for digital cellular net-*
6 *works and related technologies) only if the tech-*
7 *nologies provide appropriate security for users;*

8 (2) *proactively encourage assistance with respect*
9 *to infrastructure or policy reforms that facilitate the*
10 *use of secure advanced wireless technologies; and*

11 (3) *cooperate, to the maximum extent prac-*
12 *ticable, with member states of the institution, particu-*
13 *larly with United States allies and partners, in order*
14 *to strengthen international support for such tech-*
15 *nologies.*

16 (b) *WAIVER AUTHORITY.—The Secretary may waive*
17 *subsection (a) on a case-by-case basis, on reporting to the*
18 *Committee on Financial Services of the House of Represent-*
19 *atives and the Committee on Foreign Relations of the Sen-*
20 *ate that the waiver—*

21 (1) *will allow the United States to effectively*
22 *promote the objectives of the policy described in sub-*
23 *section (a); or*

24 (2) *is in the national interest of the United*
25 *States, with an explanation of the reasons therefor.*

1 (c) *PROGRESS REPORT.*—The Chairman of the Na-
2 tional Advisory Council on International Monetary and Fi-
3 nancial Policies shall include in the annual report required
4 by section 1701 of the International Financial Institutions
5 Act a description of progress made toward advancing the
6 policy described in subsection (a) of this section.

7 (d) *SUNSET.*—The preceding provisions of this section
8 shall have no force or effect after the earlier of—

9 (1) the date that is 7 years after the date of the
10 enactment of this Act; or

11 (2) the date that the Secretary reports to the
12 committees specified in subsection (b) that termi-
13 nating the effectiveness of the provisions is important
14 to the national interest of the United States, with a
15 detailed explanation of the reasons therefor.

16 **TITLE LII—RECOMMENDATIONS**
17 **OF THE NATIONAL SECURITY**
18 **COMMISSION ON ARTIFICIAL**
19 **INTELLIGENCE**

20 **SEC. 5201. MODIFICATION OF NATIONAL DEFENSE SCIENCE**
21 **AND TECHNOLOGY STRATEGY.**

22 Section 218(a) of the John S. McCain National De-
23 fense Authorization Act for Fiscal Year 2019 (Public Law
24 115–232; 132 Stat. 1679) is amended—

25 (1) in paragraph (1)—

1 (A) in the matter preceding subparagraph
2 (A), by striking “Not later than February 4,
3 2019, the Secretary of Defense shall develop a
4 strategy” and inserting “The Under Secretary of
5 Defense for Research and Engineering, pursuant
6 to guidance provided by the Deputy Secretary of
7 Defense for purposes of this section and in co-
8 ordination with the entities specified in para-
9 graph (3), shall develop a strategy—”;

10 (B) in subparagraph (A), by striking “and”
11 at the end;

12 (C) in subparagraph (B), by striking the
13 period at the end and inserting “; and”; and

14 (D) by adding at the end the following:

15 “(C) to establish an integrated and endur-
16 ing approach to the identification,
17 prioritization, development, and fielding of
18 emerging capabilities and technologies, including
19 artificial intelligence-enabled applications.”;

20 (2) in paragraph (2)—

21 (A) in subparagraph (A), by striking “be
22 aligned with the National Defense Strategy and”
23 and inserting “inform the development of each
24 National Defense Strategy under section 113(g)

1 *of title 10, United States Code, and be aligned*
2 *with”;*

3 *(B) in subparagraph (B), in the matter pre-*
4 *ceding clause (i), by inserting “investments,”*
5 *after “goals,”;*

6 *(C) in subparagraph (C), by striking “and”*
7 *at the end;*

8 *(D) in subparagraph (D), by striking the*
9 *period at the end and inserting a semicolon; and*

10 *(E) by adding at the end the following new*
11 *subparagraphs:*

12 *“(E) identify critical capabilities and tech-*
13 *nological applications required to address oper-*
14 *ational challenges outlined in the National De-*
15 *fense Strategy;*

16 *“(F) assess existing capabilities and tech-*
17 *nologies, including dual-use commercial tech-*
18 *nologies;*

19 *“(G) based on the determinations made*
20 *under subparagraphs (E) and (F), inform the*
21 *agenda of the Department’s research and devel-*
22 *opment organizations, including the Defense Ad-*
23 *vanced Research Projects Agency, the defense lab-*
24 *oratories, university affiliated research centers,*
25 *and federally funded research and development*

1 *centers, by identifying potentially disruptive and*
2 *useful technologies and applications that war-*
3 *rant long-term, exploratory investment;*

4 *“(H) employ a portfolio management ap-*
5 *proach for pursuing such technologies and appli-*
6 *cations;*

7 *“(I) build a framework for the rapid inte-*
8 *gration of existing capabilities and technologies*
9 *to close near-term capability gaps;*

10 *“(J) provide informed consideration of*
11 *which technical areas the Department should be*
12 *working to advance, and which areas the Depart-*
13 *ment should work to incorporate commercial*
14 *technology; and*

15 *“(K) develop a consistent and transparent*
16 *approach to strategic defense technology prior-*
17 *ities to enable industry to invest deliberately in*
18 *emerging technologies to build and broaden the*
19 *capabilities of the industrial base.”.*

20 *(3) by striking paragraphs (3) and (4);*

21 *(4) by redesignating paragraphs (5) and (6) as*
22 *paragraphs (6) and (7), respectively;*

23 *(5) by inserting after paragraph (2) the fol-*
24 *lowing new paragraphs:*

1 “(3) *COORDINATION.*—*The Under Secretary of*
2 *Defense for Research and Engineering shall develop*
3 *the strategy under paragraph (1) in coordination*
4 *with relevant entities within the Office of the Sec-*
5 *retary of Defense, the military departments, the re-*
6 *search organizations of Defense Agencies and Depart-*
7 *ment of Defense Field Activities, the intelligence com-*
8 *munity, defense and technology industry partners, re-*
9 *search and development partners, other Federal re-*
10 *search agencies, and allies and partners of the United*
11 *States.*

12 “(4) *CONSIDERATIONS.*—*In developing the strat-*
13 *egy under paragraph (1), the Under Secretary of De-*
14 *fense for Research and Engineering shall—*

15 “(A) *be informed by the operational chal-*
16 *lenges identified in the National Defense Strat-*
17 *egy and the technological threats and opportuni-*
18 *ties identified through the global technology re-*
19 *view and assessment activities of the Department*
20 *of Defense, the intelligence community, and other*
21 *technology partners;*

22 “(B) *support the deliberate development of*
23 *capabilities based on military requirements and*
24 *the opportunistic development of capabilities*
25 *based on emerging technologies;*

1 “(C) synchronize and integrate the perspec-
2 tives of members of the covered Armed Forces
3 and technologists;

4 “(D) work to align the Department of De-
5 fense and the intelligence community to improve
6 interoperability and promote efficiencies;

7 “(E) balance investments based on near-
8 term and long-term time horizons and technology
9 maturation, including—

10 “(i) mature and commercially avail-
11 able technologies and applications to ad-
12 dress near-term capability gaps and oper-
13 ational requirements;

14 “(ii) disruptive technologies to enable
15 transformative capabilities and operational
16 concepts over the longer-term; and

17 “(iii) foundational research and devel-
18 opment and technologies required for long-
19 term innovation;

20 “(F) provide strategic guidance to the re-
21 search, engineering, and acquisition communities
22 of the Department of Defense and to the defense
23 and technology industries that support the De-
24 partment; and

1 “(G) consider the ethical and responsible de-
2 velopment and use of emerging technologies.

3 “(5) *REPORTS AND UPDATES.*—

4 “(A) *INITIAL REPORT.*—Not later than 60
5 days after the date on which the Under Secretary
6 of Defense for Research and Engineering com-
7 pletes the development of the initial strategy
8 under paragraph (1), the Under Secretary shall
9 submit to the congressional defense committees a
10 report that includes such strategy.

11 “(B) *SUBSEQUENT REPORTS AND UP-*
12 *DATES.*—Not later than the first Monday in Feb-
13 ruary of the year following each fiscal year dur-
14 ing which the National Defense Strategy is sub-
15 mitted under section 113(g) of title 10, United
16 States Code, the Under Secretary of Defense for
17 Research and Engineering shall submit to the
18 congressional defense committees a report that
19 includes an updated version of the strategy
20 under paragraph (1). Each update to such strat-
21 egy shall be prepared for purposes of such report
22 based on emerging requirements, technological
23 developments in the United States, and technical
24 intelligence derived from global technology re-
25 views conducted by the Secretary of Defense

1 “(C) *FORM OF REPORTS.*—*The reports sub-*
2 *mitted under subparagraphs (A) and (B) shall*
3 *be submitted in unclassified form, but may in-*
4 *clude a classified annex.”;*

5 (6) *in paragraph (6), as so redesignated—*

6 (A) *by striking “14 days” and inserting*
7 *“90 days”; and*

8 (B) *by striking “the Secretary” and insert-*
9 *ing “the Under Secretary of Defense for Research*
10 *and Engineering”; and*

11 (7) *by adding at the end the following new para-*
12 *graph:*

13 “(8) *COVERED ARMED FORCE DEFINED.*—*In this*
14 *section, the term ‘covered Armed Force’ means the*
15 *Army, Navy, Air Force, Marine Corps, and Space*
16 *Force.”.*

17 **SEC. 5202. DEPARTMENT OF DEFENSE PLAN TO COMPETE**
18 **IN THE GLOBAL INFORMATION ENVIRON-**
19 **MENT.**

20 (a) *IN GENERAL.*—*Not later than 270 days after the*
21 *date of the enactment of this Act, the Secretary of Defense*
22 *shall submit to Congress a report containing the plan of*
23 *the Secretary for the Department of Defense to compete and*
24 *win in the global information environment. Such plan shall*
25 *address the global information environment as an arena of*

1 *competition that is vital to the national security and de-*
2 *fense of the United States.*

3 (b) *ISSUES TO BE ADDRESSED.*—*The report required*
4 *by subsection (a) shall address each of the following:*

5 (1) *How the Department will prioritize the glob-*
6 *al information environment as an arena for inter-*
7 *national competition, including a plan for how it will*
8 *support the larger whole-of-government efforts.*

9 (2) *How adversarial foreign countries and non-*
10 *state actors are attempting to define and control the*
11 *global information environment to shape global opin-*
12 *ion and achieve strategic advantage.*

13 (3) *The critical role of artificial intelligence-en-*
14 *abled malign information in the efforts of adversarial*
15 *foreign countries and non-state actors to shape global*
16 *opinion and achieve strategic advantage.*

17 (4) *Actions to defend, counter, and compete*
18 *against malign information operations as a national*
19 *security threat while proactively influencing and de-*
20 *terrering adversaries in the global information environ-*
21 *ment, including a prioritization of such actions.*

22 (5) *If the Secretary determines necessary, critical*
23 *weapon systems and infrastructure designations to*
24 *update sector-specific plans to reflect emerging tech-*
25 *nologies.*

1 (6) *An evaluation of the sufficiency of Depart-*
2 *ment of Defense organizational structures and re-*
3 *sources to counter and compete against threats and*
4 *challenges in the global information environment.*

5 **SEC. 5203. RESOURCING PLAN FOR DIGITAL ECOSYSTEM.**

6 (a) *PLAN REQUIRED.*—*Not later than one year after*
7 *the date of the enactment of this Act, the Secretary of De-*
8 *fense shall develop a plan detailing the requisite invest-*
9 *ments required to develop and implement Department of*
10 *Defense strategy and guidance documents for a modern, ro-*
11 *bust digital ecosystem.*

12 (b) *DOCUMENTS FOR IMPLEMENTATION.*—*The plan re-*
13 *quired under subsection (a) shall include a description of*
14 *the aggregated and consolidated financial and personnel re-*
15 *quirements necessary to implement each of the following De-*
16 *partment of Defense documents:*

17 (1) *The Department of Defense Digital Mod-*
18 *ernization Strategy.*

19 (2) *The Department of Defense Data Strategy.*

20 (3) *The Department of Defense Cloud Strategy.*

21 (4) *The Department of Defense Software Mod-*
22 *ernization Strategy.*

23 (5) *The Department-wide software science and*
24 *technology strategy required under section 255 of the*

1 *National Defense Authorization Act for Fiscal Year*
2 *2020.*

3 (6) *The Department of Defense Artificial Intel-*
4 *ligence Data Initiative.*

5 (7) *The Joint All-Domain Command and Con-*
6 *trol Strategy.*

7 (8) *Such other documents as the Secretary deter-*
8 *mines appropriate.*

9 (c) *CONTENTS OF PLAN.—The plan required under*
10 *subsection (a) shall include each of the following:*

11 (1) *A description of the resources, personnel,*
12 *processes, reforms, and other requisite components to*
13 *enable development, testing, fielding, and continuous*
14 *update of artificial intelligence-powered applications*
15 *at speed and scale from headquarters to the tactical*
16 *edge.*

17 (2) *An evolving reference design and guidance*
18 *for needed technical investments in the proposed dig-*
19 *ital ecosystem that addresses issues, including com-*
20 *mon interfaces, authentication, applications, plat-*
21 *forms, software, hardware, and data infrastructure.*

22 (3) *A governance structure, together with associ-*
23 *ated policies and guidance, to drive the implementa-*
24 *tion of the plan throughout the Department of Defense*
25 *on a federated basis.*

1 (d) *SUBMISSION TO CONGRESS.*—Not later than seven
2 days after the completion of the plan required under sub-
3 section (a), the Secretary of Defense shall submit the plan
4 to the congressional defense committees.

5 **SEC. 5204. DIGITAL TALENT RECRUITING OFFICER.**

6 (a) *DIGITAL TALENT RECRUITING FOR THE DEPART-*
7 *MENT OF DEFENSE.*—

8 (1) *IN GENERAL.*—Not later than 270 days after
9 the date of the enactment of this Act, the Secretary of
10 Defense shall designate a chief digital recruiting offi-
11 cer within the office of the Under Secretary of Defense
12 for Personnel and Readiness to carry out the respon-
13 sibilities set forth in paragraph (2).

14 (2) *RESPONSIBILITIES.*—The chief digital re-
15 cruiting officer shall be responsible for—

16 (A) *identifying Department of Defense*
17 *needs for, and skills gaps in, specific types of ci-*
18 *vilian digital talent;*

19 (B) *recruiting individuals with the skill*
20 *that meet the needs and skills gaps identified in*
21 *paragraph (2)(A), in partnership with the mili-*
22 *tary services and defense components, including*
23 *by attending conferences and career fairs, and*
24 *actively recruiting on university campuses and*
25 *from the private sector;*

1 (C) ensuring Federal scholarship for service
2 programs are incorporated into civilian recruit-
3 ing strategies;

4 (D) when appropriate and within authority
5 granted under other Federal law, offering re-
6 cruitment and referral bonuses; and

7 (E) partnering with human resource teams
8 in the military services and defense components
9 to help train all Department of Defense human
10 resources staff on the available hiring flexibilities
11 to accelerate the hiring of individuals with the
12 skills that fill the needs and skills gaps identified
13 in paragraph (2)(A).

14 (3) RESOURCES.—The Secretary of Defense shall
15 ensure that the chief digital recruiting officer is pro-
16 vided with personnel and resources sufficient to carry
17 out the duties set forth in paragraph (2).

18 (4) ROLE OF CHIEF HUMAN CAPITAL OFFICER.—

19 (A) IN GENERAL.—The chief digital recruit-
20 ing officer shall report directly to the Chief
21 Human Capital Officer.

22 (B) INCORPORATION.—The Chief Human
23 Capital Officer shall ensure that the chief digital
24 recruiting officer is incorporated into the agency
25 human capital operating plan and recruitment

1 *platforms, processes and operations, and establish perform-*
2 *ance objectives and accompanying metrics for the incorpo-*
3 *ration of artificial intelligence and digital readiness into*
4 *such platforms, processes, and operations.*

5 (b) *SKILLS GAPS.*—*As a part of the review required*
6 *by subsection (a), the Secretary shall direct the military*
7 *departments and defense components to—*

8 (1) *conduct a comprehensive review of skill gaps*
9 *in the fields of software development, software engi-*
10 *neering, knowledge management, data science, and*
11 *artificial intelligence;*

12 (2) *assess the number and qualifications of civil-*
13 *ian personnel needed for both management and spe-*
14 *cialist tracks in such fields; and*

15 (3) *establish recruiting, training, and talent*
16 *management goals to achieve and maintain staffing*
17 *levels needed to fill identified gaps and meet the De-*
18 *partment's needs for skilled personnel.*

19 (c) *REPORT TO CONGRESS.*—*Not later than 120 days*
20 *after the completion of the review required by subsection*
21 *(a), the Secretary shall report to Congress on the findings*
22 *of the review and any action taken or proposed to be taken*
23 *by the Secretary to address such findings.*

1 **SEC. 5207. PILOT PROGRAM TO FACILITATE THE AGILE AC-**
2 **QUISITION OF TECHNOLOGIES FOR**
3 **WARFIGHTERS.**

4 (a) *ESTABLISHMENT.*—Subject to the availability of
5 appropriations in a program element for this purpose, the
6 Secretary of Defense shall establish and carry out a pilot
7 program to be known as the “Warfighter Innovation Tran-
8 sition Project” (referred to in this section as the “Project”).
9 Under the Project, the Secretary shall seek to make grants
10 to, or enter into contracts or other agreements with, tech-
11 nology producers—

12 (1) to facilitate the agile acquisition of tech-
13 nologies, including capabilities, software, and serv-
14 ices, to support warfighters; and

15 (2) to transition such technologies, including
16 technologies developed from pilot programs, prototype
17 projects, or other research and development programs,
18 from the prototyping phase to production for imple-
19 mentation within the Department of Defense.

20 (b) *ADMINISTRATION.*—The Deputy Secretary of De-
21 fense shall administer the Project in coordination with the
22 Joint Staff, the service acquisition executive of each mili-
23 tary department, Under Secretary of Defense for Research
24 and Engineering, and the Under Secretary of Defense for
25 Acquisition and Sustainment.

1 (c) *ACTIVITIES.*—A technology producer that receives
2 a grant, contract, or other agreement under the Project may
3 conduct the following activities under such grant, contract,
4 or other agreement:

5 (1) To provide commercially available tech-
6 nologies to each Secretary of a military department
7 and commanders of combatant commands to support
8 warfighters.

9 (2) To build and strengthen relationships of the
10 Department of Defense with nontraditional defense
11 contractors (as defined in section 2302 of title 10,
12 United States Code) in the technology industry that
13 may have unused or underused solutions to the spe-
14 cific operational challenges of the Department.

15 (d) *SUBSEQUENT AWARDS.*—A technology producer
16 may receive a subsequent grant, contract, or other agree-
17 ment under the Project if—

18 (1) the duration of such subsequent grant, con-
19 tract, or other agreement is not more than three
20 years; and

21 (2) the amount of such subsequent grant, con-
22 tract, or other agreement is not greater than
23 \$50,000,000 per fiscal year.

1 (e) *PRIORITY OF AWARDS.*—*In providing assistance*
2 *under the Project, the Deputy Secretary of Defense shall*
3 *give preference to technology producers that—*

4 (1) *offer commercial products or commercial*
5 *services, as required by section 2377 of title 10,*
6 *United States Code; and*

7 (2) *are developing a technology or a potential*
8 *technology that has received a grant, contract, or*
9 *other agreement from—*

10 (A) *the Small Business Innovation Research*
11 *Program or Small Business Technology Transfer*
12 *Program (as such terms are defined, respectively,*
13 *in section 9 of the Small Business Act (15*
14 *U.S.C. 638)); or*

15 (B) *another acquisition program of the De-*
16 *partment of Defense.*

17 (f) *DATA COLLECTION.*—

18 (1) *PLAN REQUIRED BEFORE IMPLEMENTA-*
19 *TION.*—*The Secretary of Defense may not commence*
20 *the Project until the date on which the Secretary—*

21 (A) *completes a plan for carrying out the*
22 *data collection required under paragraph (2);*
23 *and*

24 (B) *submits the plan to the congressional*
25 *defense committees.*

1 (2) *DATA COLLECTION REQUIRED.*—*The Sec-*
2 *retary of Defense shall collect and analyze data on the*
3 *Project for the purposes of—*

4 (A) *developing and sharing best practices*
5 *for achieving the objectives of the Project;*

6 (B) *providing information to the Secretary*
7 *of Defense on the implementation of the Project*
8 *and related policy issues; and*

9 (C) *reporting to the congressional defense*
10 *committees as required under subsection (g).*

11 (g) *BIANNUAL REPORTS.*—*Not later than March 1 and*
12 *September 1 of each year beginning after the date of the*
13 *enactment of this Act until the termination of the Project,*
14 *the Secretary of Defense, in coordination with the Joint*
15 *Staff, the applicable service acquisition executive of each*
16 *military department, Under Secretary of Defense for Re-*
17 *search and Engineering, and the Under Secretary of De-*
18 *fense for Acquisition and Sustainment shall submit to the*
19 *congressional defense committees a report on the use of*
20 *funds under the Project. Each such report shall include the*
21 *following:*

22 (1) *An explanation how grants, contracts, or*
23 *other agreements made under the Project met mission*
24 *requirements during the period covered by the report,*
25 *including—*

1 (A) *the value of each grant, contract, or*
2 *other agreement made under the Project;*

3 (B) *a description of the technology funded*
4 *with such grant, contract, or other agreement;*
5 *and*

6 (C) *the estimate future costs of such tech-*
7 *nology for the successful transition of such tech-*
8 *nology to implementation within the Department*
9 *of Defense.*

10 (2) *A description of the capabilities being tested*
11 *under the Project as of the date of the report and the*
12 *proposed path to implement such capabilities within*
13 *the Department.*

14 (3) *The data and analysis required under sub-*
15 *section (f).*

16 (4) *A list and detailed description of lessons*
17 *learned from the Project as of the date of the report.*

18 (h) *TERMINATION.*—*The Project shall terminate on De-*
19 *cember 31, 2026.*

20 (i) *DEFINITIONS.*—*In this section:*

21 (1) *The term “agile acquisition” means acquisi-*
22 *tion using agile or iterative development.*

23 (2) *The term “agile or iterative development”—*

24 (A) *means acquisition pursuant to a meth-*
25 *od for delivering multiple, rapid, incremental*

1 *capabilities to the user for operational use, eval-*
2 *uation, and feedback not exclusively linked to*
3 *any single, proprietary method or process; and*

4 *(B) involves—*

5 *(i) the incremental development and*
6 *fielding of capabilities which can be meas-*
7 *ured in short timeframe; and*

8 *(ii) continuous participation and col-*
9 *laboration by users, testers, and require-*
10 *ments authorities.*

11 *(3) The term “technology producer” means an*
12 *individual or entity engaged in the research, develop-*
13 *ment, production, or distribution of science or tech-*
14 *nology that—*

15 *(A) the Secretary of Defense determines*
16 *may be of use to the Department of Defense;*

17 *(B) at the time of receipt of a grant, con-*
18 *tract, or other agreement under the Project, has*
19 *performed or is performing one or more contracts*
20 *with the Department of Defense, where such con-*
21 *tracts have a total value that does not exceed*
22 *\$500,000,000.*

23 *(4) The term “warfighter” means a member of*
24 *the Armed Forces (other than the Coast Guard).*

1 **SEC. 5208. SHORT COURSE ON EMERGING TECHNOLOGIES**
2 **FOR SENIOR CIVILIAN LEADERS.**

3 (a) *IN GENERAL.*—Not later than one year after the
4 date of the enactment of this Act, the Secretary of Defense
5 shall establish a short course on emerging technologies for
6 senior executive-level civilian leaders. The short course shall
7 be taught on an iterative, two-year cycle and shall address
8 the most recent, most relevant technologies and how these
9 technologies may be applied to military and business out-
10 comes in the Department of Defense.

11 (b) *THROUGHPUT OBJECTIVES.*—In assessing partici-
12 pation in the short course authorized by subsection (a), the
13 Secretary of Defense shall ensure that—

14 (1) in the first year that the course is offered, no
15 fewer than twenty percent of senior executive-level ci-
16 vilian leaders are certified as having passed the short
17 course required by subsection (a); and

18 (2) in each subsequent year, an additional ten
19 percent of senior executive-level civilian leaders are
20 certified as having passed such course, until such time
21 as eighty percent of such leaders are so certified.

22 **TITLE LIII—GREAT LAKES**
23 **WINTER SHIPPING**

24 **SEC. 5301. GREAT LAKES WINTER SHIPPING.**

25 (a) *SHORT TITLE.*—This section may be cited as the
26 “Great Lakes Winter Shipping Act of 2021”.

1 (b) *GREAT LAKES ICEBREAKING OPERATIONS.*—

2 (1) *GAO REPORT.*—

3 (A) *IN GENERAL.*—*Not later than 1 year*
4 *after the date of the enactment of this Act, the*
5 *Comptroller General of the United States shall*
6 *submit to the Committee on Commerce, Science,*
7 *and Transportation of the Senate and the Com-*
8 *mittee on Transportation and Infrastructure of*
9 *the House of Representatives a report on Coast*
10 *Guard icebreaking in the Great Lakes.*

11 (B) *ELEMENTS.*—*The report required under*
12 *subparagraph (A) shall—*

13 (i) *evaluate—*

14 (I) *the economic impact related to*
15 *vessel delays or cancellations associated*
16 *with ice coverage on the Great Lakes;*

17 (II) *the impact the standards pro-*
18 *posed in paragraph (2) would have on*
19 *Coast Guard operations in the Great*
20 *Lakes if such standards were adopted;*

21 (III) *the fleet mix of medium ice-*
22 *breakers and icebreaking tugs necessary*
23 *to meet the standards proposed in*
24 *paragraph (2); and*

1 (IV) *the resources necessary to*
2 *support the fleet described in subclause*
3 *(III), including billets for crew and op-*
4 *erating costs; and*

5 (i) *make recommendations to the*
6 *Commandant for improvements to the Great*
7 *Lakes icebreaking program, including with*
8 *respect to facilitating shipping and meeting*
9 *all Coast Guard mission needs.*

10 (2) *PROPOSED STANDARDS FOR ICEBREAKING*
11 *OPERATIONS.—The proposed standards, the impact of*
12 *the adoption of which is evaluated in subclauses (II)*
13 *and (III) of paragraph (1)(B)(i), are the following:*

14 (A) *Except as provided in subparagraph*
15 *(B), that ice-covered waterways in the Great*
16 *Lakes shall be open to navigation not less than*
17 *90 percent of the hours that vessels engaged in*
18 *commercial service and ferries attempt to transit*
19 *such ice-covered waterways.*

20 (B) *In a year in which the Great Lakes are*
21 *not open to navigation as described in subpara-*
22 *graph (A) because of ice of a thickness that oc-*
23 *curs on average only once every 10 years, ice-*
24 *covered waterways in the Great Lakes shall be*
25 *open to navigation at least 70 percent of the*

1 *hours that vessels engaged in commercial service*
2 *and ferries attempt to transit such ice-covered*
3 *waterways.*

4 (3) *REPORT BY COMMANDANT.—Not later than*
5 *90 days after the date on which the Comptroller Gen-*
6 *eral submits the report under paragraph (1), the*
7 *Commandant shall submit to the Committee on Com-*
8 *merce, Science, and Transportation of the Senate and*
9 *the Committee on Transportation and Infrastructure*
10 *of the House of Representatives a report that includes*
11 *the following:*

12 (A) *A plan for Coast Guard implementation*
13 *of any recommendation made by the Comptroller*
14 *General under paragraph (1)(B)(ii) with which*
15 *the Commandant concurs.*

16 (B) *With respect to any recommendation*
17 *made under paragraph (1)(B)(ii) with which the*
18 *Commandant does not concur, an explanation of*
19 *the reasons why the Commandant does not con-*
20 *cur.*

21 (C) *A review of, and a proposed implemen-*
22 *tation plan for, the results of the fleet mix anal-*
23 *ysis under paragraph (1)(B)(i)(III).*

1 (D) Any proposed modifications to current
2 Coast Guard Standards for icebreaking oper-
3 ations in the Great Lakes.

4 (4) PILOT PROGRAM.—During the 5 ice seasons
5 following the date of enactment of this Act, the Coast
6 Guard shall conduct a pilot program to determine the
7 extent to which the current Coast Guard Great Lakes
8 icebreaking cutter fleet can meet the proposed stand-
9 ards described in paragraph (2).

10 (c) DATA ON ICEBREAKING OPERATIONS IN THE
11 GREAT LAKES.—

12 (1) IN GENERAL.—The Commandant shall col-
13 lect, during ice season, archive, and disseminate data
14 on icebreaking operations and transits on ice-covered
15 waterways in the Great Lakes of vessels engaged in
16 commercial service and ferries.

17 (2) ELEMENTS.—Data collected, archived, and
18 disseminated under paragraph (1) shall include the
19 following:

20 (A) Voyages by vessels engaged in commer-
21 cial service and ferries to transit ice-covered wa-
22 terways in the Great Lakes that are delayed or
23 cancelled because of the nonavailability of a suit-
24 able icebreaking vessel.

1 (B) Voyages attempted by vessels engaged in
2 commercial service and ferries to transit ice-cov-
3 ered waterways in the Great Lakes that do not
4 reach their intended destination because of the
5 nonavailability of a suitable icebreaking vessel.

6 (C) The period of time that each vessel en-
7 gaged in commercial service or ferry was delayed
8 in getting underway or during a transit of ice-
9 covered waterways in the Great Lakes due to the
10 nonavailability of a suitable icebreaking vessel.

11 (D) The period of time elapsed between each
12 request for icebreaking assistance by a vessel en-
13 gaged in commercial service or ferry and the ar-
14 rival of a suitable icebreaking vessel and whether
15 such icebreaking vessel was a Coast Guard or
16 commercial asset.

17 (E) The percentage of hours that Great
18 Lakes ice-covered waterways were open to navi-
19 gation, as defined by this section, while vessels
20 engaged in commercial service and ferries at-
21 tempted to transit such waterways for each ice
22 season after the date of enactment of this section.

23 (F) Relevant communications of each vessel
24 engaged in commercial service or ferry with the
25 Coast Guard or commercial icebreaking service

1 *providers with respect to subparagraphs (A)*
2 *through (D).*

3 *(G) A description of any mitigating cir-*
4 *cumstance, such as Coast Guard Great Lakes ice-*
5 *breaker diversions to higher priority missions,*
6 *that may have contributed to the amount of time*
7 *described in subparagraphs (C) and (D) or the*
8 *percentage of time described in subparagraph*
9 *(E).*

10 *(3) VOLUNTARY REPORTING.—Any reporting by*
11 *operators of commercial vessels engaged in commer-*
12 *cial service or ferries under this Act shall be vol-*
13 *untary.*

14 *(4) PUBLIC AVAILABILITY.—The Commandant*
15 *shall make the data collected, archived and dissemi-*
16 *nated under this subsection available to the public on*
17 *a publicly accessible internet website of the Coast*
18 *Guard.*

19 *(5) CONSULTATION WITH INDUSTRY.—With re-*
20 *spect to the Great Lakes icebreaking operations of the*
21 *Coast Guard and the development of the data col-*
22 *lected, archived, and disseminated under this sub-*
23 *section, the Commandant shall consult operators of*
24 *vessel engaged in commercial service and ferries.*

25 *(6) DEFINITIONS.—In this subsection:*

1 (A) *VESSEL*.—The term “vessel” has the
2 meaning given such term in section 3 of title 1,
3 United States Code.

4 (B) *COMMERCIAL SERVICE*.—The term
5 “commercial service” has the meaning given such
6 term in section 2101(4) of title 46, United States
7 Code.

8 (C) *GREAT LAKES*.—The term “Great
9 Lakes”—

10 (i) has the meaning given such term in
11 section 118 of the Federal Water Pollution
12 Control Act (33 U.S.C. 1268); and

13 (ii) includes harbors adjacent to such
14 waters.

15 (D) *ICE-COVERED WATERWAY*.—The term
16 “ice-covered waterway” means any portion of the
17 Great Lakes, as defined by subparagraph (C), in
18 which vessels engaged in commercial service or
19 ferries operate that is 70 percent or greater cov-
20 ered by ice, but does not include any waters ad-
21 jacent to piers or docks for which commercial
22 icebreaking services are available and adequate
23 for the ice conditions.

24 (E) *OPEN TO NAVIGATION*.—The term “open
25 to navigation” means navigable to the extent

1 *necessary to meet the reasonable demands of*
2 *shipping, minimize delays to passenger ferries,*
3 *extricate vessels and persons from danger, pre-*
4 *vent damage due to flooding, and conduct other*
5 *Coast Guard missions as required.*

6 *(F) REASONABLE DEMANDS OF SHIPPING.—*

7 *The term “reasonable demands of shipping”*
8 *means the safe movement of vessels engaged in*
9 *commercial service and ferries transiting ice-cov-*
10 *ered waterways in the Great Lakes to their in-*
11 *tended destination, regardless of type of cargo.*

12 *(d) GREAT LAKES ICEBREAKER ACQUISITION.—Of the*

13 *amounts authorized to be appropriated under section*
14 *4902(2)(A)(ii) of title 14, United States Code—*

15 *(1) for fiscal year 2022, \$350,000,000 shall be*
16 *made available to the Commandant for the acquisi-*
17 *tion of a Great Lakes icebreaker at least as capable*
18 *as Coast Guard Cutter Mackinaw (WLBB-30); and*

19 *(2) for fiscal year 2023, \$20,000,000 shall be*
20 *made available to the Commandant for the design*
21 *and selection of icebreaking cutters for operation in*
22 *the Great Lakes, the Northeastern United States, and*
23 *the Arctic, as appropriate, that are at least as capable*
24 *as the Coast Guard 140-foot icebreaking tugs.*

1 *a Department of Defense pilot, pilot instructor, or pilot ex-*
2 *aminer in the same manner that a military pilot is eligible*
3 *for such a rating based on qualifications earned as a mili-*
4 *tary pilot, pilot instructor, or pilot examiner.*

5 (b) *DEFINITIONS.—In this section:*

6 (1) *The term “Department of Defense civilian*
7 *pilot”—*

8 (A) *means an individual, other than a mili-*
9 *tary pilot, who is employed as a pilot by the De-*
10 *partment of Defense; and*

11 (B) *does not include a contractor of the De-*
12 *partment of Defense.*

13 (2) *The term “military pilot” means a military*
14 *pilot, as such term is used in section 61.73 of title 14,*
15 *Code of Federal Regulations (as in effect on the date*
16 *of the enactment of this Act).*

17 **SEC. 6002. PROPERTY DISPOSITION FOR AFFORDABLE**
18 **HOUSING.**

19 *Section 5334(h)(1) of title 49, United States Code, is*
20 *amended to read as follows:*

21 “(1) *IN GENERAL.—If a recipient of assistance*
22 *under this chapter decides an asset acquired under*
23 *this chapter at least in part with that assistance is*
24 *no longer needed for the purpose for which such asset*

1 *was acquired, the Secretary may authorize the recipi-*
2 *ent to transfer such asset to—*

3 “(A) a local governmental authority to be
4 used for a public purpose with no further obliga-
5 tion to the Government if the Secretary de-
6 cides—

7 “(i) the asset will remain in public use
8 for at least 5 years after the date the asset
9 is transferred;

10 “(ii) there is no purpose eligible for as-
11 sistance under this chapter for which the
12 asset should be used;

13 “(iii) the overall benefit of allowing the
14 transfer is greater than the interest of the
15 Government in liquidation and return of
16 the financial interest of the Government in
17 the asset, after considering fair market
18 value and other factors; and

19 “(iv) through an appropriate screening
20 or survey process, that there is no interest
21 in acquiring the asset for Government use if
22 the asset is a facility or land; or

23 “(B) a local governmental authority, non-
24 profit organization, or other third party entity
25 to be used for the purpose of transit-oriented de-

1 *velopment with no further obligation to the Gov-*
2 *ernment if the Secretary decides—*

3 “(i) *the asset is a necessary component*
4 *of a proposed transit-oriented development*
5 *project;*

6 “(ii) *the transit-oriented development*
7 *project will increase transit ridership;*

8 “(iii) *at least 40 percent of the housing*
9 *units offered in the transit-oriented develop-*
10 *ment, including housing units owned by*
11 *nongovernmental entities, are legally bind-*
12 *ing affordability restricted to tenants with*
13 *incomes at or below 60 percent of the area*
14 *median income and owners with incomes at*
15 *or below 60 percent the area median in-*
16 *come, which shall include at least 20 per-*
17 *cent of such housing units offered restricted*
18 *to tenants with incomes at or below 30 per-*
19 *cent of the area median income and owners*
20 *with incomes at or below 30 percent the*
21 *area median income;*

22 “(iv) *the asset will remain in use as*
23 *described in this section for at least 30*
24 *years after the date the asset is transferred;*
25 *and*

1 “(v) with respect to a transfer to a
2 third party entity—

3 “(I) a local government authority
4 or nonprofit organization is unable to
5 receive the property;

6 “(II) the overall benefit of allow-
7 ing the transfer is greater than the in-
8 terest of the Government in liquidation
9 and return of the financial interest of
10 the Government in the asset, after con-
11 sidering fair market value and other
12 factors; and

13 “(III) the third party has dem-
14 onstrated a satisfactory history of con-
15 struction or operating an affordable
16 housing development.”.

17 **SEC. 6003. REQUIREMENT TO ESTABLISH A NATIONAL NET-**
18 **WORK FOR MICROELECTRONICS RESEARCH**
19 **AND DEVELOPMENT.**

20 Section 9903(b)(1) of the William M. (Mac) Thorn-
21 berry National Defense Authorization Act for Fiscal Year
22 2021 (Public Law 116-283) is amended in the matter pre-
23 ceding subparagraph (A) by striking “may” and inserting
24 “shall”.

1 **SEC. 6004. DEFINITION OF STATE FOR PURPOSES OF OMNI-**
2 **BUS CRIME CONTROL AND SAFE STREETS**
3 **ACT OF 1968.**

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

10 **SEC. 6005. ADVANCING MUTUAL INTERESTS AND GROWING**
11 **OUR SUCCESS.**

12 *(a) NONIMMIGRANT TRADERS AND INVESTORS.—For*
13 *purposes of clauses (i) and (ii) of section 101(a)(15)(E) of*
14 *the Immigration and Nationality Act (8 U.S.C.*
15 *1101(a)(15)(E)), Portugal shall be considered to be a for-*
16 *ign state described in such section if the Government of*
17 *Portugal provides similar nonimmigrant status to nation-*
18 *als of the United States.*

19 *(c) MODIFICATION OF ELIGIBILITY CRITERIA FOR E*
20 *VISAS.—Section 101(a)(15)(E) of the Immigration and Na-*
21 *tionality Act (8 U.S.C. 1101(a)(15)(E)) is amended—*

22 *(1) in the matter preceding clause (i)—*

23 *(A) by inserting “(or, in the case of an*
24 *alien who acquired the relevant nationality*
25 *through a financial investment and who has not*
26 *previously been granted status under this sub-*

1 *paragraph, the foreign state of which the alien is*
 2 *a national and in which the alien has been dom-*
 3 *ciled for a continuous period of not less than 3*
 4 *years at any point before applying for a non-*
 5 *immigrant visa under this subparagraph)” be-*
 6 *fore “, and the spouse”; and*

7 *(B) by striking “him” and inserting “such*
 8 *alien”; and*

9 *(2) by striking “he” each place such term ap-*
 10 *pears and inserting “the alien”.*

11 **SEC. 6006. DEPARTMENT OF VETERANS AFFAIRS GOV-**
 12 **ERNORS CHALLENGE GRANT PROGRAM.**

13 *(a) GOVERNORS CHALLENGE PROGRAM.—The Sec-*
 14 *retary of Veterans Affairs shall carry out a grant program*
 15 *to be known as the “Governors Challenge Program” under*
 16 *which the Secretary shall provide technical assistance to*
 17 *States and American Indian and Alaska Native tribes for*
 18 *the development of veteran suicide prevention activities.*

19 *(b) GOVERNORS CHALLENGE IMPLEMENTATION GRANT*
 20 *PROGRAM.—*

21 *(1) AUTHORITY.—The Secretary of Veterans Af-*
 22 *fairs shall carry out a grant program, to be known*
 23 *as the “Governors Challenge Implementation Grant*
 24 *Program” under which the Secretary shall make*
 25 *grants to eligible entities for the purpose of developing*

1 *and implementing plans developed by the entities to*
2 *prevent veteran suicides.*

3 (2) *ELIGIBLE ENTITIES.*—*For purposes of the*
4 *grant program under paragraph (1), an eligible enti-*
5 *ty is a State or an American Indian or Alaska Na-*
6 *tive tribe—*

7 (A) *that—*

8 (i) *in the case of a State, develops a*
9 *veteran suicide prevention plan, known as a*
10 *“Governors Challenge Action Plan”; or*

11 (ii) *in the case of an American Indian*
12 *or Alaska Native tribe, develops a veteran*
13 *suicide prevention plan; and*

14 (B) *that submits to the Secretary a proposal*
15 *for the implementation of such plan that con-*
16 *tains such information and assurances as the*
17 *Secretary may require.*

18 (3) *AWARD OF GRANT.*—*The Secretary shall*
19 *award grants under this subsection as follows:*

20 (A) *For fiscal year 2022, the Secretary shall*
21 *award grants to 20 eligible entities.*

22 (B) *For each of fiscal years 2023 and 2024,*
23 *the Secretary shall award grants to 24 eligible*
24 *entities.*

25 (4) *AMOUNT OF GRANT; LIMITATION.*—

1 (A) *AMOUNT.*—*The recipient of a grant*
2 *under this subsection shall receive an amount of*
3 *not more than \$500,000 for any fiscal year for*
4 *a maximum of three years.*

5 (B) *LIMITATION ON USE OF FUNDS.*—*The*
6 *recipient of a grant under this subsection may*
7 *not use more than ten percent of the amount of*
8 *the grant for administrative costs.*

9 (5) *AUTHORIZATION OF APPROPRIATIONS.*—

10 (A) *IN GENERAL.*—*There is authorized to be*
11 *appropriated to carry out this subsection—*

12 (i) *\$10,000,000 for fiscal year 2022;*

13 (ii) *\$12,000,000 for fiscal year 2023;*

14 *and*

15 (iii) *\$14,000,000 for fiscal year 2024.*

16 (B) *RELATIONSHIP TO OTHER AMOUNTS.*—
17 *Amounts authorized to be appropriated pursuant*
18 *to subparagraph (A) shall be in addition to any*
19 *other amounts otherwise available for the Gov-*
20 *ernors Challenge Program.*

21 **SEC. 6007. FOREIGN CORRUPTION ACCOUNTABILITY.**

22 (a) *FINDINGS.*—*Congress finds the following:*

23 (1) *When public officials and their allies use the*
24 *mechanisms of government to engage in extortion or*

1 *bribery, they impoverish their countries' economic*
2 *health and harm citizens.*

3 *(2) By empowering the United States Govern-*
4 *ment to hold to account foreign public officials and*
5 *their associates who engage in extortion or bribery,*
6 *the United States can deter malfeasance and ulti-*
7 *mately serve the citizens of fragile countries suffocated*
8 *by corrupt bureaucracies.*

9 *(3) The Special Inspector General for Afghan*
10 *Reconstruction's 2016 report "Corruption in Conflict:*
11 *Lessons from the U.S. Experience in Afghanistan" in-*
12 *cluded the recommendation, "Congress should consider*
13 *enacting legislation that authorizes sanctions against*
14 *foreign government officials or their associates who*
15 *engage in corruption."*

16 *(b) AUTHORIZATION OF IMPOSITION OF SANCTIONS.—*

17 *(1) IN GENERAL.—The President may impose the*
18 *sanctions described in paragraph (2) with respect to*
19 *any foreign person who is an individual the President*
20 *determines—*

21 *(A) engages in public corruption activities*
22 *against a United States person, including—*

23 *(i) soliciting or accepting bribes;*

24 *(ii) using the authority of the state to*
25 *extort payments; or*

1 (iii) *engaging in extortion; or*

2 (B) *conspires to engage in, or knowingly*
3 *and materially assists, sponsors, or provides sig-*
4 *nificant financial, material, or technological*
5 *support for any of the activities described in sub-*
6 *paragraph (A).*

7 (2) *SANCTIONS DESCRIBED.—*

8 (A) *INADMISSIBILITY TO UNITED STATES.—*
9 *A foreign person who is subject to sanctions*
10 *under this section shall be—*

11 (i) *inadmissible to the United States;*

12 (ii) *ineligible to receive a visa or other*
13 *documentation to enter the United States;*
14 *and*

15 (iii) *otherwise ineligible to be admitted*
16 *or paroled into the United States or to re-*
17 *ceive any other benefit under the Immigra-*
18 *tion and Nationality Act (8 U.S.C. 1101 et*
19 *seq.).*

20 (B) *CURRENT VISAS REVOKED.—*

21 (i) *IN GENERAL.—The visa or other*
22 *entry documentation of a foreign person*
23 *who is subject to sanctions under this sec-*
24 *tion shall be revoked regardless of when such*
25 *visa or other entry documentation is issued.*

1 (ii) *EFFECT OF REVOCATION.*—A rev-
2 ocation under clause (i) shall—

3 (I) take effect immediately; and

4 (II) automatically cancel any
5 other valid visa or entry documenta-
6 tion that is in the foreign person's pos-
7 session.

8 (3) *EXCEPTION TO COMPLY WITH LAW ENFORCE-*
9 *MENT OBJECTIVES AND AGREEMENT REGARDING*
10 *HEADQUARTERS OF UNITED NATIONS.*—Sanctions de-
11 scribed under paragraph (2) shall not apply to a for-
12 eign person if admitting the person into the United
13 States—

14 (A) would further important law enforce-
15 ment objectives; or

16 (B) is necessary to permit the United States
17 to comply with the Agreement regarding the
18 Headquarters of the United Nations, signed at
19 Lake Success June 26, 1947, and entered into
20 force November 21, 1947, between the United Na-
21 tions and the United States, or other applicable
22 international obligations of the United States.

23 (4) *TERMINATION OF SANCTIONS.*—The President
24 may terminate the application of sanctions under this
25 subsection with respect to a foreign person if the

1 *President determines and reports to the appropriate*
2 *congressional committees not later than 15 days be-*
3 *fore the termination of the sanctions that—*

4 *(A) the person is no longer engaged in the*
5 *activity that was the basis for the sanctions or*
6 *has taken significant verifiable steps toward*
7 *stopping the activity;*

8 *(B) the President has received reliable as-*
9 *surances that the person will not knowingly en-*
10 *gage in activity subject to sanctions under this*
11 *part in the future; or*

12 *(C) the termination of the sanctions is in*
13 *the national security interests of the United*
14 *States.*

15 *(5) REGULATORY AUTHORITY.—The President*
16 *shall issue such regulations, licenses, and orders as*
17 *are necessary to carry out this subsection.*

18 *(6) APPROPRIATE CONGRESSIONAL COMMITTEES*
19 *DEFINED.—In this subsection, the term “appropriate*
20 *congressional committees” means—*

21 *(A) the Committee on the Judiciary, the*
22 *Committee on Financial Services, and the Com-*
23 *mittee on Foreign Affairs of the House of Rep-*
24 *resentatives; and*

1 (B) *the Committee on the Judiciary, the*
2 *Committee on Banking, Housing, and Urban Af-*
3 *fairs, and the Committee on Foreign Relations of*
4 *the Senate.*

5 (c) *REPORTS TO CONGRESS.—*

6 (1) *IN GENERAL.—The President shall submit to*
7 *the appropriate congressional committees, in accord-*
8 *ance with paragraph (2), a report that includes—*

9 (A) *a list of each foreign person with re-*
10 *spect to whom the President imposed sanctions*
11 *pursuant to subsection (b) during the year pre-*
12 *ceding the submission of the report;*

13 (B) *the number of foreign persons with re-*
14 *spect to which the President—*

15 (i) *imposed sanctions under subsection*
16 *(b)(1) during that year; and*

17 (ii) *terminated sanctions under sub-*
18 *section (b)(4) during that year;*

19 (C) *the dates on which such sanctions were*
20 *imposed or terminated, as the case may be;*

21 (D) *the reasons for imposing or terminating*
22 *such sanctions;*

23 (E) *the total number of foreign persons con-*
24 *sidered under subsection (b)(3) for whom sanc-*
25 *tions were not imposed; and*

1 (F) recommendations as to whether the im-
2 position of additional sanctions would be an
3 added deterrent in preventing public corruption.

4 (2) DATES FOR SUBMISSION.—

5 (A) INITIAL REPORT.—The President shall
6 submit the initial report under paragraph (1)
7 not later than 120 days after the date of the en-
8 actment of this Act.

9 (B) SUBSEQUENT REPORTS.—The President
10 shall submit a subsequent report under para-
11 graph (1) on December 10, or the first day there-
12 after on which both Houses of Congress are in
13 session, of—

14 (i) the calendar year in which the ini-
15 tial report is submitted if the initial report
16 is submitted before December 10 of that cal-
17 endar year; and

18 (ii) each calendar year thereafter.

19 (3) FORM OF REPORT.—

20 (A) IN GENERAL.—Each report required by
21 paragraph (1) shall be submitted in unclassified
22 form, but may include a classified annex.

23 (B) EXCEPTION.—The name of a foreign
24 person to be included in the list required by
25 paragraph (1)(A) may be submitted in the clas-

1 *sified annex authorized by subparagraph (A)*
2 *only if the President—*

3 *(i) determines that it is vital for the*
4 *national security interests of the United*
5 *States to do so; and*

6 *(ii) uses the annex in a manner con-*
7 *sistent with congressional intent and the*
8 *purposes of this Act.*

9 (4) *PUBLIC AVAILABILITY.—*

10 (A) *IN GENERAL.—The unclassified portion*
11 *of the report required by paragraph (1) shall be*
12 *made available to the public, including through*
13 *publication in the Federal Register.*

14 (B) *NONAPPLICABILITY OF CONFIDEN-*
15 *TIALITY REQUIREMENT WITH RESPECT TO VISA*
16 *RECORDS.—The President shall publish the list*
17 *required by paragraph (1)(A) without regard to*
18 *the requirements of section 222(f) of the Immig-*
19 *ration and Nationality Act (8 U.S.C. 1202(f))*
20 *with respect to confidentiality of records per-*
21 *taining to the issuance or refusal of visas or per-*
22 *mits to enter the United States.*

23 (5) *APPROPRIATE CONGRESSIONAL COMMITTEES*
24 *DEFINED.—In this subsection, the term “appropriate*
25 *congressional committees” means—*

1 (A) *the Committee on Appropriations, the*
2 *Committee on Foreign Affairs, the Committee on*
3 *Financial Services, and the Committee on the*
4 *Judiciary of the House of Representatives; and*

5 (B) *the Committee on Appropriations, the*
6 *Committee on Foreign Relations, the Committee*
7 *on Banking, Housing, and Urban Affairs, and*
8 *the Committee on the Judiciary of the Senate.*

9 (d) *SUNSET.*—

10 (1) *IN GENERAL.*—*The authority to impose sanc-*
11 *tions under subsection (b) and the requirements to*
12 *submit reports under subsection (c) shall terminate on*
13 *the date that is 6 years after the date of enactment*
14 *of this Act.*

15 (2) *CONTINUATION IN EFFECT OF SANCTIONS.*—
16 *Sanctions imposed under subsection (b) on or before*
17 *the date specified in paragraph (1), and in effect as*
18 *of such date, shall remain in effect until terminated*
19 *in accordance with the requirements of subsection*
20 *(b)(4).*

21 (e) *DEFINITIONS.*—*In this section:*

22 (1) *ENTITY.*—*The term “entity” means a part-*
23 *nership, association, trust, joint venture, corporation,*
24 *group, subgroup, or other organization.*

1 (2) *FOREIGN PERSON.*—The term “foreign per-
2 son” means a person that is not a United States per-
3 son.

4 (3) *UNITED STATES PERSON.*—The term “United
5 States person” means a person that is a United
6 States citizen, permanent resident alien, entity orga-
7 nized under the laws of the United States or any ju-
8 risdiction within the United States (including foreign
9 branches), or any person in the United States.

10 (4) *PERSON.*—The term “person” means an in-
11 dividual or entity.

12 (5) *PUBLIC CORRUPTION.*—The term “public cor-
13 ruption” means the unlawful exercise of entrusted
14 public power for private gain, including by bribery,
15 nepotism, fraud, or embezzlement.

16 **SEC. 6008. JUSTICE FOR VICTIMS OF KLEPTOCRACY.**

17 (a) *FORFEITED PROPERTY.*—

18 (1) *IN GENERAL.*—Chapter 46 of title 18, United
19 States Code, is amended by adding at the end the fol-
20 lowing:

21 **“§ 988. Accounting of certain forfeited property**

22 “(a) *ACCOUNTING.*—The Attorney General shall make
23 available to the public an accounting of any property relat-
24 ing to foreign government corruption that is forfeited to the
25 United States under section 981 or 982.

1 “(b) *FORMAT.*—*The accounting described under sub-*
2 *section (a) shall be published on the website of the Depart-*
3 *ment of Justice in a format that includes the following:*

4 “(1) *A heading as follows: ‘Assets stolen from the*
5 *people of _____ and recovered by the United*
6 *States’, the blank space being filled with the name of*
7 *the foreign government that is the target of corrup-*
8 *tion.*

9 “(2) *The total amount recovered by the United*
10 *States on behalf of the foreign people that is the target*
11 *of corruption at the time when such recovered funds*
12 *are deposited into the Department of Justice Asset*
13 *Forfeiture Fund or the Department of the Treasury*
14 *Forfeiture Fund*

15 “(c) *UPDATED WEBSITE.*—*The Attorney General shall*
16 *update the website of the Department of Justice to include*
17 *an accounting of any new property relating to foreign gov-*
18 *ernment corruption that has been forfeited to the United*
19 *States under section 981 or 982 not later than 14 days after*
20 *such forfeiture, unless such update would compromise an*
21 *ongoing law enforcement investigation.”.*

22 “(2) *CLERICAL AMENDMENT.*—*The table of sec-*
23 *tions for chapter 46 of title 18, United States Code,*
24 *is amended by adding at the end the following:*

“988. *Accounting of certain forfeited property.*”.

1 **(b) SENSE OF CONGRESS.**—*It is the sense of Congress*
2 *that recovered assets be returned for the benefit of the people*
3 *harmed by the corruption under conditions that reasonably*
4 *ensure the transparent and effective use, administration*
5 *and monitoring of returned proceeds.*

6 **SEC. 6009. EXPANSION OF SCOPE OF DEPARTMENT OF VET-**
7 **ERANS AFFAIRS OPEN BURN PIT REGISTRY**
8 **TO INCLUDE OPEN BURN PITS IN EGYPT AND**
9 **SYRIA.**

10 *Section 201(c)(2) of the Dignified Burial and Other*
11 *Veterans' Benefits Improvement Act of 2012 (Public Law*
12 *112–260; 38 U.S.C. 527 note) is amended, in the matter*
13 *before subparagraph (A), by striking “or Iraq” and insert-*
14 *ing “, Iraq, Egypt, or Syria”.*

15 **SEC. 6010. EXTENSION OF PERIOD OF ELIGIBILITY BY REA-**
16 **SON OF SCHOOL CLOSURES DUE TO EMER-**
17 **GENCY AND OTHER SITUATIONS UNDER DE-**
18 **PARTMENT OF VETERANS AFFAIRS TRAINING**
19 **AND REHABILITATION PROGRAM FOR VET-**
20 **ERANS WITH SERVICE-CONNECTED DISABIL-**
21 **ITIES.**

22 *Section 3103 of title 38, United States Code, is amend-*
23 *ed—*

24 (1) *in subsection (a), by striking “or (g)” and*
25 *inserting “(g), or (h)”;* and

1 (2) *by adding at the end the following new sub-*
2 *section:*

3 “(h)(1) *In the case of a veteran who is eligible for a*
4 *vocational rehabilitation program under this chapter and*
5 *who is prevented from participating in the vocational reha-*
6 *bilitation program within the period of eligibility pre-*
7 *scribed in subsection (a) because of a covered reason, as de-*
8 *termined by the Secretary, such period of eligibility—*

9 “(A) *shall not run during the period the veteran*
10 *is so prevented from participating in such program;*
11 *and*

12 “(B) *shall again begin running on a date deter-*
13 *mined by the Secretary that is—*

14 “(i) *not earlier than the first day after the*
15 *veteran is able to resume participation in a vo-*
16 *cational rehabilitation program under this chap-*
17 *ter; and*

18 “(ii) *not later than 90 days after that day.*

19 “(2) *In this subsection, a covered reason is—*

20 “(A) *the temporary or permanent closure of an*
21 *educational institution by reason of an emergency sit-*
22 *uation; or*

23 “(B) *another reason that prevents the veteran*
24 *from participating in the vocational rehabilitation*
25 *program, as determined by the Secretary.”.*

1 **SEC. 6011. EXTENSION OF TIME LIMITATION FOR USE OF**
2 **ENTITLEMENT UNDER DEPARTMENT OF VET-**
3 **ERANS AFFAIRS EDUCATIONAL ASSISTANCE**
4 **PROGRAMS BY REASON OF SCHOOL CLO-**
5 **SURES DUE TO EMERGENCY AND OTHER SIT-**
6 **UATIONS.**

7 *(a) MONTGOMERY GI BILL.—Section 3031 of title 38,*
8 *United States Code, is amended—*

9 *(1) in subsection (a), by inserting “and sub-*
10 *section (i)” after “through (g)”;* and

11 *(2) by adding at the end the following new sub-*
12 *section:*

13 *“(i)(1) In the case of an individual eligible for edu-*
14 *cational assistance under this chapter who is prevented*
15 *from pursuing the individual’s chosen program of education*
16 *before the expiration of the 10-year period for the use of*
17 *entitlement under this chapter otherwise applicable under*
18 *this section because of a covered reason, as determined by*
19 *the Secretary, such 10-year period—*

20 *“(A) shall not run during the period the indi-*
21 *vidual is so prevented from pursuing such program;*
22 *and*

23 *“(B) shall again begin running on a date deter-*
24 *mined by the Secretary that is—*

25 *“(i) not earlier than the first day after the*
26 *individual is able to resume pursuit of a pro-*

1 *gram of education with educational assistance*
2 *under this chapter; and*

3 “(i) *not later than 90 days after that day.*

4 “(2) *In this subsection, a covered reason is—*

5 “(A) *the temporary or permanent closure of an*
6 *educational institution by reason of an emergency sit-*
7 *uation; or*

8 “(B) *another reason that prevents the individual*
9 *from pursuing the individual’s chosen program of*
10 *education, as determined by the Secretary.”.*

11 (b) *POST-9/11 EDUCATIONAL ASSISTANCE.— Section*
12 *3321(b)(1) of such title is amended—*

13 (1) *by inserting “(A)” before “Subsections”;*

14 (2) *by striking “and (d)” and inserting “(d),*
15 *and (i)”;* and

16 (3) *by adding at the end the following new sub-*
17 *paragraph:*

18 “(B) *Subsection (i) of section 3031 of this title*
19 *shall apply with respect to the running of the 15-year*
20 *period described in paragraphs (4)(A) and (5)(A) of*
21 *this subsection in the same manner as such subsection*
22 *applies under section 3031 with respect to the run-*
23 *ning of the 10-year period described in section*
24 *3031(a).”.*

1 **SEC. 6012. EXEMPTION OF CERTAIN HOMELAND SECURITY**
2 **FEEES FOR CERTAIN IMMEDIATE RELATIVES**
3 **OF AN INDIVIDUAL WHO RECEIVED THE PUR-**
4 **PLE HEART.**

5 (a) *IN GENERAL.*—Not later than 90 days after the
6 date of the enactment of this Act, the Secretary of Homeland
7 Security shall include on a certain application or petition
8 an opportunity for certain immediate relatives of an indi-
9 vidual who was awarded the Purple Heart to identify them-
10 selves as such an immediate relative.

11 (b) *FEE EXEMPTION.*—The Secretary shall exempt cer-
12 tain immediate relatives of an individual who was awarded
13 the Purple Heart, who identifies as such an immediate rel-
14 ative on a certain application or petition, from a fee with
15 respect to a certain application or petition and any associ-
16 ated fee for biometrics.

17 (c) *PENDING APPLICATIONS AND PETITIONS.*—The
18 Secretary of Homeland Security may waive fees for a cer-
19 tain application or petition and any associated fee for bio-
20 metrics for certain immediate relatives of an individual
21 who was awarded the Purple Heart, if such application or
22 petition is submitted not more than 90 days after the date
23 of the enactment of this Act.

24 (d) *DEFINITION.*—In this section:

25 (1) *CERTAIN APPLICATION OR PETITION.*—The
26 term “certain application or petition” means—

1 (A) an application using Form-400, Appli-
2 cation for Naturalization (or any successor
3 form); or

4 (B) a petition using Form I-360, Petition
5 for Amerasian, Widow(er), or Special Immig-
6 grant (or any successor form).

7 (2) CERTAIN IMMEDIATE RELATIVES OF AN INDI-
8 VIDUAL WHO WAS AWARDED THE PURPLE HEART.—
9 The term “certain immediate relatives of an indi-
10 vidual who was awarded the Purple Heart” means an
11 immediate relative of a living or deceased member of
12 the Armed Forces who was awarded the Purple Heart
13 and who is not a person ineligible for military honors
14 pursuant to section 985(a) of title 10, United States
15 Code.

16 (3) IMMEDIATE RELATIVE.—The term “imme-
17 diate relative” has the meaning given such term in
18 section 201(b) of the Immigration and Nationality
19 Act (8 U.S.C. 1151(b)).

Amend the title so as to read: “A bill to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.”.

Union Calendar No. 83

117TH CONGRESS
1ST Session

H. R. 4350

[Report No. 117-118]

A BILL

To authorize appropriations for fiscal year 2022 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SEPTEMBER 10, 2021

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed